



AGENDA

MEETING CALLED TO ORDER AT 5:30PM

ROLL CALL

ADOPTION OF MINUTES OF May 13, 2015 and May 27, 2015

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

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

CONTINUATIONS

259, 261, 263 Norfolk Avenue – Consideration of the First Amended Upper Norfolk Subdivision Plat – Amending Conditions of Approval on Ordinance No. 06-55. PL-15-02665 73
Planner
Astorga

Public hearing and continuation to June 24, 2015

550 Park Avenue- Steep Slope Conditional Use Permit for Construction of a new single-family dwelling and a Conditional Use Permit for a parking area with five or more spaces. PL-14-02451 74
PL-15-02471
Planner
Astorga

Public hearing and continuation to uncertain date

CONSENT AGENDA – *All items on the consent agenda shall be passed or denied by a single motion at the Commission meeting, unless a motion to remove a specific item is made. If a member of the public or a member of the Planning Commission requests a public hearing on a consent agenda item, then the item shall be removed from the consent agenda and acted on at the same meeting.*

936 Empire Avenue – Modification to the Steep Slope Conditional Use Permit for a new single-family home on a vacant lot. PL-15-02618 75
Planner
Alexander

Public hearing and possible action

REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below*

7101 Stein Circle – Stein Eriksen Residences Condominium Plat Amending the North Silver Lake Condominium Plat. PL-15-02680 125
Planner
Astorga

Public hearing and possible recommendation to City Council on June 25, 2015

875 Main Street – Conditional Use Permit for an Off-Site Private Residence Club in the Historic Recreation Commercial (HRC) Zoning District for Victory Ranch Member Center. PL-15-02732 237
Planner
Hawley

Public hearing and possible action

Alice Claim south of intersection of King Road and Ridge Avenue – Alice Claim Subdivision and Plat Amendment PL-08-00371 301
Planner

Public hearing and possible recommendation to City Council on July 9, 2015 *Alexander*

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.

<p>Alice Claim south of intersection of King Road and Ridge Avenue – Conditional Use Permit for retaining walls up to 10' in height. <i>Public hearing and possible action</i></p>	<p>PL-15-02669 Planner Alexander</p>	<p>459</p>
<p><i>Land Management Code Amendments regarding applicability of Master Planned Developments, Chapter 6. Public hearing and possible recommendation to City Council on June 25,2015</i></p>	<p>PL-15-02803 Planner Whetstone</p>	<p>479</p>
<p><i>Land Management Code Amendments regarding 1) Setbacks for patios and hot tubs in HRL, Chapter 2.1, HR-1 Chapter 2.2, HR-2 Chapter 2.3, RC Chapter 2.16; 2) Annexations procedure and review in Chapter 8; 3) Non- conforming uses and non-complying structures in Chapter 9; 4) Definitions of carports, essential municipal and public utilities, facilities, and uses and others in Chapter 15; 5) Applicability of Steep Slope Conditional Use Permits in HRL, HR-1, and HR-2; 6) Conditional Use Permit review and site requirements in HRM Section 15-2.; 7) Board of Adjustment standard of review and appeals in Chapter 1 and Chapter 10; and 8) Combination of condominium units procedure in Chapter 7. Public hearing and possible recommendation to City Council on June 25,2015</i></p>	<p>PL-14-02595 Planner Whetstone</p>	<p>547</p>

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 13, 2015

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Preston Campbell, John Phillips, Nann Worel

EX OFFICIO:

Kirsten Whetstone, Planner; Christy Alexander; Planner; Francisco Astorga, Planner; Polly Samuels McLean, Assistant City Attorney

=====

REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:45 p.m. and noted that all Commissioners were present except Commissioners Band, Joyce and Thimm who were excused.

ADOPTION OF MINUTES

April 8, 2015

Commissioner Worel referred to the bottom of page 19 of the Staff report, page 17 of the minutes, and removed the word **they** from the second sentence. The correct sentence should read, "Mr. Fiat stated that more engineering work was done on this project regarding those issues than has been done on any other project."

MOTION: Commissioner Phillips to APPROVE the minutes of April 8, 2015 as corrected. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planner Astorga submitted copies of signage the Planning Department was considering for public noticing. The signs were more typical of the older signs. They are more expensive

but they do stay in place and last longer. The signs will also include a sentence warning people not to tamper with the noticing signs.

Commissioner Worel asked if a date had been set for the City Council/Planning Commission dinner. Planner Alexander believed it was Tuesday, June 16th.

Planner Alexander announced that an open house for the growth study with Envision Utah would be held on June 15th. It is an open house for the community and the Planning Department will send out invitations when the specifics have been finalized.

Commissioner Phillips asked if it was possible for the Planning Commission to have a session regarding historic building rehabilitation. His request was spurred by what had occurred at the Rio Grande. Commissioner Phillips thought the end result was unpredictable and not what he and others had expected to see. Regardless of whether it was right or wrong, he wanted the opportunity to see if the Staff and the Planning Commission could have done something different in the application process to at least have made it more predictable.

Planner Alexander stated that the preservation planners could put together a presentation for the Planning Commission. Commissioner Phillips asked if they could use the Rio Grande building as an example so they could follow the process and see how it ended up as it did. He thought it would be helpful for future applications to understand what they could do to make sure the end result is what they intended.

Planner Astorga reported that the Preservation Planner, Anya Grahn was looking into the Rio Grande building. He understood that Rory Murphy was scheduled to share his thoughts and comments about the Rio Grande building at a City Council meeting the following evening. Planner Astorga offered to pursue a work session when the full Planning Commission and Planning Manager Kayla Sintz could be present.

Planner Kirsten Whetstone understood that Commissioner Phillips was asking for a work session to discuss a general process for historic preservation, using the Rio Grande building as an example to begin the discussion.

Council Member Cindy Matsumoto reported that the City Council had asked the Staff to look into what happened with the Rio Grande Building. She understood that the legal department was also going to look into. Ms. Matsumoto stated that when the first plan did not go forward the applicant met with the Staff, and the question was whether or not that was the correct process. She also did not believe the Staff had a full understanding of what the applicant had proposed. Ms. Matsumoto thought it was a good idea for the Planning Commission to look at it as well.

WORK SESSION

Capital Improvement Projects

Planner Whetstone stated that Matt Cassel was unable to attend the meeting but he had submitted a list of items for the Planning Commission to review. Mr. Cassel had highlighted the items that pertained to the Planning Commission. Planner Whetstone stated that if the Commissioners had input or questions they could either provide that now or contact Matt Cassel.

Assistant City Attorney McLean stated that if the Commissioners had questions, she suggested that they invite Mr. Cassel to attend a meeting as opposed to contacting him individually.

Commissioner Worel asked if the list was prioritized. Planner Whetstone believed it was a general list and the projects were not prioritized. Commissioner Worel would like Mr. Cassel to address some of the priorities.

Commissioner Phillips pointed out a typo on 1450-1460 Park Avenue. On the third line on page 71 of the Staff report the number 2,61,750 was missing a digit. He was unsure where the missing digit belonged but it could potentially be a 540,000 difference.

355 Ontario Avenue – Steep Slope Conditional Use Permit for a new accessory building/garage (Application PL-15-02716)

Planner Alexander stated that this was a discussion item for the Planning Commission prior to the regular session for 355 Ontario Avenue. She noted that in November 2013 LMC amendments were brought before the Planning Commission and the City Council in regards to Building Heights in the historic districts. At that time the LMC was amended to require a 10' stepback of structures at the 23' height to decrease the visible massing at the street front or from cross canyon views.

Planner Alexander stated that something situations are overlooked when the Code is amended because it is impossible to know what might come forward in the future. Planner Alexander noted that Ontario is a unique neighborhood because it is a narrow street with extremely steep slope coming off of Ontario on the downhill side. This applicant was proposing to build a garage as an accessory building. An addition to the home was not being proposed. However, a stepback at 23 feet would cut into the garage and they would not be able to build a feasible garage large enough for a car. The entire purpose of building the accessory structure is to provide on-site parking since the historic home does not require parking and there is no on-street parking on Ontario. Planner Alexander stated

that this item was discussed at a Staff meeting and they determined that the historic home on the property steps back at the 22' height and more than 10 feet. The Staff believes the garage meets the intent of the Code. Looking from Marsac or from the public stairway easement and down from the cross canyon view, a full three story massing is not seen. Because the intent of the Code is to minimize the three-story massing directly from the street, the Staff believes the garage meets the intent of the Code. However, the Code itself for the HR-1 District, Section 15-2.2-5(b), the Building Height reads, "The ten foot minimum horizontal step on the downhill façade is required unless the first story is located completely under the finished grade on all sides of the structure. The horizontal step shall take place at a maximum height of 23 feet from where the building footprint meets the lowest point of existing grade." Planner Alexander stated that the language specifies structure. It did not take into account an addition or accessory structure with an existing home on the lot.

Planner Alexander stated that the Staff was suggesting for this project that the Planning Commission find that it meets the intent of the Code. They also asked whether the Planning Commission would like the Staff to look at amending the Code to address instances in the future where additions or an accessory structure are proposed.

Commissioner Phillips felt the proposal met the intent of the Code as demonstrated in the cross canyon view. He noted that it was a small portion of the upper level and not the complete back of the building. If it went all the way across he might have issues with it, but as proposed he agreed with the Staff determination that it meets the intent of the Code. Commissioner Phillips identified several homes that did not meet the new Code, which was a good example of why the Code was put into place.

Commissioners Worel concurred with Commissioner Phillips. Commissioner Campbell thought it looked great.

Chair Strachan asked if they were talking about the garage and the house behind it. Planner Alexander replied that it was an accessory building, which allows them to only have the garage and storage. The applicants originally planned to build an accessory apartment but it did not meet the Code in terms of size for an accessory apartment. The kitchen and bathroom were removed from the plans and the applicant was aware that it could only be used as a garage and storage. She clarified that the structure would be an accessory building used as a garage and storage. It would not have livable space and it would not have plumbing.

David White, the project architect, explained that the top floor is a small single car garage with an open parking space beside it. The first and second floors were open space.

Planner Alexander remarked that the work session was primarily to discuss the stepback. The Planning Commission could go into more details of the project during the regular session.

Chair Strachan preferred to hold his comments until the regular session.

Continuations (public hearing and continue to date specified.)

1. 212 Main Street, Condominium Conversion – Staff recommends that the Planning Commission conduct a public hearing and continue the item to a date uncertain to allow the Staff to confirm new ownership. (Application PL-14-02491)

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

MOTION: Commissioner Phillips moved to CONTINUE 212 Main Street Condominium Conversion to a date uncertain. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

2. 327 Woodside Avenue – Plat Amendment combining two (2) lots into one (1). (Application PL-14-02663)

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

MOTION: Commissioner Worel moved to CONTINUE 327 Woodside Avenue Plat Amendment to May 27, 2015. Commissioner Phillips seconded the motion.

3. 7101 Stein Circle – Stein Eriksen Residences Condominium Plat Amending the North Silver Lake Condominium Plat. (Application PL-15-02680)

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

MOTION: Commissioner Worel moved to CONTINUE 7101 Stein Circle, Stein Eriksen Residence Condominium Plat Amending the North Silver Lake Condominium Plat to May 27, 2015. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

4. 259/261/263 Norfolk Avenue – Consideration of the First Amended Upper Norfolk Subdivision Plat – Amending Conditions of Approval on Ordinance N. 06-55.
(Application PL-15-02665)

Planner Astorga stated that the developer requested a continuance to June 10, 2015 rather than May 27, 2015.

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

MOTION: Commissioner Phillips moved to CONTINUE 259/261/263 Norfolk Avenue – Consideration of the First Amended Upper Norfolk Subdivision Plat to June 10, 2015. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA – Discussion, public hearing, action.

1. **355 Ontario Avenue – Steep Slope CUP for a new accessory building/garage on a lot with an existing historic home.** (Application PL-15-02716)

Planner Alexander reported that an existing historic home sits on the property. The owner, William McKenna, was requesting to build an accessory structure with a garage that is approximately 1,270 square feet total, including the garage. The footprint of the new accessory building combined with the footprint of the existing home meets the maximum footprint of 1,388.3 square feet. Due to the slope of the lot being an average of 40%, with 30% being within the first 50 feet from Ontario, a Steep Slope Conditional Use permit is required.

Planner Alexander stated that the setback standards have been met and the applicant was requesting a height exception. The maximum height within the district is 27'. The height of the garage goes up to 29'. Planner Alexander noted that the Code allows an exception if it is approved by the Planning Director. She stated that the applicant made that request and the Planning Director determined that because it was only a difference of 2 feet it falls within exceptions that have been granted in other areas within the neighborhood. Therefore, the Planning Director granted the height exception for the additional two feet. The action letter was included in the Staff report.

Planner Alexander remarked that as discussed during the work session the applicant was proposing to use the lower two floors as storage and work space. There will be no plumbing in the structure. The garage will be the upper level with stairs that exit out on to

an existing deck, which goes straight into the existing home. Planner Alexander stated that parking is not required parking for this historic house; however, because Ontario Avenue is very narrow and lacks on-street parking, and the steepness of the lot is very dangerous, they applicant was requesting to build a garage.

Since there are several other garages within the neighborhood the Staff finds this to be a good use of the property and finds no other issues or unmitigated impacts with the Steep Slope CUP. The Staff recommended that the Planning Commission conduct a public hearing and approve the Steep Slope CUP.

Chair Strachan opened the public hearing.

Planner Alexander had received two letters from neighboring properties who were in favor of this project. The letters would be added into the record.

Chair Strachan closed the public hearing.

Chair Strachan stated that having condition of approval #14, which states that no livable bedrooms, bathrooms or kitchen areas shall be created inside the accessory building, made him feel more comfortable. In looking at the cross canyon view, he thought the structure looked like a house waiting to happen; and had the potential for a future owner to violate the rules and add a bathroom and a bedroom to make it a home. He pointed out that 1200 square feet was a significant size for a garage.

Planner Whetstone noted that the Code allows accessory structures to have living space and bathrooms. The Code prohibits the structure from having a kitchen, without applying for a conditional use permit for an accessory apartment. She asked Planner Alexander to verify if the applicants were aware of Condition of Approval #14. Commissioner Strachan noted that one of the findings of facts indicates that the applicant has stipulated to Condition #14. Planner Alexander pointed out that the proposed structure could not become an accessory apartment because an accessory apartment has to be one-third the size of the existing home.

Assistant City Attorney McLean suggested that one of the Findings refer to the definition of an accessory building found in LMC 15-15-1.3, which restricts it to "building on the same lot as the principle building and that it is clearly incidental to and customarily found in connection with such principle building such as attached garages, barns and other similar structures that require a building permit, operated and maintained for the benefit of the principle use, not a dwelling unit. It also includes structures that do not require a building permit."

Planner Alexander noted that the one-third size for an accessory apartment was addressed in LMC Section 15-4-7. She remarked that it has to be one-third of the principle dwelling size but no less than 400 square feet. Since the existing home is not 1200 square feet it would be impossible to make the proposed accessory structure an accessory dwelling unit.

Assistant City Attorney McLean stated that the restrictions in terms of the use are defined by the accessory building, which is defined in Section 15-15-1.3 and also in the definition of a dwelling unit, which is a “building or portion thereof designed for the use as the residence for a sleeping place for one or more persons or families.” She pointed out that it does not meet the definition of a dwelling unit and it cannot have a kitchen.

Chair Strachan understood that Ms. McLean was suggested that the Planning Commission make a finding that says it is subject to 15-4-7 and 15-15-1.3.

Commissioner Worel wanted to know whether these conditions of approval would be followed if someone ten years from now applied for a building permit to make the structure into an apartment. Ms. McLean replied that if the process works as it should, they would see the prior approval for the Steep Slope CUP and the attached conditions. She thought it might be worth adding a condition of approval as well as the finding. Chair Strachan noted that Condition of Approval #14 already addresses that issue. He did not think they should add that it must comply at all times with Section 15-4-7 because the Code might be changed at some point.

Chair Strachan suggested that the Planning Commission approve the Steep Slope CUP with the amendment to add Finding of Fact #27 to read, “The project shall comply with Code Sections 15-4-7 and 15-15-1.3.”

MOTION: Commissioner Worel moved to APPROVE the CUP for 355 Ontario Avenue according to the Findings of Fact, Conclusions of Law, and Conditions of Approval with the amendment to add Finding of Fact #27 as stated by Chair Strachan. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - 355 Ontario Avenue

1. The property is located at 355 Ontario Avenue.
2. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.

3. The property is described as Lot A of the Ontario Three Subdivision. The lot area is 3,352 square feet.
4. A Historic District Design Review (HDDR) application is required and will be reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.
5. This lot is a combination of a portion of Lots 18 and 19 located in Block 54 of the Park City Survey, which was previously vacated. This is downhill lot with an existing historic home.
6. Access to the property is from Ontario Avenue, a public street.
7. Two parking spaces are proposed on site. One space is proposed within an attached garage and the second is on the driveway directly adjacent to the garage on the south, within the lot area.
8. The neighborhood is characterized by primarily non-historic and historic residential structures, single family homes and duplexes.
9. The proposal consists of a total of 1,270.5 total square feet, including the garage.
10. The proposed driveway was designed with a maximum width of twelve feet and is approximately 20 feet in length from the garage to the existing edge of street and located on the property. The garage door complies with the maximum height and width of nine feet by nine feet.
11. The proposed driveway has an overall slope of 0% as measured from the front of the garage to the edge of the paved street.
12. An overall combined building footprint with the existing Landmark historic house and accessory structure of 1,338.3 square feet is proposed. The maximum allowed footprint for this lot is 1,338.3 square feet. The accessory structure totals 596.3 square feet of footprint and the historic home totals 792 square feet of footprint.
13. The proposed structure complies with all setbacks of 5' side yards and 10' front and rear yards, with the proposed structure setback 5' on both side yards, 10' on the front and 44' on the rear.
14. The proposed structure complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade except for portions of the garage.

The Planning Director has approved an exception to the height of 29' for a garage on a downhill lot. Portions of the building are less than 27' in height.

15.The proposed structure complies with the LMC required total building height of 35' from the lowest floor plane to the highest wall plate and is in compliance with the LMC required step back of 10' at the building height of 23' at the rear façade of the existing historic home whereas it does not meet the step back on the accessory structure itself.

16.The applicant submitted a visual analysis, cross valley views and a streetscape showing a contextual analysis of visual impacts of this home on the cross canyon views and the Ontario Avenue streetscape.

17.Retaining is not necessary around the home on the upper, steeper portion of the lot. There will be no free-standing retaining walls. There are no window wells.

18.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.

19.The site design, stepping of the foundation and building mass, increased articulation, and decrease in the allowed difference between the existing and final grade mitigates impacts of construction on the 30% or greater slope areas on the first 50' of the front of the lot, which requires the Steep Slope CUP.

20.The design includes setback variations in the front and back and lower building heights for portions of the structure in both the front and back where facades are less than twenty-seven feet in height.

21.The proposed massing and architectural design components are compatible with both the volume and massing of other buildings in the area. No wall effect is created with adjacent structures due to stepping, articulation, and placement of the house on the lot.

22.The proposed structure follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as foundation, roofing, materials, window and door openings, and single car garages.

23.No lighting has been proposed at this time. Lighting will be reviewed at the time of

Building Permit application for compliance with the LMC lighting code standards.

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

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

26. The applicant stipulates to the conditions of approval.

27. The project shall comply with Code Sections 15-4-7 and 15-15-1.3.

Conclusions of Law – 355 Ontario Avenue

1. The Steep Slope CUP application is consistent with the Park City General Plan.
2. The application is consistent with requirements of the Park City LMC, specifically Section 15-2.2-6 (B) (1-10) regarding development on Steep Slopes.
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 – 355 Ontario Avenue

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit, the 2009 Design Guidelines for Historic Districts and Historic Sites (Historic District Design Review) and the Land Management Code.
7. No building permit shall be issued until the Ontario Three Subdivision is recorded.
8. If required by the Chief Building Official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
9. This approval will expire on May 13, 2016, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and the request is granted by the Planning Director.
10. Modified 13-D residential fire sprinklers are required for all new structures on the lot.
11. All exterior lighting, on porches, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way. Light trespass into the night sky is prohibited.
12. Construction waste should be diverted from the landfill and recycled when possible.
13. 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 surroundings.
14. No livable bedrooms, bathrooms, or kitchen areas shall be created inside the accessory building as it is for a garage and storage only, due to the proposed building not meeting the size requirement of an accessory apartment in association with the size of the existing dwelling.

2. 1021 Park Avenue – Plat Amendment combining two lots in order to remove the lot line with an existing historic home (Application PL-15-02703)

Planner Alexander reviewed the application for a plat amendment for the purpose of combining two existing lots that previously had a historic home located over the property lines. The applicant, Bill Hart, and his representative Marshall King, were present to answer questions.

Planner Alexander stated that the application first came to the Planning Department as a Historic District Design Review in order to deconstruct the existing historic home that was located on this property. It went through the HDDR process with Planner Anya Grahn and it was approved. Planner Alexander noted that the applicant would be required to apply for another HDDR for reconstruction of the home. A preservation plan is in place which requires the owner to reconstruct the historic single family home exactly as it was previous to deconstruction. The Staff report included a brief timeline summary of the historic home and the reasoning for the deconstruction.

Planner Alexander reported that in order to reconstruct the home the existing lot lines need to be removed to make the property one complete lot of record, which is why the applicant was requesting this plat amendment.

The Staff found no issues with this request because the applicant had met the HDDR requirements and the home was already deconstructed. The property is currently vacant. The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation on this plat amendment.

Chair Strachan opened the public hearing.

Planner Alexander had received a letter from Ross Wilson, a neighbor at 1025 Park Avenue, who supported the plat amendment and urged the Planning Commission to approve the application. The letter from Mr. Wilson was entered into the record.

Chair Strachan closed the public hearing.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation for the plat amendment at 1021 Park Avenue, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Worel seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1021 Park Avenue

1. The plat is located at 1021 Park Avenue within the Historic Residential (HR-1) District.
2. The 1021 Park Avenue Subdivision consists of Lots 5 & 6 of Block 4 of the Snyder's Addition to the Park City Survey.
3. On February 25, 2015, the applicants submitted an application for a plat amendment to combine two (2) lots containing a total of 3,750 square feet into one (1) lot of record.
4. The application was deemed complete on March 11, 2015.
5. The site is a developed parcel which had a historic structure which has been deconstructed, identified on the City's Historic Sites Inventory (HSI) as a "Landmark" site.
6. The lots at 1021 Park Ave are currently vacant after the historic home was deconstructed in order to satisfy the Building Department's Notice and Order.
7. Approval of the HDDR for deconstruction was noticed on March 18, 2015.
8. The Encumbrance and Agreement for Historic Preservation for 1021 Park Avenue states that the historic home must be reconstructed as outlined in the Historic Preservation Plan by March 30, 2017.
9. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single family dwelling.
10. The maximum footprint allowed in the HR-1 zone is 1,518.75 square feet for the proposed lot based on the lot area of the lot.
11. The plat amendment secures public snow storage easements of ten (10') feet across the frontage of the lot.
12. Lots 5 & 6 of Block 4 of the Snyder's Addition to the Park City Survey are located in a FEMA flood zone X, which is an area with an 0.2% annual chance of flooding or an areas with a 1% annual chance of flooding with average depths of less than one (1) foot.

13. The front yard setback is approximately 13 feet, the rear yard setback is approximately 16 feet. The side yard setbacks are approximately 11 feet each. These setbacks meet the requirements of the Land Management Code.

Conclusions of Law – 1021 Park Avenue

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

Conditions of Approval – 1021 Park Avenue

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Recordation of this plat is required prior to building permit issuance for any construction on the proposed lot.
4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
5. A ten foot (10') wide public snow storage easement is required along the frontage of the lots with Park Avenue and shall be shown on the plat.
6. All conditions of approval from the HDDR approval of March 18, 2015 continue to

apply.

3. **545 Main Street & 550/554/560 Park Avenue – Plat Amendment to create four (4) lots of record from five (5) lots (Application PL-15-02466)**
4. **550 Park Avenue – Steep Slope CUP for construction of a new single-family dwelling and a CUP for a parking area with five or more spaces. (Application PL-14-02541 and PL-15-02471)**

Planner Astorga requested that the Planning Commission discuss the two items together, conduct a public hearing and take two separate actions.

Planner Astorga noted that there were two different zone districts within the plat amendment that includes 545 Main Street, which is the April Inn, and four lots on Park Avenue. He presented a slide showing that Lots 2 and 3 would become larger. Lot 3 would be 32.5 feet in width and the standard 75' deep lot. Lot 2 as proposed would be 32.42 x 75'. Lots 2 and 3 are on Park Avenue and the zoning district on that side of the block is HR-2. Historically the HR-2 was known as the HTO zone, which was the historic transitional overlay from the Main Street uses that tended to spill into the residential HR-1 zone.

Planner Astorga noted that the applicant submitted the plat amendment application, as well as a conditional use permit. He explained that the purpose of combining 550 and 545 Main Street is to accommodate a use that is listed in the HR-2 zone. Planner Astorga stated that the plat amendment and the CUP are related because the special criteria for the HR-2(A) zone applied to both. He stated that the reason for the plat amendment is to accommodate a structure on 550 Park Avenue with a conditional use permit for the structure and residential a parking area with five or more parking spaces for the associated use on the same lot.

Planner Astorga reported that the original application that was submitted was not a plat amendment. It rearranged the lot on Park Avenue but it did not combine the two lots. The applicant had to request a plat amendment to remove the lot line because the use would not work as the April Inn recently received a Historic District Design Review approval to remodel 12 units into 3 units. Planner Astorga pointed out that the April Inn is not a historic building; however when it was approved there was no parking on site. The developer began working with the Staff and paid \$14,000 per parking space in order to move forward with that specific remodel. Planner Astorga remarked that his unique concept was a conditional use permit based upon a building where the main floor and the upper floor would be the single family dwelling, and the lower level would be the parking structure for the uses associated in the HCB zoned lot. The Code allows for this type of request. The

Staff report contained the analysis regarding the special requirements for the HR-2(A). The Staff report for the conditional use permit application outlines the necessary criteria for the Steep Slope CUP, special conditional use requirements, as well as the HR-2(A) criteria.

Planner Astorga reported that a few months ago the City Engineer, Matt Cassel, went before the City Council on behalf of the applicant to see if the Council would grant an easement on the alley to use the property for the lowest level of the structure. He noted that people mistakenly think it is a right-of-way because of the layout, but it is actually City owned property. The easement would allow the structure to only be accessed through Main Street. The City Council indicated that the easement would be granted and they were in the process of drafting the final language.

Planner Astorga reported on a letter he received from John Plunkett that was included as public comment in the Staff report.

Chair Strachan understood that there would be six parking spaces in Lot 1; two would be uncovered and four would be covered. He asked if the uncovered spaces would be off of Park Avenue or toward Main Street.

Jonathan DeGray, representing the applicant, replied that they would be toward Main Street. Planner Astorga reviewed the proposed site plan showing where the parking spaces would be located.

Commissioner Phillips thought the two uncovered spaces already exist because people park cars there. Chair Strachan asked if Lots 2 and 3 would eventually be single family homes. Mr. DeGray answered yes. Commissioner Strachan asked if those homes would have garages. Mr. DeGray answered yes. There would be space for one car in the garage and another car in the driveway. Chair Strachan assumed there would be no access from the easement to those lots. Mr. DeGray replied that this was correct. They would be independent lots accessed off of Park Avenue. Planner Astorga clarified that the six parking spaces belong to the April Inn. The main floor of the structure has separate parking for the house.

Chair Strachan referred to the letter from Mr. Plunkett and he asked if the applicants would be willing to a condition stating that none of the parking that may be built on Lots 1, 2, or 3 for the residential uses could ever be used for the April Inn or any commercial use. He noted that Mr. Plunkett was concerned that if the April Inn parking overflows they could potentially tell people to park in the Park Avenue residence parking.

Paul Colton, representing the applicant, noted that the Code already has that requirement and they were not opposed to adding it as a condition. Planner Astorga noted that per

Code the parking must be below the Park Avenue level. The Staff was comfortable adding a condition of approval to reiterate the Code requirement.

Assistant City Attorney McLean suggested a condition to read, "Parking for the April Inn may only be accessed from Main Street". Mr. Colton pointed out that the only physical access to the parking is off of Main Street.

Chair Strachan also favored some of the other conditions that were suggested by Mr. Plunkett. For example, a condition stating that the emergency exit door for the April Inn could not be used as an entrance. Planner Astorga clarified that he had not added language regarding the door because the building permit for the April Inn shows that the door would be eliminated. Chair Strachan asked if there was any access to the April Inn from the Park Avenue side. He was told there was not. Chair Strachan stated that the fine line between the HR1 and the HCB was difficult to work with and he felt this proposal actually works for the commercial side without impacting the residential on Park Avenue. Commissioner Worel thought it was a creative solution. Commissioner Phillips concurred. It also relieves some of the existing parking pressures.

Chair Strachan opened the public hearing for both the plat amendment and the CUP.

Sanford Melville, a resident at 527 Park Avenue, commented on the letter from John Plunkett and he stated for the record that he fully supported the comments and concerns that were raised in the letter. Mr. Melville was concerned about the four tandem parking spaces on the middle level of the Park Avenue home. A one-bedroom residence was being proposed and he thought it was unusual to have four-car parking for a one-bedroom house. He believed it called into question the ultimate use of the parking. If this is approved, Mr. Melville thought a condition of approval should include a statement that the four car parking could only be used for the Park Avenue residents. Mr. Melville was also concerned about the two garage doors facing Park Avenue for the tandem parking. He referred to the elevation on page 190 of the Staff report. He thought it presented a visual wall of garage doors on the street level which is something Park City has been trying to eliminate from recent projects. Mr. Melville found nothing in the proposal to protect the historic retaining wall at the top of the steps on Park Avenue on the City property. He suggested adding a provision to protect or damage or not undermine the historic wall. Mr. Melville was concerned about the re-routing of the steps leading from Park Avenue to the alley and the City property. He thought it appeared that the applicant was proposing to use almost all of the City property up to Park Avenue as entrances to the lower garage level. The exhibit on page 188 illustrates how they intend to re-route the steps. The existing steps go down into the alley. If the steps are re-routed he was concerned that they would become very steep. Mr. Melville was concerned that the public steps would be sacrificed for the project. He noted that the steps are heavily used by the residents of Park Avenue

and re-routing them would be unfortunate. Mr. Melville believed there were inconsistencies in the drawings as far as whether there would be doors on the six parking spaces or whether it would be an open space. It was unclear from the packet how that would look.

Mary Wintzer, a resident at 320 McHenry, stated that she had not studied this particular item; however, after listening to Mr. Melville she agreed that if this is a one bedroom structure it makes no sense to have the parking. She asked the Planning Commission to scrutinize the project and consider the comment about the stairs being used by the public. If all of this is being facilitated by using City property, that also makes no sense because of the Visioning of small town and historic character. If the applicant has to use City property to facilitate all of this development, she would ask the Planning Commission to look at it carefully because that was not what the citizens in Old Town intended in the Visioning.

Chair Strachan closed the public hearing.

Chair Strachan asked if the four spaces built for the single family homes would only be used by the single family residents, or whether they could be used by April Inn. Planner Astorga stated that per Code, the parking spaces that access off Park Avenue could only be used for the single family dwelling. The HCB uses can only spill over into the HR-2 if it is below the Park Avenue level. Therefore the spaces cannot be used as parking for any of the HCB.

Chair Strachan asked the reason for having four spaces for a one-bedroom dwelling. Mr. DeGray explained that the two tandem garages are locked out. Two spaces are required and dedicated for the residents. The other two are for the building owner. When he rents the building he wants to have a lockout to store his vehicles and other things.

Chair Strachan asked if Lots 2 and 3 would have tandem garages side by side. Mr. DeGray stated that Lots 2 and 3 are individual single family lots that have not been designed. Because of the loss of space on the lowest level to facilitate the parking for the residential units at the April Inn, it would be a very small house that would probably be used as a one-bedroom rental facility. Having extra storage for his uses made more sense than having a 1,000 square foot home.

Commissioner Phillips agreed that it was a lot of stalls for one unit, but he understood that the garage could be used for storage, table tennis, or other uses. However, the garage is supposed to be subordinate in design, but he sees a lot of garage doors facing the street with a subordinate entry. He personally did not believe the garages were subordinate.

Mr. DeGray stated that based on the Staff's input during the HDDR review they created stepping in the front elevations and recesses at the entry and at the garage door to create

movement along the front elevation. Mr. Phillips noted that those techniques are typically used. He was unsure how to define subordinate and asked Planner Astorga if he was correct in understanding that the Code requires garages to be subordinate.

Planner Astorga replied that the General Plan defines the word subordinate, but he was unsure whether there was a specific regulation or policy requiring it. Planner Whetstone noted that the Historic District Design Review Guidelines address garages being subordinate.

Commissioner Phillips understood that the second half of the garage was for the building owner. He asked if it was the same owner of the Main Street property, and if so, whether he could park there and walk down the stairs into the other building. Regardless of whether it is the owner or a tenant they were trying to discourage that type of access. Planner Astorga replied that it was actually prohibited. Mr. DeGray noted that during the plat discussion the Planning Commission had talked about adding a condition limiting the use of the parking garage to the residents at 550 Park Avenue.

Assistant City Attorney McLean noted that Criteria #6 for a Steep Slope CUP outlined on page 170 of the Staff report specifically states that the garage must be subordinate in design to the main Building. Criteria #6 also states that 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.

Mr. DeGray asked Planner Astorga to show the streetscape on page 191 of the Staff report because he thought the west elevation of the building was somewhat deceiving as what is seen from the street.

Commissioner Phillips noted that in the past the Planning Commission has requested that applicants step the garage. He referred to the three homes on page 191 and commented on the percentage of garage doors facing the street. He believed the intent of the word "subordinate" was to keep from having the whole face of the house be the garage. Commissioner Phillips pointed out that the existing house has a single car garage with a nice dominant entry. He was concerned that the entry door of the proposed house would not even be seen driving down Park Avenue because it is recessed, and only the garage doors would be visible. Commissioner Phillips felt strongly that the intent of the Code was to prevent that from occurring.

Assistant City Attorney McLean understood that Commissioner Phillips felt that the double garage door impacts the building form and scale. However, those impacts could be mitigated if, for example, there was one garage door. Commissioner Phillips understood the difficulty of having one garage door because there were two separate

garages. He thought adding windows to the side of the garage would help add some interest to the building driving down the street. Commissioner Phillips offered design suggestions for the applicant to consider. Planner Whetstone suggested the possibility of flipping the entrance and the garage so the entrance would be to the front and the garage would be recessed.

Commissioner Campbell thought that because it was already stepped the two garage doors would not present the unified façade that it appeared to be in the drawing. He believed the applicant had already complied with the intent of the Code by making that step and they were giving up garage space to do it. He suggested that they try to camouflage the garage doors in some way to make it look more like the siding of the house. Commissioner Campbell thought a 3-D model would help better visualize the true effect of the garage doors, because he believed the garages were stepped more than what was showing in the drawing.

Commissioner Worel agreed that the garage doors were not subordinate to the house. She also thought a 3-D model would help.

Chair Strachan read from the Code regarding special requirements for MPDs and Conditional Use Permits in Subzone A. "The commercial portions of a structure extending from the HCB to the HR-2 must be designed to minimize the commercial character of the building and use, and must mitigate all impacts on the adjacent residential uses." He pointed out that it was not the classic "reasonably mitigate" the impacts. In these situations all the impacts must be mitigated. Chair Strachan remarked that the owner was using this as a personal garage to forward a commercial use of renting the unit. He pointed out that under that scenario it was a commercial use and not a residential use. The impact to the adjacent residential uses would be the owner driving up and down Park Avenue to park in the garage when he does not live there. Chair Strachan did not believe the purpose and intent of the garage a residential use that complies with the Code.

Mr. DeGray thought Chair Strachan was misrepresenting the intent of the owner. The owner intended to use the garage purely for storage while he was renting the building whether nightly or monthly. The owner would not be using the garage daily. Chair Strachan remarked that the owner may not have that intent but he could use it on a daily basis. Mr. DeGray agreed, but the purpose is to use it as storage space, which is not prohibited by Code. He clarified that it was not for a commercial enterprise.

Chair Strachan clarified that if this was only for a residential unit, the person designing the residential unit would not opt for four parking spaces for a one-bedroom unit. He believed they would opt to have more bedrooms and two parking spaces. Chair

Strachan stated that the extra garage was obviously for the owner of the residential unit on Lot 1 so he could park there and use it for storage in conjunction with the commercial lot that he owns. He pointed out that in combining the lots Lot 1 becomes a commercial lot. It is residential on the top but the rest is commercial.

Assistant City Attorney McLean recommended that the Planning Commission look at Criteria. She understood that their concern was that the impacts of this design do not coordinate with adjacent properties in terms of preserving of natural vegetation, minimizing driveway and parking areas and provide variation of the front yard. Those concerns were addressed in Criteria #5. She also heard concerns related to Criteria #6 regarding the garage must be subordinate in design to the main building. Another issue was addressed in Criteria 8, the dwelling volume.

Commissioner Campbell stated that the perceived bulk of the garage and the house were intertwined. He believed the only issue was the two garage doors. If one of the garage doors looked like siding you would not be able to tell it was a garage door unless you were up close to it.

Mr. DeGray summarized the direction from the Planning Commission for either re-designing the front of the garage or better portraying what was actually designed. He was willing to prepare a 3-D model showing the shade and shadow and how the garages are stepped back. He would look at creating even further stepping between the garage doors and making the entry to the building proud of the garage doors. He asked if that would be acceptable to the Planning Commission if he came back with a proposal that accomplished those three items.

Chair Strachan suggested that the Planning Commission could forward a positive recommendation for the plat amendment this evening because the design for Lot 1 design works as a good way to access the HCB zone. They should continue the CUP for the single family dwelling and approve the CUP for a parking area with five or more spaces.

Assistant City Attorney McLean pointed out that the Findings for both CUPs were intertwined. She recommended that both CUPs be continued and that the Staff draft separate Findings for each CUP application. She noted that the CUP for parking could be a Consent Agenda item at the next meeting.

Commissioner Campbell clarified that he was personally not opposed to having four cars in the garage. However, he would like the applicant to hide the fact that two-thirds of the front of the house is a garage door. Commissioner Phillips concurred.

Mr. DeGray commented on the landscaping element and noted that the curb cut is limited to the front of the northerly garage door. He would also show that as a street view on a 3-D model.

Chair Strachan requested that the applicant also address the public comments regarding the stairs and how they would be re-routed. Assistant City Attorney McLean stated that she was not aware that the stairs were moving. The stairs are on City property and she asked if they had obtained permission from the City engineer to re-route the stairs. Planner Astorga stated that a condition of approval states that any type of work or remodeling of the City stairs would have to be approved by the City Engineer. Planner Astorga understood that the reason for changing the stairs was to allow for a car to pull in and out of the first driveway.

Mr. DeGray stated that the bottom third of the stairs would be remodeled and the number of rise and run would remain the same. The steepness of the stairs would be the same. Mr. DeGray remarked that historic wall that was mentioned would not be affected at all. Planner Astorga noted that the landscaping would also have to be approved by the City Engineer through the encroachment agreement process. Chair Strachan asked Mr. DeGray to address those issues at the next meeting to allay their concerns and the public concerns.

Commissioner Phillips noted that the stairs are heavily used. He asked about the width of the existing paved area of the alley and whether it would be wide enough to paint a line for pedestrians. Assistant City Attorney McLean stated that they were working on the easement to allow the applicant to use the alley. As part of that they could require designating a pedestrian area to make it safer for pedestrians since they were adding parking for six additional cars.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the Plat Amendment at Cardinal Park Subdivision based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Worel moved to CONTINUE the Steep Slope Conditional Use Permit for construction of a new single-family dwelling at 550 Park Avenue, as well as the Conditional Use Permit for a parking area of five or more spaces to June 10, 2015. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Cardinal Park Subdivision – Plat Amendment

1. The property is located at 545 Main Street and 550, 554, 560 Park Avenue.
2. The property is in the Historic Commercial Business (HCB) and Historic Residential-2 (HR-2) District, respectively.
3. The subject property consists of Lot 1 of the 545 Main Street Plat and Lot 32, 33, 34, and 35 of Block 9 of the Amended Plat of the Park City Survey.
4. The Main Street lot has a non-historic building known as the April Inn and is recognized by Summit County as Parcel 545-MAIN-1.
5. The four (4) Park Avenue lots are vacant and are recognized by Summit County as Parcels PC-137 (lot 32 & 33), PC-131 (lot 34), and PC-138 (lot 35).
6. The proposed Plat Amendment creates three (3) lots of record from the existing five (5) lots.
7. The four (4) existing Park Avenue lots are to be reconfigured into three (3) lots with a depth of seventy-five feet (75') and a width ranging from 32.42' to 35' and the April Inn lot would be combined with the newly reconfigured lot northwest of it.
8. Lot 1 would have two (2) addresses, one (1) for Main Street, the April Inn, 545 Main Street and one (1) for Park Avenue, 550 Park Avenue.
9. Lot 2 would be addressed 554 Park Avenue.
10. Lot 3 would be addressed 560 Park Avenue.
11. Lot 1 would retain the HR-2 District zoning on the Park Avenue side and the HCB District zoning on the Main Street side with all of their associated rights and restrictions.
12. There are no provisions in the Land Management Code (LMC) which prohibit the two (2) Districts within the same lot.
13. A single-family dwelling is an allowed use in the Historic Residential-2 District.
14. The minimum lot area for a single-family dwelling is 1,875 square feet.

15. The area of proposed Lot 1 is 8,425.5 square feet.
16. The minimum lot area in the HCB District is 1,250 square feet.
17. The proposed area of lot 1 within the HR-2 District is 2,625 square feet.
18. The area of proposed Lot 2 is 2,431.5 square feet.
19. The area of proposed Lot 3 is 2,437.5 square feet.
20. The areas of proposed lots meet the minimum lot area for single-family dwellings in the HR-2.
21. A duplex dwelling is a conditional use in the Historic Residential-2 District.
22. The minimum lot area for a duplex dwelling is 3,750 square feet.
23. The proposed lots, including the HR-2 portion of Lot 1, do not meet the minimum lot area for a duplex dwelling.
24. The minimum lot width allowed in the Historic Residential-2 District is twenty-five feet (25').
25. The proposed lot width of Lot 1 within the HR-2 District is 35 feet.
26. The proposed lot width of Lot 2 is 32.42 feet.
27. The proposed lot width of Lot 3 is 32.5 feet.
28. The proposed lots, including the HR-2 portion of Lot 1, meet the minimum lot width requirement.
29. Any provisions regarding lot size regarding Lot 1 shall be governed by the rights and restrictions of their corresponding zoning Districts.
30. The maximum building footprint of lot 1 shall be 1,132.5 square feet. (HR-2 District).
31. The maximum building footprint of Lot 2 shall be 1,060.5 square feet.
32. The maximum building footprint of Lot 3 shall be 1,062.7 square feet.

33.The rear yard setback for Lot 1 shall be measured from the zone line.

34.The current property owner would own everything within these two areas, proposed lot 1, until a Condominium Record of Survey is submitted by the applicant, reviewed and approved by the City and recorded at the County.

35.The Property Owner must protect Significant Vegetation during any Development activity.

36.Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½ ') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

37.The Property Owner must demonstrate the health and viability of all large trees through a certified arborist.

38.The applicant must submit the required report by the certified arborist and that the loss of significant mitigation is replaced on a like per like basis.

39.LMC § 15-2.3-8 indicates special requirements for Master Planned Development and Conditional Use Permits in Sub-zone A, consisting of lots in the HR-2 District that are west of Main Street, excluding those Lots within Block 13.

40.Special requirements apply to Lots in Sub-Zone A that are part of a Plat Amendment that combines a Main Street, HCB zoned, Lot with an adjacent Park Avenue, HR-2 zoned, Lot for the purpose of constructing a residential dwelling or Garage on Park Avenue.

41.The applicant requests to build a residential parking area for the April Inn below grade of Park Avenue projected across the HR-2 and beneath the main floor of a single-family dwelling, a residential structure facing Park Avenue.

42.The proposed structure within the HR-2 portion of the lot meets the minimum side and front yard setbacks of the HR-2 District as stated.

43.The parking structure below the single-family dwelling does not occupy side yard setbacks other than the access leading to it.

44.The proposed structure within the HR-2 portion of the lot meets the building height

requirements of the HR-2 District as stated.

45.The new structure fronting on Park Avenue does not contain commercial uses.

46.Only the lot area within the HCB portion of the lot shall be used to calculate the commercial floor area.

47.The number of residential units allowed on the HR-2 portion of the Development is limited by the Lot and Site Requirements of the HR-2 District as stated in Section 15-2.3-4.

48.The access for the parking structure underneath the single-family dwelling is off Main Street, HCB District, through an easement. The applicant is not asking for a commercial structure. No emergency access onto the HR-2 portion of the property is proposed.

49.Next to the four (4) parking spaces are four (4) small storage areas and also a small mechanical room. The storage and mechanical areas cannot be seen from elevation except from the south side as they are indeed located on the lowest parking level and access from the interior part of this level.

50.The width of the proposed structure is twenty nine feet (29').

51.There are no historic sites or buildings within the proposed plat amendment.

52.The applicant controls the Claimjumper Building located at 573 Main Street, which already received a Plat Amendment approval by the City in 2012, and these same Special Requirements were analyzed, reviewed, and applied, as findings of fact, conclusions of law, and conditions of approval were met.

53.No density transfer is being proposed.

54.Maximum allowed Building Footprint for the HR-2 Lot is subject to Section 15-6-5(B).

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

Conclusions of Law – Cardinal Park Subdivision – Plat Amendment

1. There is Good Cause for this Plat Amendment.

2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Subdivisions.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – Cardinal Park Subdivision – Plat Amendment

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' 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. A ten feet (10') wide public snow storage easement will be required along the front of the property along Park Avenue.
4. A note shall be added to the Plat Amendment to be approved in a form by the City Attorney which shall indicate that the any provisions regarding lot size regarding Lot 1 shall be governed by the rights and restrictions of their corresponding zoning Districts and for purposes of lot area shall not be added collectively.
5. Fire sprinklers shall be required for all new construction or substantial renovations, as determined by the Park City Building Department during building permit review.
6. The applicant shall submit the report by a certified arborist per LMC § 15-2.3-15 and that the loss of significant mitigation shall be replaced on a like per like basis.
5. **1893 Prospector Avenue – Master Planned Development for a new building containing 11 residential units on Lot 25b of the Giga plat Replat of Parking Lot F at Prospector Square (Application PL-15-02698)**

Planner Whetstone stated that this project has two applications. One is a master planned development and the second is a conditional use permit. The property is located in

Prospector Square on one of the vacant lots at 1893 Prospector Avenue. There is currently development occurring at 1897 Prospector Avenue. Planner Whetstone stated that a plat amendment called the Giga plat amendment that was approved and recorded and that property is under construction for the Park City lodging on the bottom floor and four residential rental units for employees. Planner Whetstone stated that the lot subject to this application is along the Rail Trail.

Planner Whetstone stated that the MPD is a request to approve a Master Planned Development because there are ten or more units and because the applicants have requested a height exception, which is allowed through the MPD portion of the Land Management Code. She noted that the MPD is reviewed through the criteria in Section 15-6-5 as outlined in the Staff report.

Planner Whetstone stated that the conditional use permit was for residential uses in the GC zone. She explained that the GC zone does not allow single-family or duplexes, but it does allow multi-family that requires a conditional use permit. This particular project is a request for 11 residential units with 12 parking spaces on the lower level but not underneath the ground. The structure is proposed to be on stilts with parking underneath.

Ehlias Louis with Gigaplex Architecture introduced the project architect, Andrew Foster, and Brandon and Mike Schoefield with CDR Development.

Planner Whetstone stated that the Staff report identified some of the criteria for review of the Master Planned Development. She noted that one of the requirements of an MPD is for the Planning Commission to review a pre-MPD for compliance or consistency with the General Plan and the goals of the General Plan that would be applicable in this area, as well as the purposes of the GC zone. The Planning Commission reviewed the pre-MPD on March 25th and found that the concept plans were consistent with the General Commercial Zone and the General Plan concepts.

Planner Whetstone stated that the applicant submitted a full MPD application for 11 residential units. The Staff had reviewed the application against the criteria on pages 226-227. However, one item for discussion was the requested height exception. Page 228 of the Staff report outlined the five criteria for granting a height exception. Planner Whetstone stated that the applicant may request an exception and the Planning Commission may consider an increase in height based on the five criteria.

Planner Whetstone reported that the applicant was requesting a height increase of 6'6". The zone height is 35 and allows an additional five feet for a pitched roof. She noted that the proposed design has a flat roof and the proposed building height is 41'6".

Planner Whetstone reviewed the five criteria for a height exception. Criteria #1 is that the increase in height does not result in additional density or additional floor area. She stated that the lot is in the Prospector Square Overlay and has a density that is based on the floor area ratio or two times the lot area. Under that formula the applicant would be allowed 11,520 square feet. The design as proposed is 11,279 square feet. The floor area includes the required affordable housing. Planner Whetstone explained that the applicant originally proposed ten units; however, with an MPD they are required to meet a housing obligation which is why the MPD is for 11 units. She noted that the affordable housing plan was still being reviewed. The question was whether the affordable housing requirement would be satisfied with two units, which would make the project 9 market units and 2 affordable units; or if it would be satisfied with 1 affordable unit allowing for 10 market units. Planner Whetstone stated that the City Housing Authority was scheduled to hear this on May 28th.

Planner Whetstone reviewed the site plan. She noted that in Prospector Square it is zero lot line development due to the way the development area was platted.

Planner Whetstone noted that the applicant was only requesting the height exception for the eastern roof, which is 30% of the total roof area. The height exception allows for more articulation and open roof areas.

With the exception of the height and a resolution on the affordable housing, the Staff found that the project complies with the criteria for an MPD. The Staff requested that the Planning Commission discuss the height exception, conduct a public hearing and consider approving this application according to the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the Staff report.

Ehlias Louis, representing the applicant, provided a global overview statement on how the design concept came about. He stated that due to the replat they had a development agreement with the Prospector Square HOA, which allowed them to do the replat but to include the parking that existed. In order to do that they agreed to build their building on stilts to preserve the amount of parking required. Mr. Louis stated that with the FAR of two, the easiest solution was to build the building on stilts. The first floor would be the actual dimensions of the lot and with a FAR of 2 they could build two of those and have a perfect rectangle. However, from the standpoint of an architect, a rectangle did not add to the flavor of the target market they were looking with the feel they wanted to provide to the residents. Therefore, they looked at what would make sense. The target market is young professionals and even though the units are small they wanted to take advantage of corner views with natural light coming in. Mr. Ehlias pointed out that rather than a rectangle the building would be L-shaped. Again, to create a community feel because it was a zero lot line, they added as much deck space as possible for the residents. However, in order to

provide the amount of livable space that is allowed in the FAR, the most interesting rendition was a design with a third level residency on the eastern side, which pushes the height above the 35' foot height restriction.

The applicants had prepared a 3-D model to demonstrate their vision of an interesting building with a modern design that provides diversity on the Prospector Avenue corridor. It allows them to bring over the bridge to increase the alternate transportation uses of a resort lifestyle for young professionals. Mr. Louis stated that the design challenge was having 10 units coming to an MPD and using the LMC to request a height exception for the eastern side.

Mr. Louis stated that Gigaplex Architects and their partnership are big proponents of the affordable housing initiative in Park City. The requirement is to add 15% of the square footage into the building and they were happy to do so. He pointed out that there were options to delay the affordable housing to a future development or to pay an in-lieu fee. They also had the ability add the affordable housing on-site in the building, which was their preferred approach. Mr. Louis stated that in order to add 1350 square feet to this building, they changed the number of units from ten to eleven to include a studio and a small apartment. He believed they have designed a great solution to what they think is the spirit of the LMC and the MPD for a project like this. It is interesting, it invites questions, it is a modern design, it has open space, it is communal, and it abides by all of the development agreements to move the lot.

Mr. Louis remarked that the main goal was to provide both affordable units within the building rather than pay an in-lieu fee. That approach affords the ability to add more square footage and density to the complex itself. He noted that they were not going to ask for the extra 13,000 square feet on this building to accommodate the deed restricted units. Therefore, the envelope of the building that the Commissioners saw with the pre-MPD stays the same. The result is less market rate square footage, which they were willing to do to put the affordable units in the building.

Mr. Louis stated that they really like their proposed design and believe it is the best solution for the market they were targeting, as well as the greater community in general.

Commissioner Worel thought the 3-D model was helpful to see the difference in building heights. She asked if the other structures on the model were approved under a different LMC and why one structure had a 44.7 foot height. Mr. Louis stated that it was the Suncreek Apartments. He did not believe there has been new residential development in that area for ten or fifteen years. For that reason he was unable to speculate what the LMC allowed at that time. Mr. Louis remarked that they did their due diligence to compare

heights in the area to give the Commissioners an idea of how the requested height exception would fit with what already exists.

Commissioner Phillips pointed out that the applicant was asking for a height exception for one portion of the building; however, other portions of the roof were below the 35' allowed height. He thought it was safe to assume that the average roof height was at or below the maximum allowed.

Planner Whetstone noted that the height of the building under construction at 1897 Prospector as shown on the 3-D model was actually the height of the penthouse and did not need a height exception. The actual height of the main building is 35'. Mr. Louis agreed that the main building is 35'. He clarified that penthouse did not require a height exception because it is a pop-out for circulation and not habitable space.

Chair Strachan opened the public hearing.

Charlie Wintzer stated that he had not intended to speak on this application. However, as someone who typically speaks out against height exceptions this is the first time he has heard a great cause for it. It is in the right location, it is up against the hillside, the uses are right, and the building fits the neighborhood. Mr. Wintzer encouraged the Planning Commission to grant the height exception.

Lincoln Calder, a 30 year resident of Park City spoke in favor of the project. He is a local realtor and given his age and peer group he works with a lot of younger buys with moderate budgets. Mr. Calder stated that currently there is no product in Park City that appeals to young professional buyers at a moderate price. There is an affordable housing option, but young professionals are not interested in deed restricted housing with a price appreciation cap. They want their primary residence to be an investment for a better future. Currently, the young professionals only have the choice of buying at Kimball Junction or other areas within the County. Mr. Calder pointed out that if the City wants a diverse community in terms of income, age and occupation, this project appeals to that group. He thought the City would gain more by granting a small height exception.

Chair Strachan closed the public hearing.

Commissioner Campbell liked the proposed project. He was nervous about setting a precedent by granting the height exception. However, he concurred with Mr. Wintzer that this was the best case for granting height because it is low impact to the neighbors and adds a lot of positives. Commissioner Campbell referred to the comment about young professionals moving to Kimball Junction. He noted that those same people come to Park City on Friday night and they all drive. He could see the people living in this building

walking to restaurants and the grocery store. Commissioner Campbell thought this project was exactly what they need in Park City.

Commissioner Worel appreciated the models. She thought the project was creative and she liked how they included the heights of the surrounding projects to give them a better perspective. Commissioner Worel pointed out that if they had designed a pitched roof the allowed height would be 40'. Therefore, they were only talking about 1'6" more than what was allowed. Commissioner Worel liked the project and thought it was well-done.

Commissioner Phillips liked how the project engages the Rail Trail. In his opinion this project fits the definition of live/work/play. This proposal was one of the best he has seen in his time on the Planning Commission. He thought they should encourage this type of development as a model for other areas of town being redeveloped. Commissioner Phillips suggested the possibility of having a future discussion about allowing additional height in Bonanza Park for these same reasons.

Chair Strachan echoed the comments of his fellow Commissioners. He remarked that the Planning Commission needed to make findings as to why the height exception was appropriate. He thought the evidence was the 70/30 split and that overall the building height was below the 35' maximum.

Commissioner Campbell had concerns with specifying the 70/30 split. If they approve the height exception based on the average height being below the maximum, the next applicant could have a design with an average below the 35' maximum, but it may not meet the other criteria.

Chair Strachan clarified that the Planning Commission needed to have some evidence on the record as to why the height exception was appropriate for this project. The question is whether the additional height increases the volume. If 70% is lower and only 30% is higher, then the dwelling volume is not increased by the height exception.

Assistant City Attorney McLean commented on a potential problem she had just noticed as she was reading through the Code. Under the MPD Section, there are different ways that an MPD applies. She noted that prior to 2013 an MPD was required for any residential project with ten or more lots or ten or more units. However, in 2013 that was changed to ten or more residential unit equivalents. A residential unit equivalent is defined as 2,000 square feet, which is less than what was being proposed. Ms. McLean clarified that in this case the MPD did not appear to be required and there were no commercial uses proposed.

Assistant City Attorney McLean stated that another section talks about when an MPD is allowed but not required. She read from subsection 2, "The Master Planned Development

process is allowed but is not required when the property is not part of the original Park City Survey or Snyder's Addition to the Park City Survey.....and the proposed MPD is for an affordable MPD consistent with Section 15-6-7 herein." Ms. McLean was unsure whether that was the intent and she wanted the opportunity to look at the amended ordinance when this was suggested to see if there was a typo and that the "and" was supposed to be an "or" for affordable housing.

Assistant City Attorney McLean apologized for not catching this situation sooner, but when she first saw this project she thought the MPD was required because there were more than ten units. She found her mistake when she was reading the Code for another project. Ms. McLean stated that legally she was uncertain whether the City could permit this to be an MPD. She preferred to take the time to research it further to make sure that it was an allowable application.

Planner Whetstone suggested that Ms. McLean look at Section 1, Allowed but not Required, because that was where it fell under when it was discussed with the former Planning Director. Ms. McLean believed there was consensus that the MPD was not required under Item A. Subsection 1 that Planner Whetstone referenced states that, "The Master Planned Development process is allowed but is not required in the historic residential and historic residential HR1 and HR2 zones, only when the HR1 or HR2 zone properties and combined with adjacent HCB or HRC zoned properties. Height exceptions will not be granted for master planned development in those and other zones." Ms. McLean could not see what Planner Whetstone relied on when talking with the former Planning Director.

Chair Strachan clarified that the applicant may not need an MPD and the plat amendment was already approved. Ms. McLean explained that they might not need an MPD, and an MPD may not be allowed or available to them under the Code. She understood that part of the reason for seeking an MPD was the ability to request a height exception. She thought it looked like a great project and again apologized to the applicants and the Commissioners for raising the issue this late in the process. However, she was not comfortable having the Planning Commission vote on something that may not be allowed by Code.

Commissioner Campbell asked if there was another mechanism to allow for a height exception besides the MPD. Ms. McLean could not find another mechanism in the GC zone if the space is habitable.

Commissioner Worel wanted to know how much parking was required for the entire area. Mr. Louis stated that 103 spaces were required by the development agreement with the Prospector Square Property Owners Association. Without parking under the proposed building 12 spaces would be lost, reducing the parking to 91 spaces.

Planner Whetstone noted that there was also a flood plain issue. Mr. Louis stated that the flood plain issue was currently being studied by Gus Sherry. Mr. Louis has been working with Mr. Sherry and Matt Cassel. Mr. Sherry had not completed his study but he did not believe there would be an issue with the flood plain. Mr. Louis remarked that the flood plain was one reason for the stilts concept. They could not build habitable units below the base flood elevation.

Mr. Louis stated that the MPD process was started on December 15th and they were unaware that it would take this long. They understood the process, but they were now on a limited time-frame because of the Park City Lodging building that is under construction. Mr. Louis preferred to have a yes or no answer from the Planning Commission. If the answer is no, unfortunately they would lose the affordable units and possibly the bridge, and they would be forced to build a box with larger condos. Mr. Louis reiterated that they could not afford to wait much longer to start building.

Commissioner Worel asked if the Planning Commission could approve the MPD conditioned on legal findings. For example, if Ms. McLean found that the MPD could move forward the applicants could begin work without coming back to the Planning Commission. If the MPD is not legal then the applicant would know to pursue a different approach.

Assistant City Attorney McLean was hesitant to have the Planning Commission to take an action on something that did not appear to be permissible from the evidence she found this evening. She preferred to continue this item to the next meeting to allow time to see if there was something that could be done to help the applicant. Ms. McLean believed the Staff and other have the mindset that ten units or more requires an MPD; however, that requirement changed in 2013. She recognized that there were a number of benefits for this MPD and she was sorry that neither she nor the Staff had caught the mistake before this.

Assistant City Attorney McLean took a few minutes to pull up the ordinance from 2013 and found that the word "and" was not a typo. She was hoping that the ordinance language would say "or" but it did not. She reiterated her recommendation to continue this item to the next meeting to allow for more research. If it is allowable, the Staff had the findings ready to move forward with an approval.

Assistant City Attorney McLean suggested that the Planning Commission could take action on the CUP this evening because the outcome of the MPD would not affect the CUP. Mr. Louis stated that if they could get approval for the CUP they could at least begin designing the rectangular building, which is what they would most likely build if they could not get the height exception.

MOTION: Commissioner Worel moved to CONTINUE the Central Park City Condos – Master Planned Development for a new building containing 11 residential units on Lot 25B of the Giga Plat replat of Parking Lot F at Prospector Square to May 27, 2015. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

6. **1893 Prospector Avenue – Conditional Use Permit for residential uses in the General Commercial (GC) zone for a new building containing 11 residential units on Lot 25b of the Giga plat Replat of Parking Lot F at Prospector Square (Application PL-14-02584)**

Chair Strachan opened the public hearing.

There were not comments.

Chair Strachan closed the public hearing.

Chair Strachan stated that based on the MPD discussion, he was comfortable approving a conditional use permit based on the findings of fact, conclusions of law and conditions of approval found in the Staff report. The Commissioners concurred.

MOTION: Commissioner Phillips moved to APPROVE the Conditional Use Permit for residential uses for Central Park City Condominiums based on the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report. Commissioner Worel seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1893 Prospector Avenue - CUP

1. The subject property is located at 1893 Prospector Avenue and consists of Lot 25b of the Gigaplat replat, a replat of Lots 25a, 25b, and Parking Lot F of the Prospector Square Supplemental Amended Plat.
2. The Gigaplat replat was approved by City Council on June 5, 2014. The final mylar was recorded on May 1, 2015.
3. Lot 25b is a vacant, undeveloped privately owned development lot.

4. The property is located in the General Commercial (GC) zone and within the Prospector Square Subdivision Overlay.
5. On December 15, 2014, Staff received an application for a pre-MPD for the Central Park City Condominiums project located in the General Commercial zoning district. The application was considered complete on February 24, 2015.
6. On February 24, 2015, the applicant submitted a complete application for the Conditional Use Permit for residential uses in the GC District. The CUP application was revised on April 13, 2015 to incorporate the required affordable unit, bringing the total number of residential units to eleven.
7. On March 25, 2015, the Planning Commission conducted a public meeting on the pre-MPD and Conditional Use Permit application. The Commission found that the pre-MPD preliminary concept plans were consistent with the General Plan and GC Zone. The Conditional Use Permit application was reviewed and continued to the May 13, 2015 meeting.
8. In the General Commercial (GC) zoning district, residential uses, including multi-dwelling units, are required to be reviewed per the Conditional Use Permit criteria in the Land Management Code (LMC) and require approval by the Planning Commission. Retail and offices uses are allowed uses in the GC zone.
9. An FAR of 2 is allowed for buildings within the Prospector Square Subdivision Overlay.
10. The building consists of approximately 11,279 sf of residential uses and circulation area. The proposed FAR is 1.96. There are seven units at approximately 810 sf, three units at 1,017 s, and one studio unit at 500 sf. The units are designed to be smaller, attainable market rate dwelling units for full time residents. At least one and potentially two units will be deed restricted affordable unit depending on the Housing Authority's approval.
11. Allowing smaller residential uses in an area of high employment opportunities and within walking distance of the bus lines, shops, restaurants, schools, and recreation amenities is one method of mitigating vehicular trips of residential uses.
12. The capacity of streets, intersections, and shared parking lots were designed with the Prospector Square planned area to accommodate build

out of all the development parcels. There are no significant traffic impacts associated with the proposed uses as build out of these platted lots is anticipated with the Prospector Square Subdivision approval. Office and retail uses are allowed to be constructed on this lot without approval of a Conditional Use Permit.

13. Utilities necessary for this use are available at or near the site. Prior to recordation of the plat amendment for this property a utility plan and utility easements will be approved by the City Engineer and utility providers.

14. Any additional utility capacity, in terms of fire flows and residential fire sprinklers will be reviewed by the Fire District, Water Department, and Building Department prior to issuance of a building permit and prior to recordation of the subdivision plat. Necessary utilities and upgrades shall be installed as required by the City Engineer.

15. The proposed development will not interfere with access routes for emergency vehicles.

16. The residential uses create a reduced parking impact from the allowed uses of retail and office. Parking demand (in terms of timing) for residential uses is generally opposite the demand for retail and office uses.

17. There are 91 existing parking spaces within Parking Lot F. Parking within Prospector Square is shared and upon completion of the reconfigured Parking Lot F, there will be a total of 103 parking spaces, including the 12 spaces located under the building, as per the Owner's parking agreement with the Prospector Square Property Owner Association. All 103 parking spaces are intended to be shared parking per the parking agreement.

18. Internal vehicular and pedestrian circulation system includes existing sidewalks along Prospector Avenue, a Prospector Association walkway located to the west of the parking lot, and the Rail Trail bike path located to the south, with informal access that will not be altered. Circulation within the Parking Lot will be improved with the reconfigured parking lot.

19. A pedestrian bridge connection to the Rail Trail is proposed from the building. The Rail Trail is owned by State Parks and certain permits and/or encroachment agreements will be necessary in order to construct the bridge. The bridge will not be constructed if necessary agreements and easements are not secured.

20. No outdoor storage of goods or mechanical equipment is proposed.
21. No fencing is proposed.
22. The three and four story building is proposed to be located north of the Rail Trail fully within platted Lot 25b. The Prospector Overlay within the GC zone allows zero setbacks to property lines. The building is oriented towards the Rail Trail and is separated from the Rail Trail and adjacent buildings so as not to cause adverse shadowing on any existing units, or on the Rail Trail.
23. The building includes façade shifts on all elevations. Residential uses are located on the second, third, and fourth floors with common outdoor terraces and green roof elements oriented to the south.
24. Maximum building height in the GC zone is 35' and the applicant has requested through the MPD application, a building height exception of six feet six inches (6'6") for 30% of the roof for the eastern portion of the building to a height of 41'6". The remainder of the building roof (70%) is less than the allowed building height. The building would not exceed the allowable density or maximum floor area ratio (FAR of 2) as allowed by the GC zone.
25. No changes to the existing open space within the Prospector Square planned area are proposed with the residential uses. The new building is proposed to be constructed on an existing re-platted lot. Common decks and terraces are provided as open areas for the units to share.
26. The physical design of the building, in terms of mass, scale, style, design and architectural detailing complies with Title 15-5-5- Architectural Design Guidelines of the Land Management Code and is compatible with the surrounding buildings. The proposed building is contemporary and distinct in design and compliments the variety of building styles in the area. Materials consist of wood, metal, concrete and glass. Green planted roofs and roof terraces provide outdoor space for the residents.
27. No signs are proposed at this time. All signs are subject to the Park City Sign Code.
28. Exterior lighting will be reviewed at the time of the building permit review.
29. The residential uses will not create noise, vibration, odors, steam or other

mechanical factors that might affect people and property off-site.

30. The applicants propose to design and construct an enclosure for the existing trash dumpster located at the southwest corner of the parking lot. The service area within the enclosed parking area will include a recycling area.

31. There are no loading docks associated with this use.

32. If the owner desires to sell individual units in the future, a condominium record of survey plat will need to be applied for and recorded at Summit County.

33. The proposal exists within the Park City Soil Ordinance Boundary.

34. The development is located in a FEMA Flood Zone A.

35. The development is located adjacent to a stream with wetlands.

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

Conclusions of Law – 1893 Prospector Avenue – CUP

1. The application satisfies all Conditional Use Permit review criteria for residential uses as established by the LMC's Conditional Use Review process [Section 15-1-10(E) (1-15)] and all requirements of the LMC.

2. The use as conditioned will be compatible with surrounding structures in use, scale, mass, and circulation.

3. The use as conditioned is consistent with the Park City General Plan.

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

Conditions of Approval 1893 Prospector Avenue - CUP

1. All standard conditions of project approval shall apply to this project.

2. Any signs associated with the use of the property must comply with the City's Sign Code.

3. No outdoor storage of goods or mechanical equipment is allowed on-site.

4. Review and approval of a final drainage plan by the City Engineer is required prior to building permit issuance.
5. Review and approval of the final utility plans for 1893 Prospector are required prior to building permit issuance.
6. Prior to issuance of a certificate of occupancy for the building, the reconfigured Parking Lot F shall be completed, including paving, striping, and landscaping.
7. Building Height shall be verified for compliance with the approved MPD plans prior building permit issuance.
8. The Construction Mitigation Plan, submitted prior to building permit issuance, shall include detailed information regarding coordination of utility installation, reconstruction of Parking Lot F, and the provision of any required interim parking during construction.
9. Prior to issuance of a building permit for construction of the proposed pedestrian bridge connection to the Rail Trail all required permits and/or encroachment agreements shall be obtained from the State Parks property owner and the City.
10. A stream alteration permit and/or 404 permit will be required for any work in the stream area.
11. An elevation certificate will be required showing that the lowest occupied floor is at or above the base flood elevation.
12. A stream study will be required to determine the upstream and downstream flood plain impacts. Impacts will be required to be mitigated.
13. A wetland delineation study by a certified wetland delineator will be required prior to building permit issuance to verify if any wetlands will be disturbed with construction of the building.
14. As part of the final utility plan and prior to issuance of a building permit, the water system must be modeled to verify that adequate fire flows and pressures can be provided to this building and whether water line upgrades are required.
15. All exterior lighting on the terraces and porches shall be reviewed by the

Planning Department with the Building Permit application and shall be subdued, down directed, shielded, and with no exposed bare bulbs.

16. All conditions of approval of the Master Planned Development for 1893 Prospector Avenue apply to this Conditional Use Permit.

7. **Land Management Code Amendment regarding Nightly Rentals use in the HR-L Chapter 2.1 and green roof definition and application in HR-L Chapter 2.1, HR-1 Chapter 2.2, HR-2 Chapter 2.3, RC Chapter 2.16, and Definitions Chapter 15**

Nightly Rentals in the HR-L East District

Planner Astorga stated that the Planning Department initiated this request based on many discussions the Staff has had with residents in the HR-L East District. He explained that he was calling it HR-L East because there are two sections in town with HR-L zoning. One is known as the McHenry neighborhood and the other one is by King Road and Sampson Avenue. Because of the proximity to PCMR, the Staff decided not to include the HR-L West district in this discussion. Therefore, only the McHenry neighborhood was being addressed this evening.

Planner Astorga noted that the first page of the Staff report had the definition of a nightly rental. In addition, there were conclusions of law for each conditional use permit and the 15 mitigating review criteria for the CUP. Planner Astorga stated that another relevant point was the parking requirement for a nightly rental, which is triggered by the seventh and eighth bedroom. He explained that a house with six bedrooms has the same parking requirements as the dwelling, which are two spaces, and that has always been a major issue. Planner Astorga remarked that nightly rentals are allowed everywhere in Park City with the exception of the HR-L District, which requires a conditional use permit. They are also prohibited in the SF District where there are some exceptions throughout.

Planner Astorga stated that the Planning Department felt it was time to review nightly rentals to see where the Planning Commission stands on the issues. The Staff will come back on June 24th with a more appropriate analysis. As indicated in the Staff report, the intent is to survey all of the residents in the HR-L District regarding their thoughts on nightly rentals. Planner Astorga noted that if the City decided not to allow nightly rentals they would be creating a legal non-conforming use. The Staff would also come back with a thorough General Plan analysis. Planner Astorga asked the Planning Commission whether other studies or analyses should be conducted.

Planner Astorga stated that the Staff had drafted a pending ordinance for the nightly rental portion of the proposed LMC amendment. The pending ordinance allows the City to put a hold on any conditional use permits for a nightly rental in this District.

Chair Strachan asked what needed to be done to solidify the pending ordinance to avoid a rush of applications. Planner Astorga clarified that the pending ordinance was in effect and no action was required by the Planning Commission. He explained that it would eventually need to be acted on by the City Council, but the ordinance goes live as soon as it is noticed and published on the agenda. Planner Astorga remarked that the pending ordinance did not require a noticing letter, but because the District is small he planned to send a letter to the property owners.

Planner Astorga stated that this was a legislative item and the Planning Commission had the ability to make a recommendation to amend the Code. The original intent could be reconsidered from the standpoint of the current situation of the use, the neighborhood, and the impacts.

Green Roofs

Planner Astorga noted that there was not a pending ordinance for the green roof discussion. Green roofs were introduced in the City in 2009. However, in 2009 the City did not address active versus passive space, and accessible versus non-accessible, and that has presented a challenge for the Planning Department.

Commissioner Worel recalled that the Planning Commission has had issues regarding green roofs with past applications. Planner Astorga noted that the project discussed this evening for 550 Park Avenue had a green roof, but it was passive and non-accessible. He reiterated that the City decided to allow green roofs with the 2009 LMC amendments.

Commissioner Worel asked how many houses in the District have six bedrooms. Planner Astorga was unsure. He stated that the minimum lot size in the District was 3750 square feet, which is the equivalent of two old town lots. Therefore, the houses are larger than in other parts of town just because the minimum lot size is doubled. He offered to do the research on the number of bedrooms if the Commissioners thought it was necessary.

Chair Strachan opened the public hearing for nightly rentals.

Mary Wintzer explained that the HRL zone was created for McHenry Street, but not all of Rossi Hill. It is a dead-end street with extremely poor access. They are the last bastion of full-time residents. Because they were full-time residents, for their protection and the safety of their families, as well as trying to preserve the spirit of McHenry Street as a

neighborhood, the City created the HR-L zone sometime around 1979 or 1980 specifically for McHenry Street. Ms. Wintzer was not sure what happened but sometime between 1981 and 1984 it was taken away. There were 13 homes and no one received notice or they would have spoken to it. Ms. Wintzer believed it was a bureaucratic snafu that on the map they no longer had the designation of no nightly rentals. Ms. Wintzer stated that their property values are higher because they are a full-time neighborhood and do not have nightly rentals. They were also different from other Old Town neighborhood because they have more open space and smaller homes on larger lots. Ms. Wintzer stated that a few years ago when they created the Rossi Hill subdivision for some of the houses on the east side of the road, the Planning Director asked them to cap the size of homes that could be built on those lots. She owns two houses and they gladly did that because of the spirit and how they feel about Old Town and their neighborhood. Ms. Wintzer remarked that they did that with the promise that they would be helped to maintain this full-time neighborhood status with no nightly rentals. Currently, the homes that are second homeowners are owned by people who have a goal to live in Park City full time. Ms. Wintzer had contacted as many of those owners as possible and no one was opposed. They all have nice houses and have no interest in renting them nightly.

Ms. Wintzer just wanted the Planning Commission to understand the reason why nightly rentals were only prohibited on McHenry Street, and that it does not take away from Old Town or the nightly rentals. She asked the Planning Commission to consider giving it back so they can return to what they always wanted to be and what they were for several years.

Chair Strachan closed the public hearing.

Commissioner Worel asked for clarification if nightly rentals became a non-conforming use in the District. Planner Astorga explained that as long as the dwelling is actively being used for nightly rental the use can remain, even if the dwelling changes ownership. It is typically tracked through the business license. The business license has to lapse one year before the use loses its non-conforming status.

Commissioner Phillips stated that he lives in Old Town and he understands the situation. He believes they have lost their neighborhoods and it has completely changed in the short time he has lived there. He sees this as preserving a neighborhood the same as they would preserve a house. Commissioner Phillips understood why the HR-L West was excluded, but he would be interested in knowing whether that neighborhood has the same sentiment as those on McHenry Street.

Planner Astorga reiterated that they were only excluded from this discussion because of the proximity to PCMR. The Planning Commission could include that area in their discussion if they wanted, but the process is that the City Council would have the final say.

Planner Astorga thought some residents on that side of the HRL would like to remove the nightly rental conditional use. He suggested that they could schedule neighborhood meetings to get a better feel for the sentiment of the majority.

Planner Astorga summarized that the Staff would do a neighborhood survey of nightly rentals and they would do a thorough General Plan analysis. He asked if the Commissioners wanted to see any other studies or surveys.

Chair Strachan thought it was important to have the broader discussion regarding nightly rentals throughout Old Town. He did not want to hold up the pending ordinance because he thought it was the right thing to do for this zone. However, once that is done, there should be a broader legislative discussion on whether nightly rentals in Old Town should be frozen. The Commissioners concurred.

Commissioner Phillips agreed that the McHenry Avenue issue should be addressed first and separately. He thought it was clear-cut and prohibiting nightly rentals for that neighborhood was wise.

Planner Astorga requested discussion on green roofs. He stated that the definition of a green roof was included in the definition section of the LMC. The Staff report outlined the roof pitch that currently exists in the Code and that the primary roof must be between 7/12 and 12/12 pitch. A green roof may be below the required 7/12 as part of the primary roof design. He noted that the Planning Department was seeing more applications for green roofs. He believed the evolution of design was taking that direction with mountain architecture. Planner Astorga remarked that the Staff has had discussion with neighbors regarding the active space versus passive space. For example, the Code does not prohibit people from sunbathing on the roof. The Code is very unclear on uses. He asked the Planning Commission if the uses should be clarified or whether they even care.

Chair Strachan did not believe a green roof should be counted as open space. On the issue of active versus passive, he preferred active because it is better when people use them.

Planner Astorga assumed the Planning Commission could recommend adding a sentence to the definition of a green roof stating that, "Green roofs shall not count towards the open space calculation." Assistant City Attorney McLean replied that they could recommend that additional language to the City Council.

Commissioner Campbell disclosed that he was currently building two projects with active green roofs; one of which might be the genesis of this discussion. He did not believe it

would affect his ability to speak to the technical aspects of green roofs. He had consulted Ms. McLean and she did not think he needed to recuse himself from the discussion.

Commissioner Phillips disclosed that he was designing his house with a flat roof, but he was unsure at this point whether it would be a green roof.

Planner Astorga stated that when the Code was clarified two years ago, item 1 was added regarding green roofs. "A structure containing a flat roof shall have a maximum height of 35' measured from the lowest floor plane to the highest wall top plate that supports a ceiling joist or roof rafters". He noted that it was the 35' rule. However, the language further states, "The height of the green roof including the parapets, railing or similar features shall not exceed 24 inches above the highest top plate mentioned above." Planner Astorga stated that this regulation only works if it is a passive roof. If it becomes an active roof by building an accessible staircase going up to it, the railing must be increased to 36 inches.

Commissioner Phillips did not believe they should allow a railing to go any higher than what was already stated. If the roof is going to be active and there is not enough room, then the roof needs to be lowered. Planner Astorga asked if they could do it under the 27' rule, which is the situation they recently encountered.

Planner Astorga clarified that he was not looking for answers this evening, but he did want the Commissioners to think about it for the discussion on June 24th. He hoped the full Planning Commission would be in attendance for that meeting to hear everyone's ideas and opinions. He reiterated that the Planning Department was getting more and more requests for green roofs. For that reason, Commissioner Worel thought they needed to figure it out and make decisions fairly soon. Commissioner Phillips commented on the number of green roofs already being built around town.

Planner Astorga stated that since the Code does not address passive or active, the Staff interprets that to mean that either one can be approved as long as it meets the current regulation for height. Assistant City Attorney McLean recalled that there was a slight exception for railing under the Code. Planner Astorga replied that it was 24'. That was done for the purpose of adding articulation on a possible parapet.

Commissioner Phillips asked if the Staff could do an analysis of some of the homes being built with green roofs to see if they could learn anything from what has already come to fruition. Assistant City Attorney stated that the Planning Commission should also provide input to help the Staff craft language. She believed it came down to the height issue and whether or not the roof can be an active area. She pointed out that these were policy issues that could be determined. Ms. McLean agreed that the Code needed clarification.

Chair Strachan thought the Planning Commission could provide firm direction on whether or not green roofs should be allowed and whether they could be active. He believed there was consensus that active green roofs should be allowed. The Staff would have the burden of determining what types of active uses would be allowed.

Commissioner Campbell pointed out that green roofs are expensive to put in and they need a lot of maintenance. He thought it would be irresponsible to make it unsafe for people to maintain the roof, and noted that it may not always be a trained worker with a harness. Homeowners will be on their flat roof putting in vegetable gardens or flower pots. He emphasized that safety is a factor.

Chair Strachan thought there should also be percentages of impermeable surfaces versus permeable surfaces. Commissioner Phillips suggested that screening may be another item for discussion.

Planner Astorga stated that there were three different scenarios in three different parts of town that he could come back with to show the massing, etc., that might help them tighten the regulations.

Chair Strachan felt strongly that an active green roof needed to be a conditional use in Old Town to mitigate the impacts to the neighbors.

Assistant City Attorney McLean recommended that the Commissioners provide input in terms of the height, and whether fencing or railing should be included in the overall height. She noted that it is included now, but there is a 2-foot height exception. Planner Astorga clarified that the 2-foot rule was above the 35' foot. They would still not be able to break the 27-foot height even with the railing. Commissioner Phillips remarked that the railing should not be allowed to break the 27' plane. He did not believe this should be an exception. Commissioner Campbell disagreed because he believed people would push the deck of the roof up higher and leave off the railing. It would push them into what he considers to be an unsafe condition. Ms. McLean understood that the Building Department would not allow access to a roof without railing.

Chair Strachan suggested that it would be worthwhile for the Staff to draft height exception language with conditions that have to be met. At that point the Planning Commission could decide whether they did not want to allow a height exception or whether the conditions could adequately mitigate the problems. He thought it should be clear for the next meeting that there was no consensus from the Commissioners this evening and that their comments were primarily brainstorming.

Chair Strachan opened the public hearing on green roofs.

Charlie Wintzer stated that the green roof came to the Planning Commission through the City Council. It was never brought to the Planning Commission, and they first found out about it when they received an application for a green roof. The Planning Commission wrote the definition of a green roof because they did not believe it was appropriate to have people on a deck five feet from their property line. It also made the houses bigger, so they were trying to deal with the mass and scale of the buildings and give some privacy on the side yards of houses. Mr. Wintzer remarked that if they allow green roofs to become habitable space it impacts their neighbors. He did not believe it was appropriate in Old Town to have habitable spaces on a roof. If someone wants a deck they can put it in their back yard, which is 15 or 20 feet away from the property line.

Chair Strachan stated that Mr. Wintzer had reminded him of some of the history. Currently there are no controls over someone building a large deck and partying on their deck. It is not a conditional use.

Mr. Wintzer replied that the control is that people will not give up the living space in the house to build a larger deck. If people want a deck they will make their house smaller. However, if they allow green roofs to be habitable space, people will build bigger houses. Mr. Wintzer was concerned that people who go to sleep at a reasonable hour are impacted by someone in a nightly rental partying on the roof. The noise would be heard all over town. He urged the Planning Commission to look at it closely because it would be a problem.

Chair Strachan closed the public hearing.

Commissioner Phillips stated that Mr. Wintzer's comment was his reason for suggesting that they keep everything as low as possible. If they do not have the room for it they will not lose living space.

Chair Strachan stated that the Planning Commission would discuss the issues at the June 24th meeting with the full Planning Commission and make some decisions.

Planner Astorga stated that he would come back with a pending ordinance language. Chair Strachan thought a pending ordinance may be going too far. Assistant City Attorney McLean suggested that if they have language it would be easier for the Planning Commission to revise and amend it, as opposed to waiting another month.

Chair Strachan preferred to wait for the full Planning Commission before directing the Staff to come forward with an ordinance. He thought it was premature to provide that direction.

MOTION: Commissioner Phillips moved to CONTINUE the LMC Amendments for Nightly Rental in the HRL East District and green roofs in the Historic Residential and the RC Districts to June 24, 2015. Commissioner Worel seconded the motion.

VOTE: The motion passed unanimously.

Park City Planning Commission meeting adjourned at 9:00 p.m.

Approved by Planning Commission: _____

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MAY 27, 2015

COMMISSIONERS IN ATTENDANCE:

Vice-Chair Steve Joyce, Melissa Band, Preston Campbell, John Phillips, Doug Thimm, Nann Worel,

EX OFFICIO:

Kayla Sintz, Planning Manager; Francisco Astorga, Planner; Kirsten Whetstone, Planner; Polly Samuels McLean, Assistant City Attorney

=====

REGULAR MEETING

ROLL CALL

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

ADOPTION OF MINUTES

May 13, 2015

Vice-Chair Joyce referred to Page 32 of the Minutes, 5th paragraph, last line, and changed Commissioner Wintzer to correctly read **Mr. Wintzer**.

Commissioner Worel referred to Page 44 of the Minutes, 3rd Paragraph, first line, and changed Chair Worel to correctly read **Commissioner Worel**.

Since Commissioner Strachan was absent this evening and Commissioners Joyce, Thimm and Band had not attended the May 13th meeting, the Planning Commission lacked a quorum to approve the minutes. Approval of the Minutes of May 13, 2015 was tabled to the June 10th meeting.

PUBLIC INPUT

Jim Tedford stated that he recently heard discussion on the radio regarding the new building at 205 Main Street. It made him recall a letter that he wrote to the Planning Commission in January 2013 concerning that and other things. Mr. Tedford stated that he represents a group called Preserve Historic Main Street and they feel strongly about preserving historic Main Street.

Since most of the Commissioners were new to the Planning Commission, Mr. Tedford read into the record the letter he had submitted in 2013 because the comments were still pertinent today in terms of preserving the Historic District. His letter identified the importance of Park City to visitors and it provided a history of the transformation of Main Street beginning in 1950 after the mining decline. He pointed out that some of the transformations were good and others were mistakes. Mr. Tedford noted that in 2013 his letter indicated that a townhouse project on Main Street between the Imperial and Grappa that was approved by the Planning Commission would be too massive and moderate for Main Street, and there was no commercial space on the ground floor. Mr. Tedford pointed out that he had noted at that time that the 205 Main Street building was inappropriate.

Mr. Tedford continued reading his letter, which stated that it was too late to correct past mistakes but the City could make sure that future projects complement the existing historic qualities of their mountain community. He noted that the LMC and Historic District Design Guidelines determine what can and cannot be built, and it was time to strengthen those laws as opposed to weakening them by creating exceptions or including ambiguous language that would allow projects that do not belong on Main Street.

Mr. Tedford stated that when he found his letter on the computer, it reminded him that he had never received a response on a request he made of the Planning Commission in 2013. Mr. Tedford remarked that he has had an opportunity over the last couple of years to work with the Planning Department and to provide input on the General Plan; and he found them to be very receptive to his ideas. He appreciated the fact that the public is invited to participate in the process and to have their ideas incorporated. Mr. Tedford had written in his letter that according to the LMC Amendment Section of the Planning Application page, "Citizens can always request that the City, being the Planning Department, Planning Commission, City Council or the Historic Preservation Board, initiate proposed changes to the LMC." Mr. Tedford had requested that the Planning Commission initiate two proposed changes to the LMC that he had attached to his letter. He was mentioning it again this evening because he never received a reply. After waiting a year he was told that they first needed to deal with the General Plan, but he never heard from anyone whether or not they intended to consider his suggestions. Mr. Tedford clarified that he only wanted an answer one way or the other. He was submitting his same suggestions again in hopes of getting a response this time.

Mr. Tedford read the proposed changes to the LMC as stated in his letter. One concerned the pre-application conference. He read the current language and believed it provided a significant amount of gray area and left the door open to do something contrary to what was originally intended. The second suggested change concerned the HPB. When he arrived in Park City in 1963 the Historic Preservation Board had more power than it does currently. Mr. Tedford read the current language which states that the HPB may participate

in the design review of any City-owned project located within the designated Historic District. He recommended giving the HPB a larger role and they should participate in the review of any projects located within the zones. Mr. Tedford reiterated that if the City was not interested in considering his suggestions he would understand, but he would like someone to tell him.

On another issue, Mr. Tedford noted that when the plans were submitted for the addition to the Carl Winters Building for the Library, he had made comments that the proposal did not fit with meet the National Parks Service Guidelines or the Historic District Design Guidelines. His comments were based on the drawings and after seeing the actual building, he believed his comments were accurate. Mr. Tedford thought the addition is totally out of place and it could have been done much nicer. He used the Marsac Building as an example of great preservation.

Planning Manager Sintz responded to Mr. Tedford's comment regarding the pre-application conference. She stated that the Historic District Guidelines would be reviewed this summer and the Staff would welcome Mr. Tedford's input on how to revise the language. She explained that the review would begin with the HPB Board and she suggested that Mr. Tedford contact Planner Anya Grahn who would be scheduling the meetings.

Regarding the role of the HPB, Ms. Sintz recommended that Mr. Tedford attend a City Council meeting and make his request since the Council designates the role of the HPB.

Planning Manager Sintz informed Mr. Tedford that the building at 205 Main Street was scheduled for discussion at the City Council meeting the following evening. Planner Astorga stated that the discussion would pertain to the clarification of the use.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Manager Kayla Sintz reported that the City Engineer, Matt Cassel, would be at the next meeting to answer questions from the Planning Commission regarding the CIP report that was included in the May 13th Staff report.

Vice-Chair Joyce commented on the work that Snyderville Basin has been doing towards banning wood burning fireplaces. He was disappointed with the lack of fight by the State and the action that was taken during the last legislative session. Vice-Chair Joyce was impressed with the efforts being made in Snyderville Basin and he asked if the Planning Commissioners would be interested in having a conversation on whether or not to pursue a potential ban in Park City. He understood that it was a sensitive issue and that there would be pushback from the community and the developers. Commissioner Worel thought they should at least look at it. Vice-Chair Joyce stated that the County Planners have spent

significant time and effort researching the matter and he suggested that Planning Manager Sintz contact the head planner at the County and try to piggyback on the information that has already been researched. It would also be helpful to schedule it as a work session and ask one of the Snyderville Basin Commissioners to speak with this Planning Commission regarding their concerns.

CONTINUATIONS (Public Hearing and Continue to date specified.)

Vice-Chair Joyce opened the public hearing on the following items. There were no comments. Vice Chair Joyce closed the public hearing.

1. 875 Main Street – Conditional Use Permit for an Off-site Private Residence Club in the Historic Recreation Commercial (HRC) Zoning District for Victory Ranch Member Center (Application PL-15-02732)
2. Alice Claim south of intersection of King Road and Ridge Avenue – Alice Claim Subdivision and Plat Amendment (Application PL-08-00371)
3. Alice Claim south of intersection of King Road and Ridge Avenue – Conditional Use Permit for Retaining walls up to 10’ in height. (Application PL-1502669)
4. 7101 Stein Circle – Stein Eriksen Residences Condominium Plat Amending the North Silver Lake Condominium Plat (Application PL-15-02680)
5. Land Management Code Amendments regarding 1) Setbacks for patios and hot tubs in HRL, Chapter 2.1, HR-1 Chapter 2.2, Chapter 2.3, RC Chapter 2.16; 2) Annexations procedure and review in Chapter 8; 3) Non-conforming uses and non-complying structures in Chapter 9; 4) Definitions of carports, essential municipal and public utilities, facilities and uses and others in Chapter 15; 5) Applicability of Steep Slope Conditional Use Permits in HRL, HR-1, and HR-2; 6) Conditional Use Permits review and site requirements in HRM Section 15-2; 7) Board of Adjustment standard of review and appeals in Chapter 1 and Chapter 10; and 8) Combination of condominium units procedure in Chapter 7. (Application PL-14-02595)
6. 1893 Prospector Avenue – Master Planned Development of a new building containing 11 residential units on Lot 25b of the Giga plat replat of parking Lot F at Prospector Square. (Application PL-15-02698)

MOTION: Commissioner Phillips moved to CONTINUE the CUP for 875 Main Street; the Alice Claim Subdivision and Plat Amendment; the Alice Claim CUP for retaining walls up to 10’ in height; the condominium plat for 1701 Stein Circle; and the LMC Code Amendments

to June 10, 2015; and to CONTINUE the MPD for 1893 Prospector Avenue to July 8, 2015. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

CONSENT AGENDA

Chair Worel requested that 317 Woodside Avenue be removed from the Consent Agenda for further discussion.

1. 119 Woodside Avenue Plat Amendment to combine two lots into a single lot of record. (Application PL-15-02709)

Vice-Chair Joyce opened the public hearing on the Consent Agenda
There were no comments.

Vice-Chair Joyce closed the public hearing.

Commissioner Phillips disclosed that at one point he was the general contractor on 119 Woodside Avenue; and after it was sold he was approached by the designers to do the additional work they planned to do. He was certain that his previous experience on this project did not present a conflict or affect his ability to be objective.

MOTION: Commissioner Phillips moved to APPROVE the Consent Agenda. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 119 Woodside Avenue

1. The property is located at 119 Woodside Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of Lot 6 and Lot 7, Block 32 of the Park City Survey.
4. Lot 6 contains a single-family dwelling, built in 2013. The building footprint of the single-family dwelling is approximately 841 square feet.
5. Lot 7 is currently vacant.

6. The proposed plat amendment creates one (1) lot of record from the existing area consisting of approximately 3,750 square feet.
7. A single-family dwelling is an allowed use in the Historic Residential (HR-1) District.
8. The minimum lot area for a single-family dwelling is 1,875 square feet; the lot at 119 Woodside Avenue will be 3,750 square feet. The proposed lot meets the minimum lot area for a single-family dwelling.
9. The maximum building footprint for a lot this size, 3,750 square feet, is 1,519 square feet.
10. The proposed lot meets the minimum lot area for a duplex dwelling. Conditional uses are reviewed and approved by the Planning Commission.
11. The minimum lot width allowed in the district is twenty-five feet (25'). The proposed lot is fifty feet (50') wide. The proposed lot meets the minimum lot width requirement.
12. The minimum side yard setbacks for a twenty-five foot (25') wide lot are three feet (3').
13. The minimum side yard setbacks for a fifty foot (50') wide lot are five feet (5').
14. When the single-family dwelling was built in 2013, it was built with the minimum side yard setbacks of three feet (3') as the lot width qualified as such.
15. Once the two (2) lots are combined, it would make the existing single-family dwelling legal non-complying as the structure would not meet the increased side yard setbacks from three feet (3') to five feet (5').
16. The combined side yards setbacks are to be ten feet (10') per Table 15-2.2 in the Land Management Code.
17. As currently built the house was designed three feet (3') from the south property line.
18. There is an existing historic rock wall associated with the historic structure located to the north at 133 Woodside Avenue. The historic rock wall extends along the east property line of Lot 7. The historic rock wall cannot be removed.

19. The proposed plat amendment will not cause undo harm to adjacent property owners.
20. The proposed lot area of 3,750 square feet is a compatible lot combination as the entire Historic Residential-1 District has abundant sites with the same dimensions.
21. The applicant applied for a Historic District Design Review (HDDR) application to construct an outdoor living space and storage shed on March 3, 2015. A Pre-Historic District Design Review
22. The applicant applied for a Plat Amendment application on March 3, 2015. The Plat Amendment application was deemed complete on March 26, 2015.
23. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 119 Woodside Avenue

1. The Plat Amendment 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 Plat Amendment.
3. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 119 Woodside Avenue

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' 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. A ten feet (10') wide public snow storage easement will be required along the

Woodside Avenue frontage of the property and shall be shown on the plat prior to recordation.

4. The property owner must enter into an encroachment agreement with the owner(s) of 133 Woodside Avenue for the existing historic rock wall located on the east property line of Lot 7.

5. 13-D sprinklers are required for any new construction or significant renovation of existing.

6. A note shall be added on the Plat that recognizes the discrepancy from the minimum standard from three feet (3') to five feet (5') on the south side yard area. It shall also be noted on the plat that the combined side yard setbacks of ten feet (10') shall complied with as the setback on the north side can be increased to seven feet (7') minimum.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 327 Woodside Avenue – Plat Amendment to combine two lots into a single lot of record (Application PL-15-02714)

Commissioner Worel referred to the Conditions of Approval on page 62 of the Staff report. She read Conditions 5 “The minor railroad tie retaining walls built over the south property line shall be addressed prior plat to recordation; and Condition 6, “The encroachments into the Woodside Avenue must be addressed prior to plat recordation.” She could not recall ever seeing that language in the past and thought it was vague.

Planner Astorga explained that when the plat amendment was reviewed the Staff found that the retaining walls were built over the property lines; however, it was not how they were approved. Therefore, this applicant would have the responsibility of either removing the minor railroad retaining walls to meet what was approved, or to work with the neighboring property owner to get the retaining walls properly approved. One of those solutions would have to occur before the plat is recorded.

Commissioner Worel stated that she would be more comfortable if the language was changed to simply spell out what Planner Astorga had explained.

Planning Manager Sintz drafted language to say that, “The encroachment would be removed or an easement obtained with the adjacent property owner property owner prior to plat recordation.” Commissioner Worel requested the same for Condition #6.

Assistant City Attorney McLean recommended replacing the word “addressed” with “resolved” to indicate that the retaining walls must be resolved with either an easement or removal prior to recordation.

Commissioner Campbell had an issue with Condition 7 and requested that it be re-written for clarification. He noted that the reference of 3’ to 5’ did not call out what was being changed. It was also noted that the word “complied with” in the second sentence should be replaced with the word “comply”.

Commissioner Campbell asked if the first sentence of Condition 7 was implying that the front yard setback was being increased from 3’ to 5’. Planner Astorga replied that it was the side yard setback. Commissioner Campbell pointed out that the condition did not specify that it was a side yard setback. Planner Astorga noted that the last part of the sentence states that it is the north side yard area. Commissioner Campbell remarked that if the side yard setback was being changed then the condition should specifically say “the side yard setback”. He thought the condition as written was unclear. Commissioner Thimm agreed.

Assistant City Attorney McLean recommended revising Condition #7 to read, “A note shall be added on the plat that states the LMC requirement of a 5’ setback for this size lot on the north side yard area is not complied with, and it is currently 3 feet”. She explained that the intent is to put people on notice that the side yard setback is an existing non-complying situation. For example, if someone wants to put an addition behind the structure, they would have to abide by the 5’ setback requirement.

Vice-Chair Joyce thought the same language needed to be replicated for the second sentence of Condition #7 regarding the 10’ and 7’ setbacks.

Assistant City Attorney McLean clarified that the intent of the second sentence was to indicate that the overall setback needs to add up to 10’. Planner Astorga explained that the LMC is written such that there are two standards for setbacks; the minimum setback which is 5’; and then adding both sides for a total of 10’. If they leave the existing setbacks it would be 3’ on one side and 5’ on the other side for a total of 8’, which would not comply with the 10’ combined total setback.

Assistant City Attorney McLean drafted language for the second sentence to read, “The note shall state on the plat that the combined yard setbacks shall be 10’. The south side yard setback side shall be a minimum of 7 feet.”

Commissioner Thimm pointed out that Condition 7 as revised also applied to 119 Woodside Avenue; however, he recognized that it had already been approved and it was too late to make any changes. Ms. McLean remarked that 119 Woodside would be going to the City Council for final approval and the Staff could revise the language prior to the City Council meeting.

Planner Astorga stated that he had inadvertently mixed up the north and south. He changed the reference to the north side yard to correctly read the south side yard.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the 327 Woodside Avenue plat amendment based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 327 Woodside Avenue

1. The property is located at 327 Woodside Avenue.
2. The property is in the Historic Residential-1 District.
3. The subject property consists of Lot 7 and Lot 8, Block 30, Park City Survey.
4. Lot 7 contains a single-family dwelling, built in 2001.
5. Lot 8 is currently vacant.
6. The proposed Plat Amendment creates one (1) lot of record from the existing two (2) lots consisting of a total of 3,750 square feet.
7. The maximum building footprint for a lot this size, 3,750 square feet, is 1,519 square feet.
8. A single-family dwelling is an allowed use in the Historic Residential-1 District.
9. The minimum lot area for a single-family dwelling is 1,875 square feet.
10. The proposed lot meets the minimum lot area for a single-family dwelling.
11. A duplex dwelling is a conditional use in the Historic Residential-1 District.

12. The minimum lot area for a duplex dwelling is 3,750 square feet.
13. The proposed lot meets the minimum lot area for a duplex dwelling. Conditional uses are reviewed and approved by the Planning Commission.
14. The minimum lot width allowed in the Historic Residential-1 District is twenty-five feet (25').
15. The proposed lot is fifty feet (50') wide.
16. The proposed lot meets the minimum lot width requirement.
17. The minimum side yard setbacks for a twenty-five foot (25') wide lot are three feet (3').
18. The minimum side yard setbacks for a fifty foot (50') wide lot are five feet (5').
19. When the single-family dwelling was built in 2001, it was built with the minimum side yard setbacks of three feet (3') as the lot width qualified as such.
20. Once the two (2) lots are combined, it would make the existing single-family dwelling legal non-complying as the structure would not meet the increased side yard setbacks from three feet (3') to five feet (5').
21. The combined side yards setbacks are to be ten feet (10') per Table 15-2.2 in the Land Management Code.
22. As currently built a small portion of the house was designed three feet (3') from the north property line and most of the house is approximately four-and-a-half feet (4.5') from the same property line.
23. The submitted certified as-built survey shows four (4) minor railroad tie retaining walls on the south property line.
24. Staff was not able to identify the retaining wall on the south property line on the original building permit in 2000.
25. The railroad tie retaining walls and any encroachments across property lines need to be resolved prior to plat recordation.

26. The applicant bears the burden of proper approvals for the retaining walls, which may include an encroachment agreement with the neighbor, or the railroad tie retaining walls may be relocated or removed.

27. The proposed plat amendment will not cause undo harm to adjacent property owners.

28. The proposed lot area of 3,750 square feet is a compatible lot combination as the entire Historic Residential-1 District has abundant sites with the same dimensions.

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

Conclusions of Law – 327 Woodside Avenue

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

Conditions of Approval – 327 Woodside Avenue

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' 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. A ten feet (10') wide public snow storage easement will be required along the front of the property.

4. Fire sprinklers shall be required for all new construction or substantial renovations, as determined by the Park City Building Department during building permit review.

5. The minor railroad tie retaining walls built over the south property line shall be resolved prior plat recordation. The encroachment would be removed or an easement obtained with the adjacent property owner prior to plat recordation.

6. The encroachments into the Woodside Avenue must be resolved prior to plat recordation. The encroachment would be removed or an easement obtained with the City prior to plat recordation.

7. A note shall be added on the Plat that states the LMC requirement of a five foot (5') setback for this size lot on the north side yard area is not complied with and is currently three feet (3'). The note shall state on the plat that the combined side yard setbacks shall be ten feet (10'). The side yard setback of the north side yard setback shall be a minimum of seven feet (7').

2. 429 Woodside Avenue – Steep Slope Conditional Use Permit for a new accessory structure on a lot with an existing historic home (Application PL-15-02733)

Planner Kirsten Whetstone reviewed the application for construction on a steep slope for a detached accessory building behind the historic house on 429 Woodside. The home has a large addition that was previously approved and constructed.

Planner Whetstone noted that this item was not put on the Consent Agenda due to the amount of public input received during the plat amendment process, as well as conversations she had with the Quittin' Time Condominium project during the HDDR review. The Staff felt it was best to put this item on the regular agenda for a public hearing.

Planner Whetstone reported that in September of 2012 there was a plat amendment at 429 Woodside Avenue. The owner purchased a large parcel behind the lot and received an approval for a plat amendment to combine the lots. Several conditions of approval were attached to the plat amendment. Planner Whetstone noted that the property was landlocked and only this owner or the condominiums could purchase the land and actually use it. She stated that the parcel was purchased with the intention of using it for additional living area.

Planner Whetstone stated that a condition of approval states that if the accessory structure contained more than 660 square feet of floor area it would require a Steep Slope CUP. She pointed out that the requirement is normally a 1,000 square feet, but due to the steepness of this particular lot, the Planning Commission reduced the requirement to 660 square feet through a condition of approval.

Planner Whetstone stated that the proposal presented this evening was a two-story accessory structure, approximately 924 square feet of floor area plus 396 square feet of basement area. The back of the lower story is considered basement area.

Planner Whetstone reported that another condition that was put on the plat stated that this accessory building could not be separately leased, rented or sold. Therefore, it could not be an accessory apartment. It also cannot be a guest house because it is not allowed to be a dwelling unit with a kitchen. Planner Whetstone remarked that it does have a kitchenette, which is allowed. It also has bedrooms and bathrooms.

Planner Whetstone stated that on this conditional use permit the Staff was recommending a condition to deed-restrict this property prior to receiving a building permit, which states, "The detached accessory building may not be sold, leased or used as a separate dwelling unit or as an accessory apartment, and the detached accessory building may not be attached to the main house. Planner Whetstone reiterated that the structure cannot have a kitchen as defined by the LMC as a range having a 220 volt. The Staff also recommended a condition stating that there cannot be separate utilities and all of the utilities must come from the existing house. In addition, there must be substantial compliance with the plans before a building permit can be issued.

The Planning Staff reviewed the proposed building for compliance with the Steep Slope Criteria and found that it meets the footprint requirement, it is within the platted building pad, and the building height is lower than the maximum.

The Staff recommended that the Planning Commission conduct a public hearing and consider approving the Steep Slope Conditional Use Permit at 429 Woodside Avenue based on the findings of fact, conclusions of law and conditions of approval outlined in the Staff report.

Vice-Chair Joyce opened the public hearing.

There were no comments.

Vice-Chair Joyce closed the public hearing.

Vice-Chair Joyce asked if the deed restriction would be noted on the plat. Planner Whetstone replied that the plat was already recorded; however the restriction would be recorded against the deed. Commissioner Band noted that it would come up in a title search.

Vice-Chair Joyce explained that he asked the question because many times people pull the plat but they do not research the history of Planning Commission meetings to see whether there were specific restrictions. He wanted to make sure that the deed restrictions were clear and easy for a future owner to identify. Planner Whetstone stated that a note on the plat indicates that the dwelling cannot be separately leased or sold. Vice-Chair Joyce was comfortable with having that note on the plat.

MOTION: Commissioner Thimm moved to APPROVE the Steep Slope CUP for 429 Woodside Avenue based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the Staff report. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 429 Woodside Avenue

1. The property is Lot 1 of the 429 Woodside Avenue plat amendment. The plat amendment was approved by City Council on September 27, 2012, and recorded at Summit County on June 5, 2013.
2. Lot 1 contains 11,426 sf of lot area and is an uphill lot that slopes up and westward towards the adjacent Park City Mountain Resort ski trails.
3. The property is located within the Historic Residential (HR-1) zone. The Historic Residential zone is characterized by a mix of single family homes, multi-family homes, and smaller historic homes.
4. The existing house is listed as a “Significant” structure on the Park City Historic Sites Inventory.
5. On September 10, 2008, the Planning Commission approved a Steep Slope Conditional Use Permit for the reconstruction and addition at 429 Woodside Avenue. The reconstruction and addition to 429 Woodside is complete and a certificate of occupancy has been issued.
6. A Steep Slope Conditional Use Permit is a condition of approval of the 429 Woodside Avenue plat amendment for construction of an accessory building greater

than 660 sf within the platted building pad.

7. The LMC requires a Steep Slope Conditional Use Permit for construction of more than 1,000 sf on a slope of 30% or greater. The proposed construction of 1,320 sf is located on an area with slopes ranging from 40% to 46%.

8. On April 1, 2015, the applicant submitted a Steep Slope CUP application for the accessory building to be located on the property behind the historic house. The application was considered complete on April 14, 2015.

9. This Steep Slope CUP application is for construction of an accessory building containing 924 sf of residential floor area (1320 sf of total living area with 396 sf of basement area below final grade) with a building footprint of 660 sf.

10. Access to the property is from Woodside Avenue. Access to the accessory building is from the patio area behind the main house. No changes are proposed to the existing driveway, access or garage.

11. The minimum lot size for a single family home in the HR-1 zone is 1,875 sf.

12. The maximum building footprint for the lot is 3,006 sf. The plat amendment limited the total building footprint to 2,698 sf. The proposed building footprint is 2,529.3 sf including the existing footprint of the historic house, completed additions, and the proposed accessory building. The allowed maximum building footprint for the accessory building is 660 sf to be located within the 804 sf platted building pad area. The proposed building footprint for the accessory building is 660 sf.

13. The maximum height limit in the HR-1 zone for a single family home is 27' above existing grade. The Planning Commission approved a height exception of 33'1" on September 10, 2008 for the central dormer addition to the historic house. The proposed accessory building has a height of approximately 17'10" above existing grade. Accessory buildings located within the rear setback area have a maximum height of 18'. The proposed building is not located with the rear setback area.

14. Setbacks for the lot are 5' minimum on the sides with a combined side yard minimum of 14', and 15' minimum for existing house in front and 15' in rear for accessory building.

15. Existing historic house has a 13' front setback and is a legal non-complying structure. The existing addition has a 20' front setback.

16. Construction of the accessory building is limited to the platted building pad located behind the existing house. The accessory building has a 37' rear setback, a 5' south side setback, and 54' north side setback.

17. A total of 2 parking spaces exist with one space in a garage and one space on the driveway. No additional parking is required.

18. One of the goals identified in the current General Plan is to ensure that the character of new construction is architecturally-compatible to the existing historic character of Park City. The design has been reviewed for compatibility with the adopted Historic District Design Guidelines.

19. The HDDR application was submitted on December 29, 2014, and deemed complete on February 14, 2015. Additional revisions were provided on March 2, 2015 and the HDDR was approved on April 10, 2015 with a condition that a Steep Slope CUP was a condition precedent to issuance of a building permit for the accessory building.

20. The plans indicate no change in final grade around the perimeter of the house exceeds four (4') feet with the change in grade generally limited to two feet or less.

21. The proposed massing and architectural design components are compatible with both the volume and massing of the existing house and neighboring structures. The building volume is not maxed out in terms of overall footprint, setbacks, height, or potential floor area and much of the building volume of the lower floor is located below final grade.

22. The proposed structure will not be viewed from the key advantage points as indicated in the LMC Section 15-15-1.283, with the exception of the cross canyon view.

23. The applicant submitted a visual analysis/ perspective, cross canyon view and a streetscape. The design mitigates visual impacts of the cross canyon view in that the proposed structure is located to the rear of the four story house set back more than eighty (80) feet from the edge of Woodside Avenue. The height is minimized and the foundation steps with the topography. No changes are proposed to the front façade, garage, or access.

24. The accessory building is located and designed in such a manner as to minimize cut and fill that would alter the perceived natural topography as the

foundation is stepped and the final grade is within two feet of the existing grade.

25.The design includes a stepped foundation, minimal grading, increased setbacks, and approximately half of the lower floor is basement space below grade to maximize the opportunity for open area and natural vegetation to remain on the site.

26.Due to the height of the main house at thirty-one feet and the two story accessory building located 24' behind the main house, the structure will not be visible from the Woodside Avenue right-of-way and is subordinate to the main building.

27.No wall effect along Woodside Avenue is created by the accessory building due to the proposed location behind the main house. No changes to the front façade are proposed.

28.The accessory building is incidental to the main use, operated and maintained for the benefit of the primary use (the main house) and is not a dwelling unit. Accessory buildings are an allowed use in the HR-1 zone.

29.The 429 Woodside plat includes a note stating that “any detached, accessory structure constructed on the rear portion of the Lot must be used as a part of the existing house and may not be rented, sold, or leased separately from the main house”.

30.The accessory building is not a Guest House as it is not a dwelling unit.

31.The accessory building is proposed to be used as additional living space for the main house and contains three bedrooms, three bathrooms, a living/dining room, a kitchenette, and ski prep/storage space.

32.The LMC defines a Kitchenette as, “An area used or designed for the preparation of food and containing a sink, refrigerator, and an electrical outlet which may be used for a microwave oven. No 220V outlet for a range or oven is provided. A Kitchenette is not intended to be used in such a manner as to result in the establishment of an additional Dwelling Unit”.

33.All utility services for the accessory building will be extended from those that exist for the house.

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

35. The applicant stipulates to the conditions of approval.

Conclusions of Law – 429 Woodside Avenue

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

Conditions of Approval – 429 Woodside Avenue

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan (CMP) is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting the historic house on the property.
3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit. Separate utility service/metering is not allowed for the accessory service
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Steep Slope Conditional Use Permit and the Historic District Design Review.

7. All conditions of approval of the 429 Woodside Avenue plat amendment, as stated in Ordinance 12-28, shall continue to apply.

8. As part of the building permit review process, the applicant shall submit a copy of the certified topographical survey of the property with roof elevations over topographic and USGS elevation information relating to existing grade and proposed building height to confirm that the building complies with all height restrictions.

9. The applicant shall submit a detailed shoring plan prior to the issue of a building permit. The shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer. The shoring plan shall take into consideration protection of the historic structure on the lot.

10. This approval will expire on May 27, 2016, if a building permit application has not been received and a permit issued before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration and is granted by the Planning Director, upon required public notice.

11. Modified 13-D residential fire sprinklers are required for all new construction on this lot, unless otherwise stipulated by the Chief Building Official.

12. All exterior lighting 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.

13. Construction waste shall be diverted from the landfill and recycled when possible.

14. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend in with the surrounding natural terrain.

15. A deed restriction shall be recorded against the property prior to issuance of a building permit stating that the detached accessory building may not be sold, leased, or used as a separate dwelling unit or as an accessory apartment and the detached accessory building may not be attached to the main house.

16. The accessory building may not contain a kitchen as defined by the LMC and 220 V outlets are not permitted within the accessory building. This condition shall be reflected on the deed restriction.

17.All utility services, including water, sewer, power, etc., for the accessory building shall be extended from the existing utility services and shall not be installed as separate services that would allow the accessory building to become a separate unit. This condition shall be reflected on the deed restriction.

18.Plans submitted for a Building Permit must substantially comply with the plans reviewed by the Planning Commission on May 27, 2015.

Commissioner Thimm understood that the LMC defines a kitchen as a room with a 220 volt outlet. He asked if it would not be considered a kitchen if someone put in a gas range. Planner Whetstone believed the definition also specifies an oven or range. Commissioner Band recalled that the LMC prohibits a 220 volt outlet in the entire dwelling, which also prohibits a dryer.

Assistant City Attorney McLean read the definition of a kitchenette from the LMC. "A kitchenette is defined as an area used or designated for the preparation of food and containing a sink, refrigerator and electrical outlet which may be used for a microwave oven. No 220 volt outlet for a range or oven is provided. A kitchenette is not intended to be used in such a manner as to result in the establishment of an additional dwelling unit."

Ms. McLean stated that a kitchen is defined as, "An enclosed area for the preparation of food and containing a sink, refrigerator and stove." She read the definition of a dwelling unit as defined by Code. "A dwelling unit is a building or a portion thereof that is designed for use as the residence or sleeping place of one or more persons or families, and includes a kitchen but does not include a hotel, motel, lodge, nursing home, or walk-out unit."

Vice-Chair Joyce thought the definition of a kitchenette aligns with the idea of not having a 220 volt outlet; however, it ignores the fact that it is not supposed to have an oven or stove. Specifying a 220 volt outlet would not prohibit a gas range in a kitchenette.

The Planning Commission and the Staff agreed that the definitions should be revised and clarified as an LMC Amendment.

The Park City Planning Commission Meeting adjourned at 6:20 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report



Application No: PL-15-02665
Subject: 259, 261, 263 Norfolk Avenue
Upper Norfolk Subdivision Plat
Author: Francisco J. Astorga, City Planner
Date: June 10, 2015
Type of Item: Administrative – Amending Conditions of Approval on
Ordinance No. 06-55

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Upper Norfolk Subdivision Plat Amendment, located at 259, 261, 263 Norfolk Avenue, to amend conditions of approval on Ordinance No. 06-55 adopted in 2006 continue the item to the June 27, 2015 Planning Commission meeting to allow the applicant additional time to work through their application.

Description

Applicants: 259 Upper Norfolk, LLC, Amos Fiat, member
261 Upper Norfolk, LLC, Amos Fiat, member
263 Upper Norfolk LLC, John Pelichioud, member
Represented by Jerry Fiat
Location: 259/261/263 Norfolk Avenue
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Residential
Reason for Review: Plat amendments require Planning Commission review and City Council approval

Proposal

This is a request to remove two (2) conditions of approval on executed Ordinance No. 06-55 adopted in 2006 which approved the Upper Norfolk Subdivision Plat. One of the conditions of approval in the Ordinance called for construction access to take place from King Road rather than Upper Norfolk Avenue. Construction access was made possible through temporary access agreements with adjacent property owners with access from King Road. The agreement was executed and recorded in October 2006, with a stipulation that it would become void December 2009. The Upper Norfolk Subdivision received approval in July 2006 and the plat was recorded in June 2007.

Planning Commission Staff Report



Application No: PL-14-02451 + PL-15-02471
Subject: 550 Park Avenue
Author: Francisco J. Astorga, Senior Planner
Date: June 10, 2015
Type of Item: Administrative – Conditional Use Permit, Use and Steep Slope

Summary Recommendation

Staff recommends the Planning Commission conduct a public hearing and continue the 550 Park Avenue Conditional Use Permit, Steep Slope and Use, to a date uncertain to allow Staff and the applicant additional time to work through the applications.

Description

Applicant: 545 Main Street Holdings, LLC represented by Billy Reed and Jonathan DeGray
Location: 550 Park Avenue
Zoning: Historic Residential-2
Adjacent Land Uses: Residential + Commercial
Reason for Review: Conditional Use Permits require Planning Commission review and approval.

Proposal

This application is a request for a Steep Slope Conditional Use Permit for a new single-family dwelling on a vacant lot of record and a Conditional use Permit for a *Residential Parking Area or Structure with five (5) or more spaces, associated with a residential Building on the same Lot*. Both uses would be accommodated on the same structure/lot.



Planning Commission Staff Report

Subject: 936 Empire Avenue
Project #: PL-15-02618
Author: Christy J. Alexander, AICP, Planner II
Date: June 10, 2015
Type of Item: Administrative – Modification to a Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the application for a Modification to a Steep Slope Conditional Use Permit (CUP) at 936 Empire Avenue, conduct a public hearing, and consider approving the Modification to the Steep Slope CUP for 936 Empire 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: Steve Rosenberg
Architect: Bill Van Sickle, designer/Larry Feldman, representative
Location: 936 Empire Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential single family homes, duplexes, and condos
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. The modification to the April 8, 2015 approval of the Steep Slope Conditional Use Permit is required due to minimal changes in the design of the proposed home.

Proposal

This application is a modification to the Steep Slope Conditional Use Permit which the Commission approved on April 8, 2015. The previous SSCUP was for a 3,815 square foot new single family home (including the full basement area and garage) on a 2,812.5 square foot lot located at 936 Empire Avenue. The new design is for the same square footage of 3,815 square feet and the same footprint of 1,201 square feet. The original SSCUP was based off assumptions and a pending application to the building department that the neighbor to the north would be demolishing their existing home and existing retaining walls in spring 2015. Due to the neighbor to the north at 940 Empire Avenue not demolishing their home this Spring, the existing home at 940 Empire Avenue and retaining walls encroach onto the subject property's lot by 0.3 feet and the design of the new single family home proposed for 936 Empire needed to be

redesigned to meet fire code setbacks of 5 feet from any existing structures. Condition of Approval #7 of the April 8, 2015 approval stated:

7. The existing home and retaining wall to the north that are encroaching on this property must be demolished prior to building permit approval. If the home and wall are not demolished the proposed home at 936 Empire Avenue will need to be redesigned to meet current LMC required setbacks and building code requirements from existing structures and this Steep Slope Approval shall be amended or voided.

The applicant redesigned the home and therefore needs to come before the Commission for a modification to the SSCUP approved on April 8, 2015. Please see the April 8, 2015 staff report enclosed as Exhibit C and what changed in Exhibit B.

Background

On April 15, 2015, the City received an application for a Modification to the existing Steep Slope Conditional Use Permit (CUP) for “Construction on a Steep Slope” at 936 Empire Avenue. The application was deemed complete on April 15, 2015.

A separate Amendment to the Historic District Design Review (HDDR) application for the proposed home was submitted on April 15, 2015. This application was approved on May 27, 2015 for compliance with the Design Guidelines for Historic Districts and Historic Sites that were adopted in 2009.

Please see Exhibit C for the more background info from the April 8, 2015 report and approval.

Analysis

Nothing has changed since the April 8, 2015 report in regards to square footage and footprint size. The applicant shaved 2.3 more feet off the north side of the home in order to meet fire code setback requirements of 5 feet from the nearest structures. The existing home to the north encroaches on the property by 0.3 feet so the new design is setback 5.3 feet off the north property line. The applicant then brought the garage 2 feet forward to the 10 foot front setback and slightly modified the home increasing it further into the rear yard 4 feet more without changing the total square footage or footprint square footage. See below for description and changes of each floor. Areas highlighted in yellow are the only changes found with the revised design:

Floor	April 8, 2015 - Proposed Sq. Ft. for Home	June 10, 2015 - Proposed Sq. Ft. for Home
Basement	1,198 square feet	1,198 square feet
Garage	357 square feet	373 square feet
Lower	801 square feet	801 square feet
Main	844 square feet	828 square feet
Upper	615 square feet	615 square feet
Overall area	3,815 square feet	3,815 square feet

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

Requirement	LMC Requirement	Proposed for New Home
Lot Size	Minimum of 1,875 square feet	2,812.5 square feet, <u>complies.</u>
Building Footprint	1,201 square feet (based on lot area) <u>maximum</u>	1,201 square feet, <u>complies.</u>
Front and Rear Yard	10 feet minimum (decks, porches and bay windows may extend up to 3' into the front setback for a max width of 10')	Front- 10 feet, <u>complies.</u> Rear- 14 feet, <u>complies.</u>
Side Yard	3 feet minimum for lot (6 feet total) There are existing encroachments to the north due to the existing home and retaining wall which require a 5.3 foot setback on the north side only.	3 feet on the south side; 5.3 feet on the north side, <u>complies.</u>
Height	27 feet above existing grade, <u>maximum.</u> 35 feet above existing grade is permitted for a single car garage on a downhill lot.	Various heights all at or less than 27 feet - <u>complies.</u> <u>No height exception for garage is requested.</u>
Total Building Height	35 feet from lowest floor plane to highest wall plate	35 feet- <u>complies.</u>
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	(4 feet) or less- <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.	Third story on rear façade is 10' back from lower levels at 23' height- <u>complies.</u>
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.	7:12 for all primary roofs - <u>complies.</u>
Parking	Two (2) off-street parking spaces required	Two (2) spaces within the proposed double car garage- <u>complies.</u>

The current design complies with the 35 foot total height requirement from the lowest floor plane to the point of the highest wall top plate. The current design was approved on May 27, 2015 for their Amendment to the Historic District Design Review application and remains consistent to that which was approved on April 8, 2015 (see Exhibit A and Exhibit B for elevations to compare the similarity of the two home designs).

Steep Slope Review Criteria

The change in the home design due to the increase in north setback is de minimus and does not increase any impact therefore staff has made no changes to the Steep Slope Review Criteria analysis since the April 8, 2015 meeting and requests the Planning Commission review that analysis for the modification.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. Approval of the Historic District Design Review application is noticed separately and is a condition of building permit issuance. Recordation of the Plat within one year of City Council approval is also a condition of building permit issuance.

Department Review

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

Notice

On May 27, 2015, the property was posted and notice was mailed to property owners within 300 feet. On May 23, 2015, legal notice was published in the Park Record in accordance with requirements of the LMC.

Public Input

At the time of publishing this report, no public input was received on this Steep Slope CUP application.

Alternatives

- The Planning Commission may approve the Modification to the Steep Slope Conditional Use Permit for 936 Empire Avenue, or
- The Planning Commission may deny the Modification to the Steep Slope CUP Permit for 936 Empire Avenue and direct staff to make Findings for this decision, or
- The Planning Commission may request the applicant provide revisions or provide other specific items and continue the discussion to a date certain.

Significant Impacts

As conditioned, there are no significant fiscal or environmental impacts from this application. The lot is a combination of one and a half vacant lots.

Recommendation

Staff recommends the Planning Commission review the application for a Modification to the Steep Slope Conditional Use Permit at 936 Empire Avenue, conduct a public hearing, and consider approving the Modification to the Steep Slope CUP for 936 Empire Avenue as outlined in this report. 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 936 Empire Avenue.
2. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.
3. The property is described as Lot 1 of the 936 Empire Avenue Subdivision. The lot area is 2,812.5 square feet.
4. A Steep Slope CUP for 936 Empire Avenue was approved on April 8, 2015. This application is a modification to that application.
5. A Historic District Design Review (HDDR) application was approved on April 31, 2015 for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.
6. An Amendment to the Historic District Design Review (HDDR) application (in conjunction with this Steep Slope CUP) was approved on May 27, 2015 for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.
7. This lot is a combination of one and a half "Old Town" lots, which was previously vacant. This is a downhill lot.
8. Access to the property is from Empire Avenue, a public street.
9. The lot has an average slope, across the entire depth, of twenty four percent (24%) but upwards of 35-38% slopes within the first 20 feet from the ROW.
10. There is an existing home and retaining wall to the north that encroaches onto the property by 0.3 feet. The fire code requires that any new structures on the property be setback at minimum five feet from existing structures with a one hour fire wall or a setback of six feet with no fire wall.
11. Two parking spaces are proposed on site. Two spaces are proposed within an attached garage within the lot area.
12. The neighborhood is characterized by primarily non-historic and historic residential structures, single family homes, duplexes and condos.
13. The proposal consists of a total of 3,815 square feet, including the basement area and a double car garage.
14. The proposed driveway was designed with a maximum width of 16 feet and is approximately 10 feet in length from the garage to the existing edge of street with a minimum of 10 feet of driveway located on the property. The garage doors comply with the maximum height and width of nine feet by nine feet.
15. The proposed driveway has an overall slope of 0.14% as measured from the front of the garage to the edge of the paved street.
16. An overall combined building footprint of 1,201 square feet is proposed. The maximum allowed footprint for this lot is 1,201 square feet.
17. The proposed structure complies with all setbacks with a 10' front yard, 14' rear yard, 3' south side yard and 5.3' north side yard setbacks.

18. The proposed structure complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than 27' in height.
19. The proposed home complies with the LMC required total building height of 35' from the lowest floor plane to the highest wall plate and is in compliance with the LMC required step back of 10' at the building height of 23' at the rear façade.
20. Retaining is not necessary around the home on the upper, steeper portion of the lot. There will be no free-standing retaining walls. There are no window wells.
21. The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography.
22. The site design, stepping of the foundation and building mass, increased articulation, and decrease in the allowed difference between the existing and final grade mitigates impacts of construction on the 30% or greater slope areas.
23. The design includes setback variations in the front and back and lower building heights for portions of the structure in both the front and back where facades are less than twenty-seven feet in height.
24. The proposed massing and architectural design components are compatible with both the volume and massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to stepping, articulation, varied setbacks, and placement of the house on the lot.
25. The proposed structure follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as foundation, roofing, materials, window and door openings, and double car garages.
26. No lighting has been proposed at this time. Lighting will be reviewed at the time of Building Permit application for compliance with the LMC lighting code standards.
27. The applicant submitted a visual analysis, cross canyon view, and streetscape showing a contextual analysis of visual impacts of the proposed structure on the adjacent streetscape.
28. The findings in the Analysis section of this report are incorporated herein.
29. The applicant stipulates to the conditions of approval.

Conclusions of Law:

1. The Steep Slope CUP application is consistent with the Park City General Plan.
2. The application is consistent with requirements of the Park City LMC, specifically Section 15-2.2-6 (B) (1-10) regarding development on Steep Slopes.
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. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.

3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
6. No building permits shall be issued for this project unless it meets the design approved by the Planning Department staff on May 27, 2015 for compliance with this Conditional Use Permit, the 2009 Design Guidelines for Historic Districts and Historic Sites (Historic District Design Review) and the Land Management Code.
7. The plat approved by City Council on February 12, 2015 shall be recorded prior to Building Permit issuance.
8. If required by the Chief Building Official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
9. This approval will expire on June 10, 2016, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and the request is granted by the Planning Director.
10. Modified 13-D residential fire sprinklers are required for all new structures on the lot.
11. All exterior lighting, on porches, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way. Light trespass into the night sky is prohibited.
12. Construction waste should be diverted from the landfill and recycled when possible.
13. 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 materials or screened from public view.

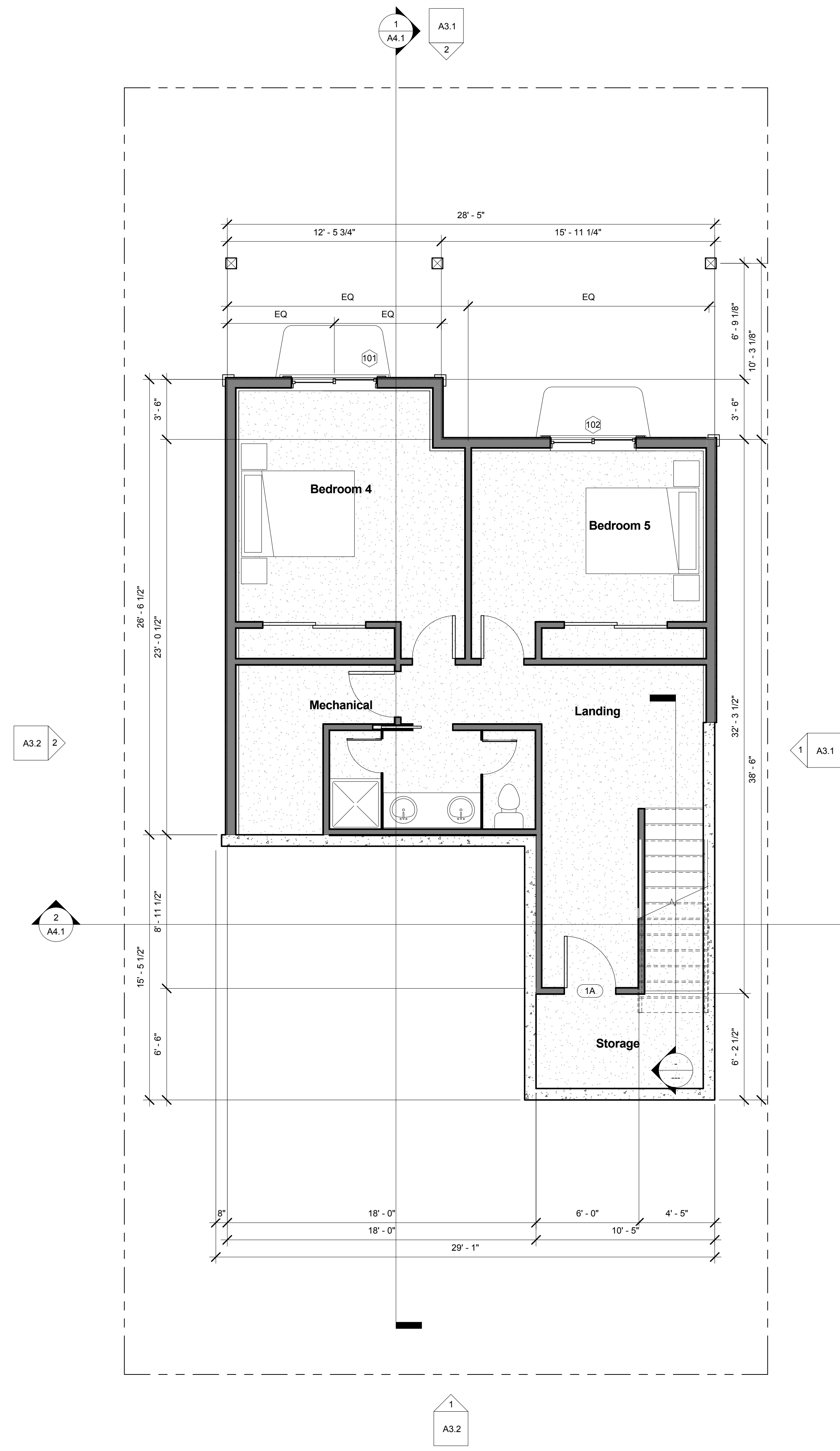
Exhibits

Exhibit A - Plans (existing conditions, site plan, landscape plan, elevations, floor plans (date stamped April 15, 2015)

Exhibit B – Visual of what changed to the plans

Exhibit C – April 8, 2015 Staff Report

Exhibit D – April 8, 2015 PC Meeting Minutes



Window Schedule - Basement					
Rough Opening			Type	Manufacturer	Comments
Mark	Width	Height			
101	5' - 0"	4' - 0"	Slider		
102	5' - 0"	4' - 0"	Slider		

Door Schedule - Basement				
Door Number	Door Size	Manufacturer	Model	Finish Comments
1A	36" x 80"			

1 Basement
1/4" = 1'-0"

THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE QUALITY, TESTING AND PERFORMANCE REPRESENTED HEREIN ARE AND SHALL REMAIN THE PROPERTY OF B.L. VANSICKLE AND NO PART THEREOF SHALL BE COPIED, REPRODUCED, EITHER IN WHOLE OR IN PART, OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF B.L. VANSICKLE. ANY SUCH VIOLATION SHALL BE CONSIDERED A BREACH OF CONTRACT AND SHALL BE SUBJECT TO LEGAL ACTION WITHOUT LIMITATION OF REMEDY.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THESE ARE THE EXACT REQUIREMENTS FOR THE WORK AND THAT ANY CHANGES TO THE WORK SHALL BE MADE BY THE CONTRACTOR AT HIS OWN RISK AND WITHOUT LIABILITY TO B.L. VANSICKLE AND HIS EMPLOYEES AND AGENTS.

VAN SICKLE
DESIGN & DRAFTING
2065 SIDEWINDER DRIVE
SUITE 201
PARK CITY, UTAH 84060
801.694.9683
bill.draftmaster@gmail.com
www.vansicklearchitecture.com

New Residence
936 Empire Avenue
Park City, Utah 84098

Basement Floor
SCALE:
1/4" = 1'-0"

DATE
4/15/2015
10:43:27 AM

SHEET
A2.0

THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE SOCIAL, TECHNICAL AND ENVIRONMENTAL REPRESENTATIONS HEREBY ARE AND SHALL REMAIN THE PROPERTY OF E.L. VANSICKLE AND NO PART THEREOF SHALL BE COPIED, REPRODUCED, EITHER IN WHOLE OR IN PART, OR USED IN CONNECTION WITH ANY OTHER PROJECT OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF E.L. VANSICKLE. ANY SUCH VIOLATION SHALL BE CONSIDERED A BREACH OF CONTRACT AND SHALL BE SUBJECT TO LEGAL ACTION WITHOUT LIMITATION OF REMEDY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.

VAN SICKLE
DESIGN & DRAFTING
 2065 SIDEWINDER DRIVE
 SUITE 201
 PARK CITY, UTAH 84060
 801.694.9683
 bill.draftmaster@gmail.com
 www.vansicklearchitecture.com

New Residence
 936 Empire Avenue
 Park City, Utah 84098

Lower Level Plan
 SCALE:
 1/4" = 1'-0"

DATE
 4/15/2015
 10:43:27 AM

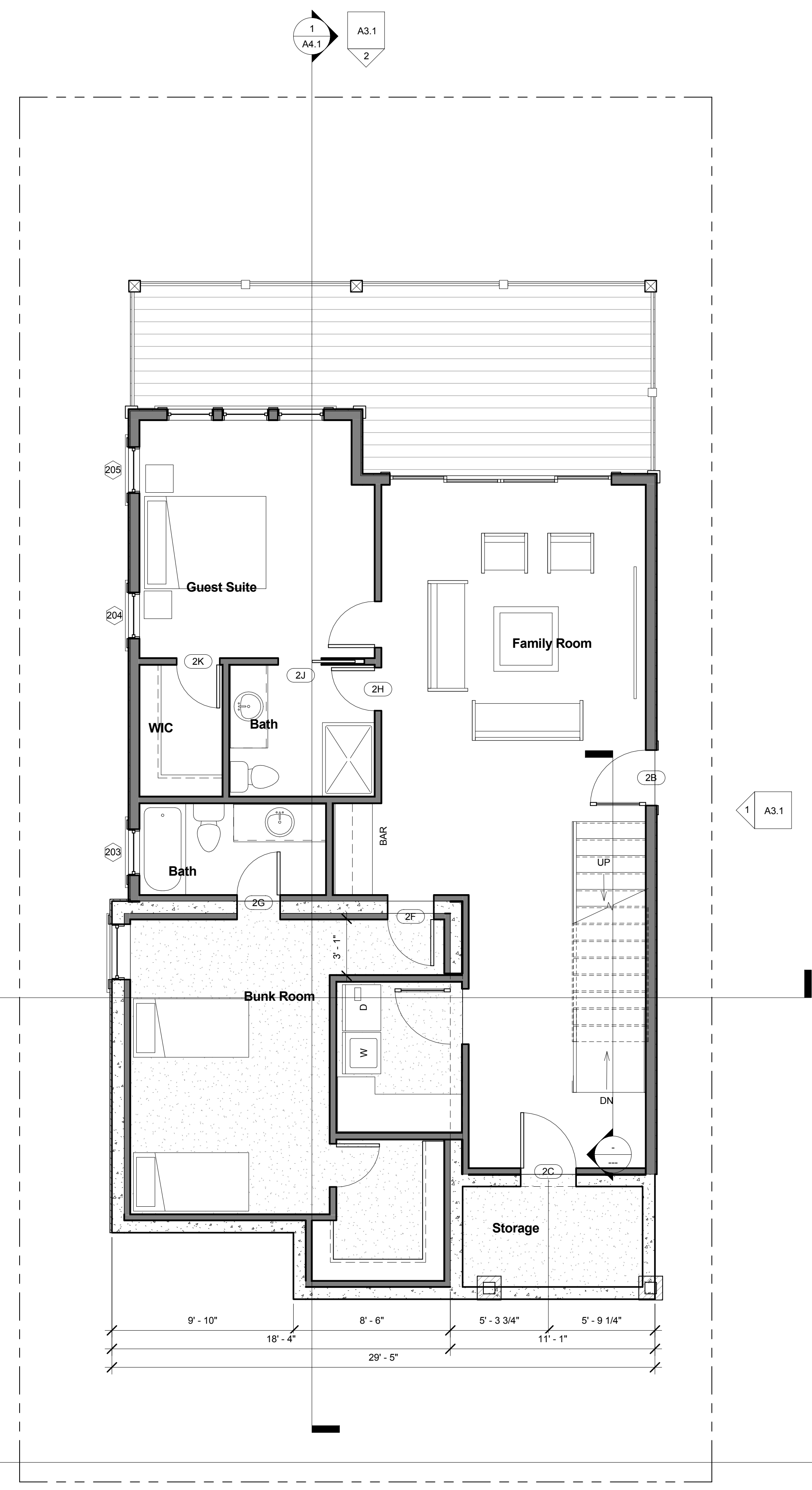
SHEET
A2.1

Door Schedule - Lower

Door Number	Door Size	Manufacturer	Model	Finish	Comments
2B	36" x 96"				
2C	36" x 80"				
2F	30" x 96"				
2G	28" x 80"				
2H	28" x 80"				
2J	28" x 80"				
2K	28" x 80"				

Window Schedule - Lower

Mark	Rough Opening		Type	Manufacturer	Comments
	Width	Height			
203	2' - 6"	4' - 0"	Double Hung		
204	2' - 6"	4' - 0"	Double Hung		
205	2' - 6"	4' - 0"	Double Hung		



1 Lower Floor
 1/4" = 1'-0"

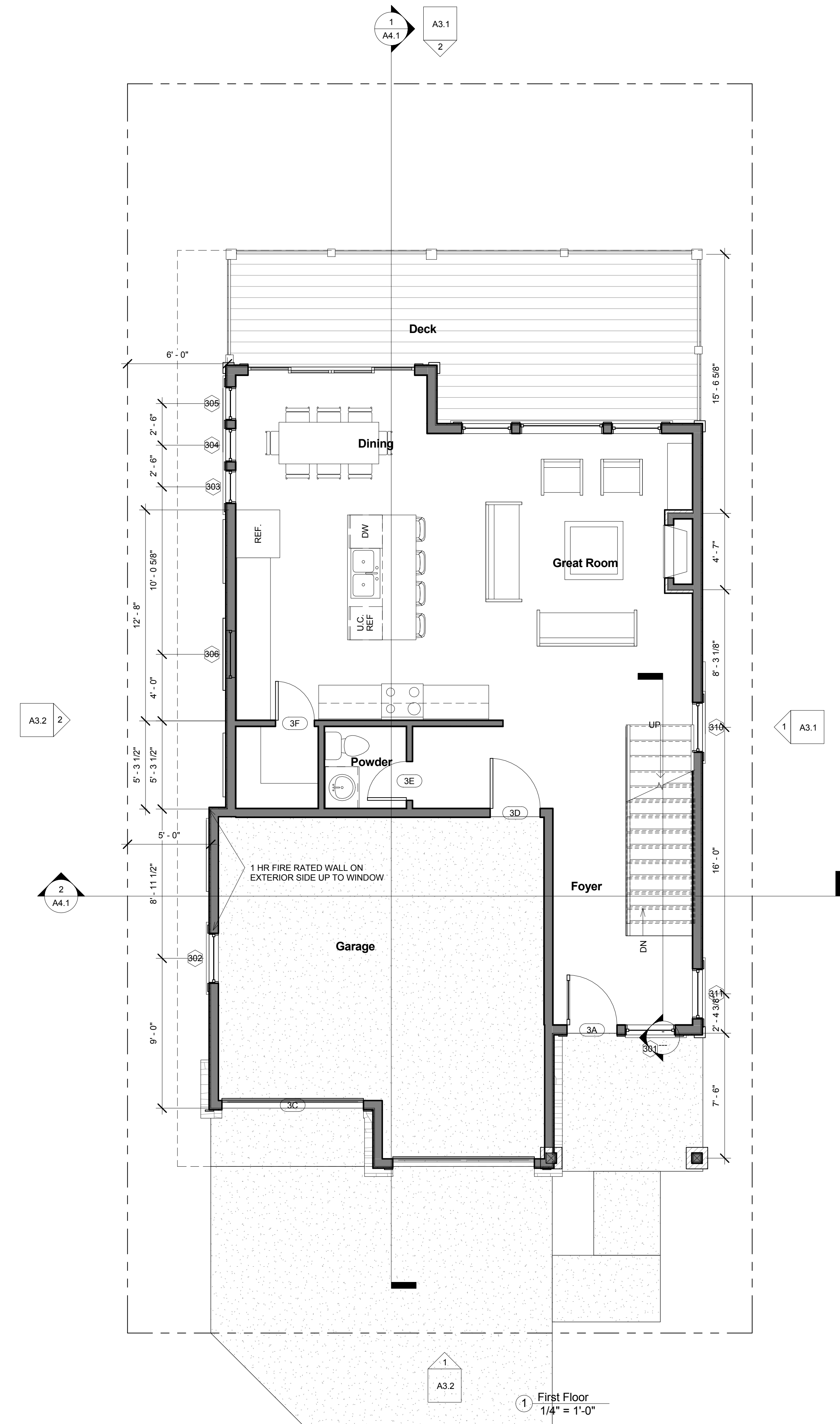
THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE QUALITY, TESTING AND PERFORMANCE REPRESENTED HEREIN ARE AND SHALL REMAIN THE PROPERTY OF B.L. VANSICKLE AND NO PART THEREOF SHALL BE COPIED, REPRODUCED, EITHER IN CONNECTION WITH ANY OTHER WORK OR PROJECT OR BY ANY OTHER PERSON FOR ANY PURPOSE OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DELIVERED WITHOUT THE WRITTEN CONSENT OF B.L. VANSICKLE. B.L. VANSICKLE ASSUMES NO LIABILITY FOR ANY CONCRETE CONCLUSIVE EVIDENCE OF THESE RESTRICTIONS.

WITHOUT WAIVERING ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER ALL PREVIOUS CONSTRUCTION, SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE NOTIFIED IMMEDIATELY BY ANY MEANS OTHER THAN THE DRAWINGS AND/OR EXISTING DATA BY THESE DRAWINGS. ALL SHOP DETAILS MUST BE SUBMITTED TO THE OFFICE FOR APPROVAL PRIOR TO PROCEEDING WITH FABRICATION.

BY READING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THE SET AND THE FIELD AND THAT THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OF ERRORS AND WILL NOTIFY THE OFFICE OF ANY ERRORS THAT ARISE DURING CONSTRUCTION.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THE SET AND THE FIELD AND THAT THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OF ERRORS AND WILL NOTIFY THE OFFICE OF ANY ERRORS THAT ARISE DURING CONSTRUCTION.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THE SET AND THE FIELD AND THAT THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OF ERRORS AND WILL NOTIFY THE OFFICE OF ANY ERRORS THAT ARISE DURING CONSTRUCTION.



Door Schedule - Main				
Door Number	Door Size	Manufacturer	Model	Finish Comments
3A	36" x 96"			
3C	8'-6" x 8'			
3D	36" x 96"			
3E	28" x 80"			
3F	28" x 80"			

Window Schedule - Main					
Mark	Rough Opening		Type	Manufacturer	Comments
	Width	Height			
301	3' - 0"	5' - 0"	Double Hung		
302	3' - 0"	4' - 0"	Double Hung		
303	2' - 0"	6' - 0"	Double Hung		
304	2' - 0"	6' - 0"	Double Hung		
305	2' - 0"	6' - 0"	Double Hung		
306	3' - 0"	4' - 0"	Double Hung		
310	3' - 0"	4' - 0"	Double Hung		
311	3' - 0"	4' - 0"	Double Hung		

VAN SICKLE
DESIGN & DRAFTING
 2065 SIDEWINDER DRIVE
 SUITE 201
 PARK CITY, UTAH 84060
 801.694.9683
 bill.draftmaster@gmail.com
 www.vansicklearchitecture.com

New Residence
 936 Empire Avenue
 Park City, Utah 84098

First Floor Plan
 SCALE:
 1/4" = 1'-0"

DATE
 4/15/2015
 10:43:28 AM

SHEET
A2.2

THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE QUALITY, TESTING AND PERFORMANCE REPRESENTED HEREIN ARE AND SHALL REMAIN THE PROPERTY OF B.L. VANSICKLE AND NO PART THEREOF SHALL BE COPIED, REPRODUCED, EITHER IN WHOLE OR IN PART, OR IN CONNECTION WITH ANY OTHER PROJECT OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF B.L. VANSICKLE. ANY SUCH COPIES OR REPRODUCTIONS SHALL CONSTITUTE CONCLUSIVE EVIDENCE OF THESE RESTRICTIONS.

WRITING INSTRUMENTS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER ALL HANDWRITING, CORRECTIONS, CHANGES, NOTES AND BE RESPONSIBLE FOR ALL HANDWRITING AND CORRECTIONS ON THE JOB AND THIS OFFICE SHALL BE NOTIFIED IMMEDIATELY BY AN APPROVED PERSON FROM THE MANUFACTURER OF ANY CORRECTIONS TO THESE DRAWINGS. ALL SUCH NOTICES MUST BE SUBMITTED TO THE OFFICE FOR APPROVAL PRIOR TO PROCEEDING WITH CONSTRUCTION.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THE SET AND THE FIELD AND THAT THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OR ERRORS AND WILL NOTIFY THE OFFICE OF ANY ERRORS THAT ARISE DURING CONSTRUCTION.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THE SET AND THE FIELD AND THAT THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES OR ERRORS AND WILL NOTIFY THE OFFICE OF ANY ERRORS THAT ARISE DURING CONSTRUCTION.

VAN SICKLE
DESIGN & DRAFTING
2065 SIDEWINDER DRIVE
SUITE 201
PARK CITY, UTAH 84060
www.vansicklearchitecture.com
801.694.9683
bill.draftmaster@gmail.com

New Residence
936 Empire Avenue
Park City, Utah 84098

Second Floor Plan
SCALE:
1/4" = 1'-0"

DATE
4/15/2015
10:43:28 AM

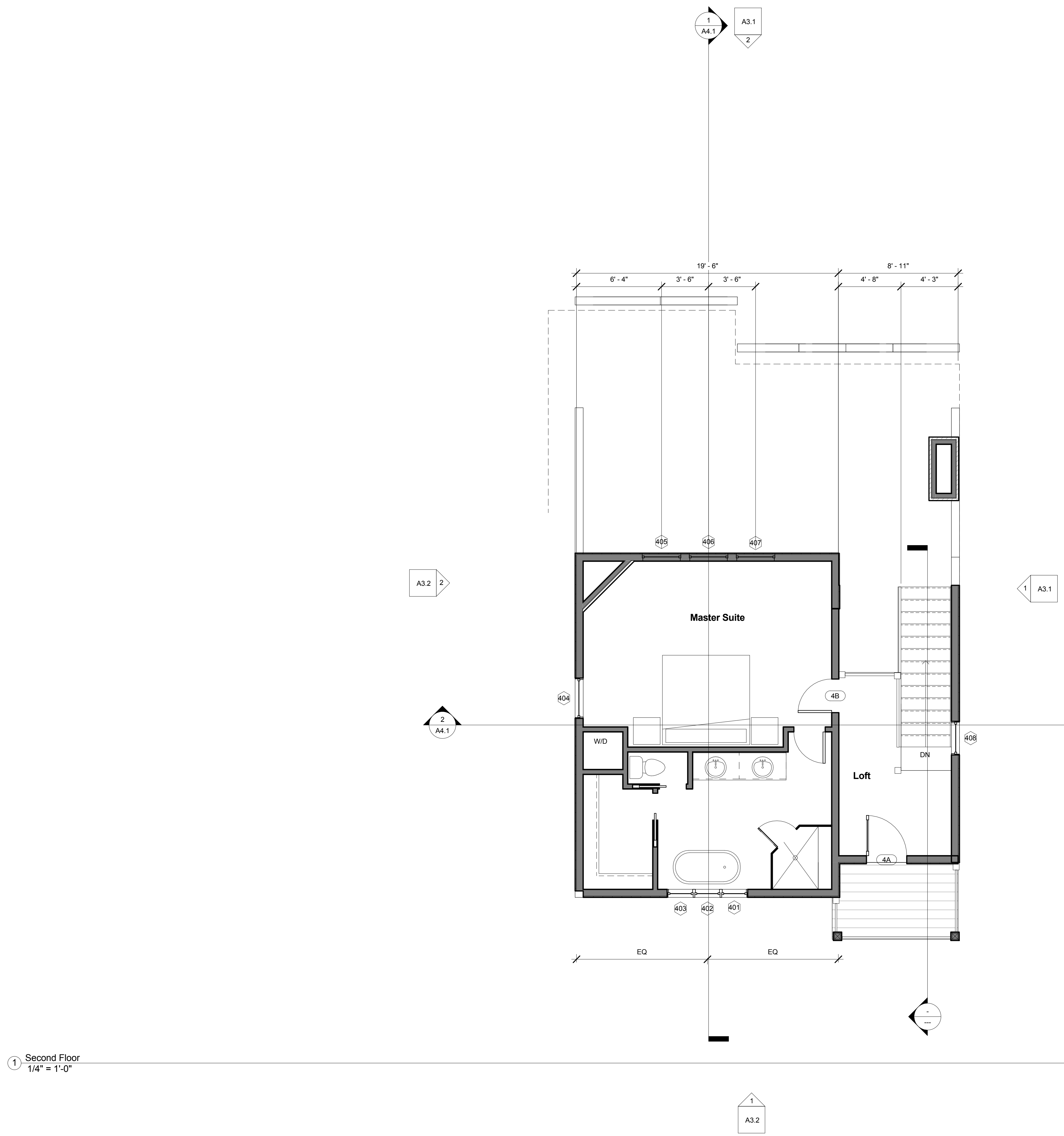
SHEET
A2.3

Door Schedule - Upper				
Door Number	Door Size	Manufacturer	Model	Finish Comments

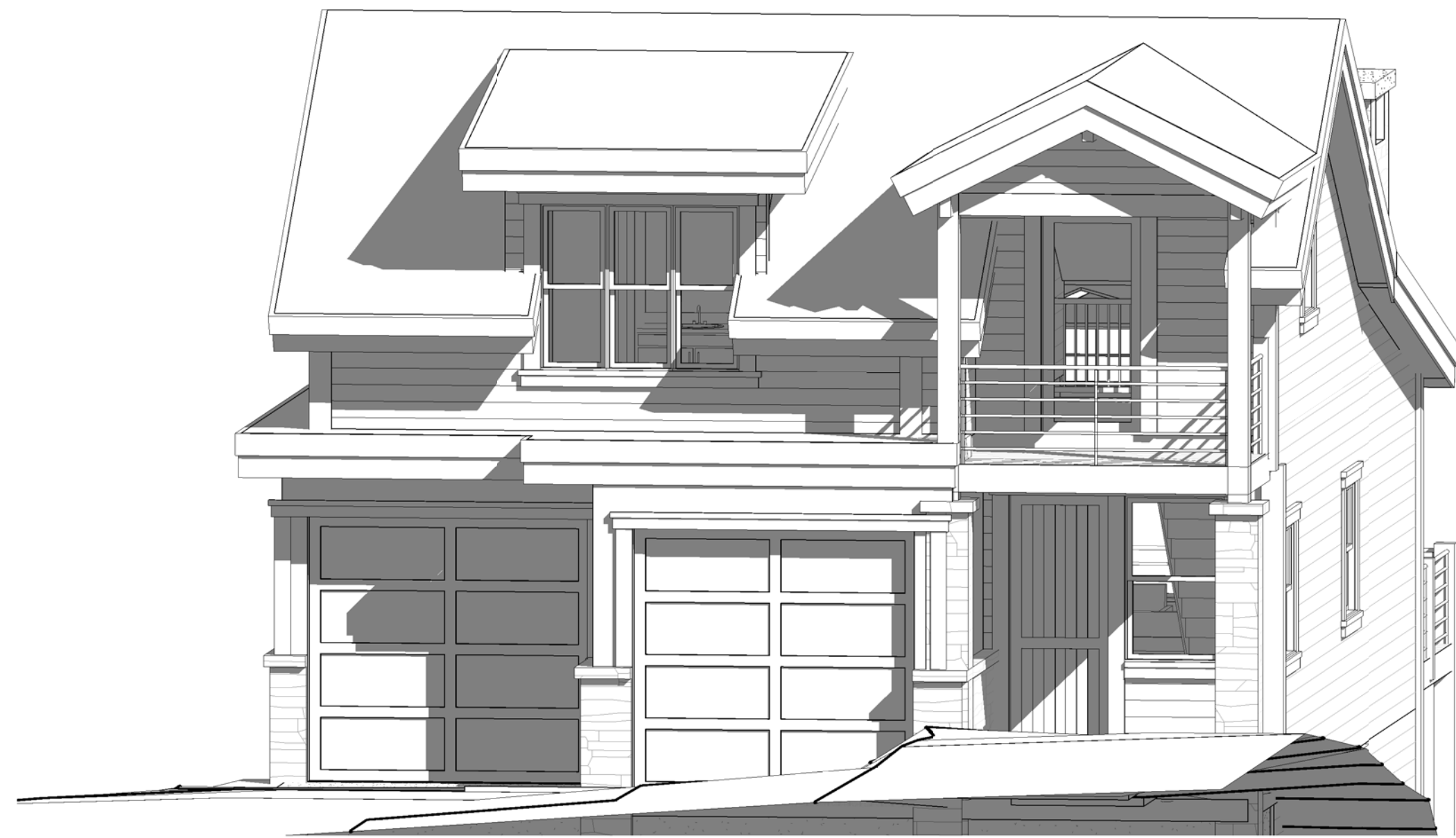
4A	36" x 80"			
4B	30" x 80"			
4BB	30" x 80"			
4CC	30" x 80"			
4H	8'-6" x 8'			
4HH	72" x 80"			
4II	72" x 80"			
4JJ	28" x 80"			
4K	32" x 80"			
4KK	24" x 80"			
4LL	24" x 80"			
4N	10'-0" x 8'-0"			

Window Schedule - Upper					
Mark	Width	Height	Type	Manufacturer	Comments

401	2'-0"	4PP	5'-0"	36" x 80" Double Hung	
402	2'-0"	4R	5'-0"	28" x 80" Double Hung	
403	2'-0"	4T	5'-0"	24" x 80" Double Hung	
404	3'-0"	4U	5'-0"	24" x 80" Double Hung	
405	3'-0"	4V	4'-0"	24" x 80" Double Hung	
406	3'-0"	4X	4'-0"	28" x 80" Double Hung	
407	3'-0"	4Y	4'-0"	30" x 80" Double Hung	
408	2'-6"		4'-0"	Double Hung	
414	5'-0"		6'-0"	Fixed	
415	3'-0"		6'-0"	Double Hung	
416	3'-0"		6'-0"	Double Hung	
417	2'-6"		2'-0"	Fixed 2x2	
418	2'-6"		2'-0"	Fixed 2x2	
419	2'-6"		5'-0"	Double Hung	
420	2'-6"		5'-0"	Double Hung	
421	2'-6"		5'-0"	Double Hung	
422	3'-0"		5'-0"	Double Hung	



1 Second Floor
1/4" = 1'-0"



① Front Perspective



② Rear Perspective

THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE LOCAL ORDINANCES AND REGULATIONS REPRESENTED HEREBY ARE AND SHALL REMAIN THE PROPERTY OF B.L. VANSICKLE AND NO PART THEREOF SHALL BE COPIED, REPRODUCED, EITHER IN WHOLE OR IN PART, OR USED IN CONNECTION WITH ANY OTHER WORK OR PROJECT OR FOR ANY OTHER PURPOSE FOR ANY REASON OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DELIVERED WITHOUT THE WRITTEN CONSENT OF B.L. VANSICKLE AND SUCH CONSENT MAY BE OBTAINED FROM B.L. VANSICKLE AT HIS DISCRETION. CONSTRUCTION OF THESE DRAWINGS SHALL BE LIMITED TO THE SPECIFIC PROJECT AND SHALL NOT BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF B.L. VANSICKLE AND SUCH CONSENT MAY BE OBTAINED FROM B.L. VANSICKLE AT HIS DISCRETION.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THESE PLANS AND THE LOCAL ORDINANCES AND REGULATIONS AND ALL PROBLEMS AND DISCREPANCIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND NOT THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPLICABLE AGENCIES AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPLICABLE AGENCIES AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPLICABLE AGENCIES.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THESE PLANS AND THE LOCAL ORDINANCES AND REGULATIONS AND ALL PROBLEMS AND DISCREPANCIES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND NOT THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPLICABLE AGENCIES AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPLICABLE AGENCIES.

VAN SICKLE
DESIGN & DRAFTING
2065 SIDEWINDER DRIVE
SUITE 201
PARK CITY, UTAH 84060
www.vansicklearchitecture.com

801.694.9683
bill.draftmaster@gmail.com

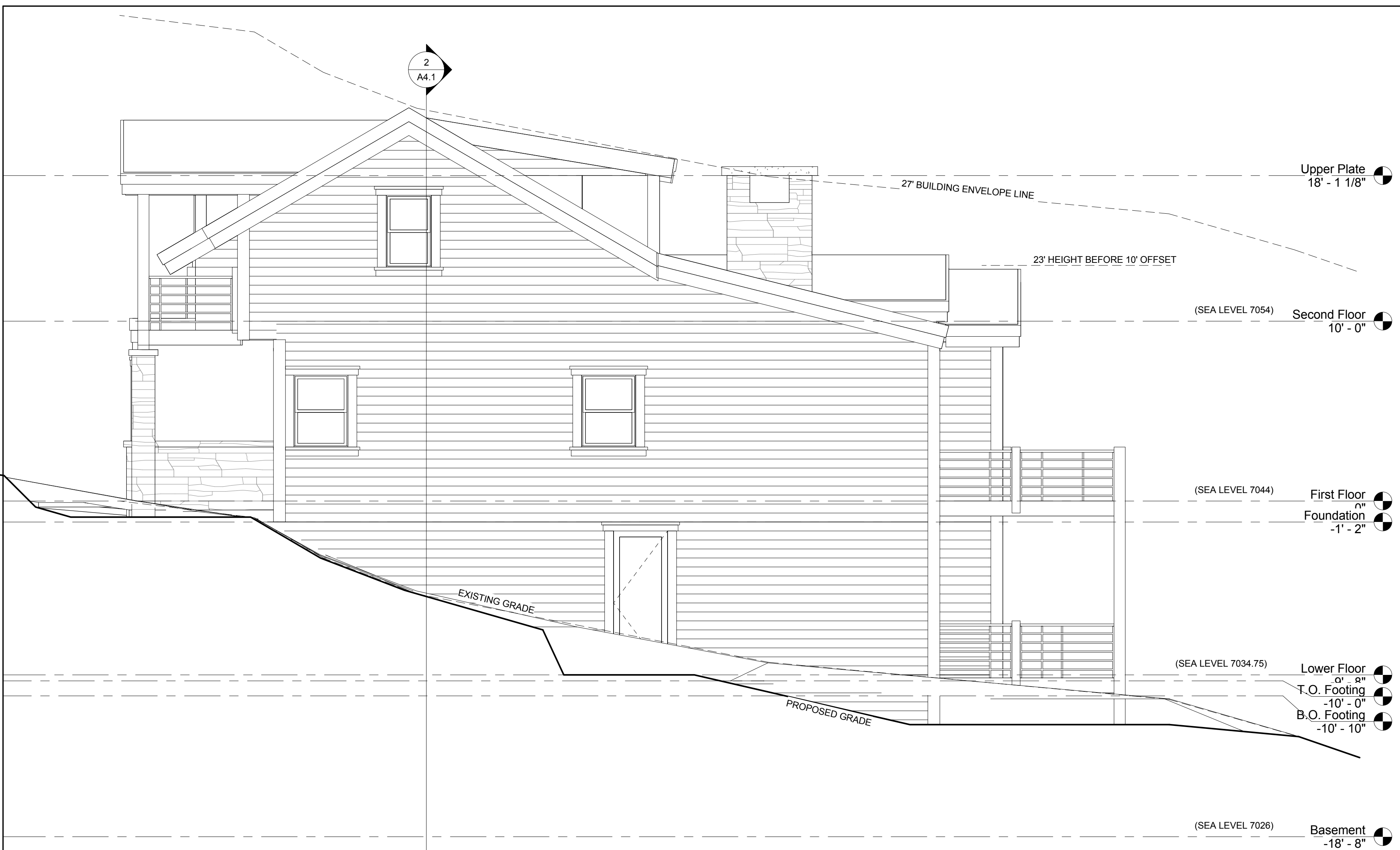
New Residence
936 Empire Avenue
Park City, Utah 84098

Perspectives

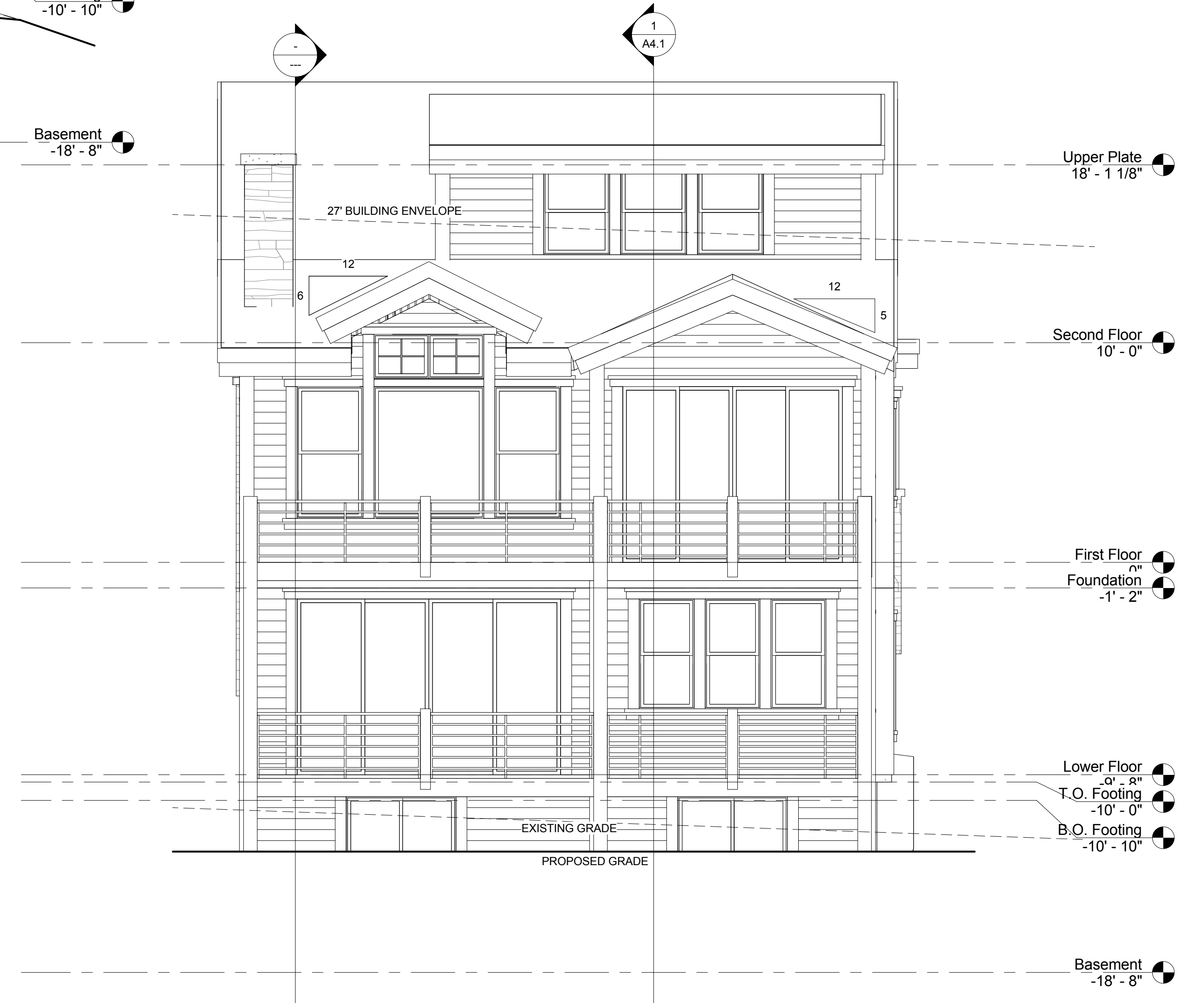
SCALE: _____

DATE
4/15/2015
10:43:33 AM

SHEET
A3.0



① East Elevation
1/4" = 1'-0"



② North Elevation
1/4" = 1'-0"

THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE SOCIAL, TECHNICAL AND ENVIRONMENTAL REPRESENTATIONS HEREBY MADE SHALL REMAIN THE PROPERTY OF B.L. VANSICKLE AND NO PART THEREOF SHALL BE COPIED, REPRODUCED, EITHER IN WHOLE OR IN PART, OR IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF B.L. VANSICKLE. ANY REPRODUCTION OF THESE DRAWINGS WITHOUT THE WRITTEN CONSENT OF B.L. VANSICKLE SHALL BE CONSIDERED A VIOLATION OF THE COPYRIGHT LAWS OF THE UNITED STATES OF AMERICA AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW. THE USER OF THESE DRAWINGS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND FOR OBTAINING ALL NECESSARY EVIDENCE OF THESE RESTRICTIONS.

WRITING ENGINEERS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER ALL OTHER DRAWINGS, SPECIFICATIONS, OR NOTES AND BE RESPONSIBLE FOR ALL ERRORS AND OMISSIONS ON THE JOB AND THIS OFFICE SHALL BE HELD HARMLESS BY ANY AGENCIES FROM THE PROFESSIONAL LIABILITY INSURANCE POLICY OF B.L. VANSICKLE AND ANY OTHER POLICY OF B.L. VANSICKLE WHICH IS LIMITED TO THE EXTENT OF APPROVAL THEREOF BY THE PROFESSIONAL LIABILITY INSURANCE POLICY OF B.L. VANSICKLE.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE CHANGES TO THESE PLANS AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND FOR OBTAINING ALL NECESSARY EVIDENCE OF THESE RESTRICTIONS.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE CHANGES TO THESE PLANS AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND FOR OBTAINING ALL NECESSARY EVIDENCE OF THESE RESTRICTIONS.

VAN SICKLE
DESIGN & DRAFTING
2065 SIDEWINDER DRIVE
SUITE 201
PARK CITY, UTAH 84060
www.vansicklearchitecture.com

801.694.9683
bill.draftmaster@gmail.com

New Residence
936 Empire Avenue
Park City, Utah 84098

Elevations

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

DATE
4/15/2015
10:43:34 AM

SHEET
A3.1

THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE LOCAL ORDINANCES AND REGULATIONS REPRESENTED HEREBY ARE AND SHALL REMAIN THE PROPERTY OF E.L. VANSICKLE AND NO PART THEREOF SHALL BE COPIED, REPRODUCED, EITHER IN WHOLE OR IN PART, OR IN CONNECTION WITH ANY OTHER WORK OR PROJECT, OR BY ANY OTHER PERSON FOR ANY PURPOSE OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DELIVERED WITHOUT THE WRITTEN CONSENT OF E.L. VANSICKLE. LOCAL ORDINANCES AND REGULATIONS SHALL BE CONSIDERED CONCLUSIVE EVIDENCE OF THESE RESTRICTIONS.

WRITERS WARRANTIES ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER ALL OTHER WARRANTIES, CONDITIONS, AGREEMENTS, AND REPRESENTATIONS FOR ALL PURPOSES AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE RELEASED IMMEDIATELY BY ANY WRITING FROM THE PARTIES AND NOT BE LIMITED TO THE OFFICE FOR APPROVAL THERE OF PROCEEDING WITH CONTRACT.

BY READING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THE SET AND THE FIELD AND THAT THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS AND WILL NOT BE RESPONSIBLE FOR ANY ERRORS THAT MAY OCCUR DURING CONSTRUCTION.

BY ACCEPTING THESE PLANS THE CONTRACTOR AGREES TO ANY CHANGES IN THESE PLANS DOCUMENTS, THE CLIENT, THEIR AGENTS, ARCHITECTS, ENGINEERS, DESIGNERS AND ALL PRESENT AND FUTURE PERSONS OR PARTIES EMPLOYED OR EMPLOYED HEREIN BY THE CLIENT TO MAKE OR REVISE ANY PART OF THE PLANS DOCUMENTS AGREE TO A LIMIT OF LIABILITY OF E.L. VANSICKLE AND TO INDEMNIFY AND HOLD HARMLESS THE CLIENT OF THE PROCEEDING, CONTRACT, OR OTHER AGREEMENT.

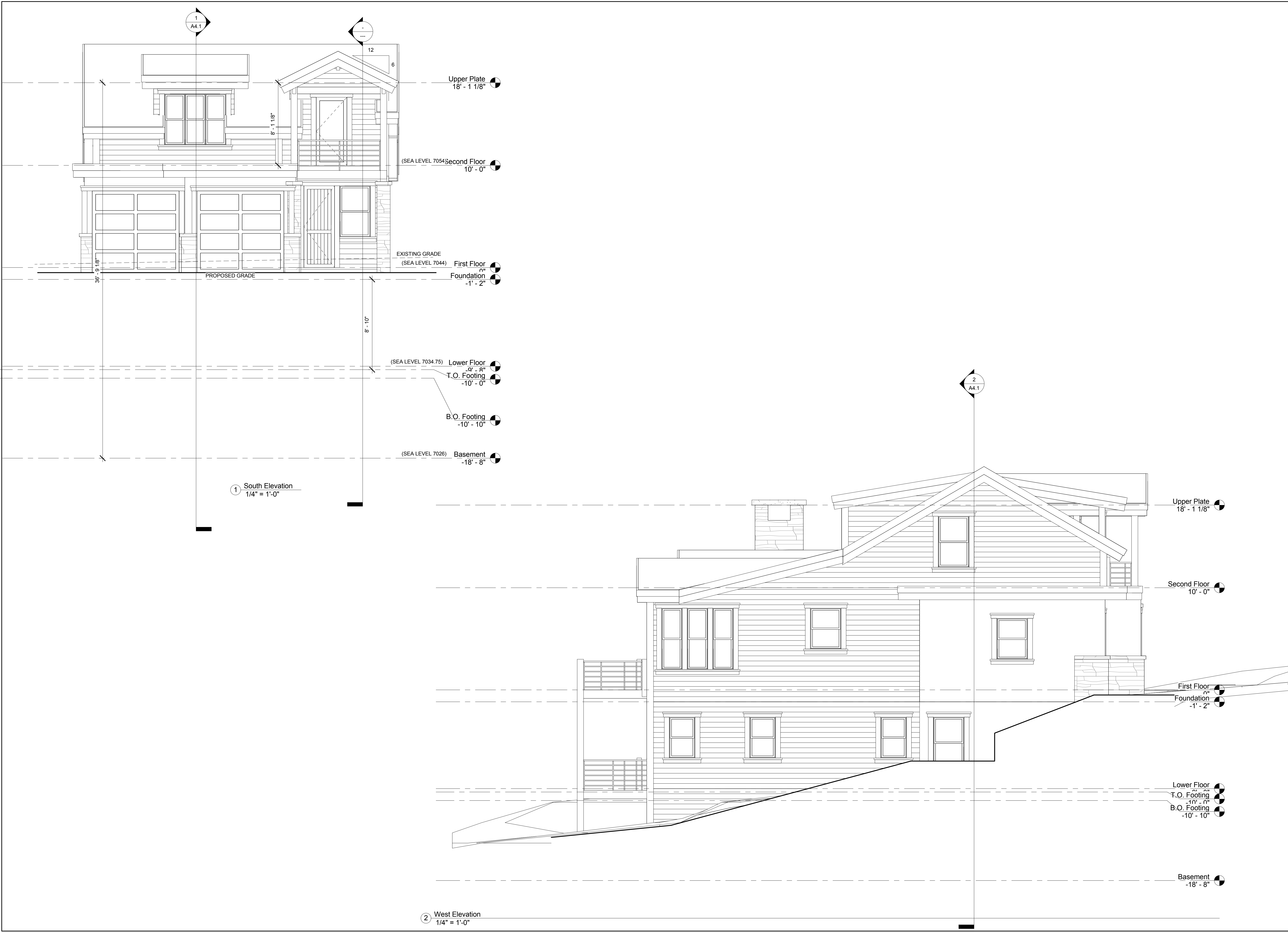
VAN SICKLE
DESIGN & DRAFTING
2065 SIDEWINDER DRIVE
SUITE 201
PARK CITY, UTAH 84060
801.694.9683
bill.draftmaster@gmail.com
www.vansicklearchitecture.com

New Residence
936 Empire Avenue
Park City, Utah 84098

Elevations
SCALE:
1/4" = 1'-0"

DATE
4/15/2015
10:43:35 AM

SHEET
A3.2

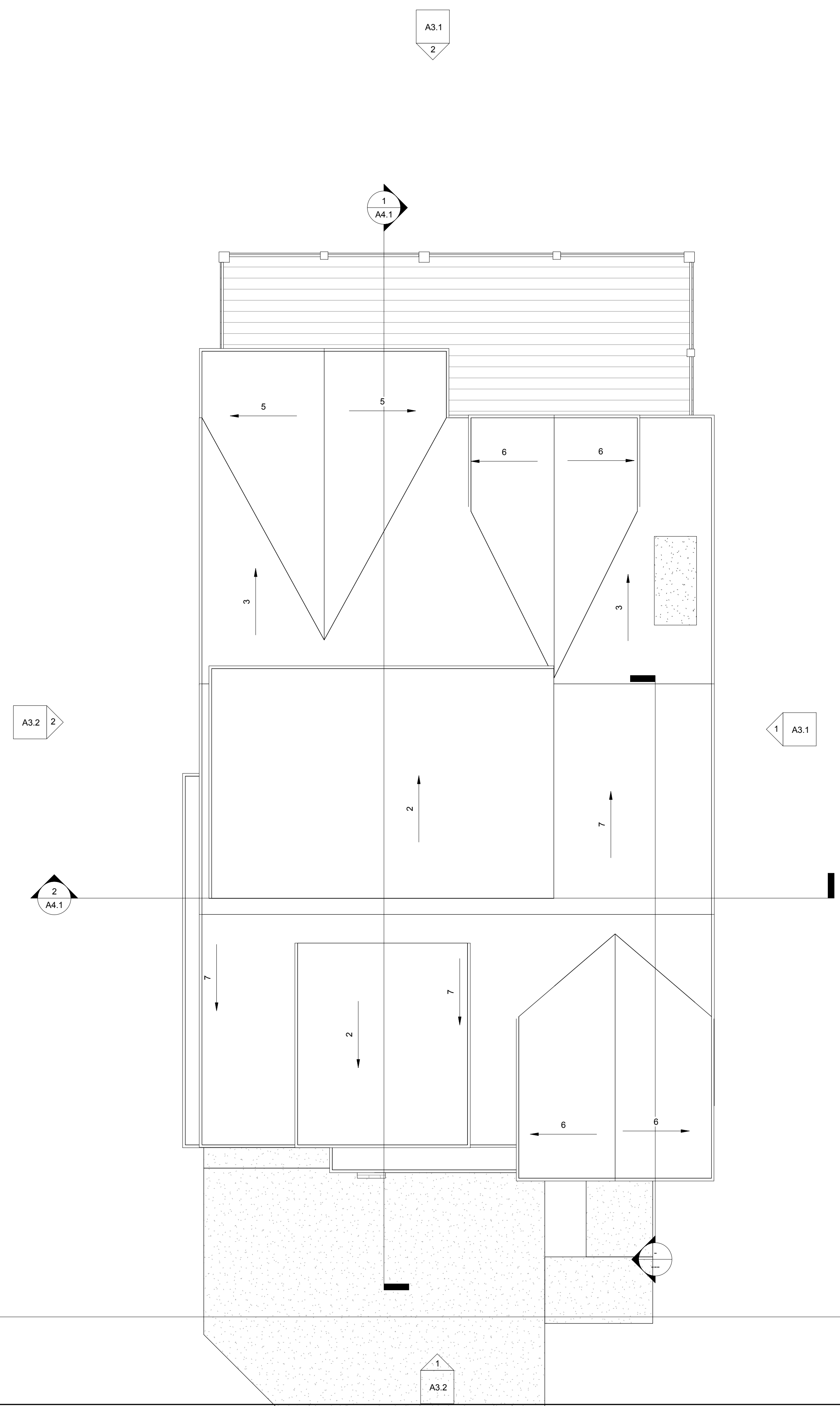


THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE LOCAL ORDINANCES AND REGULATIONS REPRESENTED HEREBY ARE AND SHALL REMAIN THE PROPERTY OF B.L. VANSICKLE AND NO PART THEREOF SHALL BE COPIED, REPRODUCED, EITHER IN WHOLE OR IN PART, OR IN CONNECTION WITH ANY OTHER WORK OR PROJECT OR BY ANY OTHER PERSON FOR ANY PURPOSE OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DELIVERED WITHOUT THE WRITTEN CONSENT OF B.L. VANSICKLE. ANY SUCH VIOLATION SHALL BE CONSIDERED A BREACH OF CONTRACT AND SHALL BE SUBJECT TO LEGAL ACTION AND CONSIDERABLE CONCLUSIVE EVIDENCE OF THESE RESTRICTIONS.

WRITTEN VARIATIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER ALL OTHER DRAWINGS, SPECIFICATIONS, CONTRACTS, ORDERS, AND BE RESPONSIBLE FOR ALL VARIATIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE NOTIFIED IMMEDIATELY BY AN AUTHORIZED PERSON FROM THE PARTICIPATING PARTY OF ANY CHANGES TO THESE DRAWINGS. ALL SUCH VARIATIONS MUST BE SUBMITTED TO THE OFFICE FOR APPROVAL PRIOR TO PROCEEDING WITH CONSTRUCTION.

BY READING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THE PLANS AND THE ACTUAL SITE AND THAT THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL CONDITIONS AND NOTIFY THE OFFICE OF ANY DISCREPANCIES THAT MAY AFFECT THE WORK AND SHALL BE RESPONSIBLE FOR ANY CHANGES THAT MAY BE REQUIRED DURING CONSTRUCTION.

BY ACCEPTING THESE PLANS THE CONTRACTOR AGREES TO BE BOUND BY THESE PLANS AND TO MAINTAIN THE SAME AS SHOWN HEREON UNLESS OTHERWISE NOTED AND ALL PROBLEMS AND DISCREPANCIES BETWEEN THE PLANS AND THE ACTUAL SITE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL CONDITIONS AND NOTIFY THE OFFICE OF ANY DISCREPANCIES THAT MAY AFFECT THE WORK AND SHALL BE RESPONSIBLE FOR ANY CHANGES THAT MAY BE REQUIRED DURING CONSTRUCTION.



1 Roof Plan
1/4" = 1'-0"

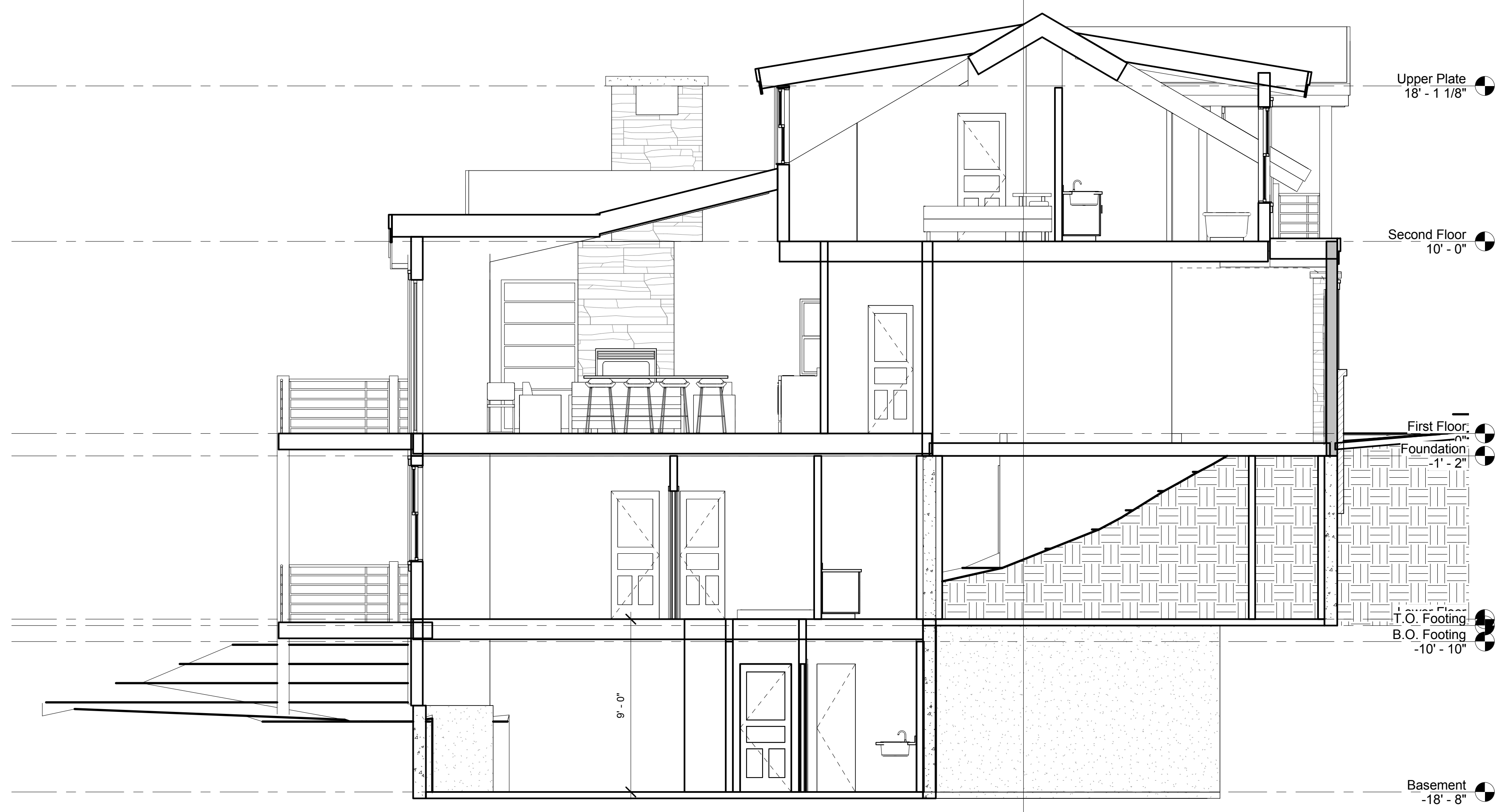
VAN SICKLE
DESIGN & DRAFTING
2065 SIDEWINDER DRIVE
SUITE 201
PARK CITY, UTAH 84060
801.694.9683
bill.draftmaster@gmail.com
www.vansicklearchitecture.com

New Residence
936 Empire Avenue
Park City, Utah 84098

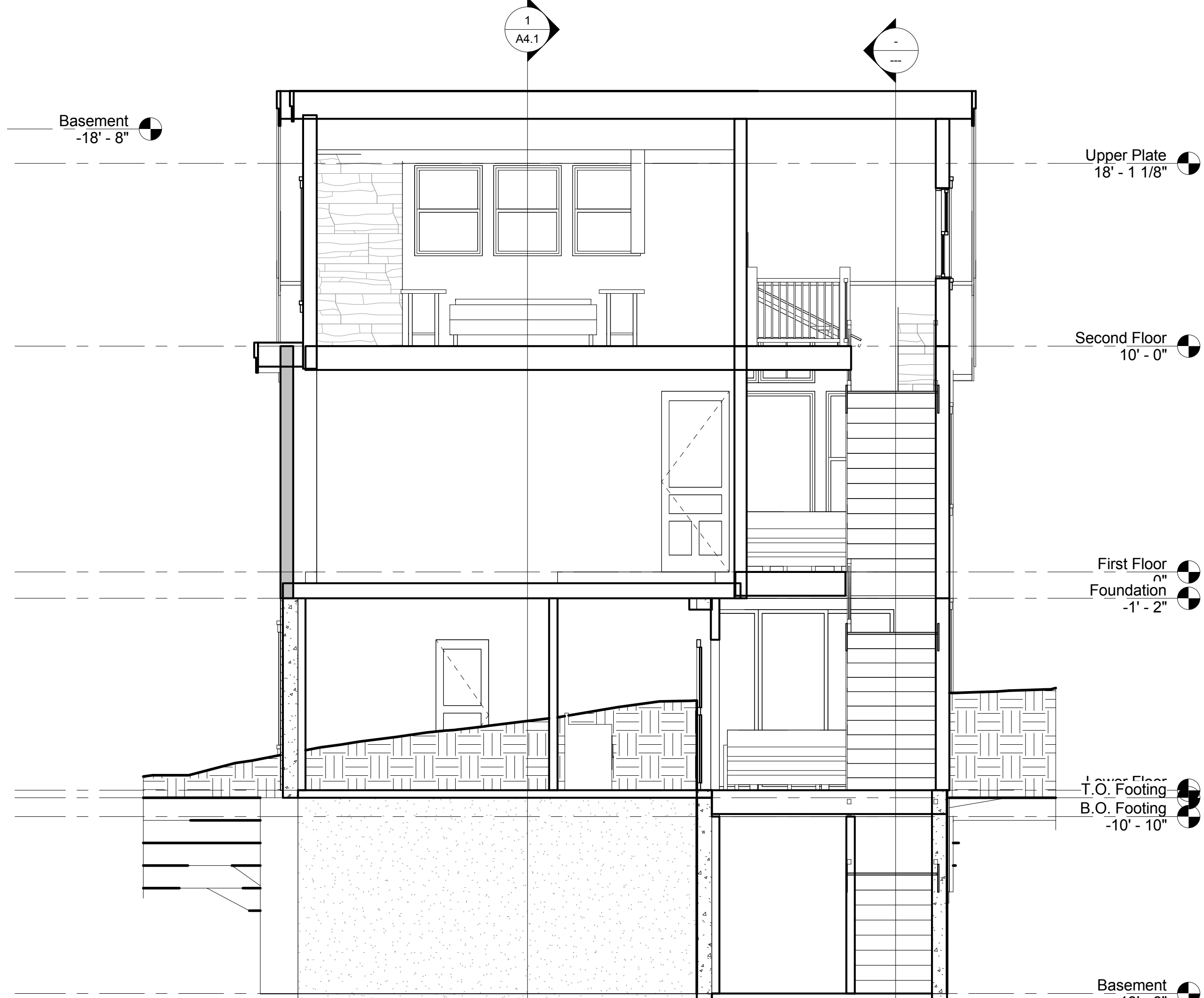
Roof Plan
SCALE:
1/4" = 1'-0"

DATE
4/15/2015
10:43:35 AM

SHEET
A3.3



① Depth Section A
1/4" = 1'-0"



② Width Section
1/4" = 1'-0"

Upper Plate
18' - 1 1/8"

Second Floor
10' - 0"

First Floor
Foundation
-1' - 2"

T.O. Footing
B.O. Footing
-10' - 10"

Basement
-18' - 8"

Upper Plate
18' - 1 1/8"

Second Floor
10' - 0"

First Floor
Foundation
-1' - 2"

T.O. Footing
B.O. Footing
-10' - 10"

Basement
-18' - 8"

THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE SEALS, STAMPS AND ENDORSEMENTS REPRESENTED HEREIN ARE AND SHALL REMAIN THE PROPERTY OF E.L. WARRICK AND NO PART THEREOF SHALL BE LOANED, REPRODUCED, COPIED OR USED IN CONNECTION WITH ANY OTHER WORK OR PROJECT OR IN ANY OTHER MANNER FOR ANY PURPOSE OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DELIVERED WITHOUT THE WRITTEN CONSENT OF E.L. WARRICK AND SHALL REMAIN THE PROPERTY OF E.L. WARRICK. CONSTRUCTION SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE NOTIFIED IMMEDIATELY BY AN INSTRUMENT FROM THE ARCHITECT AND/OR CONTRACTOR OF ANY DISCREPANCY OR ERROR IN THE DRAWINGS AND/OR SPECIFICATIONS TO THE OFFICE FOR APPROVAL PRIOR TO PROCEEDING WITH CONSTRUCTION.

BY ISSUING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THE SEALS AND THE DRAWINGS AND/OR SPECIFICATIONS FOR ANY DISCREPANCY OR ERROR AND WILL NOTIFY THE OFFICE OF ANY DISCREPANCY OR ERROR IMMEDIATELY.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY BE DISCREPANCIES BETWEEN THE SEALS AND THE DRAWINGS AND/OR SPECIFICATIONS FOR ANY DISCREPANCY OR ERROR AND WILL NOTIFY THE OFFICE OF ANY DISCREPANCY OR ERROR IMMEDIATELY.

VAN SICKLE
DESIGN & DRAFTING
2065 SIDERWINDER DRIVE
SUITE 201
PARK CITY, UTAH 84060

801.694.9683
bill.draftmaster@gmail.com
www.vansicklearchitecture.com

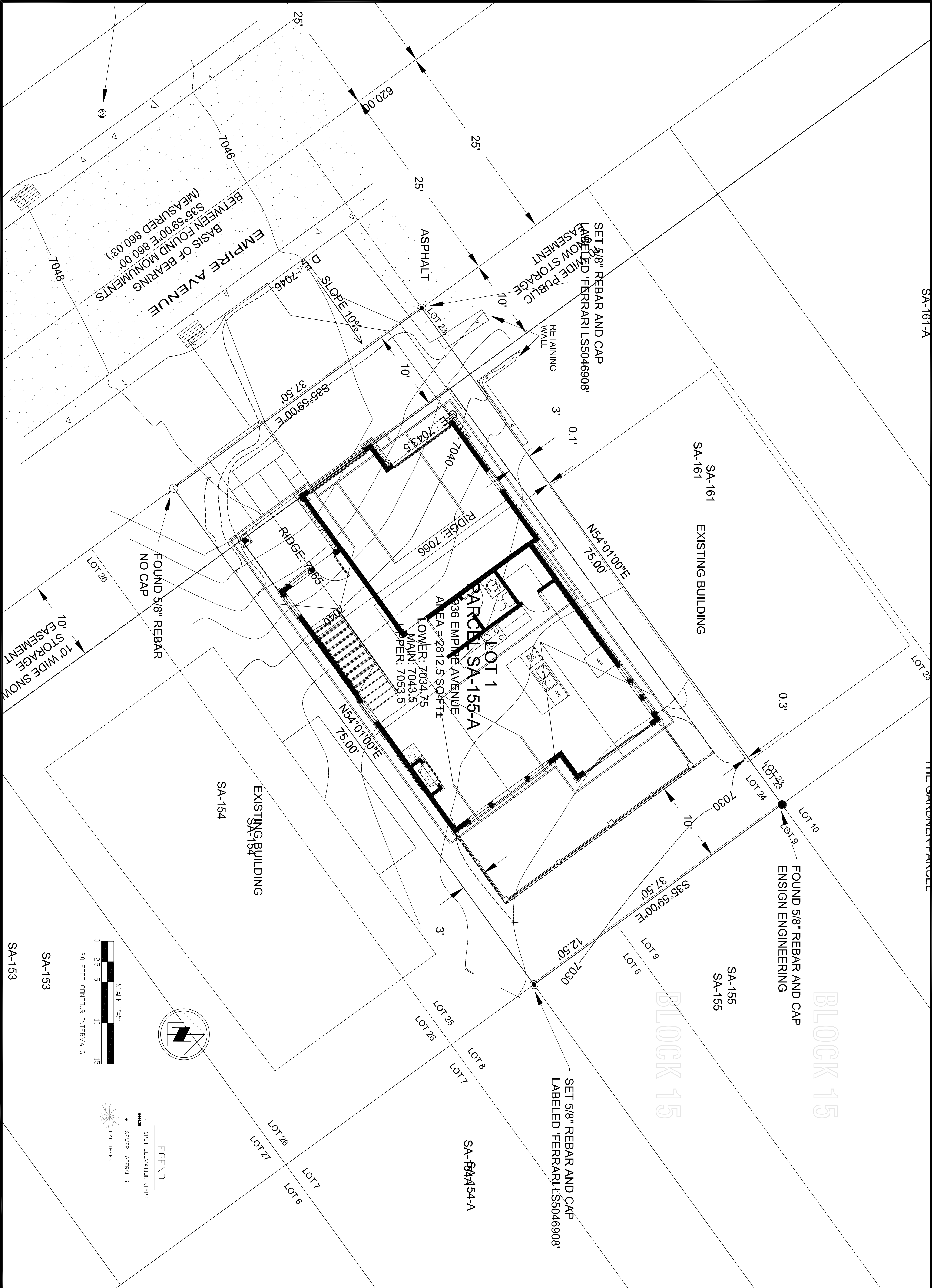
New Residence
936 Empire Avenue
Park City, Utah 84098

Building Sections

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

DATE
4/15/2015
10:43:36 AM

SHEET
A4.1

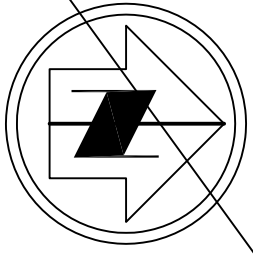
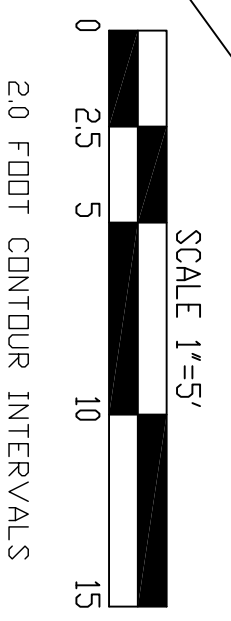


SA-161-A

THE GARMENT ANGEL

BLOCK 15

BLOCK 15



LEGEND
 SPOT ELEVATION (TYP)
 SEWER LATERAL ?
 OAK TREES

SNYDERS
 ADDITION
 LOT 24
 BLOCK 15

NEW RESIDENCE
 936 EMPIRE AVENUE
 PARK CITY, UTAH
 84098

SITE &
 GRADING
 PLAN
 SCALE:
 1" = 5'

DATE OF
 PLANS
 JAN 2015

SHEET

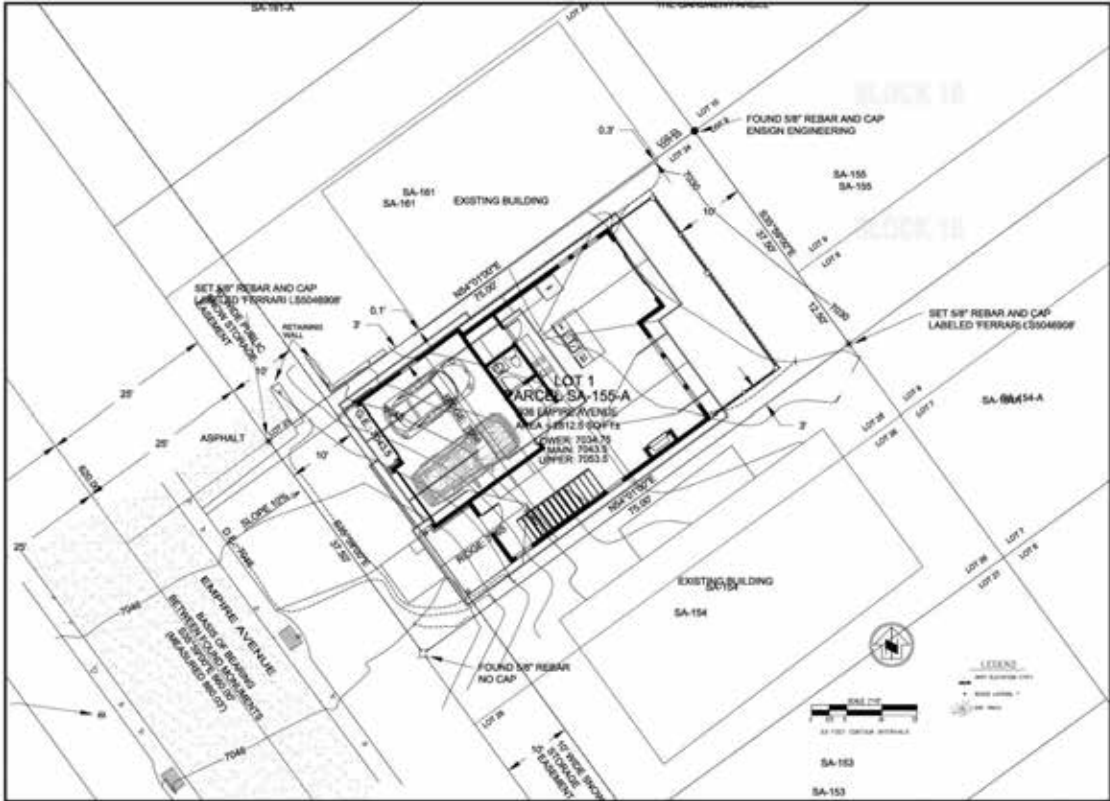
A1.3

VAN SICKLE
 DESIGN & DRAFTING
 4109 S 1400 E
 Salt Lake City, UT 84124
 (801) 694-9683
 bill.draftmaster@gmail.com
 www.vansicklearchitecture.com

THE OWNER WARRANTS AND REPRESENTS THAT THE SITE, EXISTING AND PROPOSED, IS ACCURATELY SHOWN AND THAT THE INFORMATION PROVIDED IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF. THE OWNER ALSO WARRANTS AND REPRESENTS THAT THE SITE IS NOT SUBJECT TO ANY EASEMENTS, ENCUMBRANCES, OR OTHER INTERESTS THAT WOULD AFFECT THE PROJECT. THE OWNER'S WARRANTY IS LIMITED TO THE INFORMATION PROVIDED AND DOES NOT EXTEND TO THE ACCURACY OF ANY SURVEY DATA OR RECORDS. THE OWNER'S WARRANTY IS VOID WHERE PROHIBITED BY LAW. THE OWNER'S WARRANTY IS VOID WHERE PROHIBITED BY LAW. THE OWNER'S WARRANTY IS VOID WHERE PROHIBITED BY LAW.

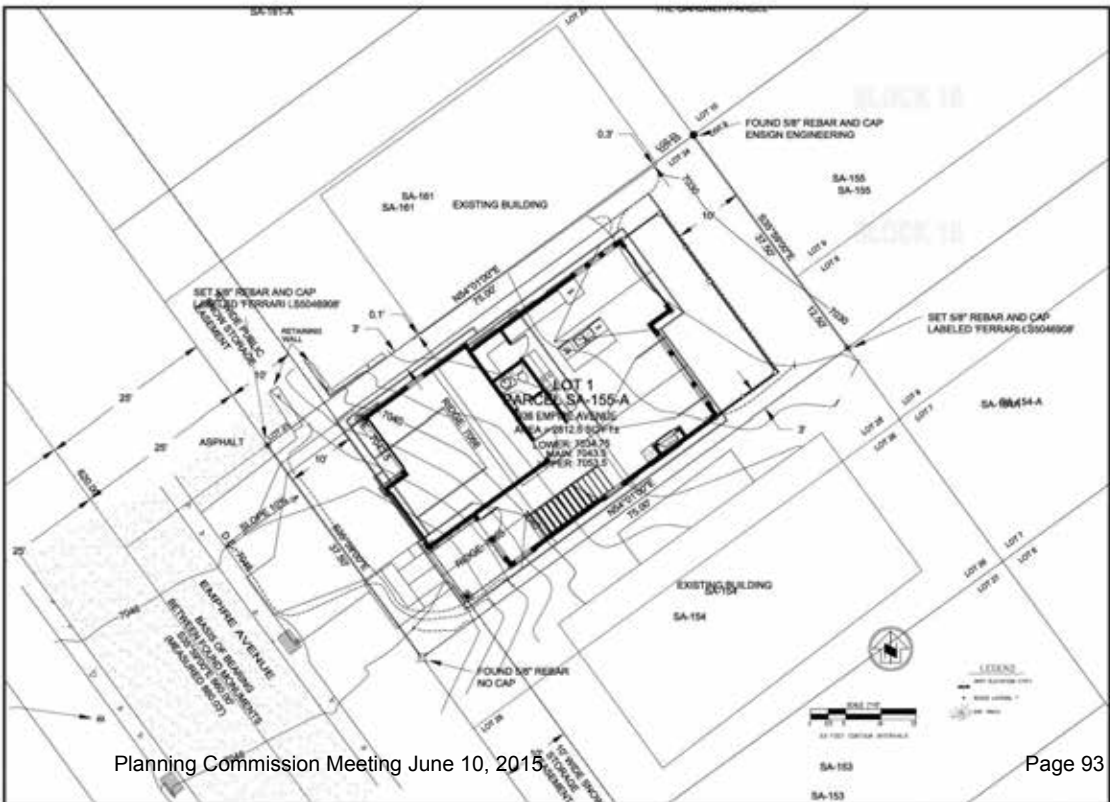
EXHIBIT B

What changed in site plan –setbacks and front and north side elevations
April 8, 2015 approved site plan



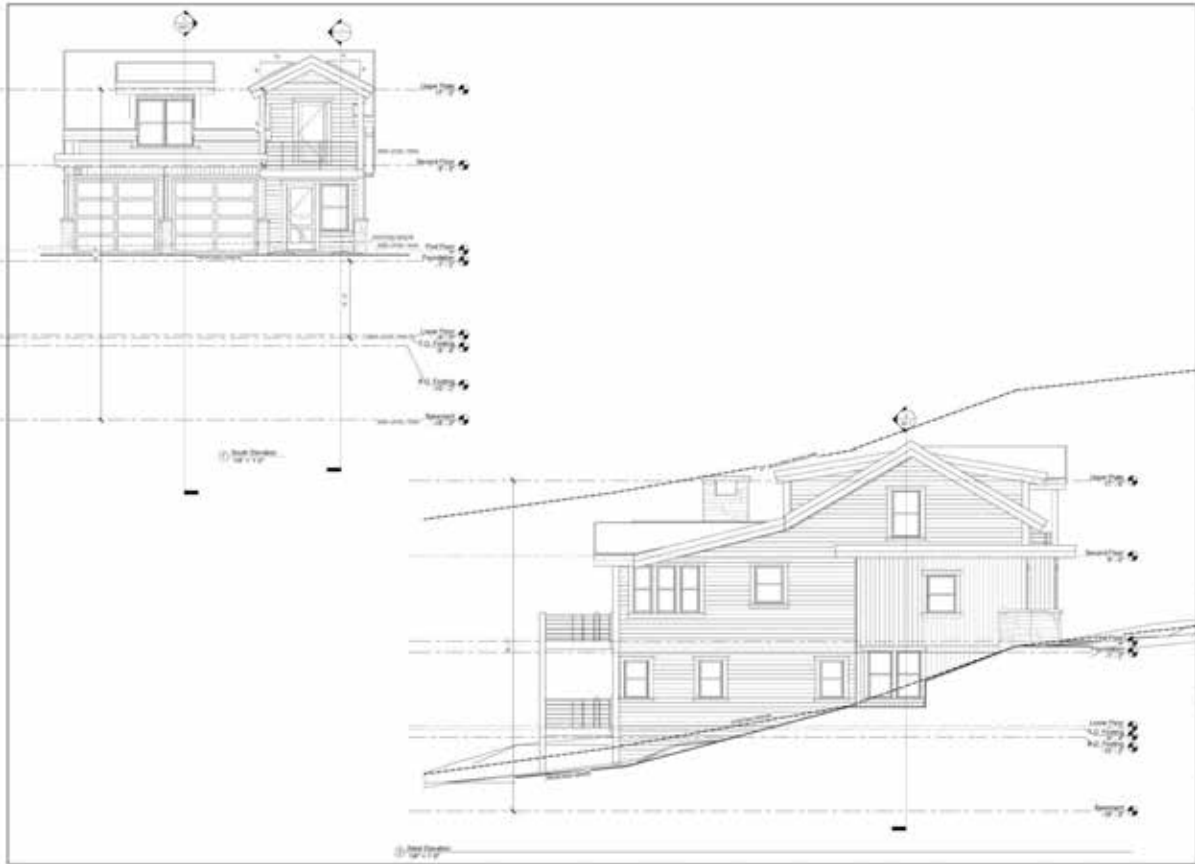
VAN SICKLE DESIGN & DRAFTING 4009 N 1400 E SALT LAKE CITY, UT 84143 tel: 801.488.8888 www.vansickleanddrafting.com
SNYDER'S ADDITION LOT 24 BLOCK 15
NEW RESIDENCE 904 EMPIRE AVENUE PARK CITY, UTAH 84098
SITE & GRADING PLAN
SCALE: 1" = 5'
DATE OF PLANS JAN 2015
SHEET A1.3

New site plan



VAN SICKLE DESIGN & DRAFTING 4009 N 1400 E SALT LAKE CITY, UT 84143 tel: 801.488.8888 www.vansickleanddrafting.com
SNYDER'S ADDITION LOT 24 BLOCK 15
NEW RESIDENCE 904 EMPIRE AVENUE PARK CITY, UTAH 84098
SITE & GRADING PLAN
SCALE: 1" = 5'
DATE OF PLANS JAN 2015
SHEET A1.3

April 8, 2015 approved elevations



VAN SICKLE DESIGN & DRAFTING
2008 BUCKENBURY DRIVE
PARK CITY, UTAH 84308
801-244-8888
www.vansickleanddrafting.com

New Residence
638 Empire Avenue
Park City, Utah 84308

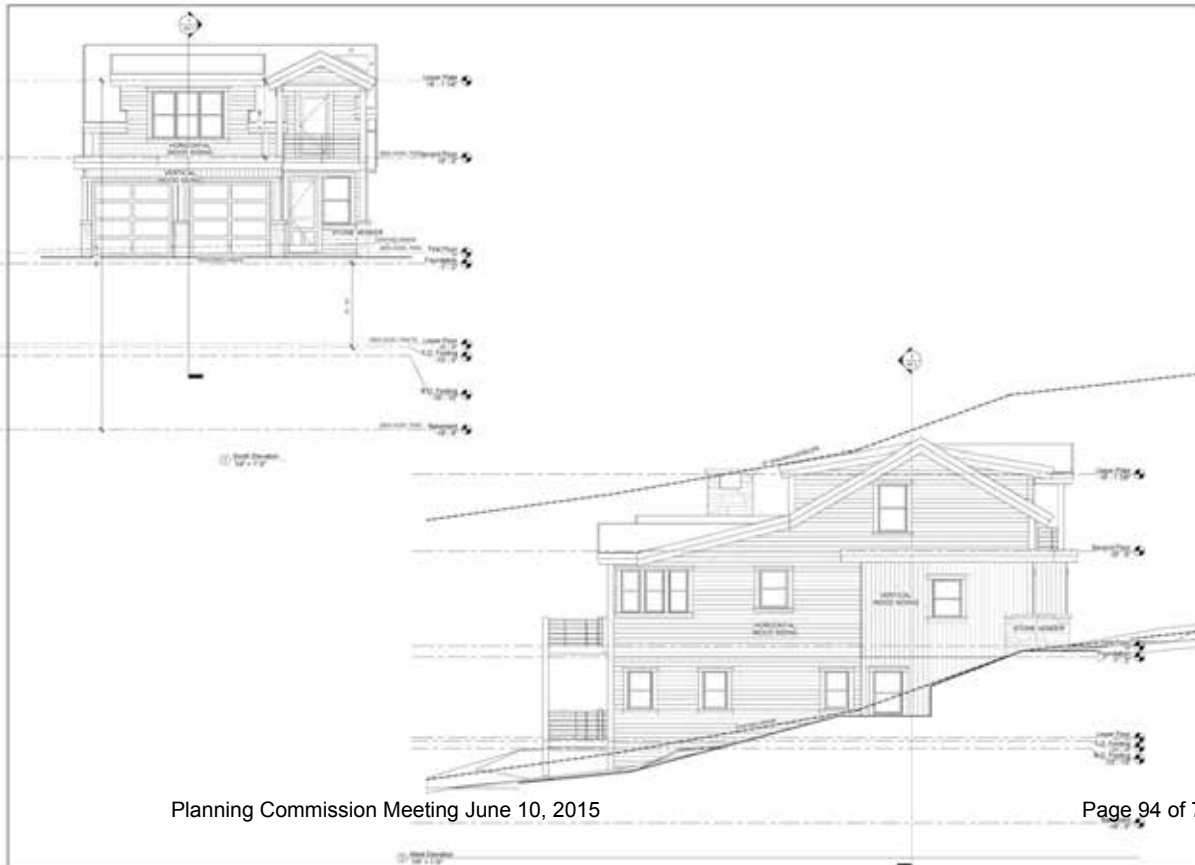
Elevations

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

DATE:
3/12/2015
8:21:58 AM

SHEET
A3.2

New elevations



VAN SICKLE DESIGN & DRAFTING
2008 BUCKENBURY DRIVE
PARK CITY, UTAH 84308
801-244-8888
www.vansickleanddrafting.com

New Residence
638 Empire Avenue
Park City, Utah 84308

Elevations

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

DATE:
6/1/2015
12:14:57 PM

SHEET
A3.2



Planning Commission Staff Report

Subject: 936 Empire Avenue
Project #: PL-15-02618
Author: Christy J. Alexander, AICP, Planner II
Date: April 8, 2015
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 936 Empire Avenue, conduct a public hearing, and consider approving the Steep Slope CUP for 936 Empire 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: Steve Rosenberg
Architect: Bill Van Sickle, designer/Larry Feldman, representative
Location: 936 Empire Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential single family homes, duplexes, and condos
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 for a 3,815 square feet new single family home (including the full basement area and garage) on a 2,812.5 square foot lot located at 936 Empire Avenue. The total floor area exceeds 1,000 square feet and the construction is proposed on a slope of greater than 30%.

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.

Background

On January 6, 2015, the City received an application for a Steep Slope Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 936 Empire Avenue. The property is located in the Historic Residential (HR-1) District. The application was deemed complete on January 22, 2015. This application is a request for a Steep Slope Conditional Use Permit for construction of a new single family home which is proposed to be 3,815 square feet total (including the full basement and the double car garage) on an amended "Old Town" lot containing 2,812.5 square feet. The property is described as Lot 1 of the 936 Empire Avenue Subdivision, a combination of one and a half standard "Old Town" lots. Because the total proposed structure is greater than 1,000 square feet, and the slope within the first 30' of the lot is greater than thirty percent (30%), the applicant is required to file a Conditional Use Permit application for review by the Planning Commission, pursuant to LMC § 15-2.2-6 and prior to issuance of a building permit.

A separate Historic District Design Review (HDDR) application required for the proposed home was submitted on January 6, 2015. This application was approved on March 31, 2015 for compliance with the Design Guidelines for Historic Districts and Historic Sites that were adopted in 2009. Issuance of a building permit for the proposed home is dependent on approval of the Historic District Design Review.

On October 27, 2014, the applicant submitted an application for a plat amendment to combine the one and a half (1.5) lots containing a total of 2,812.5 square feet into one (1) lot of record in order to construct a new single family home. The City Council approved the 936 Empire Avenue Subdivision plat on February 12, 2015 and is pending recordation but will need to be recorded prior to February 12, 2016 and building permit approval. There is an existing home and retaining wall to the north that encroaches onto this property by 0.3 feet as addressed on the plat. There is also a current application submitted to the Planning Department by the owner of the lot to the north requesting to demolish that non-historic structure. The design of this proposed home is based on the existing home to the north and wall being demolished. Therefore there is a condition of approval that the existing structures which encroach on this property must be demolished prior to building permit being granted.

Analysis

The lot has an average slope, across the entire depth, of twenty four percent (24%) but upwards of 35-38% slopes within the first 20 feet from the ROW. The lot is a combination of one and a half standard "Old Town" lots, both previously being vacant. This property already has access to utility services for water, sewer, etc. off of Empire Avenue.

The proposed home contains a total of 3,815 square feet, including the basement and a double car garage. The proposed building footprint totals 1,201 square feet. The 2,812.5 square foot lot allows a building footprint of 1,201 square feet. The house complies with all setbacks, building footprint, and building height requirements of the HR-1 zone. The third story includes horizontal stepping of ten feet (10') which meets the required ten feet (10') of stepping. See below for description of each floor:

Floor	Proposed Sq. Ft. for Home
Basement	1,198 square feet
Garage	357 square feet
Lower	801 square feet
Main	844 square feet
Upper	615 square feet
Overall area	3,815 square feet

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

Requirement	LMC Requirement	Proposed for New Home
Lot Size	Minimum of 1,875 square feet	2,812.5 square feet, <u>complies.</u>
Building Footprint	1,201 square feet (based on lot area) <u>maximum</u>	1,201 square feet, <u>complies.</u>
Front and Rear Yard	10 feet minimum (decks, porches and bay windows may extend up to 3' into the front setback for a max width of 10')	Front- 12 feet, <u>complies.</u> Rear- 18 feet, <u>complies.</u>
Side Yard	3 feet minimum for lot (6 feet total) There are existing encroachments to the north due to the existing home and retaining wall which is proposed to be demolished but will affect setback requirements if not demolished.	3 feet on both sides; will <u>comply if home and retaining wall to north are demolished and remove building code issues due to the lack of separation of the buildings.</u> no window wells- <u>complies.</u>
Height	27 feet above existing grade, <u>maximum.</u> 35 feet above existing grade is permitted for a single car garage on a downhill lot.	Various heights all at or less than 27 feet - <u>complies.</u> <u>No height exception for garage is requested.</u>
Total Building Height	35 feet from lowest floor plane to highest wall plate	35 feet- <u>complies.</u>
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	(4 feet) or less- <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.	Third story on rear façade is 10' back from lower levels at 23' height— <u>complies.</u>
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.	7:12 for all primary roofs - <u>complies.</u>
Parking	Two (2) off-street parking spaces required	Two (2) spaces within the proposed double car garage— <u>complies.</u>

The current design complies with the 35 foot total height requirement from the lowest floor plane to the point of the highest wall top plate. The current design was approved on March 31, 2015 for their Historic District Design Review application.

Steep Slope Review Criteria

LMC § 15-2.2-6 provides for development on steep sloping lots (30% or greater) if the structure contains more than one thousand square feet (1,000 sq. ft.) of floor area, including the garage, within the HR-1 District, subject to the following criteria:

Criteria 1: Location of Development.

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

The proposed single family house is located on an approved platted lot, (which was approved on February 12, 2015 and is unrecorded but will need to be recorded before February 12, 2016 and building permit approval), in a manner that reduces the visual and environmental impacts of the Structure. The main level is set slightly below the grade of the street to minimize visual impacts on the Streetscape (Exhibit B). The foundation is stepped with the grade and the amount of excavation for the home is minimized due to the existing topography. There is no major vegetation present on the vacant lot. The proposed 1201 square feet footprint of the home complies with that allowed for the lot area. The front and rear setbacks are increased for portions of the structure.

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 visual analysis, cross canyon view, streetscape elevations and photographs showing a contextual analysis of the proposed home related to visual impacts (Exhibit B). The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view. The cross canyon view contains a back drop of two (2) and three (3) story single family and duplex homes and a large condominium building.

This site contains a combination of one and a half "old town" lots with many similar structures in the immediate neighborhood. The lot is currently vacant.

The visual analysis and streetscape demonstrate that the proposed design of the home is visually compatible with the neighborhood, compatible in scale and mass with surrounding structures, and visual impacts are mitigated. Potential impacts of the design are mitigated by architectural stepping and a stepped foundation, minimized excavation and greater horizontal step in the roofline. Additionally, the garage door is located approximately 12 feet back from the edge of Empire Avenue.

Criteria 3: Access.

Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible. **No unmitigated impacts.**

The proposed design uses access off of Empire Avenue. Side access is not feasible due to the width of the lot. The proposed driveway has an overall slope of 0.14% as measured from the front of the garage to the edge of the paved street. The proposed driveway was designed to minimize Grading of the natural topography and to reduce overall Building scale.

Criteria 4: Terracing.

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

The lot has a gentle grade at the rear becoming relatively steeper at the front. Overall, the slope is 24%. There are no proposed retaining walls. The lots to the north of the subject lot has an existing single family home and the lot to the south had an existing single family home that has currently pulled a permit for demolition but is not yet demolished, retaining between them is not necessary.

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 new home's building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. The site design and building footprint provide a front setback area (12') in front of the garage and (18') to the entry. Side setbacks and building footprints are maintained consistent with the pattern of development and separation of structures in the neighborhood. The driveway width is 16 feet. The garage door is setback 12' from the edge of the street and the ROW line. The front yard area adjacent to the driveway is proposed to be landscaped with drought tolerant plants and trees.

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 new home steps with the grade and is broken into a series of smaller components that are compatible with the District. The stepping of the home creates the interior story levels and allows the main level to meet existing grade. The garage however, is not subordinate in design in that it is not setback more from the street than the home and the width is not minimized. Staff has worked with the applicant to separate the garages and setback one 3 feet from the other so as to create a shadow and minimize the perceived bulk and "wall effect" and by implementing columns between the two garage doors.

Criteria 7: Setbacks.

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

Front setbacks are greater than is required by Code as the garage portion of the house is currently setback 12 feet from the property line and the edge of the street, to accommodate the code required parking spaces inside the garages and entirely on the lot. No wall effect is created with the proposed design of the home. Side setbacks are consistent with the pattern of development and separation in the neighborhood. The articulation in the front and rear facades reduce the overall mass of the structure and does not create a wall effect along the street front or rear lot line. Rear elevation is articulated with an increased horizontal step.

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 house is both articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The proposed massing and architectural design components are compatible with both the volume and massing of single family dwellings in the area. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and surrounding structures.

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 meets the twenty-seven feet (27') maximum building height requirement measured from existing grade at the highest point. Portions of the house are less than 27' in height. The tallest portion of the house (27') is midway back from the front and the roof height at this location is not visually apparent from the front, back, or sides of the house. The differences in scale between the proposed Structure and existing Structures are mitigated.

While a 35 foot height is allowed for the garage on a downhill lot, this design does not propose to utilize a height exception from existing grade. The design complies with the 27 foot height allowance measured from existing grade.

Staff finds that the design allows additional design aesthetics, provides compatibility of design at the street level, meets the overall building Height requirement with no exception needed for the garage, and reduces the mass at the rear of the structure.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. Approval of the Historic District Design Review application is noticed separately and is a condition of building permit issuance. Recordation of the Plat within one year of City Council approval is also a condition of building permit issuance.

Department Review

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

Notice

On March 25, 2015, the property was posted and notice was mailed to property owners within 300 feet. On March 21, 2015, legal notice was published in the Park Record in accordance with requirements of the LMC.

Public Input

At the time of publishing this report, no public input was received on this Steep Slope CUP application.

Alternatives

- The Planning Commission may approve the Steep Slope Conditional Use Permit for 936 Empire Avenue, or
- The Planning Commission may deny the Steep Slope CUP Permit for 936 Empire Avenue and direct staff to make Findings for this decision, or
- The Planning Commission may request the applicant provide revisions or provide other specific items and continue the discussion to a date certain.

Significant Impacts

As conditioned, there are no significant fiscal or environmental impacts from this application. The lot is a combination of one and a half vacant lots.

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 936 Empire Avenue, conduct a public hearing, and consider approving the Steep Slope CUP for 936 Empire Avenue. 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 936 Empire Avenue.
2. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.
3. The property is described as Lot 1 of the 936 Empire Avenue Subdivision. The lot area is 2,812.5 square feet.
4. A Historic District Design Review (HDDR) application was approved on March 31, 2015 for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.
5. This lot is a combination of one and a half "Old Town" lots, which was previously vacant. This is a downhill lot.
6. Access to the property is from Empire Avenue, a public street.
7. There is an existing home and retaining wall to the north that encroaches onto the property 0.3 feet. There is a current application that has been submitted to the Planning and Building Departments requesting to demolish these structures.
8. Two parking spaces are proposed on site. Two spaces are proposed within an attached garage within the lot area.
9. The neighborhood is characterized by primarily non-historic and historic residential structures, single family homes, duplexes and condos.
10. The proposal consists of a total of 3,815 square feet, including the basement area and a double car garage.
11. The proposed driveway was designed with a maximum width of 16 feet and is approximately 12 feet in length from the garage to the existing edge of street with a

- minimum of 12 feet of driveway located on the property. The garage doors comply with the maximum height and width of nine feet by nine feet.
12. The proposed driveway has an overall slope is 0.14% as measured from the front of the garage to the edge of the paved street.
 13. An overall combined building footprint of 1,201 square feet is proposed. The maximum allowed footprint for this lot is 1,201 square feet.
 14. The proposed structure complies with all setbacks.
 15. The proposed structure complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than 27' in height.
 16. The proposed home complies with the LMC required total building height of 35' from the lowest floor plane to the highest wall plate and is in compliance with the LMC required step back of 10' at the building height of 23' at the rear façade.
 17. The applicant submitted a visual analysis, cross valley views and a streetscape showing a contextual analysis of visual impacts of this home on the cross canyon views and the Empire Avenue streetscape.
 18. Retaining is not necessary around the home on the upper, steeper portion of the lot. There will be no free-standing retaining walls. There are no window wells.
 19. 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.
 20. The site design, stepping of the foundation and building mass, increased articulation, and decrease in the allowed difference between the existing and final grade mitigates impacts of construction on the 30% or greater slope areas.
 21. The design includes setback variations in the front and back and lower building heights for portions of the structure in both the front and back where facades are less than twenty-seven feet in height.
 22. The proposed massing and architectural design components are compatible with both the volume and massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to stepping, articulation, and placement of the house on the lot.
 23. The proposed structure follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as foundation, roofing, materials, window and door openings, and double car garages.
 24. No lighting has been proposed at this time. Lighting will be reviewed at the time of Building Permit application for compliance with the LMC lighting code standards.
 25. The applicant submitted a visual analysis, cross canyon view, and streetscape showing a contextual analysis of visual impacts of the proposed structure on the adjacent streetscape.
 26. The findings in the Analysis section of this report are incorporated herein.
 27. The applicant stipulates to the conditions of approval.

Conclusions of Law:

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

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. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit, the 2009 Design Guidelines for Historic Districts and Historic Sites (Historic District Design Review) and the Land Management Code.
7. The existing home and retaining wall to the north that are encroaching on this property must be demolished prior to building permit approval. If the home and wall are not demolished the proposed home at 936 Empire Avenue will need to be redesigned to meet current LMC required setbacks and building code requirements from existing structures and this Steep Slope Approval shall be amended or voided.
8. The plat approved by City Council on February 12, 2015 shall be recorded at the County prior to February 12, 2016 and Building Permit approval.
9. If required by the Chief Building Official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
10. This approval will expire on April 8, 2016, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and the request is granted by the Planning Director.
11. Modified 13-D residential fire sprinklers are required for all new structures on the lot.
12. All exterior lighting, on porches, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way. Light trespass into the night sky is prohibited.
13. Construction waste should be diverted from the landfill and recycled when possible.
14. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding

Exhibits

Exhibit A - Plans (existing conditions, site plan, landscape plan, elevations, floor plans (date stamped March 12, 2015)

Exhibit B - Visual Analysis and Streetscape

Exhibit C – Photographs and Vicinity Map

Exhibit D - Recorder's plat (to be recorded at the County) and Aerial









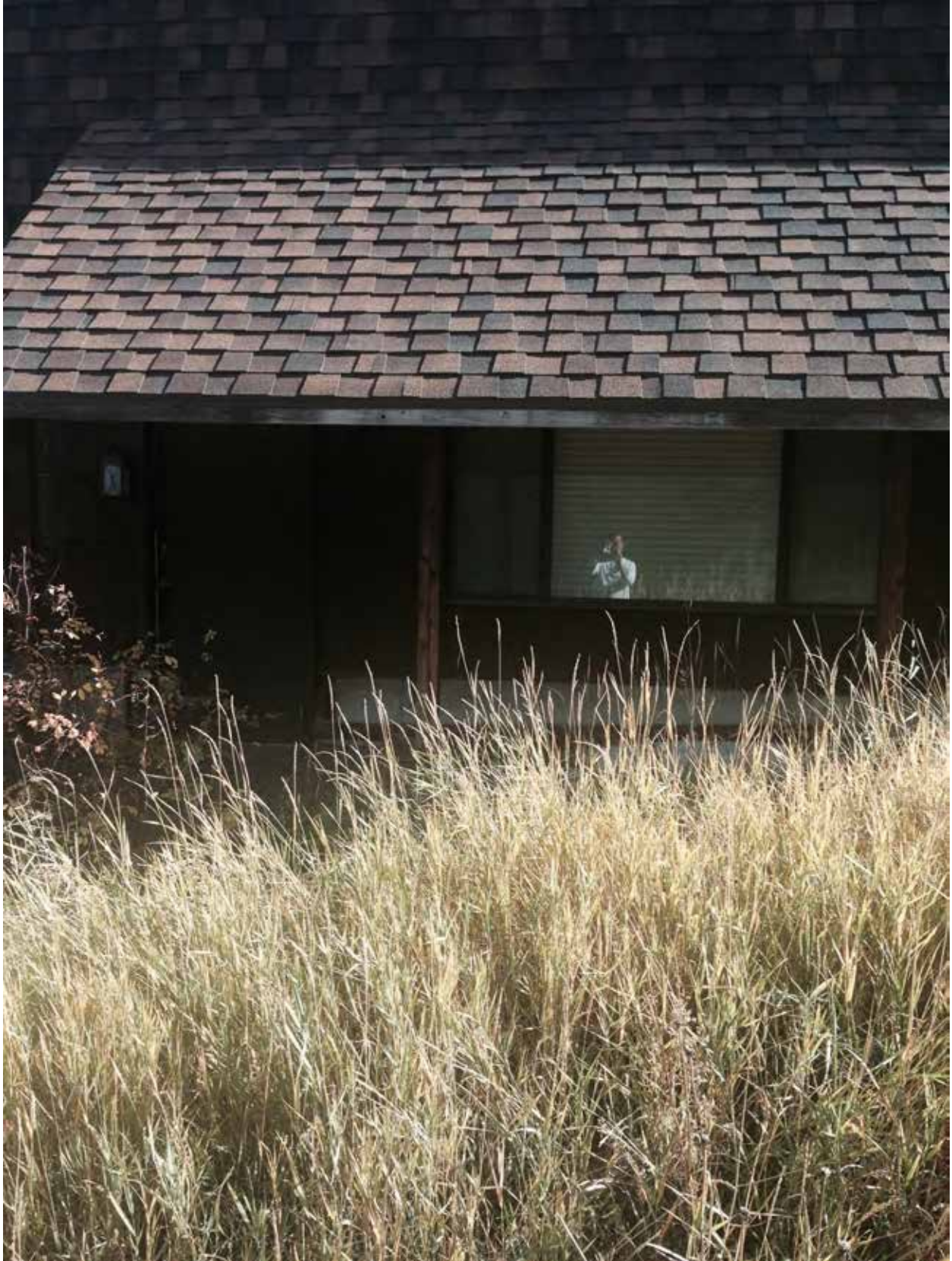
Park City Planning Department
454 Marsac Avenue
Park City, UT 84060

Re: 936 Empire Lot Photos for Plat Amendment / Lot Line Adjustment

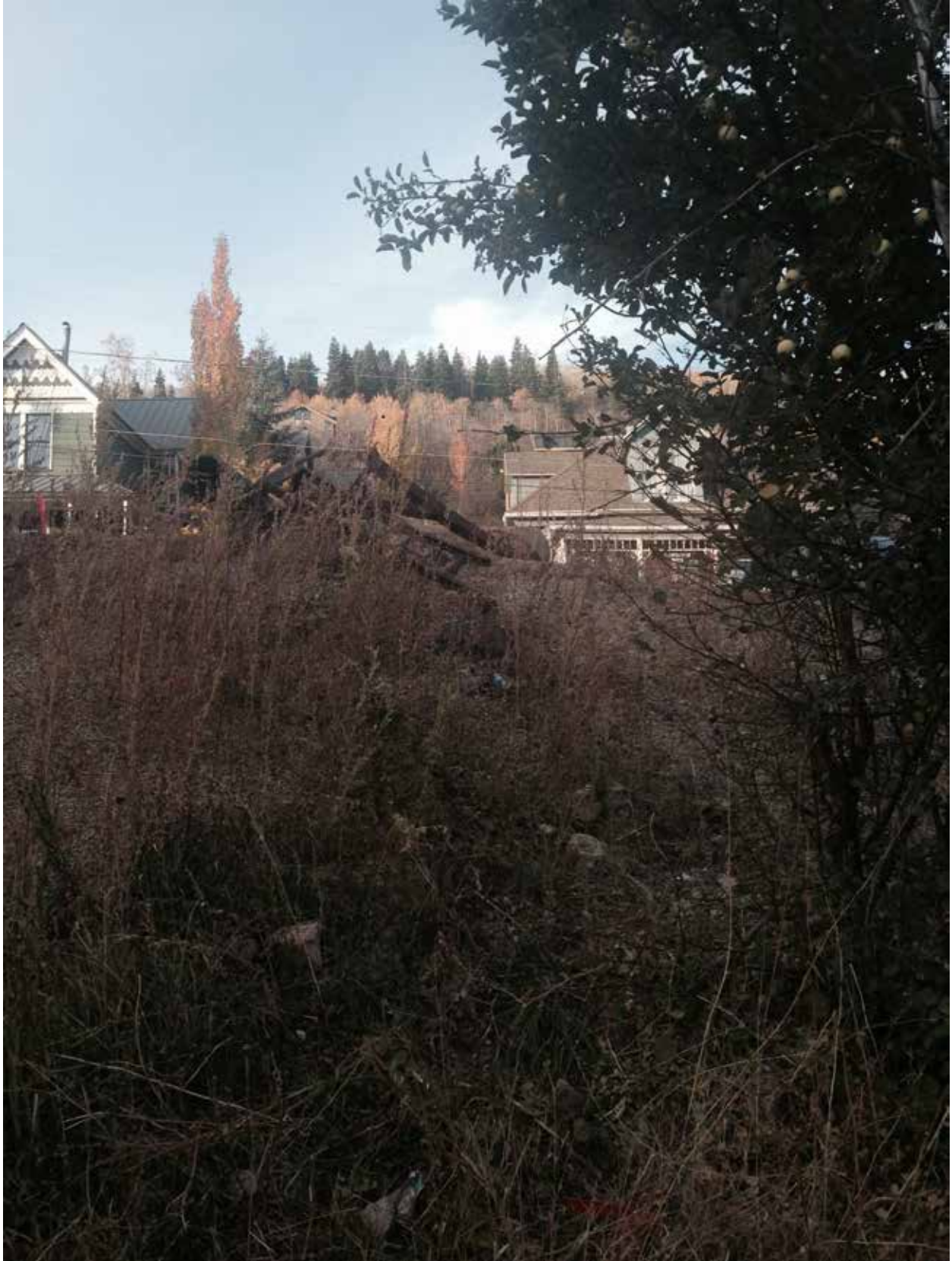
The following attached photos are from the interior of the lot looking out for this lot.

Thanks,

Bill Van Sickle



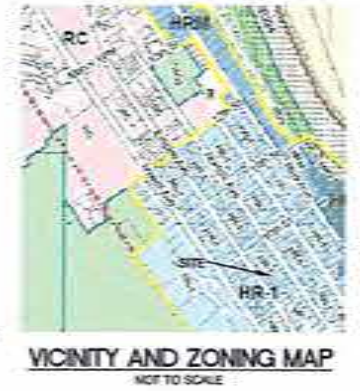








RECEIVED
 JAN 06 2015
 PARK CITY
 PLANNING DEPT.



936 EMPIRE AVENUE RE-PLAT
 AMENDMENT TO LOT 1 185 EMPIRE AVENUE PLAT AMENDMENT SUBDIVISION
 BLOCK 27 SNYDERS ADDITION
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
 TOWNSHIP 2S RANGE 4E
 SALT LAKE BASE AND MERIDIAN



LEGEND:
 ——— PROPERTY LINE
 - - - CENTER LINE
 - - - EASEMENT
 - - - LOT LINE
 [XXX] STREET ADDRESS ON EMPIRE AVE.
 ● 5/8" REBAR AND CAP L.S. 504908
 ● 5/8" REBAR AND CAP ENGIN. ENG.
 X 5/8" REBAR NO CAP

SURVEYOR'S STATEMENT
 I, GREGORY J. FERRARI OF PARK CITY, UTAH, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 5406908. THIS PLAT AMENDMENT WAS PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE PARK CITY MUNICIPAL CORPORATION. I FURTHER CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE SURVEYED PROPERTY.
 GREGORY J. FERRARI, P.L.S. 5046908 EXPRES
 MARCH 31, 2015

NOTES:
 1. MODIFIED 13-0 SPRINKLERS WILL BE REQUIRED FOR NEW CONSTRUCTION AS REQUIRED BY THE CHIEF BUILDING OFFICIAL AT THE TIME OF REVIEW OF THE BUILDING PERMIT SUBMITAL.
 2. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE OF 14-08

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT STEVE L. ROSENBERG, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVE CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS THE 508 EMPIRE AVENUE REPLAT, DOES HEREBY CERTIFY THAT THEY HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED. STEVE L. ROSENBERG HEREBY CONSENTS TO THE RECORDED OF THIS PLAT AMENDMENT.
 ALSO, THE OWNERS, OR HIS REPRESENTATIVE, HEREBY IRREVOCABLY OFFERS FOR DEDICATION TO THE CITY OF PARK CITY ALL THE STREETS, LAND FOR LOCAL GOVERNMENT USES, EASEMENTS, PARKS AND REQUIRED UTILITIES AND EASEMENTS SHOWN ON THE PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.
 IN WITNESS WHEREOF THE UNDERSIGNED SET HIS HAND THIS ____ DAY OF _____, 2014.
 STEVE L. ROSENBERG

ACKNOWLEDGMENT

STATE OF UTAH:)
 COUNTY OF SUMMIT:) SS
 ON THIS ____ DAY OF _____, 2014, _____
 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID STATE AND COUNTY, HAVING BEEN DULY SWORN, _____ ACKNOWLEDGED TO ME THAT HE IS THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, AND THAT HE SIGNED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

MY COMMISSION EXPIRES _____
 NOTARY PUBLIC
 RESIDING IN _____

LEGAL DESCRIPTION:

FORMER PC-155-A: ALL OF LOT 24, AND THE NORTHERLY HALF OF LOT 25, BLOCK 15, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE.
 LOT 1: ALL OF LOT 24, AND THE NORTHERLY HALF OF LOT 25, BLOCK 15, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE.
 MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF LOT 24, BLOCK 15, SNYDERS ADDITION TO PARK CITY, THENCE NORTH 54°10'00" EAST 75.00 FEET; THENCE SOUTH 58°55'00" EAST 37.50'; THENCE SOUTH 51°01'00" WEST 75.00 FEET; THENCE NORTH 28°29'00" EAST 37.50 FEET TO THE POINT OF BEGINNING. CONTAINING 2313 SQ. FT.



 FERRARI SURVEYING, LLC P.O. BOX 685001 PARK CITY, UT (435) 640-0482 Planning Commission Meeting June 10, 2015	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2014 A.D. BY: _____ S.S.W.R.C.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2014 BY: _____ CHAIRMAN	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2014 A.D. BY: _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS ____ DAY OF _____, 2014 A.D. BY: _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 2014 A.D. BY: _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2014 A.D. BY: _____ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE ____ TIME ____ BOOK ____ PAGE ____ FEE _____ Page 15 of 723
---	--	--	---	---	---	---	---

EXHIBIT D

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
APRIL 8, 2015

COMMISSIONERS IN ATTENDANCE:

Vice-Chair Steve Joyce, Preston Campbell, John Phillips, Doug Thimm, Nann Worel

EX OFFICIO:

Kayla Sintz, Planning Manager; Francisco Astorga, Planner; Christy Alexander, Planner;
Polly Samuels McLean, Assistant City Attorney

=====

REGULAR MEETING

ROLL CALL

Vice-Chair Joyce called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioners Band and Strachan.

ADOPTION OF MINUTES

March 25, 2015

Commissioner Worel stated that she had reached her term limits as Chair and that a new Chair and Vice-Chair were appointed at the last meeting. On page 13 of the minutes she was referred to as Chair Worel and that should be corrected to read **Commissioner Worel**.

MOTION: Commissioner Phillips moved to APPROVE the minutes of March 25, 2015 as amended. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

Brooke Hontz stated that she is a former Commissioner who served on the Planning Commission for 4-1/2 years. She truly appreciated their service because she could speak from experience about the difficulty of the job and how much work it entails. Ms. Hontz was present this evening because of the recent Land Management Code discussions regarding TDRs. She had been unable to attend the previous meetings but to her knowledge and from reading the minutes she understood that a recommendation had not been finalized. Ms. Hontz stated that in her profession she represents development

clients and she has also worked as a consultant for other cities and counties. She writes Code and she has written some TDR ordinances.

Ms. Hontz stated that when she was a Commissioner the Planning Commission had the opportunity to put the Code together and the City Council made it an ordinance, and it was a major success. However, even at that time they were unsure whether they had the metrics right or whether the way they measured how TDRs would be calculated was good enough. The intent was to get something in an ordinance so it could be tested by time and people inquiring. She believed the test has shown that TDRs are not quite where they need to be.

Ms. Hontz remarked that the Planning Commission initially considered creating a TDR bank. At that time Planner Katie Cattan and some of the Commissioners were on board with moving forward with the bank. Ms. Hontz pointed out that through the process of creating the ordinance it was evident that a TDR bank was an extra step and it was complicated. All the moving parts needed to be more defined and it still needed more work, even though everyone had agreed that it was an important piece for moving forward.

Ms. Hontz believes the program can and will work, and it was more than just the measurement of value in terms of the number of TDRs that would be received. She thought they were relatively close, if not accurate. Ms. Hontz would like the Planning Commission to look into establishing the TDR bank, which is the fund that the City sets aside, and begin looking at TDRs to purchase. She explained her reasons for making that request and provided examples where a bank would be beneficial. Ms. Hontz stated that when Flagstaff was established a 1% real estate transfer tax clause was included in the Agreement. She ran the numbers from the previous 365 days on just the Montage and the 1% collected from that project, specifically for the City to fund open space and transit. She met with Nate in the Budget Department to see where the Empire Pass fund was, how much was in it, and whether it could be used for TDRs. She found that it could be used for TDRs. There is money in the fund and it has increased over the past 365 days. Knowing that there is money in the fund she would like the Planning Commission to ask the Staff to look into the possibility of bringing everything together. She recognized that it was more a matter for the City Council, but she felt the Planning Commission was only looking at part of TDRs and not the entire picture. She requested that they consider that as they move forward.

Neal Krasnick, stated that he has been a resident of Park City since 1988 and he owns a condominium on the North End of City Park. Mr. Krasnick stated that he has worked in different places and resources in Utah and California long enough to know that money and orders eventually come from the government in terms of what they want to support. Mr. Krasnick stated that when planners and developers come before the City Council, they

need to know that there needs to be very good hiking and biking trails. Park City's business is outdoor recreation and while it is primarily in the winter, there is no reason why they cannot expand that to outdoor recreation 12 months out of the year. He has built trails for the Forest Service in the Mirror Lake area and he knows that sustainable trails are possible and they do not have to be rebuilt continually. People can be attracted to Park City to hike and bike and recreate; and when they came they bring money into town. They can no longer rely on just ski vacations because the weather has changed.

On a separate issue, Mr. Krasnick stated that the City has been working on developing the Prospector Park subdivision. He lives in Snow Country and he received a letter in the mail saying that he now votes at the middle school rather than in the historic Old Town District. He looked to see what subdivision he was in and found that he is no longer in the Old Town District. Snow Country is now in the Prospect Subdivision in the General Commercial District. He understood that to mean that Snow Country Condominiums could potentially open a sexually oriented bar and restaurant because that use is allowed in the GC zone. He asked the Planning Commission to keep that in mind and to also consider his comments about hiking and biking trails to encourage tourism year-round.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Manager Sintz noted that the Planning Department had sent an email asking which Commissioners would be available for a joint City Council/Planning Commission/Planning Department dinner at the Mayor's house on Tuesday, June 16th. Only two Commissioners had responded and she asked the others to let her know if they planned to attend.

Planning Manager Sintz reported that four Staff members would be attending the National American Planning Association Conference in Seattle the following week.

Vice-Chair Joyce clarified that there would not be a Planning Commission meeting on April 22nd. Ms. Sintz answered yes. The next meeting would be May 13th. Vice-Chair Joyce stated that he would be out of town for the May 13th meeting.

Commissioner Thimm disclosed that he worked collaboratively with Greg Brown several years ago on a project outside of Utah. Mr. Brown was a representative on the Alice Claim project and despite their past working relationship, Commissioner Thimm felt certain that he could be objective in the Alice Claim discussion this evening.

Commissioner Phillips disclosed that he would be recusing himself from the Alice Claim items on the agenda.

Commissioner Phillips commented on on-site noticing and mentioned a number of properties where the signs were falling over or lying on the ground. He pointed out that the small white signs on a stick are not adequate and most are not visible. Commissioner Phillips asked why they were not using the glass signs that stand out.

Planning Manager Sintz stated that wood stake signs were used prior to the double metal signs with plexiglass. She noted that a considerable amount of money was spent on those signs and unfortunately they kept disappearing. Ms. Sintz offered to look into signage and come back with alternative options. She noted that a sign notification has been modified as more of an FYI for reconstruction, which was requested by the HPB. She suggested that the Staff could solicit bids again on a new type of custom sign based on the double stick with plexiglass.

CONTINUATIONS (Public Hearing and Continue to date specified.)

Vice-Chair Joyce opened the public hearing for 900 Round Valley Drive Pre-MPD, 550 Park Avenue- Steep Slope CUP, and the 550-560 Park Avenue & 545 Main Street Plat Amendment.

There were no comments.

Vice-Chair Joyce closed the public hearing.

Planning Manager Sintz requested that the Planning Commission continue 900 Round Valley to a date uncertain rather than May 13th as indicated on the agenda.

MOTION: Commissioner Worel moved to CONTINUE 900 Round Valley – Pre-Master Planned Development public hearing and discussion to a date uncertain. Commissioner Preston seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Thimm moved to CONTINUE the 550 Park Avenue Steep Slope CUP and the 550-560 Park Avenue & Main Street Plat Amendment to May 13, 2015. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

CONSENT AGENDA

Vice-Chair Joyce asked if the Planning Commission wanted any of the items removed from the Consent Agenda for discussion. There were none.

Vice-Chair Joyce opened the public hearing on the Consent Agenda: Fairway Village No. 1 PUD, 936 Empire Avenue-Steep Slope CUP, 823 Woodside Avenue – Plat Amendment, and 205 Main Street – Condominium Record of Survey.

There were no comments.

Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Phillips moved to APPROVE or forward a POSITIVE recommendation on all items on the Consent Agenda. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

1. Fairway Village No. 1 PUD – Fairway Village HOA Re-plat – Plat Amendment to memorialize existing building footprints. (Application PL-14-02569)

Findings of Fact – Fairway Village No. 1 PUD

1. The property is located at Fairway Village No. 1 PUD within the Residential Development (RD) Zoning District.
2. The Fairway Village No. 1 Planned Unit Development was originally approved by City Council on December 12, 1979 and recorded on December 17, 1979.
3. The total area of the Fairway Village No. 1 PUD is 3.19 acres.
4. There are twenty eight (28) units in the Fairway Village No. 1 PUD.
5. On December 8, 2014, the applicant submitted an application to amend the existing Fairway Village No. 1 subdivision plat.
6. The application was deemed complete on January 6, 2015.
7. The sixteen (16) units on the west side of Fairway Village Drive were built with hallways that connect the garage to the main unit.
8. The original Fairway Village No. 1 subdivision plat shows that the garages are detached from the main units.
9. The proposed plat amendment would memorialize the existing built environment of the Fairway Village No. 1 PUD.
10. As conditioned, the proposed plat amendment does not create any new noncomplying or non-conforming situations.
11. Fairway Village Drive is private and is not maintained by the City.

Conclusions of Law – Fairway Village No. 1 PUD

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

Conditions of Approval – Fairway Village No. 1 PUD

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The requested utility easements from the City Engineer, City Water Department, and Snyderville Basin Sewer Improvement District must be placed on the amended plat prior to recordation.
2. 936 Empire Avenue – Steep Slope Conditional Use Permit for a new single-family home on a vacant lot (Application PL-15-02618)

Findings of Fact – 936 Empire Avenue

1. The property is located at 936 Empire Avenue.
2. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.
3. The property is described as Lot 1 of the 936 Empire Avenue Subdivision. The lot area is 2,812.5 square feet.
4. A Historic District Design Review (HDDR) application was approved on March 31, 2015 for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.
5. This is lot is a combination of one and a half "Old Town" lots, which was previously vacant. This is a downhill lot.
6. Access to the property is from Empire Avenue, a public street.
7. There is an existing home and retaining wall to the north that encroaches onto the

property 0.3 feet. There is a current application that has been submitted to the Planning and Building Departments requesting to demolish these structures.

8. Two parking spaces are proposed on site. Two spaces are proposed within an attached garage within the lot area.

9. The neighborhood is characterized by primarily non-historic and historic residential structures, single family homes, duplexes and condos.

10. The proposal consists of a total of 3,815 square feet, including the basement area and a double car garage.

11. The proposed driveway was designed with a maximum width of 16 feet and is approximately 12 feet in length from the garage to the existing edge of street with a minimum of 12 feet of driveway located on the property. The garage doors comply with the maximum height and width of nine feet by nine feet.

12. The proposed driveway has an overall slope is 0.14% as measured from the front of the garage to the edge of the paved street.

13. An overall combined building footprint of 1,201 square feet is proposed. The maximum allowed footprint for this lot is 1,201 square feet.

14. The proposed structure complies with all setbacks.

15. The proposed structure complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than 27' in height.

16. The proposed home complies with the LMC required total building height of 35' from the lowest floor plane to the highest wall plate and is in compliance with the LMC required step back of 10' at the building height of 23' at the rear façade.

17. The applicant submitted a visual analysis, cross valley views and a streetscape showing a contextual analysis of visual impacts of this home on the cross canyon views and the Empire Avenue streetscape.

18. Retaining is not necessary around the home on the upper, steeper portion of the lot. There will be no free-standing retaining walls. There are no window wells.

19. 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.

20. The site design, stepping of the foundation and building mass, increased articulation, and decrease in the allowed difference between the existing and final grade mitigates impacts of construction on the 30% or greater slope areas.

21. The design includes setback variations in the front and back and lower building heights for portions of the structure in both the front and back where facades are less than twenty-seven feet in height.

22. The proposed massing and architectural design components are compatible with both the volume and massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to stepping, articulation, and placement of the house on the lot.

23. The proposed structure follows the predominant pattern of buildings along the street,

maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as foundation, roofing, materials, window and door openings, and double car garages.

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

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

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

27.The applicant stipulates to the conditions of approval.

Conclusions of Law – 936 Empire Avenue

1. The Steep Slope CUP application is consistent with the Park City General Plan.
2. The application is consistent with requirements of the Park City LMC, specifically Section 15-2.2-6 (B) (1-10) regarding development on Steep Slopes.
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 – 936 Empire Avenue

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit, the 2009 Design Guidelines for Historic Districts and

Historic Sites (Historic District Design Review) and the Land Management Code.

7. The existing home and retaining wall to the north that are encroaching on this property must be demolished prior to building permit approval. If the home and wall are not demolished the proposed home at 936 Empire Avenue will need to be redesigned to meet current LMC required setbacks and building code requirements from existing structures and this Steep Slope Approval shall be amended or voided.

8. The plat approved by City Council on February 12, 2015 shall be recorded at the County prior to February 12, 2016 and Building Permit approval.

9. If required by the Chief Building Official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.

10. This approval will expire on April 8, 2016, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and the request is granted by the Planning Director.

11. Modified 13-D residential fire sprinklers are required for all new structures on the lot.

12. All exterior lighting, on porches, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way. Light trespass into the night sky is prohibited.

13. Construction waste should be diverted from the landfill and recycled when possible.

14. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding.

3. 823 Woodside Avenue – Plat Amendment to combine one and a half lots into a single lot of record. (Application PL-15-02663)

Findings of Fact – 823 Woodside Avenue

1. The property is located at 823 Woodside Avenue.
2. The property is in the Historic Residential-1 District.
3. The subject property consists of the north one-half (½) of Lot 5 and all of lot 6, Block 11, Snyder's Addition to the Park City Survey.
4. The entire area is recognized by the County as Parcel SA-124.
5. The site is listed on Park City's Historic Site Inventory and is designated as a significant historic site.
6. The building footprint of the existing dwelling is approximately 1,000 square feet.
7. The proposed plat amendment creates one (1) lot of record from the existing area consisting of 2,558 square feet.

Planning Commission Staff Report



PLANNING DEPARTMENT

Project Number: PL-15-02680
Subject: Stein Eriksen Residences Condominium Plat
Author: Francisco J. Astorga, Senior Planner
Date: June 10, 2015
Type of Item: Administrative – Condominium Record of Survey

Summary Recommendations

Staffs recommends the Planning Commission hold a public hearing for the Stein Eriksen Residences Condominium Plat amending North Silver Lake Condominium Plat and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

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

Description

Applicant: SR Silver Lake LLC represented by Marinel Robinson
Location: 7101 Stein Circle
North Silver Lake Condominium Plat
Zoning: Residential Development (RD) District
Adjacent Land Uses: Ski resort and residential
Reason for Review: Condominium Record of Survey Plats are required to be reviewed by the Planning Commission and reviewed and approved by the City Council

Acronyms

RD Residential Development
CUP Conditional Use Permit (CUP)
LMC Land Management Code (LMC)
MPD Master Plan Development (MPD)
ADA American with Disabilities Act (ADA)

Proposal

Due to market demand and buyer requests revisions, the applicant request to adjust building envelopes and condominium interiors from the existing plat. Under the Deer Valley Resort Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial/support space. In 2010 the Park City Planning Commission approved a Conditional Use Permit (CUP) for the development consisting of fifty four (54) private total units: sixteen (16) detached

single-family dwellings/duplexes and four (4) condominium buildings containing thirty eight (38) private dwelling units. In 2014, the applicant received Condominium Record of Survey plat which is consistent with the approved 2010 CUP.

Background

On March 16, 2015, a complete application was submitted to the Planning Department requesting approval of the Stein Eriksen Residences Condominium Plat amending the North Silver Lake Condominium Plat located at 7101 Stein Circle in Deer Valley. The site is located in the Residential Development (RD) District. The proposed Condominium Plat amends building envelopes and interiors from the existing plat approved by the City Council on May 08, 2014. The project already started construction and no units have been sold yet.

2009/2010 Conditional Use Permit

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

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

The Planning Commission reviewed the remand during two (2) work sessions on November 11, 2009 and January 13, 2010 and two (2) Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010 to address specific findings of the City Council. The Planning Commission approved the revised CUP with a four to one vote on April 28, 2010. The applicant stipulated to additional condition of approval #19 that "Lockout units have not been included within the current CUP application. The addition of lockout units would be a substantial deviation from the current plan and must be approved by the Planning Commission."

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

First CUP Extension

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

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

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

The Building Department had previously collected a bond to ensure that the existing impacts of the site will be repaired at the time of first CUP extension. The landscape plan includes re-vegetating the disturbed area including top soil and native grasses, planting eighteen (18') new trees that vary in height from ten to twelve feet (10' - 12'), and installing an irrigation system for the establishment of the grass and ongoing watering of the new trees. This work was completed by July 1, 2011 and complies with the July 1, 2010 City Council conditions of approval. The applicant has continued watering the trees and vegetation as required.

Second CUP Extension

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

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

The second appeal of the second extension was originally scheduled for the March 22,

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

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

In March 2013, the applicant received a building permit for the first single-family dwelling. This structure will be used as their model home. Through 2014 and 2015 several other building permits have been issued as the site has been considered an active building site since.

Nightly Rental Lockout Units

On February 26, 2014, the Planning Commission approved the applicant's request of thirty eight (38) Nightly Rental Lockout Units modifying the CUP approved by the City in 2010.

Condominium Plat

On May 8, 2014, the City Council approved the North Silver Lake Condominium Plat. The approved Record of Survey identified private and common space and allowed the developer to sell the units. The approval consisted of twelve (12) stand-alone single-family dwelling units and (1) stand-alone duplex dwelling (containing 2 units) and forty (40) units within the main four (4) condominium buildings instead of the original ten (10) stand-alone single-family dwelling units and three (3) stand-alone duplex (containing 2 units each) dwellings equating to sixteen (16) units and thirty eight (38) units within the main four (4) condominium buildings.

A subdivision plat, known as the North Silver Lake Subdivision, was recorded in 1993. The subdivision created two (2) lots of record. According to this subdivision, Lot 2 was contemplated for further subdivision and future development. The Lot 2 North Silver Lake Subdivision was recorded in 1997. This subdivision further amended Lot 2 into four (4) separate Lots A - D. In 2005, the North Silver Lake Lodge Record of Survey Plat was recorded. That Plat subdivided Lot 2B into six (6) units and it identified convertible land for future development of the remaining land.

For additional history of the 2014 condominium plat see Exhibit C – 08 May 2014 City Council Staff Report, Exhibit D – 08 May 2014 City Council Meeting Minutes, and Exhibit E – 09 April 2014 Planning Commission Meeting Minutes.

District Purpose

The purpose of the RD District is to:

- A. allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
- B. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
- C. allow commercial and recreational activities that are in harmony with residential neighborhoods,
- D. minimize impacts of the automobile on architectural design,
- E. promote pedestrian connections within Developments and between adjacent Areas; and
- F. provide opportunities for variation in architectural design and housing types

Analysis

The proposed Condominium Plat Amendment adjusts the platted condominium units, common area, and limited common area for the development. The proposed plat identifies the private, limited common, support limited common and facilities, and common areas.

The current Condominium Plat (2014) consists of twelve (12) single-family dwellings, one (1) duplex dwellings with two (2) units, forty (40) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units. The Condominium Plat approved in 2014 was consistent with the 2010 approved CUP containing 54 units.

The proposed Condominium Plat consists of eleven (11) single-family dwellings, two (2) duplex dwellings with two (2) units each, thirty-nine (39) multi-unit dwellings, two (2) ADA compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units. The boundary lines of each adjusted areas are set forth on the proposed plat. The proposed Condominium Plat Amendment is consistent with the 2010 approved CUP containing 54 units. Even though the number of detached structures and multi-unit dwelling is changing from the Condo Plat, the density remains the same at 54 units as specified in the Deer Valley Master Plan. The massing also remains in substantial compliance due to the shift in size from the units that will be modified from a single-family dwelling into a duplex and the changes from the multi-unit dwelling being affected that does not increase additional building footprint but completely interior changes.

In essence the following exhibit below from the 2010 approved CUP will still be complied with as the footprint of the Multi-Unit Dwellings in the center will be in substantial compliance with the original approval, and so will the footprint of the single-family dwellings, and duplexes around the perimeter. See diagram showing the original approved footprint:



Staff does not find that the original CUP has to be re-reviewed as the proposal complies with the approved CUP. The density of 54 units still remains the same and the footprint as specified on this diagram above is complied with. The open space calculations were not associated with this.

The size of the private units within the single-family, duplex, and multi-unit dwellings range from 1,997 - 8,686 square feet. All of the unit sizes are listed in Exhibit F – Draft Condominium Declarations Second Amendment. The table below shows a size comparison from the current recorded declarations to the proposed:

Table 1: Schedule of Units & Square Footage

Unit Identifying Number	Recorded 2014 Approx. Sq. Footage of Unit ¹	Proposed 2015 Approx. Sq. Footage of Unit	Difference
131	4,101	4,137	+36

132	4,603	4,630	+27
231	4,155	4,149	-6
233	3,654	3,655	+1
311	2,544	2,544	0
312	2,174	2,181	+7
313	2,170	(unit eliminated)	-2,170
331	3,956	3,965	+9
332	3,493	3,503	+10
333	3,651	3,651	0
334	2,426	2,445	+19
341	2,009	1,997	-12
343	2,080	2,068	-12
411	2,544	2,541	-3
412	2,174	2,176	+2
413	2,171	4,333	+2,162
414	4,420	4,439	+19
421	4,589	4,579	-10
422	4,509	4,510	-1
431	4,759	4,761	-2
432	3,948	3,950	-2
433	3,002	2,993	-9
441	2,016	2,006	-10
442	2,016	2,008	-8
444	4,443	4,408	-35
511	2,707	2,702	-5
512	3,754	3,756	+2
521	4,713	4,704	-9
532	4,907	4,922	+15
541	2,009	1,999	-10
542	2,007	1,998	-9
543	4,086	4,064	-22
611	2,706	2,701	-5
612	3,745	3,733	-12
613	4,456	4,443	-13
621	4,708	4,704	-4
641	2,016	2,006	-10
642	2,009	2,000	-9
643	2,082	2,070	-12
644	4,450	4,417	-33
(Multi-unit dwelling difference):			(-124)
C-1	817	817	0

C-2	723	909	+186
C-3	3,244	3,218	-26
SU-1	1,914	1,915	+1
(Commercial unit difference):			(+161)
1	6,505	6,505	0
2	5,851	6,160	+309
3	5,824	6,148	+324
4	5,824	6,148	+324
5	6,559	6,688	+129
6	8,589	(see unit 6A & 6B)	-8,589
6A	(see unit 6)	6,106	6,106
6B	(see unit 6)	6,106	6,106
7	6,529	6,760	+231
8	8,591	8,686	+95
9	6,296	6,572	+276
10	6,180	6,261	+81
11	6,706	6,438	-268
12	6,431	6,851	+420
13	5,046	6,051	+1,005
14	6,646	6,413	-233
(Single-family dwellings/duplexes difference):			+(6,313)
Totals:	230,237	236,600	+6,363

As shown on the table above one (1) multi-unit dwelling unit is eliminated as a duplex is accommodated as unit 6. This adjustment is consistent with the CUP plan and layout. The net increase in size, shown on Table 1 above, is 6,363 square feet. The table above was created by using the square footage on the recorded declarations and the drafted declarations submitted with this amendment. As indicated 2014 staff report, the Deer Valley MPD did not allocate a maximum house size or a UE allocation for each residential unit. The allocation was based on a density of fifty four (54) units. Staff does not find issues with the expansion of 6,363 square feet as the density remains the same. The requested Condominium Amendment does not change parking and/or lockout unit requirements.

During the original approved 2010 CUP and its Arbocare tree agreement, all significant vegetation was identified and there were specific conditions approved and agreed upon. These parameters included that if a trees of a specific category were to be removed from the site, a ratio of tree replacement depending on the category of the tree, would need to be re-plated. This parameter would continue to apply with this proposed Plat Amendment.

Open Space issues addressed by 2010 Quasi-Judicial Appeal of CUP Application

Under the Deer Valley Resort Master Plan Development (MPD) the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space. The Deer Valley MPD requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC Section 15-1-10.

The original CUP application was before Planning Commission several times and approved in July 2009. That CUP was appealed. The City Council reviewed the appeal in October/November 2009 and remanded it to the Planning Commission with specific items included in the Order to be addressed. The Planning Commission reviewed the remand during several Planning Commission work sessions and meetings in 2009 and 2010 to address the Order and findings of the City Council. The Planning Commission approved the revised CUP on April 28, 2010.

That approval was appealed by two separate parties. The City Council reviewed the appeal June 24, 2010. At that hearing, the Council reviewed the open space issue and found that the sixty percent (60%) open space requirement for the project has been met. The open space of the current design is 70.6%. When the Open Space was calculated, the internal area, within the perimeter of the property was not utilized for the calculation as it was expected for some areas to change in the future. Staff does not find any discrepancies with the possible footprint amendment herein regarding open space calculations.

Condominium Plat

LMC § 15-4-12 indicates that existing structures shall not be converted to condominium ownership without first receiving the review and recommendation of the Planning, Engineering and Building Departments, City Attorney, and Record of Survey plat approval from the City. Furthermore, required public improvements and landscaping shall be completed at the time of conversion or security provided to ensure completion as provided by ordinance. The structure must be brought into substantial compliance with the Building code as a condition precedent to plat approval.

These structures are in the process of being built. Several building permits have been issued since the last Condominium Plat was approved and recorded in May 2014. The applicant is actively working on the project. The structures are to be built per current building codes. Staff finds good cause for this Condominium Plat Amendment as the development will be in compliance with the approved CUP for the development.

Process

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

Department Review

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

Notice

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

Public Input

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

Process

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

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the Stein Eriksen Residences Condominiums Plat amending the North Silver Lake Condominium Plat as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Stein Eriksen Residences Condominiums Plat amending the North Silver Lake Condominium Plat and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on Stein Eriksen Residences Condominiums Plat amending the North Silver Lake Condominium Plat.

Significant Impacts

There are no significant impacts on the City from this application.

Consequences of not taking the Suggested Recommendation

The current Condominium Plat would govern what could be built. The property owner would not be able to accommodate market demand and buyer request revisions.

Recommendation

Staffs recommends the Planning Commission hold a public hearing for the Stein Eriksen Residences Condominium Plat amending North Silver Lake Condominium Plat and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits

Exhibit A – Proposed Ordinance with Proposed Condominium Record of Survey

Exhibit B – Project Description

Exhibit C – 08 May 2014 City Council Staff Report

Sub Exhibit A – Proposed Ordinance with Proposed Condominium ROS

Sub Exhibit B – Project Description

Sub Exhibit C – North Silver Lake Subdivision (1993)
Sub Exhibit D – Lot 2 North Silver Lake Subdivision (1997)
Sub Exhibit E – North Silver Lake Record of Survey Plat (2005)
Sub Exhibit F – Planning Commission Action Letter dated March 4, 2014
Sub Exhibit G – Public Comments
Sub Exhibit H – Master Site Plan, Open Space
Sub Exhibit I – 2009 Fog Study
Exhibit D – 08 May 2014 City Council Meeting Minutes
Exhibit E – 09 April 2014 Planning Commission Meeting Minutes
Exhibit F – Draft Condominium Declarations Second Amendment

Ordinance No. 15-XX

AN ORDINANCE APPROVING THE STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING THE NORTH SILVER LAKE CONDOMINIUM PLAT LOCATED AT 7101 STEIN CIRCLE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Stein Eriksen Residences Condominium Plat amending the North Silver Lake Condominium Plat, located at 7101 Stein Circle have petitioned the City Council for approval of an amended and restated condominium record of survey plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on May 13, 2015, May 27, 2015, and June 10, 2015 to receive input on the North Silver Lake Condominium Record of Survey Plat record of survey plat;

WHEREAS, the Planning Commission, on June 10, 2015, forwarded a recommendation to the City Council;

WHEREAS, the City Council on June 25, 2015 conducted a public hearing to receive input on the North Silver Lake Condominium Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the North Silver Lake Condominium 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. North Silver Lake Condominium Plat as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The site is located at 7101 Stein Circle in Deer Valley.
2. The site is located in the Residential Development (RD) District.
3. The proposed Condominium Plat amends building envelopes and interiors from the existing plat approved by the City Council on May 08, 2014.
4. The proposed Condominium Plat Amendment adjusts the platted condominium units, common area, and limited common area for the development.

5. The proposed plat identifies the private, limited common, support limited common and facilities, and common areas.
6. The current Condominium Plat consists of twelve (12) single-family dwellings, one (1) duplex dwellings with two (2) units, forty (40) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.
7. The Condominium Plat approved in 2014 was consistent with the 2010 approved Conditional Use Permit containing 54 units.
8. The proposed Condominium Plat consists of eleven (11) single-family dwellings, two (2) duplex dwellings with two (2) units each, thirty-nine (39) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.
9. The proposed Condominium Plat Amendment is consistent with the 2010 approved Conditional Use Permit containing 54 units.
10. Even though the number of detached structures and multi-unit dwelling is changing from the Condo Plat, the density remains the same at 54 units as specified in the Deer Valley Master Plan.
11. The massing remains in substantial compliance with the 2010 CUP approval due to the shift in size from the units that will be modified from a single-family dwelling into a duplex and the changes from the multi-unit dwelling being affected that does not increase additional building footprint but completely interior changes.
12. The original CUP does not have to be re-reviewed as the proposal complies with the approved CUP. The density of 54 units still remains the same.
13. The size of the private units within the single-family, duplex, and multi-unit dwelling ranges from 1,997 - 8,686 square feet.
14. One (1) multi-unit dwelling unit is eliminated as a duplex is accommodated as unit 6.
15. This adjustment is consistent with the 2010 CUP plan and layout.
16. The net increase in size is 6,363 square feet.
17. The Deer Valley MPD did not allocate a maximum house size or a UE allocation for each residential unit.
18. The Deer Valley MPD density allocation was based on a density of fifty four (54) units.
19. Several building permits have been issued since the last Condominium Plat was approved and recorded in May 2014.
20. The applicant is actively working on the project.
21. All findings in the analysis section of the staff report are incorporated herein.

Conclusions of Law:

1. There is good cause for this Condominium Plat amendment.
2. The Condominium Plat amendment is consistent with the Park City Land Management Code and applicable State law regarding condominium record of survey plats.

3. Neither the public nor any person will be materially injured by the proposed condominium record of survey plat.
4. Approval of the condominium plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The condominium plat amendment is consistent with the approved North Silver Lake Conditional Use Permit.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the condominium record of survey plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the 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 a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A note shall be added to the plat referencing that the conditions of approval of the Deer Valley MPD and the 2010 North Silver Lake CUP apply to this plat amendment.
4. All conditions of approval of the City Council's July 1, 2011 order on the Conditional Use appeal shall continue to apply.
5. All conditions of approval of the Planning Commission's February 26, 2014 action modifying the CUP to allow Lockout Units shall continue to apply.
6. All conditions of approval of the City Council's May 08, 2014 approval of the North Silver Lake Condominium Plat shall continue to apply.

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

PASSED AND ADOPTED this ____ day of _____, 2015.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Condominium Plat Amendment

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD
C1	30.50'	26.47'	93.89°	26.47'
C2	105.00'	128.73'	108.88°	108.88'
C3	100.00'	34.48'	109.93°	34.48'
C4	40.50'	42.41'	108.30°	42.41'
C5	75.00'	85.08'	108.30°	85.08'
C6	50.00'	61.09'	108.30°	61.09'
C7	30.50'	11.52'	108.30°	11.52'
C8	15.00'	11.15'	108.30°	11.15'
C9	15.00'	16.34'	108.30°	16.34'
C10	140.00'	207.27'	108.30°	207.27'
C11	140.00'	23.12'	108.30°	23.12'
C12	140.00'	23.09'	108.30°	23.09'
C13	140.00'	207.27'	108.30°	207.27'
C14	60.50'	3.05'	108.30°	3.05'
C15	60.50'	10.86'	108.30°	10.86'
C16	60.50'	24.48'	108.30°	24.48'
C17	60.50'	32.11'	108.30°	32.11'
C18	60.50'	34.42'	108.30°	34.42'

LINE TABLE		
LINE	BEARING	LENGTH
L1	0°00'00"	11.18'
L2	118°11'11"	11.18'
L3	0°00'00"	1.42'
L4	180°00'00"	1.42'
L5	0°00'00"	1.42'
L6	180°00'00"	1.42'
L7	0°00'00"	1.42'
L8	180°00'00"	1.42'
L9	0°00'00"	1.42'
L10	180°00'00"	1.42'

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SURVEYOR'S CERTIFICATE

I, KAREN F. WHITE, do hereby certify that I am a Licensed Land Surveyor, and that I have Certificate No. 19128, as prescribed under laws of the State of Utah. I further certify that by authority of the Client, I have made a survey of the tract of land and the following description correctly describe the tract or parts upon which the above or will be contained. Transfer to be known as: STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT, a Utah condominium project, in accordance with the Utah Condominium Ownership Act. I further certify that the condominium plat for said project is accurate and complies with the provision of Section 54-1-31 (4) of the Utah Condominium Ownership Act. Reference markers as shown on the plat are located as shown and are sufficient to readily locate or establish the survey.

BOUNDARY DESCRIPTION

All of the North Silver Lake Condominium Plat, according to the official plat thereof, recorded June 17, 2014, Entry No. 4972425 of the official records in the Office of the Summit County Recorder. Basis of Bearing is identical to that shown on said North Silver Lake Condominium Plat.

Contains 5/4 Acres

No. 19128
KAREN F. WHITE
PLS. 19128

SHEET 1 OF 40

PROJECT NUMBER: 583

MANAGER: RSE

DRAWN BY: PMW

CHECKED BY: KFW

DATE OF PREPARATION: 3/16/15

SALT LAKE CITY
45 W. 1000 S., Suite 500
Shog 07 8410
Phone: 801.255.0229
Fax: 801.255.4449

LAYTON
Phone: 801.547.1100
TUCULEE
Phone: 801.843.3990
CEDAR RAPIDS
Phone: 801.861.1653
RICHFIELD
Phone: 801.330.8187

www.enseng.com

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 20____.

PARK CITY RECORDER

COUNCIL APPROVAL & ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 20____.

MAYOR

CITY ENGINEER

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE. THIS _____ DAY OF _____ 20____.

CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 20____.

CHUR

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 20____.

SUBARD

PARK CITY ATTORNEY APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ 20____.

QTY ATTORNEY

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REGISTER'S OFFICE

DATE: _____ THIS _____ BOOK _____ PAGE _____

FEE _____

SUMMIT COUNTY RECORDER

ACKNOWLEDGMENT

On this _____ day of _____ 20____, 2014, I, the undersigned notary public, do hereby certify that I have received this survey to be made of the Plat consisting of forty (40) sheets to be prepared, and does hereby consent to the recording of this Plat.

I, the Authorized Signatory of SR Silver Lake, LLC, am authorized to sign the above Owner's Declaration and Consent to Record and to acknowledge the underground has executed this Owner's Declaration and Consent to Record as of this _____ day of _____ 20____.

SR Silver Lake, LLC, formerly known as North Silver Lake Lodge, LLC, a Utah limited liability company

Know all men by these presents that SR Silver Lake, LLC, a Utah limited liability company, the owner of the tract of land described herein as North Silver Lake Condominium, located and said tract of land, hereby certifies that it has received this survey to be made of the Plat consisting of forty (40) sheets to be prepared, and does hereby consent to the recording of this Plat.

On this _____ day of _____ 20____, 2014, I, the undersigned notary public, do hereby certify that I have received this survey to be made of the Plat consisting of forty (40) sheets to be prepared, and does hereby consent to the recording of this Plat.

I, the Authorized Signatory of SR Silver Lake, LLC, am authorized to sign the above Owner's Declaration and Consent to Record and to acknowledge the underground has executed this Owner's Declaration and Consent to Record as of this _____ day of _____ 20____.

SR Silver Lake, LLC, formerly known as North Silver Lake Lodge, LLC, a Utah limited liability company

Know all men by these presents that SR Silver Lake, LLC, a Utah limited liability company, the owner of the tract of land described herein as North Silver Lake Condominium, located and said tract of land, hereby certifies that it has received this survey to be made of the Plat consisting of forty (40) sheets to be prepared, and does hereby consent to the recording of this Plat.

On this _____ day of _____ 20____, 2014, I, the undersigned notary public, do hereby certify that I have received this survey to be made of the Plat consisting of forty (40) sheets to be prepared, and does hereby consent to the recording of this Plat.

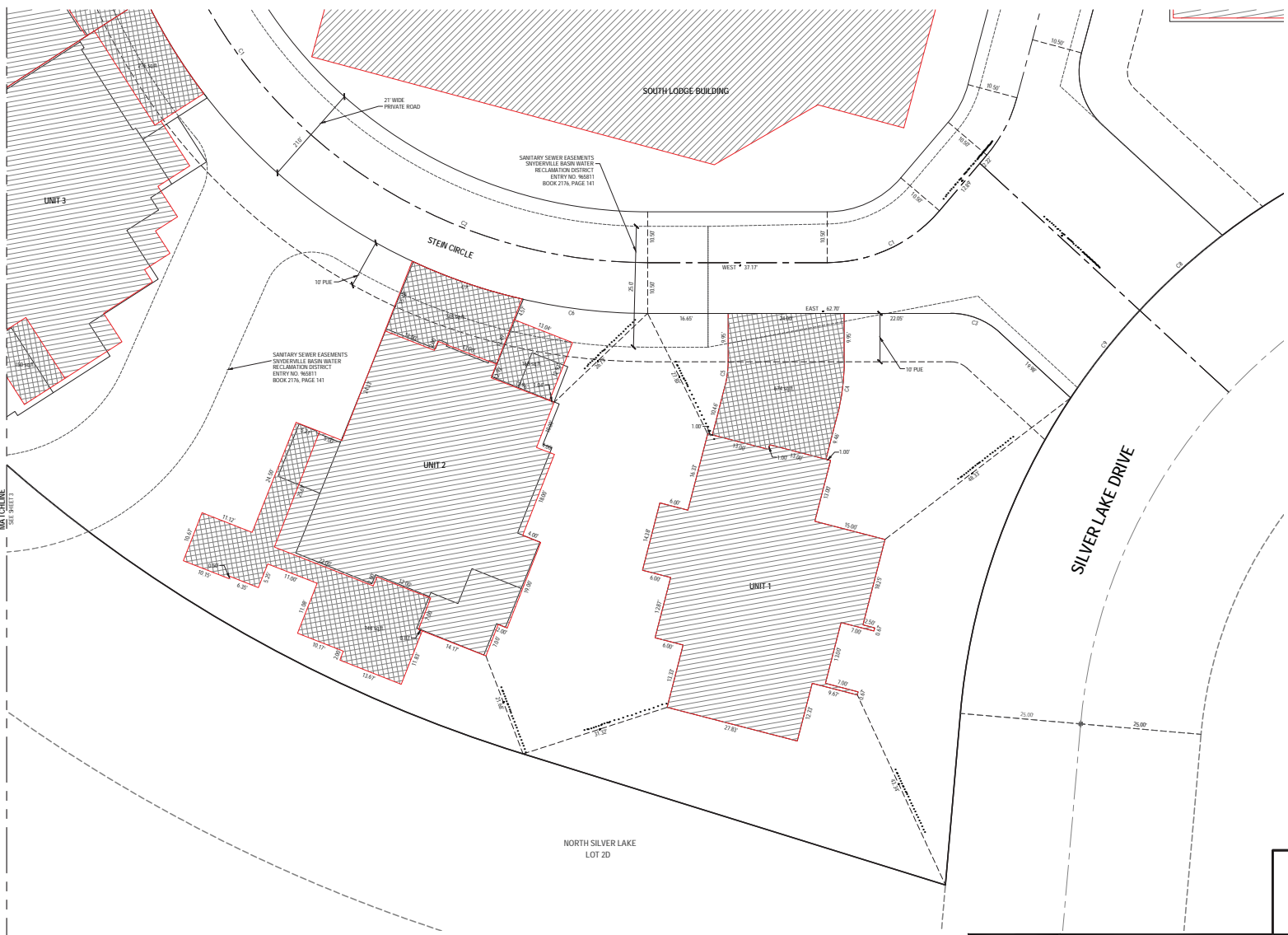
I, the Authorized Signatory of SR Silver Lake, LLC, am authorized to sign the above Owner's Declaration and Consent to Record and to acknowledge the underground has executed this Owner's Declaration and Consent to Record as of this _____ day of _____ 20____.

SR Silver Lake, LLC, formerly known as North Silver Lake Lodge, LLC, a Utah limited liability company

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	30.50'	28.40'	100°00'	S 29°59' E	20.99'
C2	105.00'	128.77'	100°00'	S 29°59' E	62.88'
C3	15.00'	11.15'	100°00'	S 29°59' E	8.30'
C4	44.50'	11.20'	100°00'	S 29°59' E	8.31'
C5	20.33'	5.13'	100°00'	S 29°59' E	3.66'
C6	115.50'	26.24'	100°00'	S 29°59' E	18.10'
C7	115.50'	24.96'	100°00'	S 29°59' E	17.43'
C8	140.00'	23.12'	100°00'	S 29°59' E	16.39'
C9	140.00'	23.09'	100°00'	S 29°59' E	16.38'

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP OR BAL. STAMPED "ENSTON ENG. & LAND SURV."
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- FIRE HYDRANT
- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

ENSTON ENG. & LAND SURV.

HORIZONTAL GRAPHIC SCALE
(IN FEET)
HORIZ. 1" = 10' ft.

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 2 OF 40
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 10/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6279
Fax: 801.225.4449
WWW.ENSTON.COM

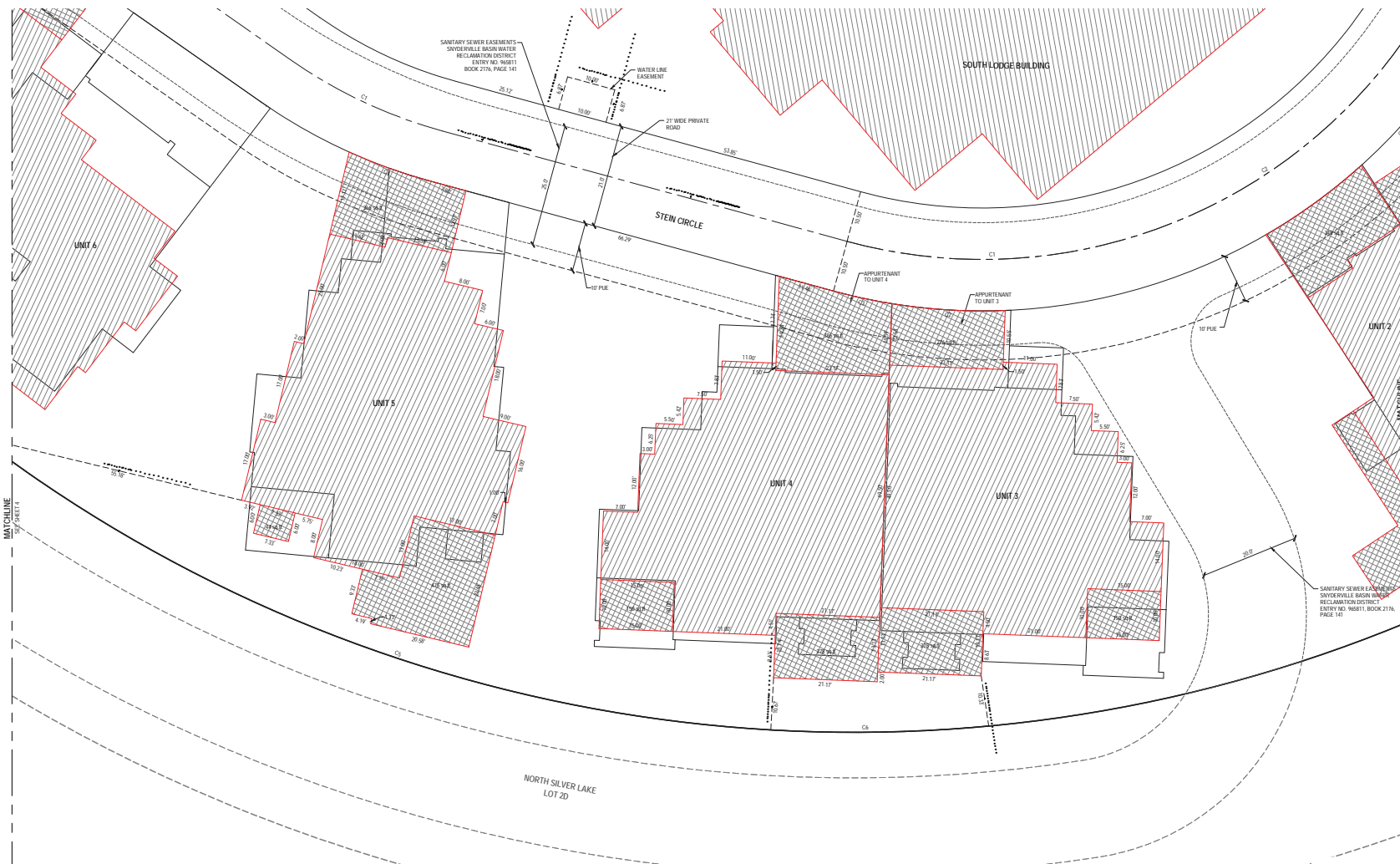
LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD
C1	105.00	128.73	100.00	100.00
C2	115.00	23.21	10.00	10.00
C3	115.00	12.19	10.00	10.00
C4	110.00	17.33	10.00	10.00
C5	295.00	174.80	100.00	100.00
C6	295.00	44.52	100.00	100.00

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- ENSIGN ENG. LAND SURV. SET 5/8" REBAR WITH YELLOW PLASTIC CAP OR NAIL STAFF/RETRICION ENG. & LAND SURV.
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- FIRE HYDRANT
- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA

HORIZONTAL GRAPHIC SCALE

0 5 10 20
IN FEET
HORIZ. 1" = 10' H.

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 3 OF 40
PROJECT NUMBER: 5083
MANAGER: ROE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 10/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
WWW.ENSDRAWING.COM

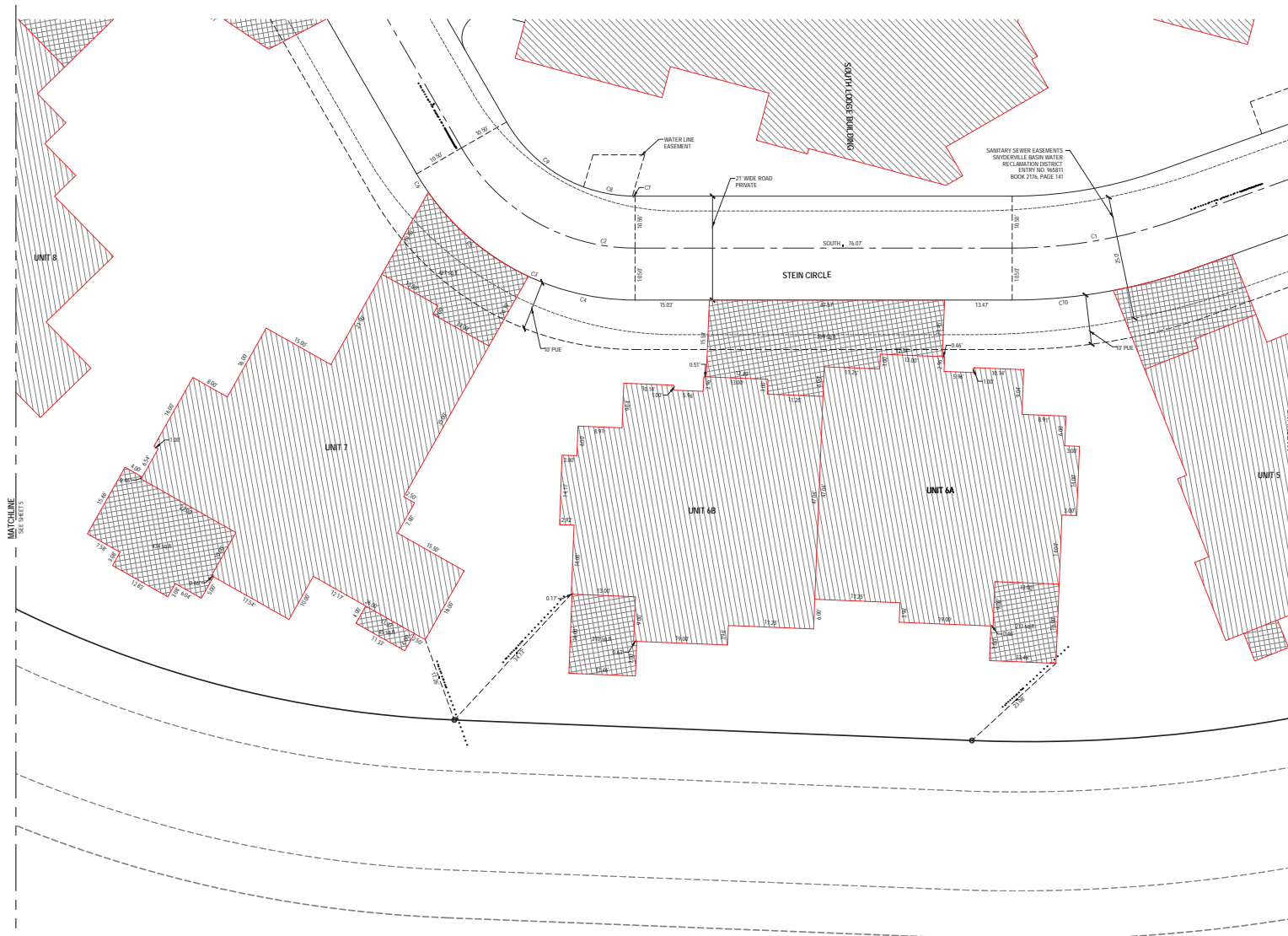
LAYTON
Phone: 801.542.1100
TOOELE
Phone: 435.843.3990
Fax: 435.843.4449
CEDAR CITY
Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

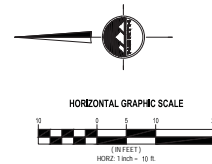
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	100.00	34.48	36.87	S 89.00° W	34.48
C2	60.00	42.47	48.80	S 89.00° W	42.47
C3	51.00	53.47	61.90	S 89.00° W	53.47
C4	51.00	22.27	24.95	S 89.00° W	22.27
C5	51.00	26.75	29.85	S 89.00° W	26.75
C6	51.00	1.29	1.46	S 89.00° W	1.29
C7	30.00	0.23	0.27	S 89.00° W	0.23
C8	30.00	10.10	11.35	S 89.00° W	10.10
C9	30.00	20.79	23.25	S 89.00° W	20.79
C10	110.00	20.76	23.25	S 89.00° W	20.76

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- ENGIN' ENCL. LAND SURVY
- SET 5/8" BEARER WITH YELLOW PLASTIC CAP OR NAIL STAMPED 'ENGIN' ENCL. & LAND SURVY'
- BOUNDARY LINE
- SECTION LINE
- CENTERLINE
- EASEMENT LINE
- FIRE HYDRANT
- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA



STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
 LOCATED IN THE WEST HALF OF SECTION 22
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 4 OF 40
 PROJECT NUMBER: 5063
 MANAGER: RGE
 DRAWN BY: KFW
 CHECKED BY: PMH
 DATE OF PREPARATION: 3/19/15



SALT LAKE CITY
 45 West 10000 South
 Suite 300
 Sandy, UT 84070
 Phone: 801.225.0229
 Fax: 801.254.4449
 WWW.ENSTON.COM

LAYTON
 Phone: 801.541.1100
 TOOELE
 Phone: 435.843.3990
 CEDAR CITY
 Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

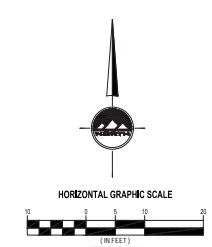
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	75.00	85.00	10.00	10.00	10.00
C2	85.00	10.00	10.00	10.00	10.00
C3	85.00	10.00	10.00	10.00	10.00
C4	85.00	10.00	10.00	10.00	10.00
C5	67.00	16.71	10.00	10.00	10.00
C6	67.00	25.30	10.00	10.00	10.00
C7	67.00	6.40	10.00	10.00	10.00
C8	67.00	5.39	10.00	10.00	10.00
C9	40.00	5.79	10.00	10.00	10.00
C11	47.00	6.65	10.00	10.00	10.00
C12	95.00	10.00	10.00	10.00	10.00
C13	95.00	17.54	10.00	10.00	10.00
C14	95.00	13.17	10.00	10.00	10.00
C15	221.00	280.48	10.00	10.00	10.00
C16	221.00	280.48	10.00	10.00	10.00
C17	40.00	3.60	10.00	10.00	10.00

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- SECTION CORNER SET 5" REBAR WITH YELLOW PLASTIC CAP OR NAIL STAMPED "ENSON ENG. & LAND SURV."
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- FIRE HYDRANT
- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA



STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 5 OF 40
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/19/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0229
Fax: 801.254.4449
www.enson.com

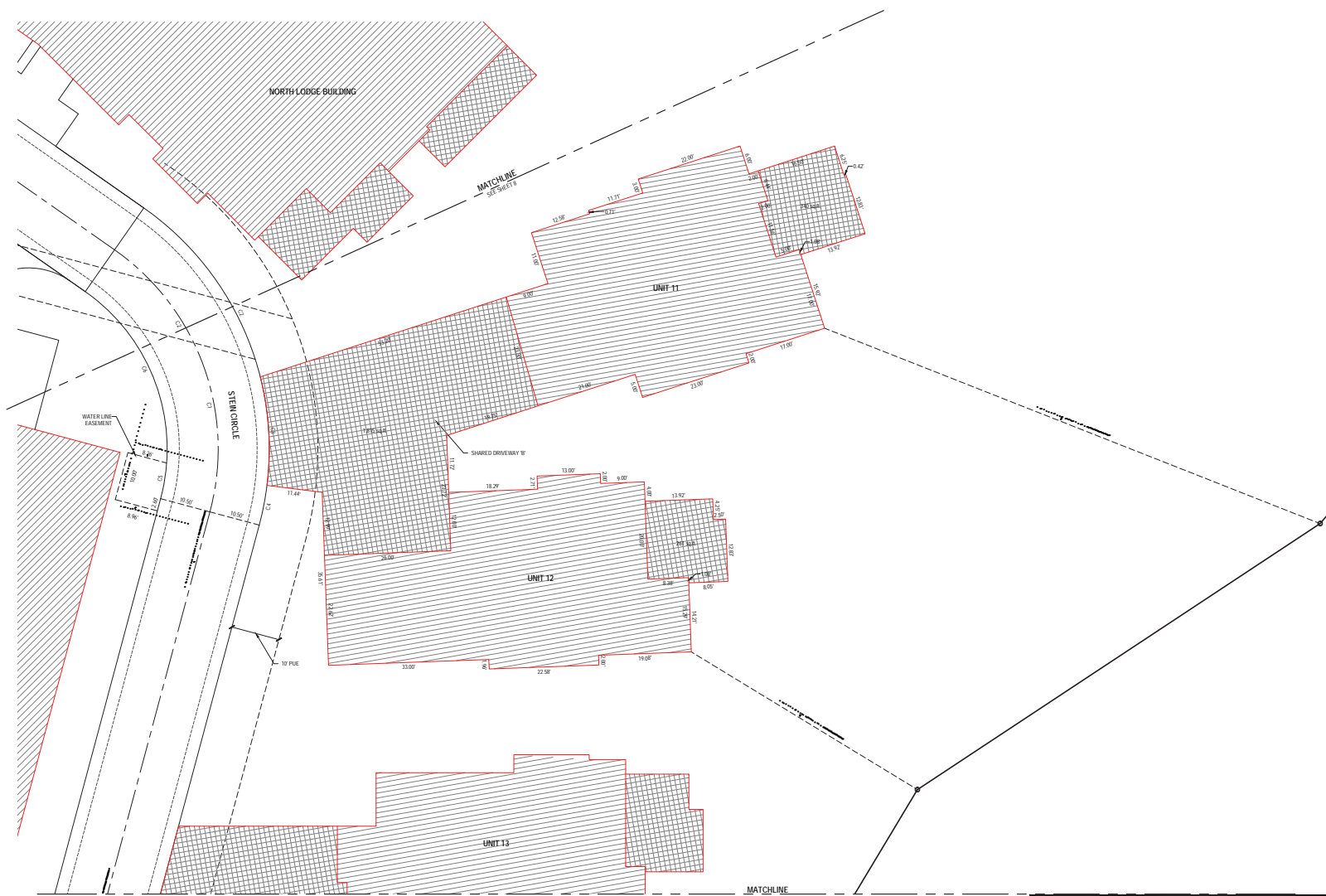
LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

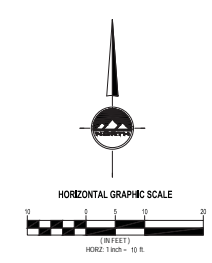
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD
C1	50.00'	11.00'	11.00'	43.30'
C2	60.00'	13.10'	13.10'	43.30'
C3	60.00'	12.40'	12.40'	43.00'
C4	60.00'	8.22'	8.22'	43.00'
C5	39.00'	7.44'	7.44'	43.82'
C6	39.00'	8.81'	8.81'	43.82'

LEGEND	
	EXISTING STREET MONUMENT
	SECTION CORNER
	SET 5/8" REBAR WITH YELLOW PLASTIC CAP OR NAIL STAMPED "ENGR. ENG. & LAND SURV."
	BOUNDARY LINE
	SECTION LINE
	CENTER LINE
	EASEMENT LINE
	FIRE HYDRANT
	PRIVATE AREA
	LIMITED COMMON AREA
	COMMON AREA



STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
 LOCATED IN THE WEST HALF OF SECTION 22
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 6 OF 40
 PROJECT NUMBER: 5083
 MANAGER: RGE
 DRAWN BY: KFW
 CHECKED BY: PMH
 DATE OF PREPARATION: 3/19/15



SALT LAKE CITY
 45 West 10000 South
 Suite 300
 Sandy, UT 84070
 Phone: 801.225.0229
 Fax: 801.255.4449
 WWW.ENSTON.COM

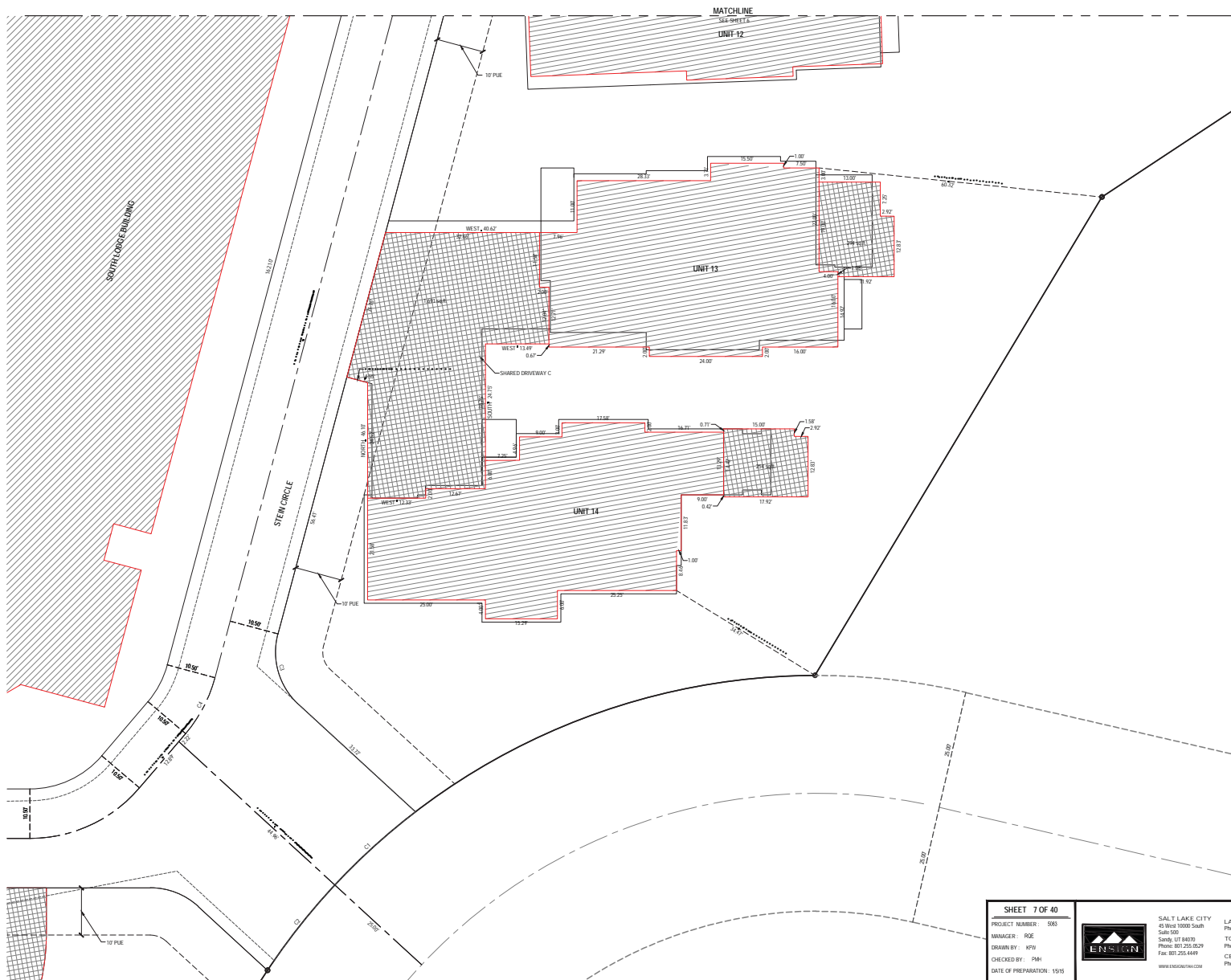
LAYTON
 Phone: 801.541.1100
 TOOELE
 Phone: 435.843.3990
 CEDAR CITY
 Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

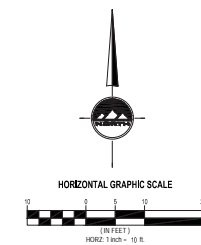
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	140.00'	23.32'	15.00°	109.83°	139.83'
C2	140.00'	23.99'	15.00°	109.83°	139.83'
C3	15.00'	16.54'	15.00°	109.83°	139.83'
CA	30.00'	13.52'	15.00°	109.83°	139.83'

LEGEND	
	EXISTING STREET MONUMENT
	SECTION CORNER
	SET TOP BEARER WITH YELLOW PLASTIC CAP OR WAL STAMPED "ERIKSEN ENG. & LAND SURV."
	BOUNDARY LINE
	SECTION LINE
	CENTER LINE
	EASEMENT LINE
	FIRE HYDRANT
	PRIVATE AREA
	LIMITED COMMON AREA
	COMMON AREA



**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 7 OF 40
PROJECT NUMBER: 5083
MANAGER: ROE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0229
Fax: 801.254.4449
www.enston.com

LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

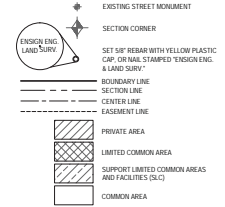
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
RESULT OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

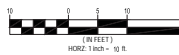
LEGEND



CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	
C1	75.00'	85.08'	43.80°	43.80°	43.80'	
C2	50.00'	61.09'	43.80°	43.80°	43.80'	
C3	80.50'	61.10'	43.80°	43.80°	43.80'	



HORIZONTAL GRAPHIC SCALE



**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED

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

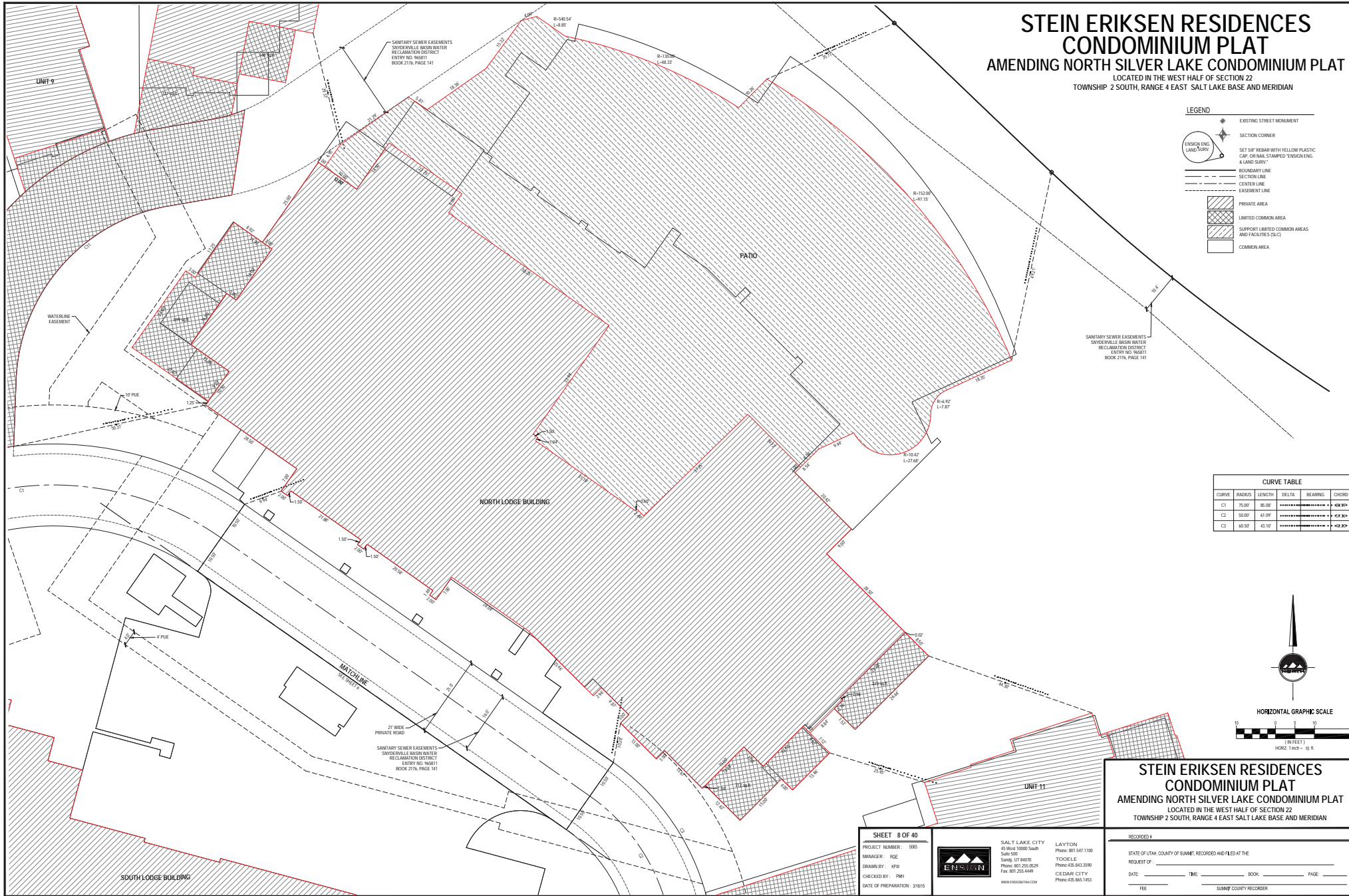
SHEET 8 OF 40

PROJECT NUMBER: 5063
 MANAGER: ROE
 DRAWN BY: KFW
 CHECKED BY: PMH
 DATE OF PREPARATION: 3/19/15

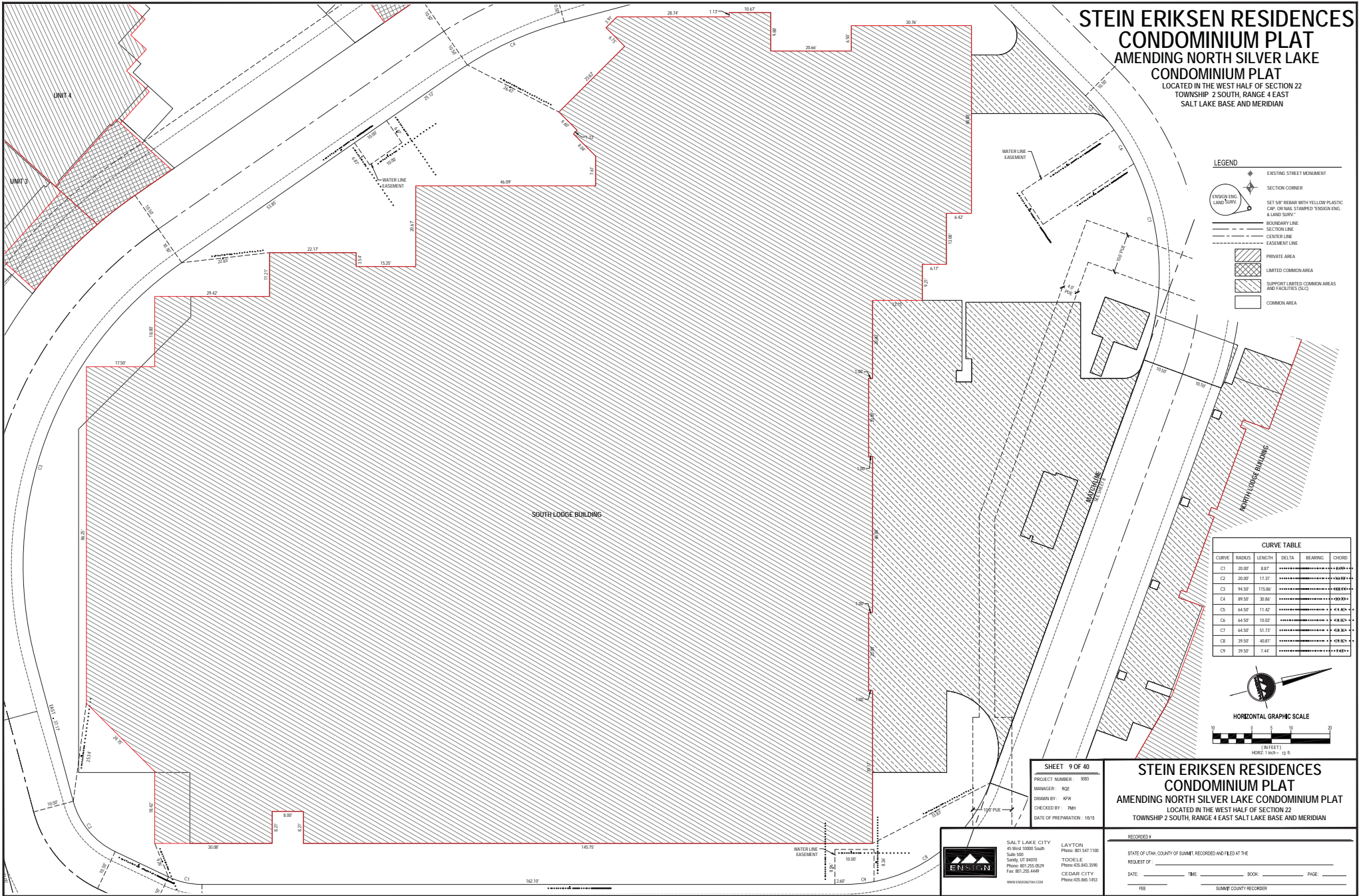


SALT LAKE CITY
 45 West 10000 South
 Suite 300
 Sandy, UT 84070
 Phone: 801.225.6229
 Fax: 801.255.4449
 WWW.ENSTON.COM

LAYTON
 Phone: 801.541.1100
 TOOELE
 Phone: 435.843.3990
 CEDAR CITY
 Phone: 435.865.1453



**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE
CONDOMINIUM PLAT**
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN

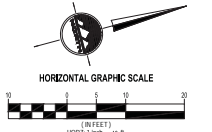


LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENGINEER'S LAND SURVY"
- BOUNDARY LINE
- SECTION LINE
- CENTRAL LINE
- EASEMENT LINE
- PRIVATE AREA
- LIMITED COMMON AREA
- SUPPORT LIMITED COMMON AREAS AND FACILITIES (SCLCA)
- COMMON AREA

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	20.00'	8.87'	25.74°	S 60.00° E	6.00'
C2	20.00'	17.31'	51.42°	S 109.50° E	10.97'
C3	14.50'	115.80'	179.99°	S 168.00° E	148.00'
C4	89.50'	30.88'	16.00°	S 100.00° E	100.00'
C5	64.50'	11.42'	14.00°	S 41.00° E	41.00'
C6	64.50'	10.00'	14.00°	S 49.00° E	49.00'
C7	64.50'	51.73'	100.00°	S 49.00° E	100.00'
C8	39.50'	69.81'	100.00°	S 49.00° E	100.00'
C9	39.50'	7.44'	14.00°	S 149.00° E	149.00'



SHEET 9 OF 40
PROJECT NUMBER: 5903
MANAGER: ROE
DRAWN BY: KSR
CHECKED BY: RMH
DATE OF PREPARATION: 10/15

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT**
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

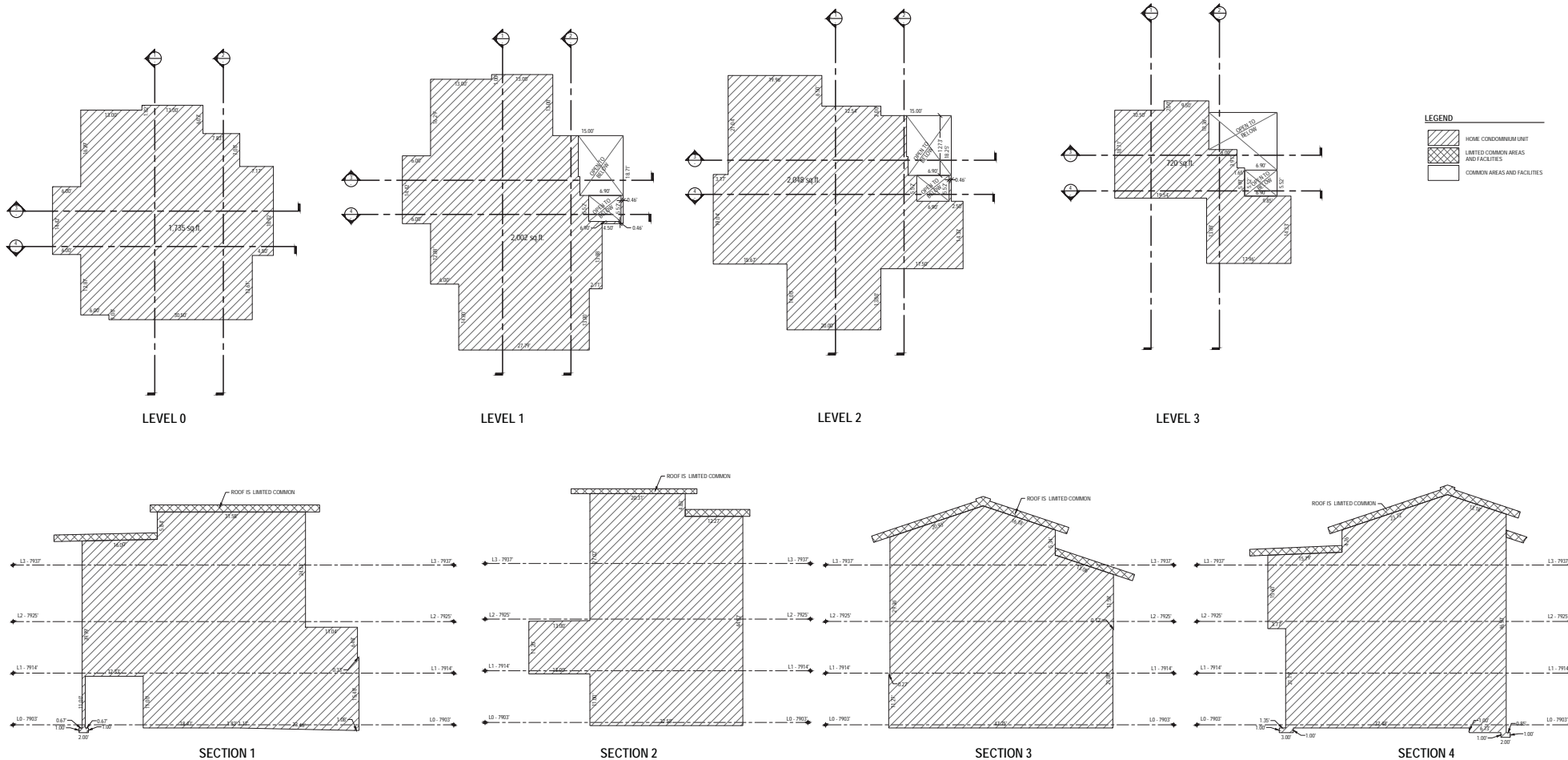
SALT LAKE CITY
45 West 10000 South
Suite 500
Sand UT 84709
Phone: 801.255.0229
Fax: 801.255.4499
WWW.ENSR.COM

LAYTON
Phone: 801.543.1100
TUCOLE
Phone: 435.845.3590
CEDAR CITY
Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

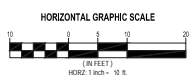
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



LEGEND

- HOME CONDOMINIUM UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES

UNIT 1



SHEET 10 OF 40
PROJECT NUMBER: 5983
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 2/2/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
www.enston.com

LAYTON
Phone: 801.542.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT**
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED # _____

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE _____

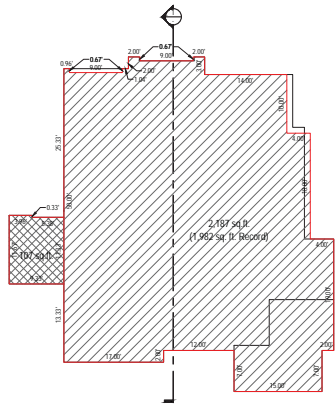
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

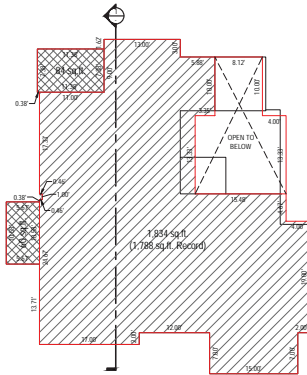
FEE: _____ BLAKE COUNTY RECORDER

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

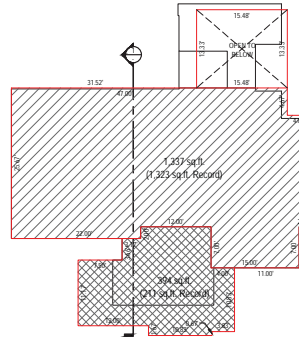
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



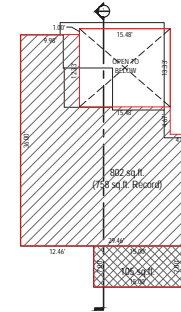
LEVEL 0



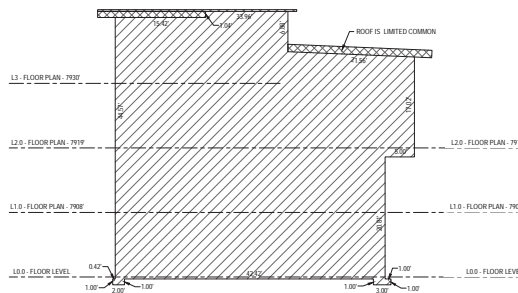
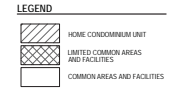
LEVEL 1



LEVEL 2

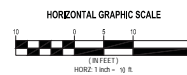


LEVEL 3



SECTION 1

UNIT 2



SHEET 11 OF 40
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.8279
Fax: 801.225.4449
www.steinerksen.com

LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

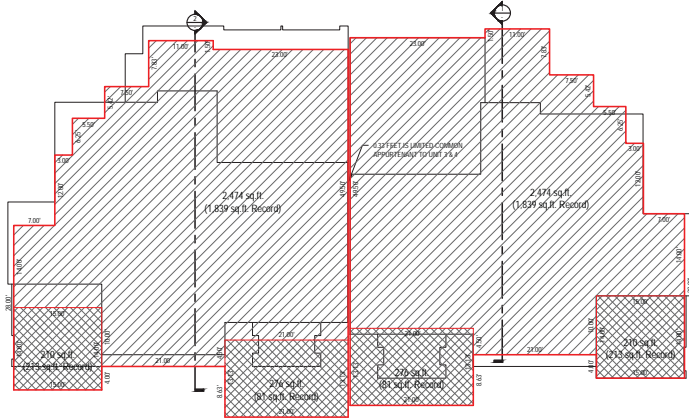
**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT**
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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

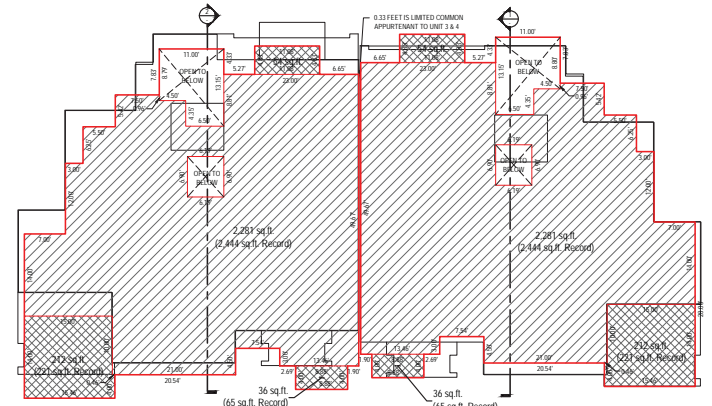
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

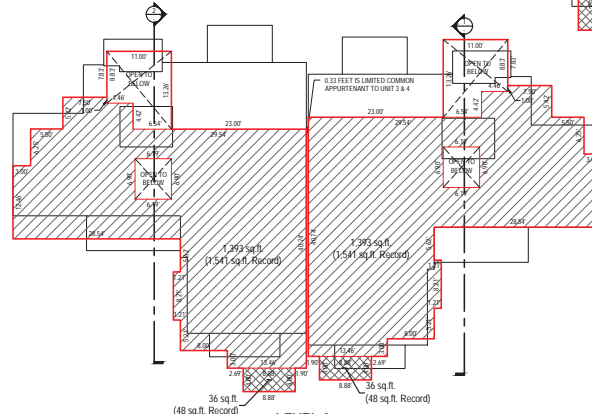
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



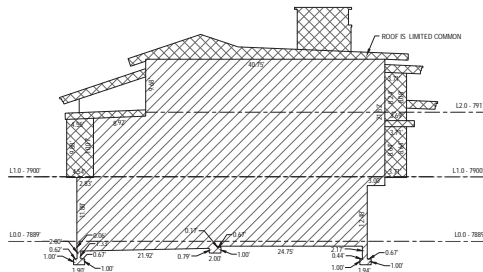
LEVEL 0



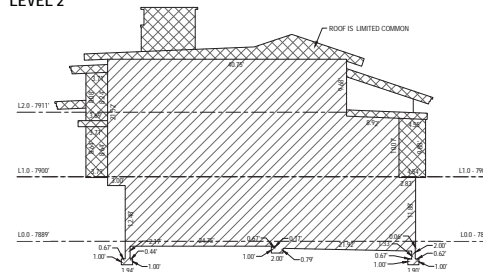
LEVEL 1



LEVEL 2



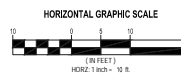
SECTION 1



SECTION 2

- LEGEND**
- HOME CONDOMINIUM UNIT
 - LIMITED COMMON AREAS AND FACILITIES
 - COMMON AREAS AND FACILITIES

UNITS 3 & 4



SHEET 12 OF 40
PROJECT NUMBER: 5983
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
www.steinerksen.com

LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

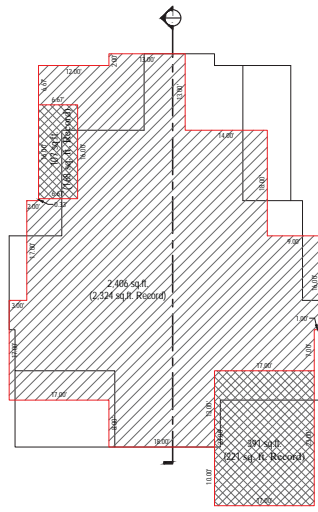
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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

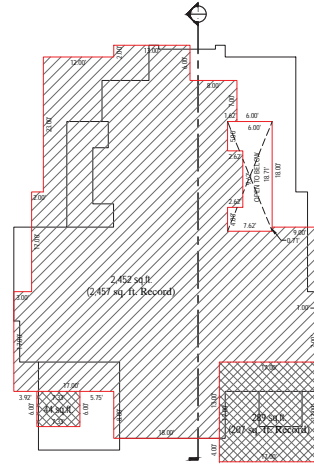
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

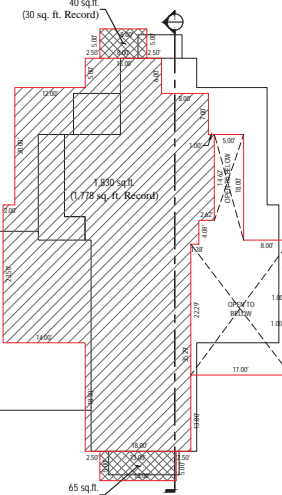
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



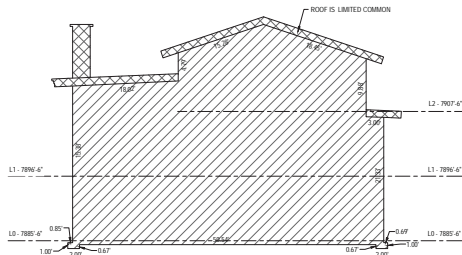
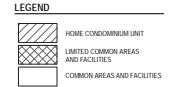
LEVEL 0



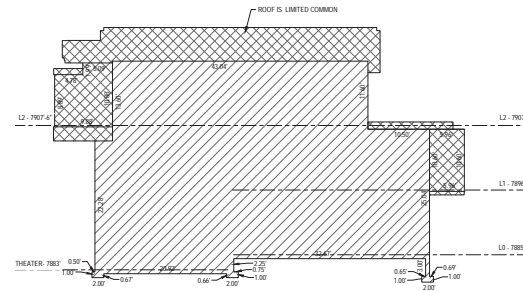
LEVEL 1



LEVEL 2

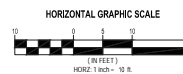


SECTION 1



SECTION 2

UNIT 5



SHEET 13 OF 40
PROJECT NUMBER: 5983
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6279
Fax: 801.225.4449
www.enston.com

LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

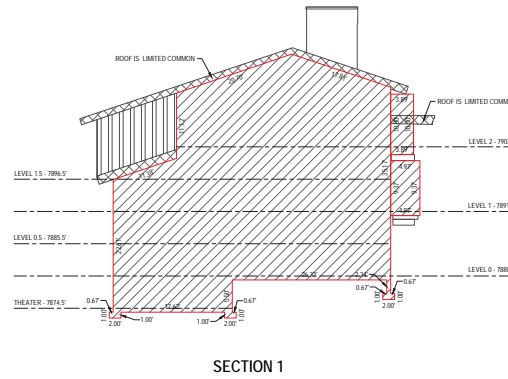
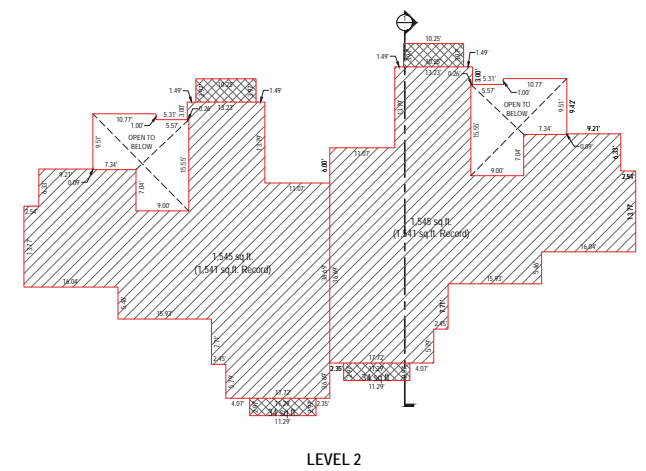
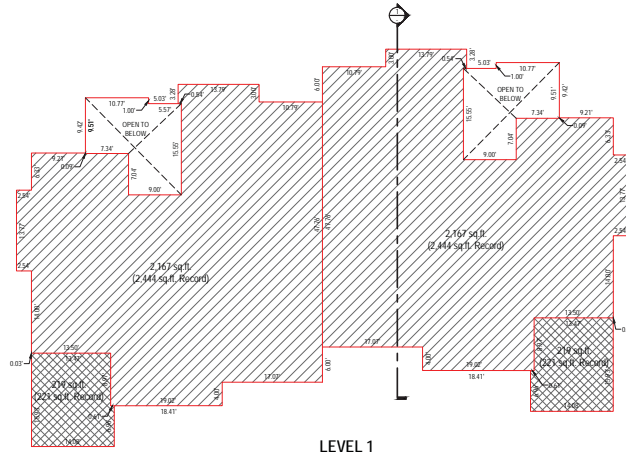
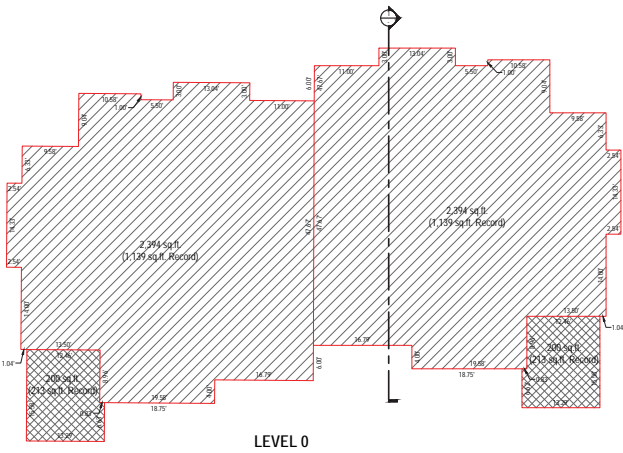
RECORDED #

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

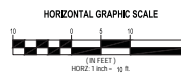
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



LEGEND

	HOME CONDOMINIUM UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES

UNIT 6



SHEET 14 OF 40

PROJECT NUMBER: 5983

MANAGER: RGE

DRAWN BY: KFH

CHECKED BY: PMH

DATE OF PREPARATION: 3/18/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6629
Fax: 801.225.4449
WWW.ENSTON.COM

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3990
Fax: 435.843.1453

CECILIAR CITY
Phone: 435.865.1453

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED # _____

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: _____

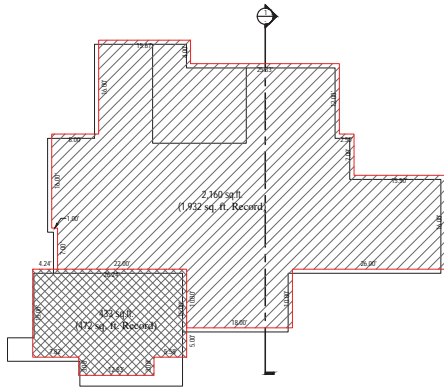
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ BLANK COUNTY RECORDER

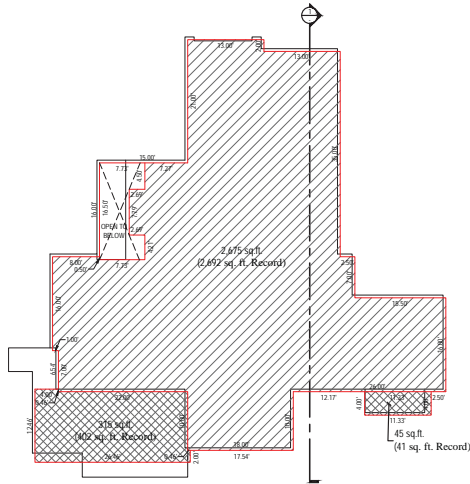
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

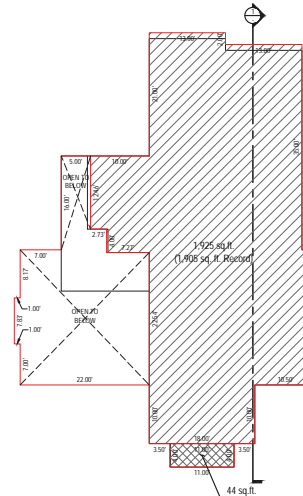
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



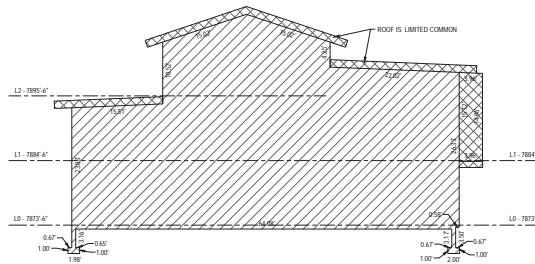
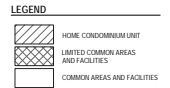
LEVEL 0



LEVEL 1

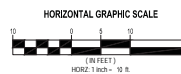


LEVEL 2



SECTION 1

UNIT 7



SHEET 15 OF 40
PROJECT NUMBER: 5983
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6279
Fax: 801.225.4449
WWW.ENSTEIN.COM

LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

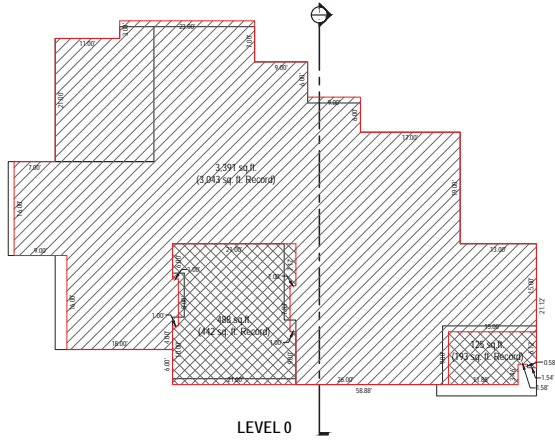
**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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

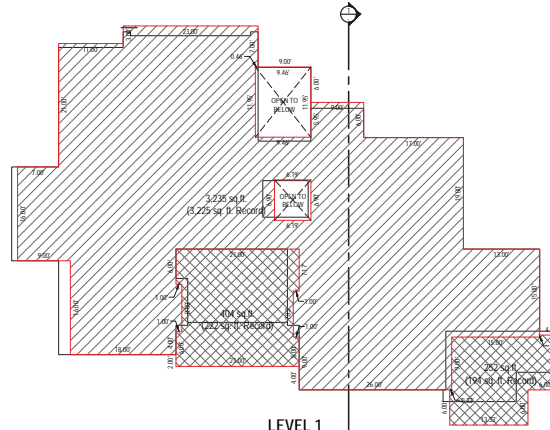
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

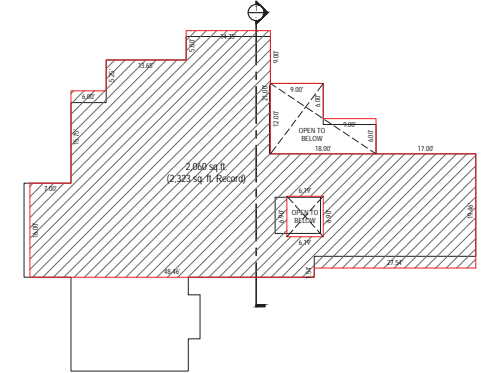
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



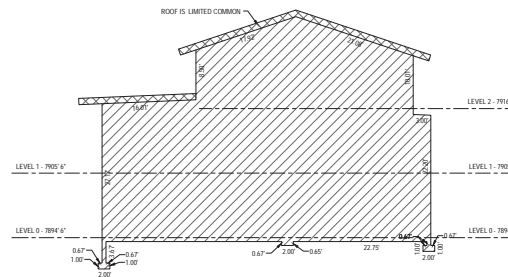
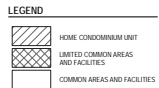
LEVEL 0



LEVEL 1

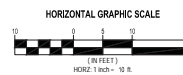


LEVEL 2



SECTION 1

UNIT 8



SHEET 16 OF 40
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6279
Fax: 801.225.4449
www.enston.com

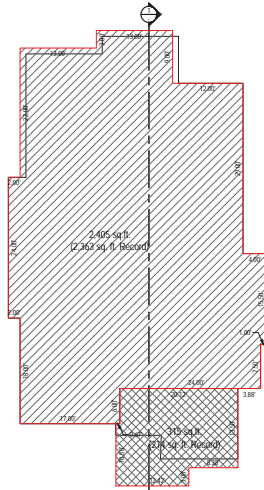
LAYTON
Phone: 801.541.1100
TODDLE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

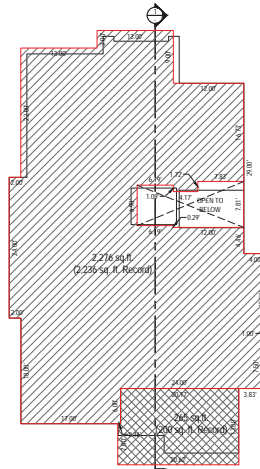
RECORDED # _____
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ BLAKE COUNTY RECORDER

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

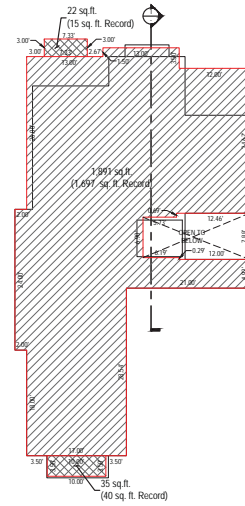
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



LEVEL 0



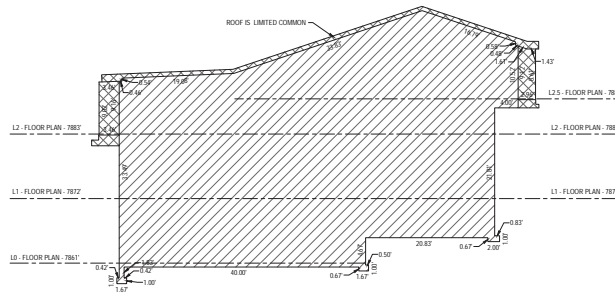
LEVEL 1



LEVEL 2

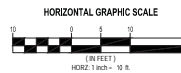
LEGEND

	HOME CONDOMINIUM UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



SECTION 1

UNIT 9



SHEET 17 OF 40
PROJECT NUMBER: 5983
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6279
Fax: 801.225.4449
WWW.ENSTEIN.COM

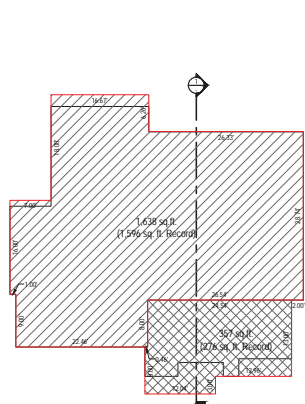
LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

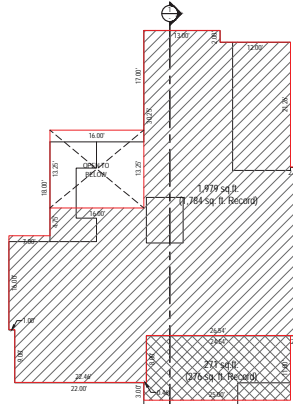
RECORDED # _____
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE _____
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ BLANK COUNTY RECORDER

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

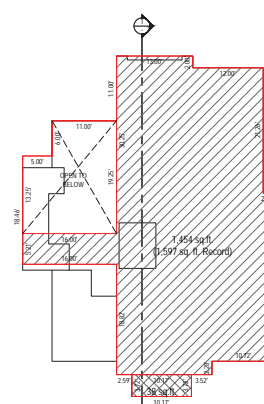
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



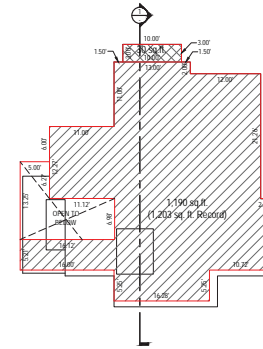
LEVEL -1



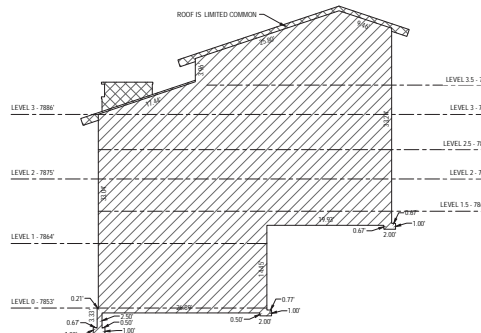
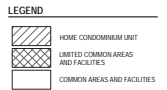
LEVEL 0



LEVEL 1

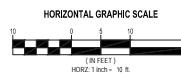


LEVEL 2



SECTION 1

UNIT 10



SHEET 18 OF 40
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KPW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
www.enston.com

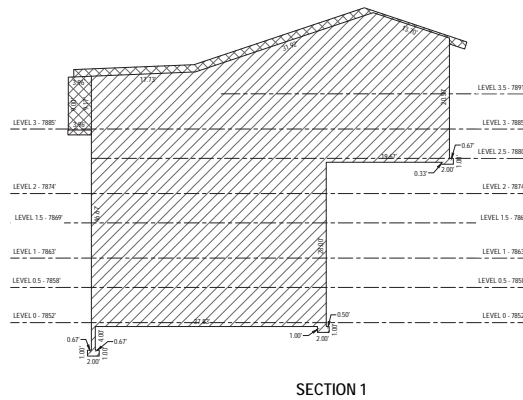
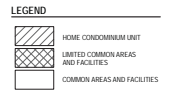
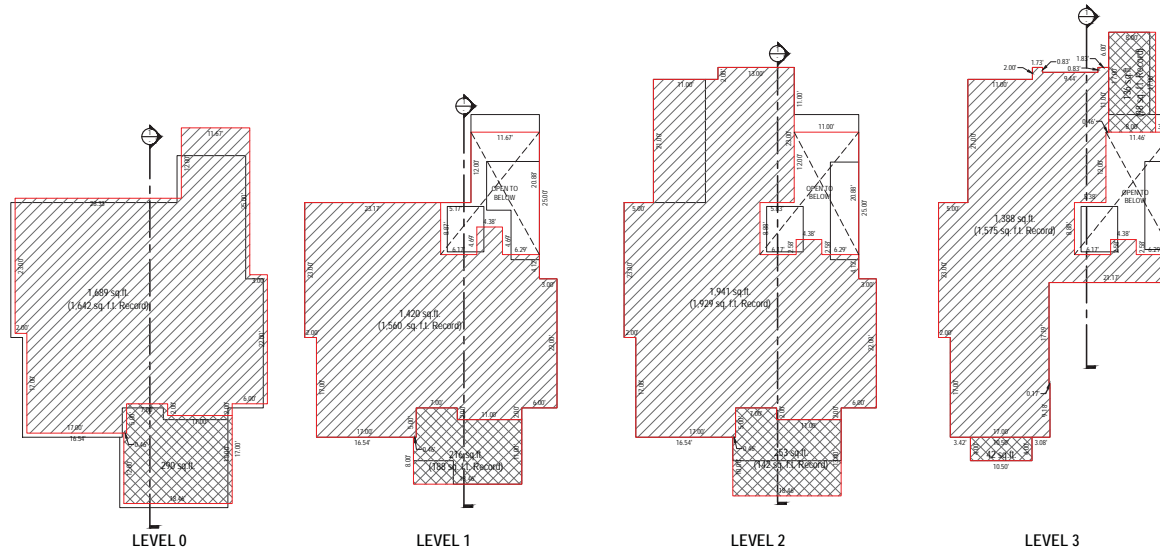
LAYTON
Phone: 801.542.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT**
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

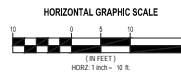
RECORDED # _____
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE _____
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ BLAKE COUNTY RECORDER

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNIT 11



SHEET 19 OF 41
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KPW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15



SALT LAKE CITY
45 West 10000 South
Suite 350
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
WWW.STEINERIKSEN.COM

LAYTON
Phone: 801.541.1100
TODDLE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

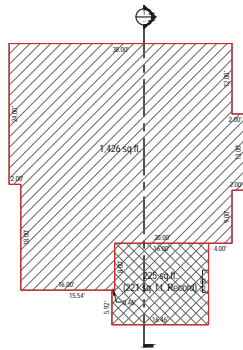
**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT**
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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

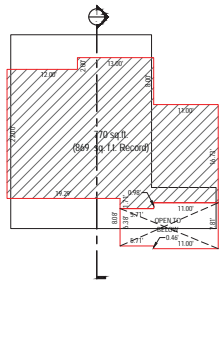
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

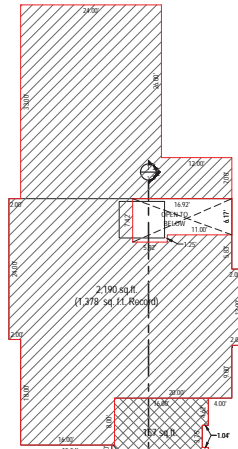
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



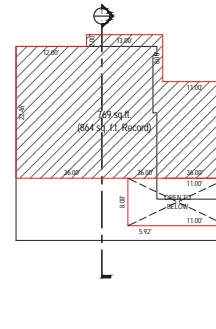
LEVEL 0



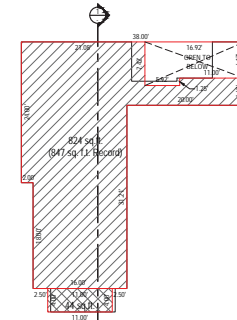
LEVEL 0.5



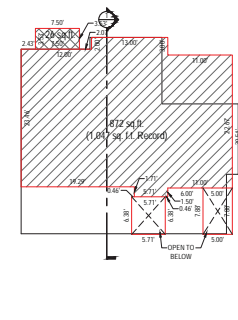
LEVEL 1



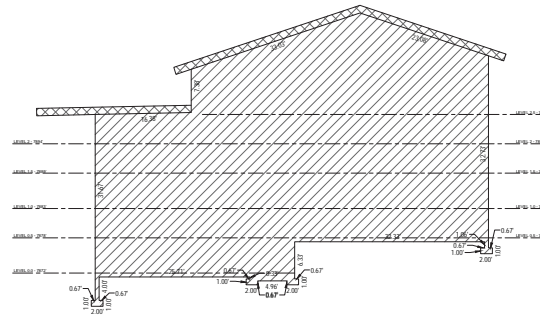
LEVEL 1.5



LEVEL 2



LEVEL 2.5

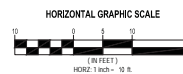


SECTION 1

LEGEND

-  HOME CONDOMINIUM UNIT
-  LIMITED COMMON AREAS AND FACILITIES
-  COMMON AREAS AND FACILITIES

UNIT 12



SHEET 20 OF 40
PROJECT NUMBER: 5983
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6279
Fax: 801.225.4449
WWW.ENSTON.COM

LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

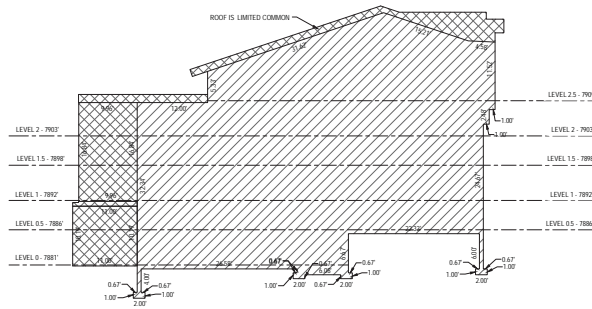
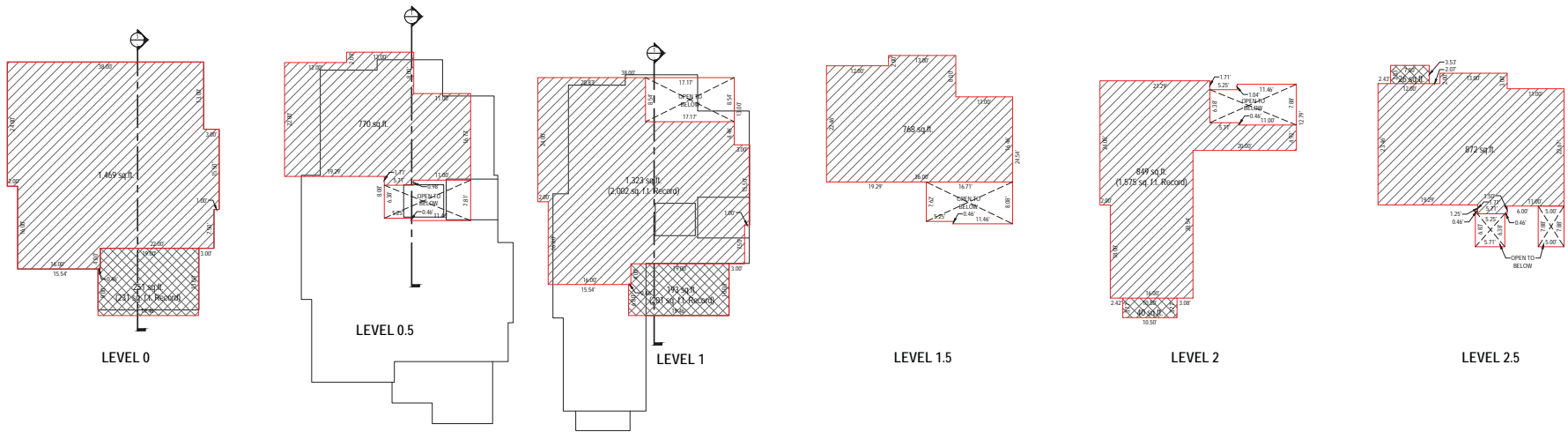
STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

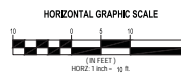
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



SECTION 1

UNIT 13



SHEET 21 OF 40
PROJECT NUMBER: 5983
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/18/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.255.6629
Fax: 801.255.4444
www.steinerksen.com

LAYTON
Phone: 801.547.1100
TODDLE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED # _____

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE _____

REQUEST OF: _____

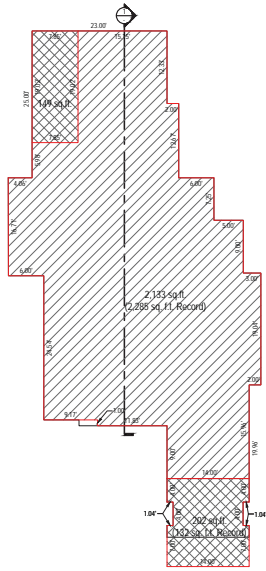
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ BLANK COUNTY RECORDER

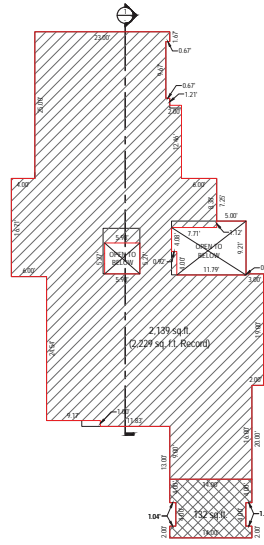
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

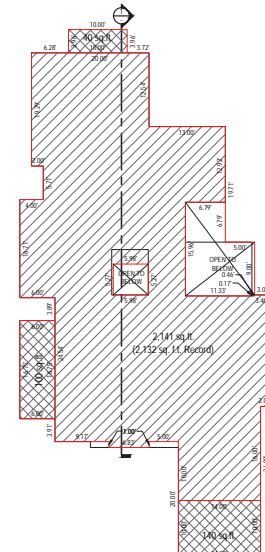
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



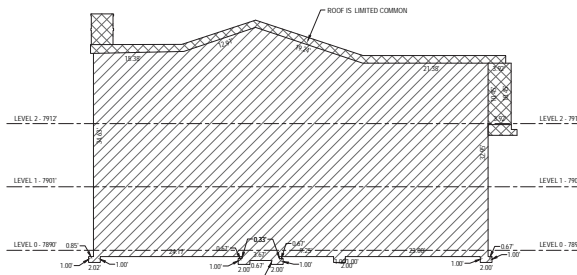
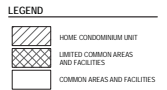
LEVEL 0



LEVEL 1

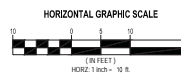


LEVEL 2



SECTION 1

UNIT 14



SHEET 22 OF 40
PROJECT NUMBER: 5983
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 1/15/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
www.enston.com

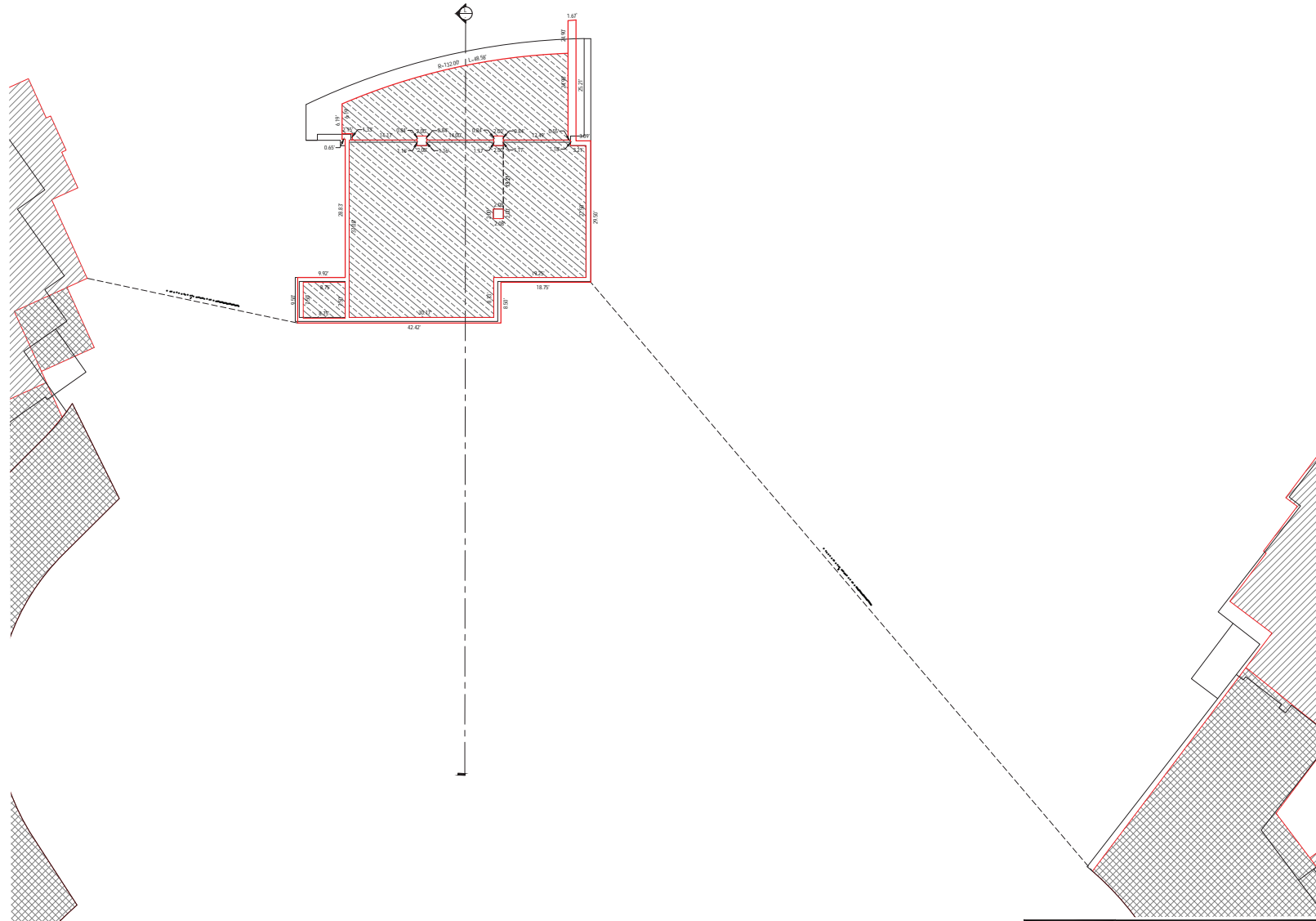
LAYTON
Phone: 801.541.1100
TODDLE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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

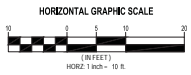
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING
LEVEL SUBLEVEL 1 FLOOR PLAN**

SHEET 23 OF 40
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/18/15



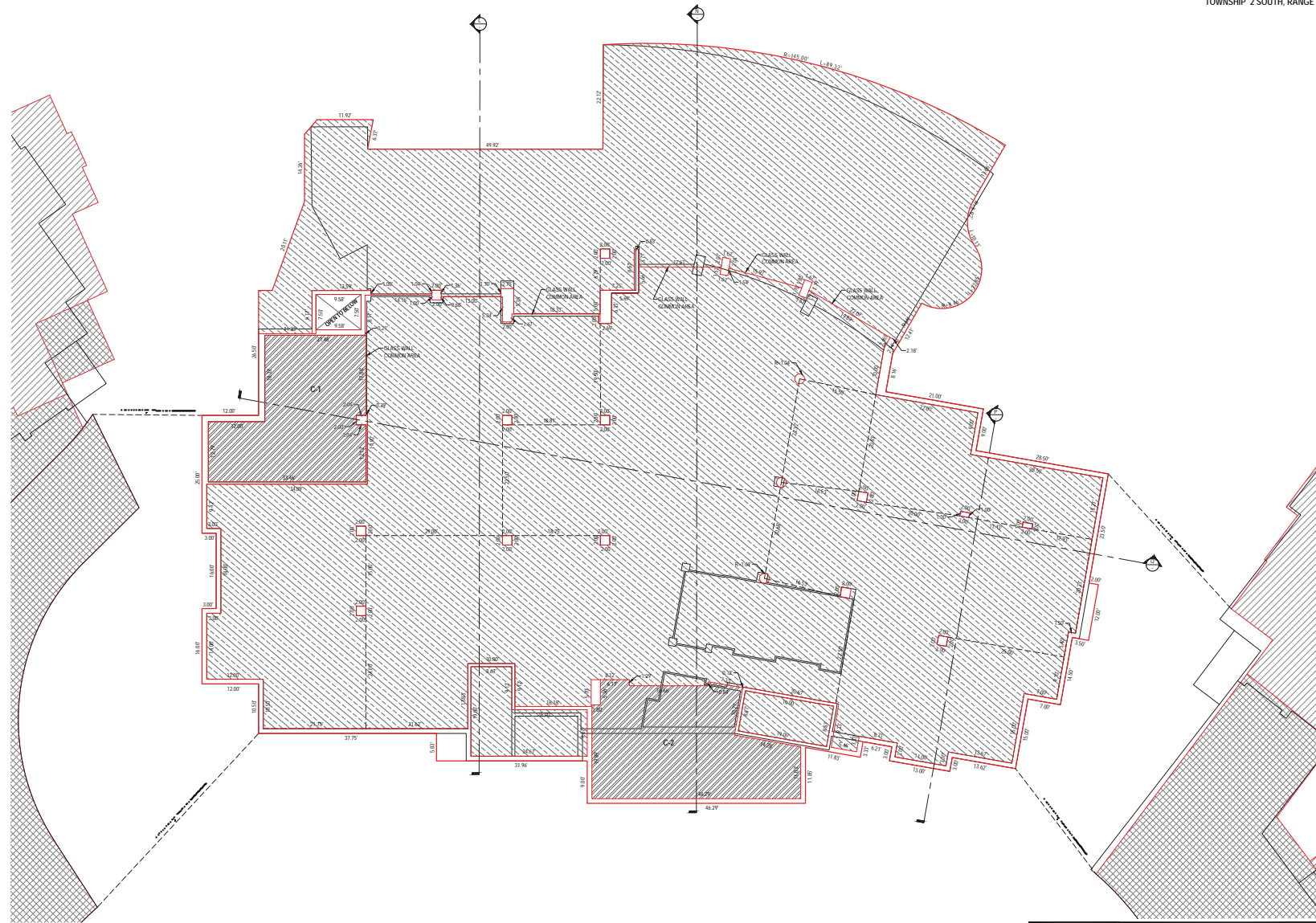
SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
www.enstein.com

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



RECORD

UNIT TABLE		UNIT TABLE	
UNIT NAME	AREA (SQ.FT.)	UNIT NAME	AREA (SQ.FT.)
1	C-1	877	
2	C-2	723	
1	C-1	877	
2	C-2	969	

LEGEND

	COMMERCIAL UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING
LEVEL 0 FLOOR PLAN**

SHEET 24 OF 40
PROJECT NUMBER: 5063
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/18/15



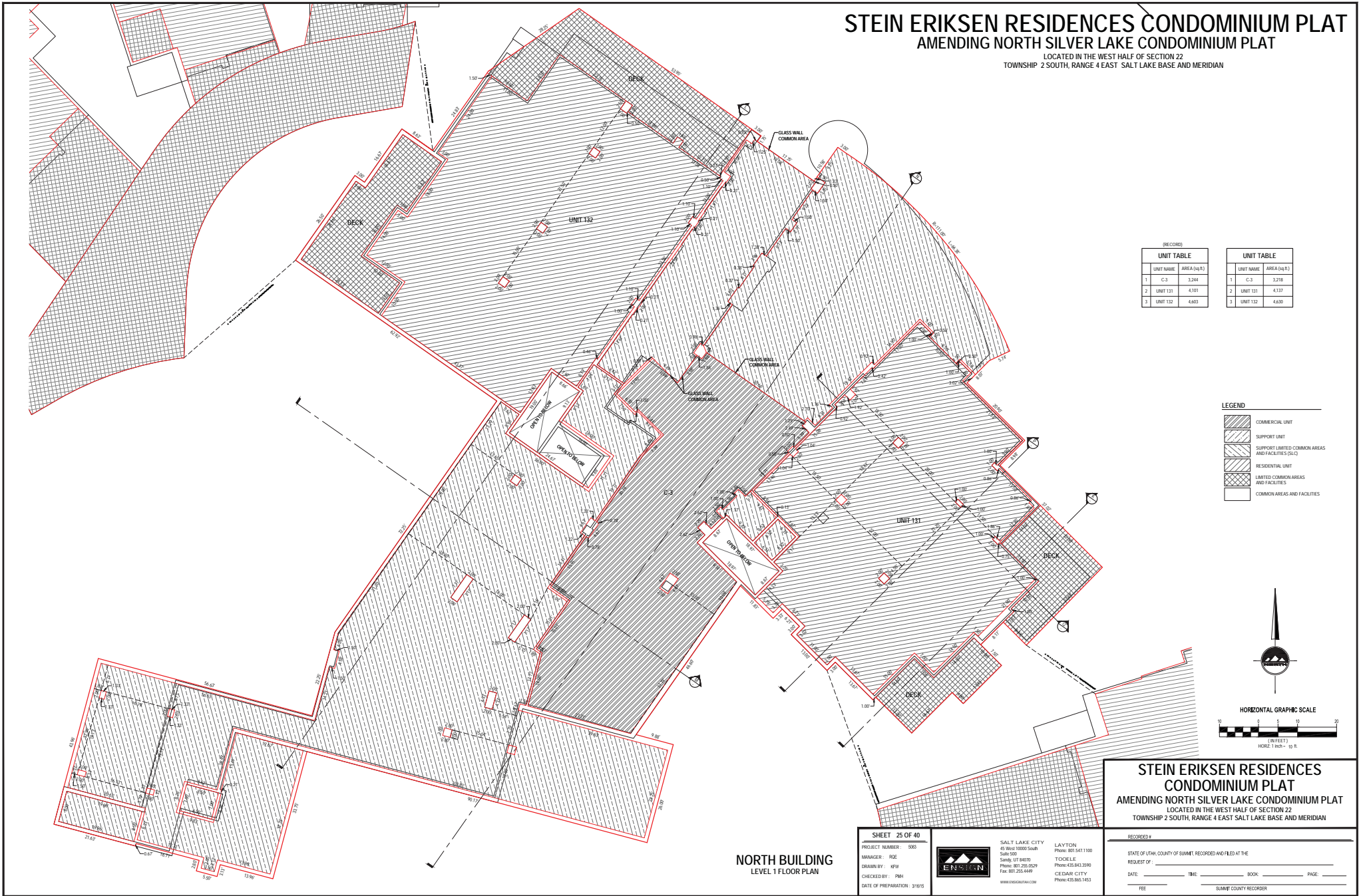
SALT LAKE CITY
45 West 10000 South
Suite 350
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
www.enston.com

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

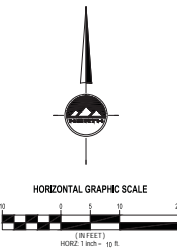


RECORDED

UNIT TABLE		UNIT TABLE	
UNIT NAME	AREA (SQ.FT.)	UNIT NAME	AREA (SQ.FT.)
1	C-3	3,244	3,218
2	UNIT 131	4,151	4,137
3	UNIT 132	4,463	4,430

LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S/LC)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**NORTH BUILDING
LEVEL 1 FLOOR PLAN**

SHEET 25 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/18/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4447
WWW.ENSTEN.COM

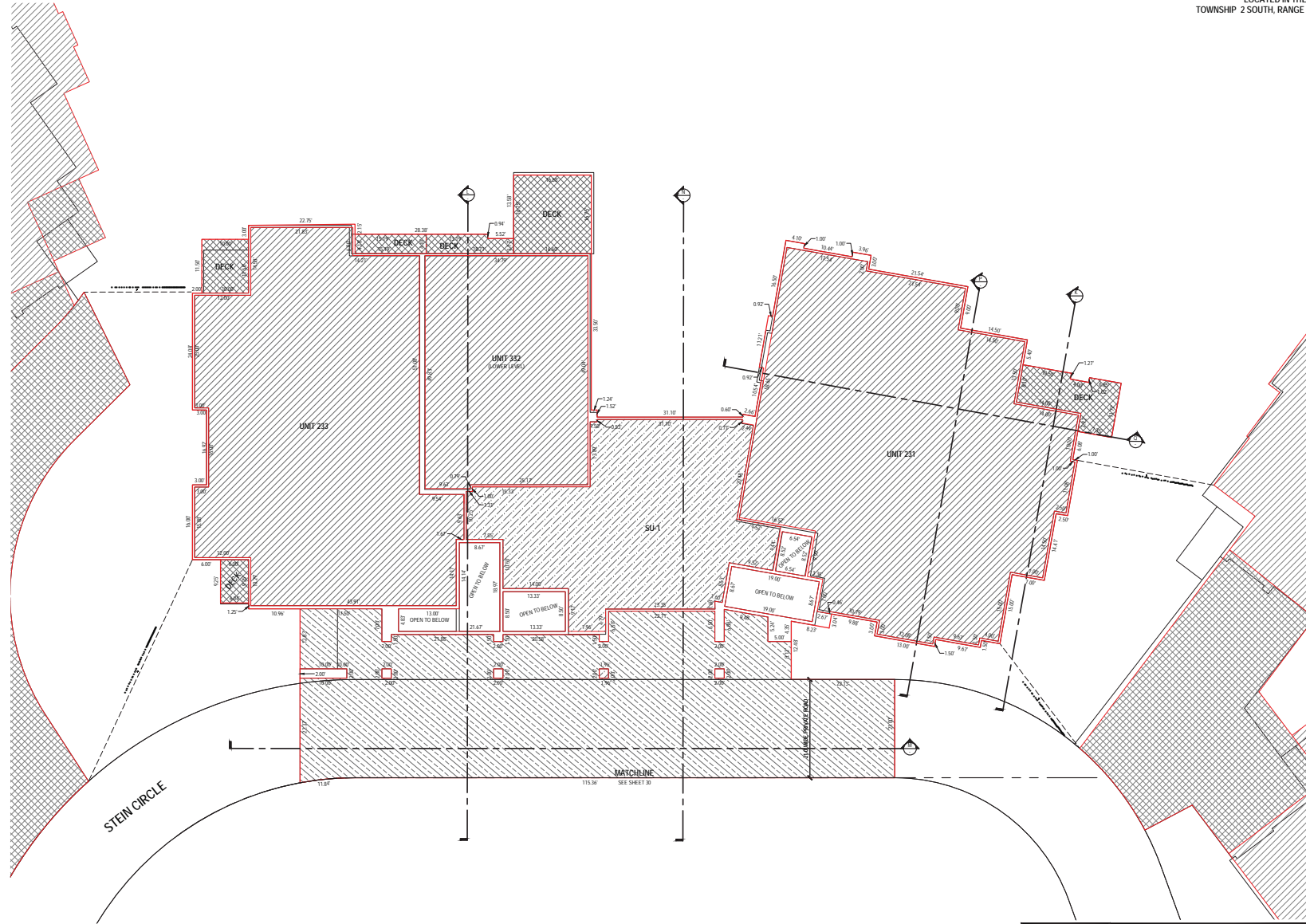
LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT**
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

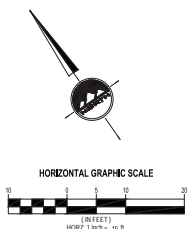


RECORDED

UNIT TABLE		UNIT TABLE	
UNIT NAME	AREA (SQ.FT.)	UNIT NAME	AREA (SQ.FT.)
1	SU-1	1	SU-1
2	UNIT 231	2	UNIT 231
3	UNIT 232	3	UNIT 232
4	UNIT 233	4	UNIT 233

LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (SCLC)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING
LEVEL 2 FLOOR PLAN**

SHEET 26 OF 40
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/18/15



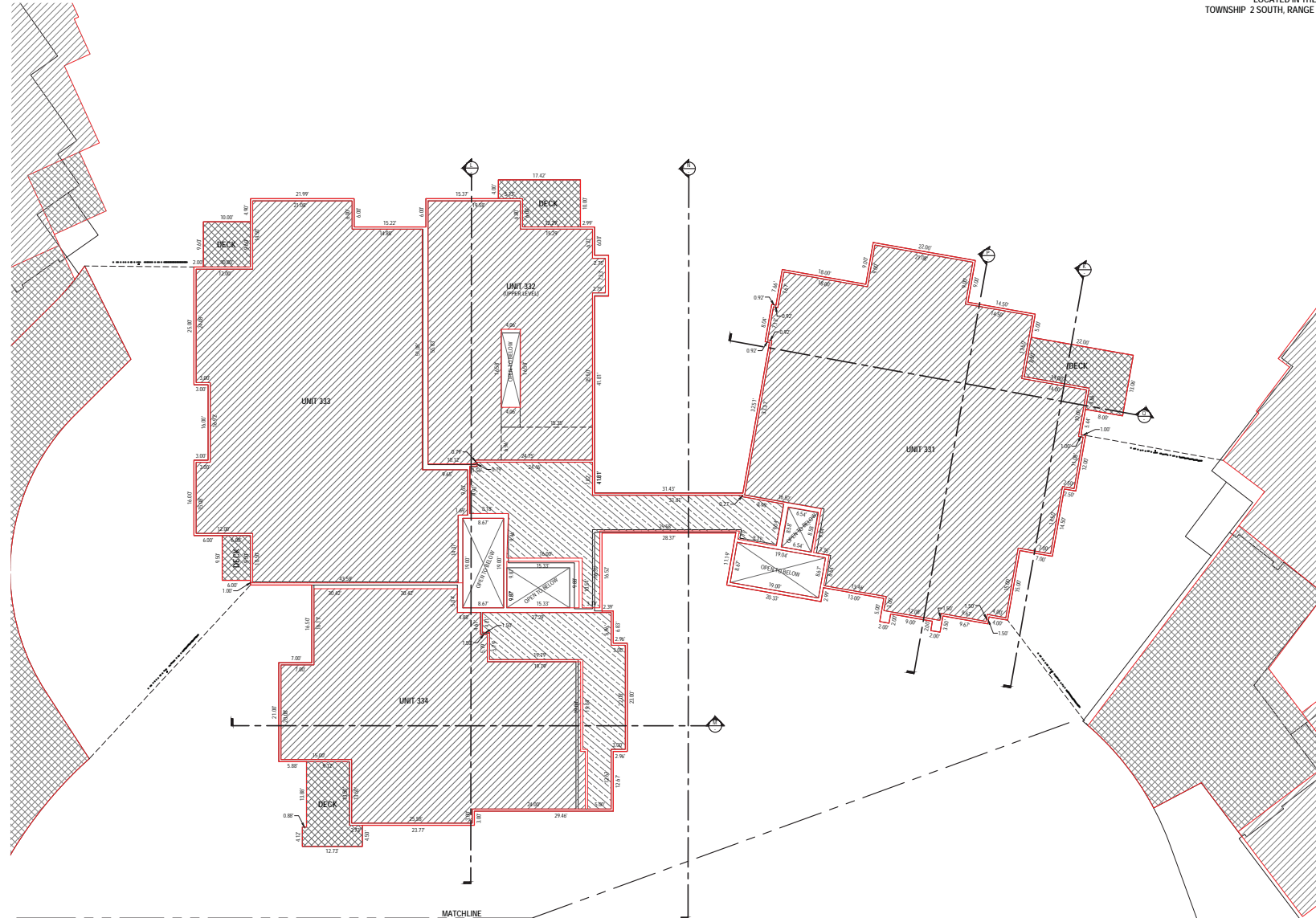
SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
WWW.ENSTON.COM

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

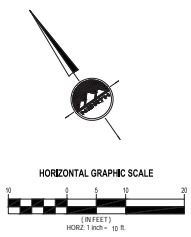


RECORDED

UNIT TABLE		UNIT TABLE	
UNIT NAME	AREA (SQ.FT.)	UNIT NAME	AREA (SQ.FT.)
1 UNIT 331	3,956	1 UNIT 331	3,965
2 UNIT 332	1,777	2 UNIT 332	1,789
3 UNIT 333	3,651	3 UNIT 333	3,651
4 UNIT 334	2,426	4 UNIT 334	2,445

LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.A.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING
LEVEL 3 FLOOR PLAN**

SHEET 27 OF 40
PROJECT NUMBER: 5063
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/18/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
www.enstein.com

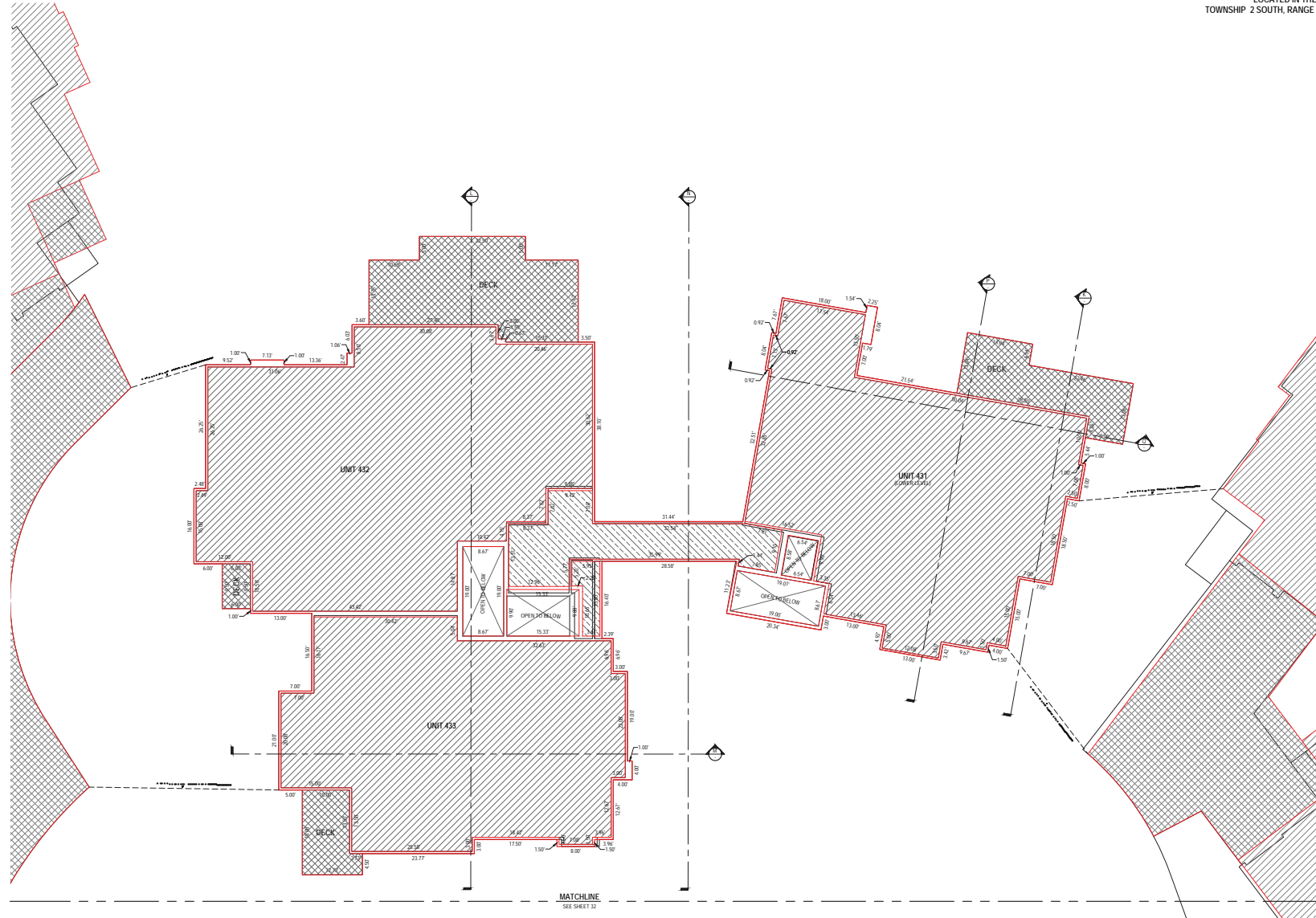
LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

RECORDED

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

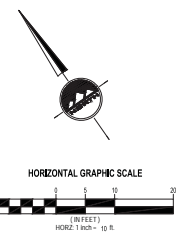


RECORDED

UNIT TABLE		UNIT TABLE	
UNIT NAME	AREA (SQ.FT.)	UNIT NAME	AREA (SQ.FT.)
1 UNIT 432	3,948	1 UNIT 432	3,950
2 UNIT 433	3,882	2 UNIT 433	2,993
3 UNIT 431	3,293	3 UNIT 431	3,295

LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING
LEVEL 4 FLOOR PLAN**

SHEET 28 OF 40
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/18/15



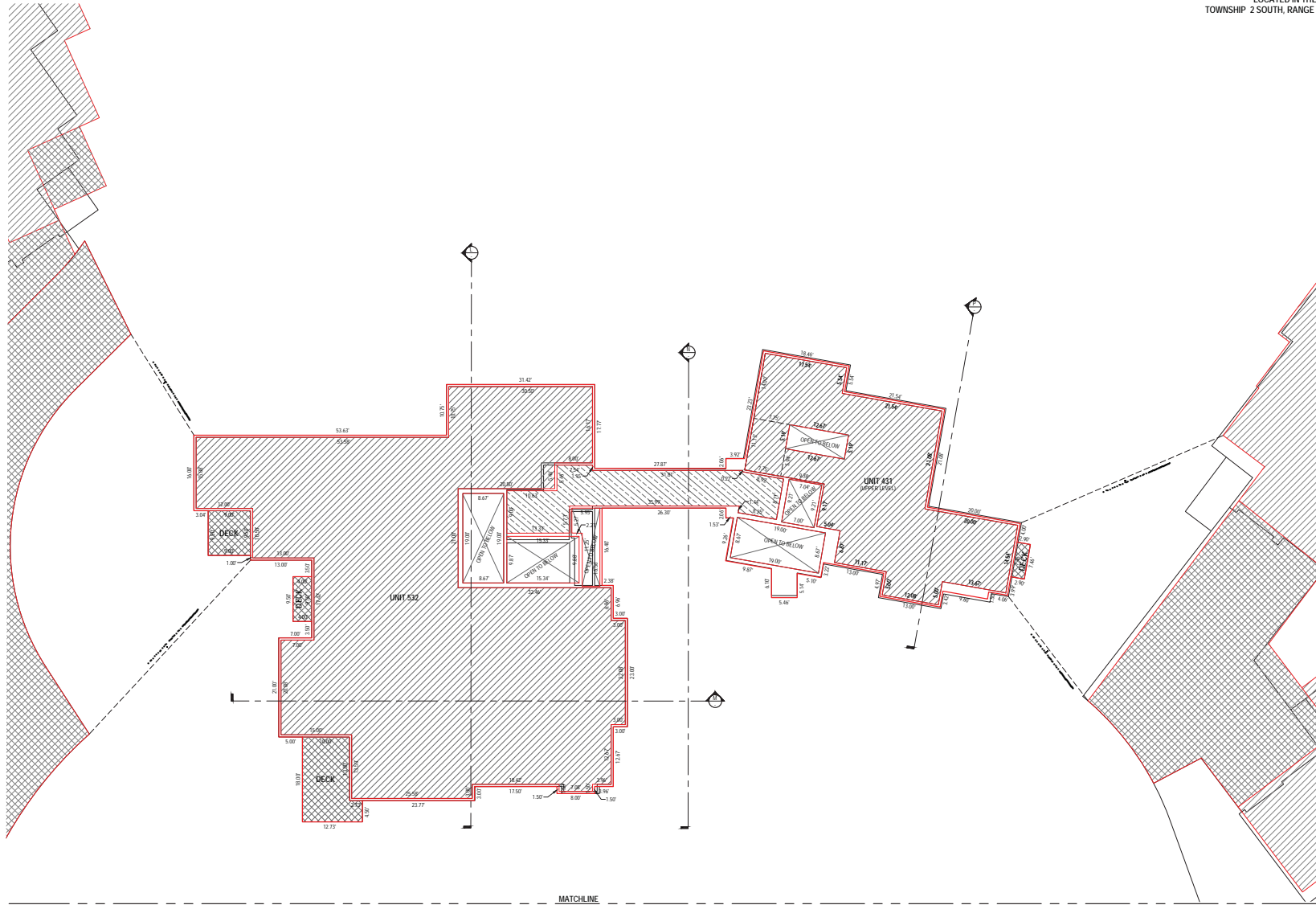
SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
WWW.ENSTEIN.COM

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

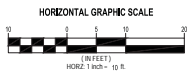


RECORD

UNIT TABLE		UNIT TABLE			
UNIT NAME	AREA (SQ.FT.)	UNIT NAME	AREA (SQ.FT.)		
1	UNIT 532	4,927	1	UNIT 532	4,922
2	UNIT 431	1,464	2	UNIT 431	1,464

LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (SCLC)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING
LEVEL 5 FLOOR PLAN**

SHEET 29 OF 40
PROJECT NUMBER: 5083
MANAGER: ROE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/18/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
WWW.ENSTON.COM

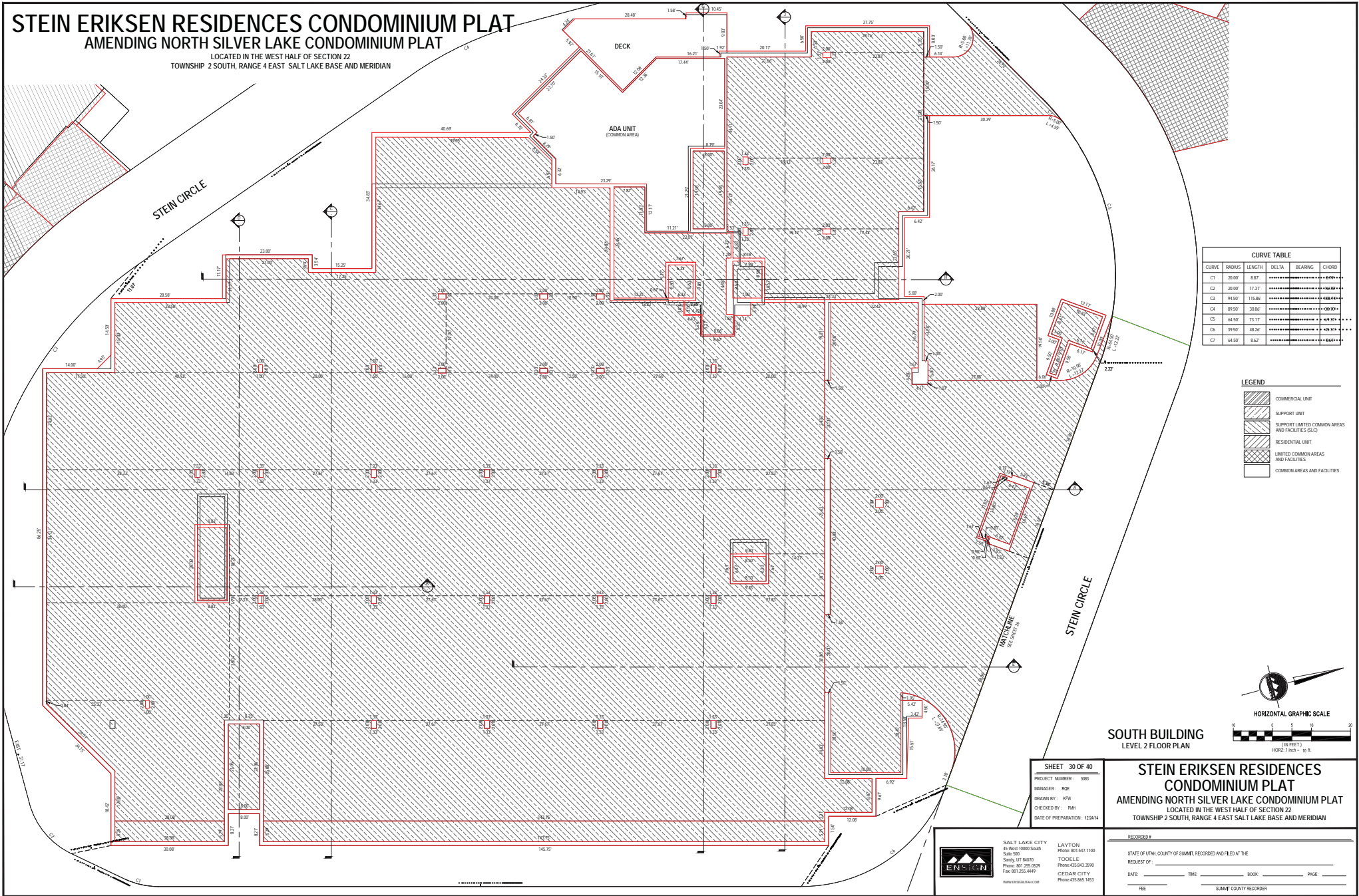
LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

RECORDED

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

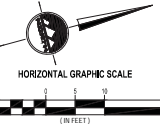
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	20.00'	8.87'	25.76°	S 89.50° E	8.87'
C2	20.00'	17.73'	51.52°	S 89.50° E	17.73'
C3	44.50'	175.86'	179.99°	S 89.50° E	175.86'
C4	89.00'	351.88'	179.99°	S 89.50° E	351.88'
C5	44.50'	73.17'	51.52°	S 89.50° E	73.17'
C6	39.50'	48.26'	42.37°	S 89.50° E	48.26'
C7	44.50'	8.42'	25.76°	S 89.50° E	8.42'

LEGEND	
	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



SOUTH BUILDING
LEVEL 2 FLOOR PLAN

SHEET 30 OF 40
PROJECT NUMBER: 590
MANAGER: ROE
DRAWN BY: KTH
CHECKED BY: RPK
DATE OF PREPARATION: 12/24/14

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



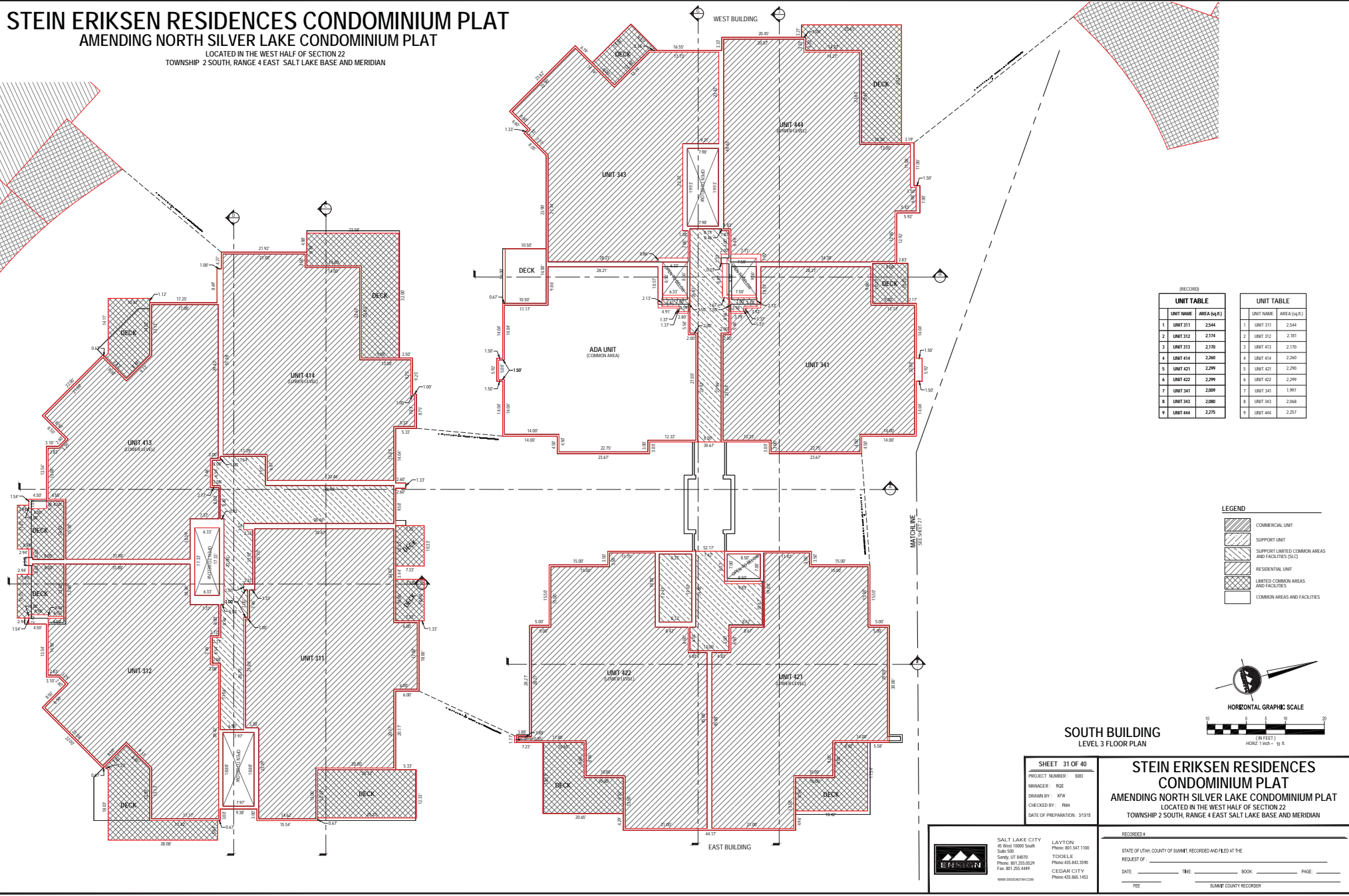
SALT LAKE CITY
45 West 10000 South
Suite 500
Shady UT 84070
Phone: 801.255.0529
Fax: 801.255.8449
WWW.ENRARCHITECT.COM

LAYTON
Phone: 801.541.1100
TUCOELE
Phone: 435.413.3070
CEDAR CITY
Phone: 435.965.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

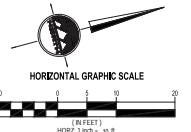


(RECORDS)

UNIT TABLE		UNIT TABLE	
UNIT NAME	AREA (sq ft)	UNIT NAME	AREA (sq ft)
1 UNIT 311	2,544	1 UNIT 311	2,544
2 UNIT 312	2,174	2 UNIT 312	2,181
3 UNIT 313	2,170	3 UNIT 413	2,170
4 UNIT 414	2,260	4 UNIT 414	2,260
5 UNIT 421	2,299	5 UNIT 421	2,290
6 UNIT 422	2,299	6 UNIT 422	2,299
7 UNIT 341	2,009	7 UNIT 341	1,997
8 UNIT 343	2,080	8 UNIT 343	2,068
9 UNIT 444	2,275	9 UNIT 444	2,257

LEGEND

- COMMERCIAL UNIT
- SUPPORT UNIT
- SUPPORT/LIMITED COMMON AREAS AND FACILITIES (S/LC)
- RESIDENTIAL UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES



**SOUTH BUILDING
LEVEL 3 FLOOR PLAN**

SHEET 31 OF 40
PROJECT NUMBER: 3903
MANAGER: ROE
DRAWN BY: KFK
CHECKED BY: RPK
DATE OF PREPARATION: 3/13/15

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

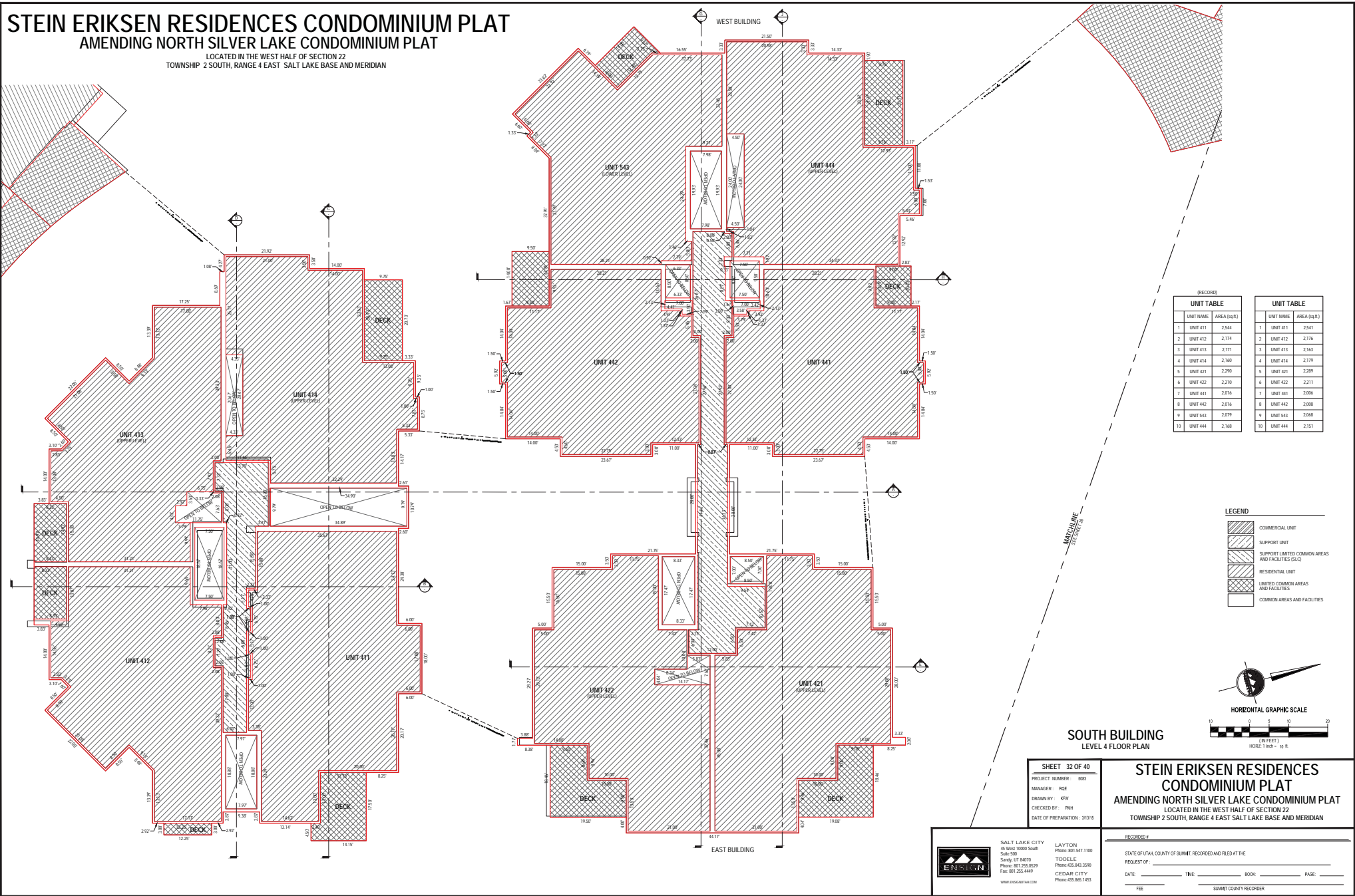
SALT LAKE CITY
45 West 10000 South
Suite 500
Sandys, UT 84070
Phone: 801.255.0529
Fax: 801.255.4400
WWW.ENRINCORP.COM

LAYTON
Phone: 801.541.1100
TUCOLEE
Phone: 435.414.3070
CEDAR CITY
Phone: 435.865.1403

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

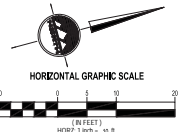


(RECORDS)

UNIT TABLE		UNIT TABLE	
UNIT NAME	AREA (sq ft)	UNIT NAME	AREA (sq ft)
1 UNIT 411	2,544	1 UNIT 411	2,541
2 UNIT 412	2,174	2 UNIT 412	2,176
3 UNIT 413	2,171	3 UNIT 413	2,163
4 UNIT 414	2,160	4 UNIT 414	2,179
5 UNIT 421	2,290	5 UNIT 421	2,289
6 UNIT 422	2,210	6 UNIT 422	2,211
7 UNIT 441	2,016	7 UNIT 441	2,006
8 UNIT 442	2,016	8 UNIT 442	2,008
9 UNIT 543	2,079	9 UNIT 543	2,068
10 UNIT 444	2,168	10 UNIT 444	2,151

LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S(L))
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



SOUTH BUILDING
LEVEL 4 FLOOR PLAN

SHEET 32 OF 40
PROJECT NUMBER: 590
MANAGER: ROE
DRAWN BY: KTW
CHECKED BY: RPK
DATE OF PREPARATION: 3/13/15

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



SALT LAKE CITY
45 West 10000 South
Suite 500
Sandys, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENRCONTR.COM

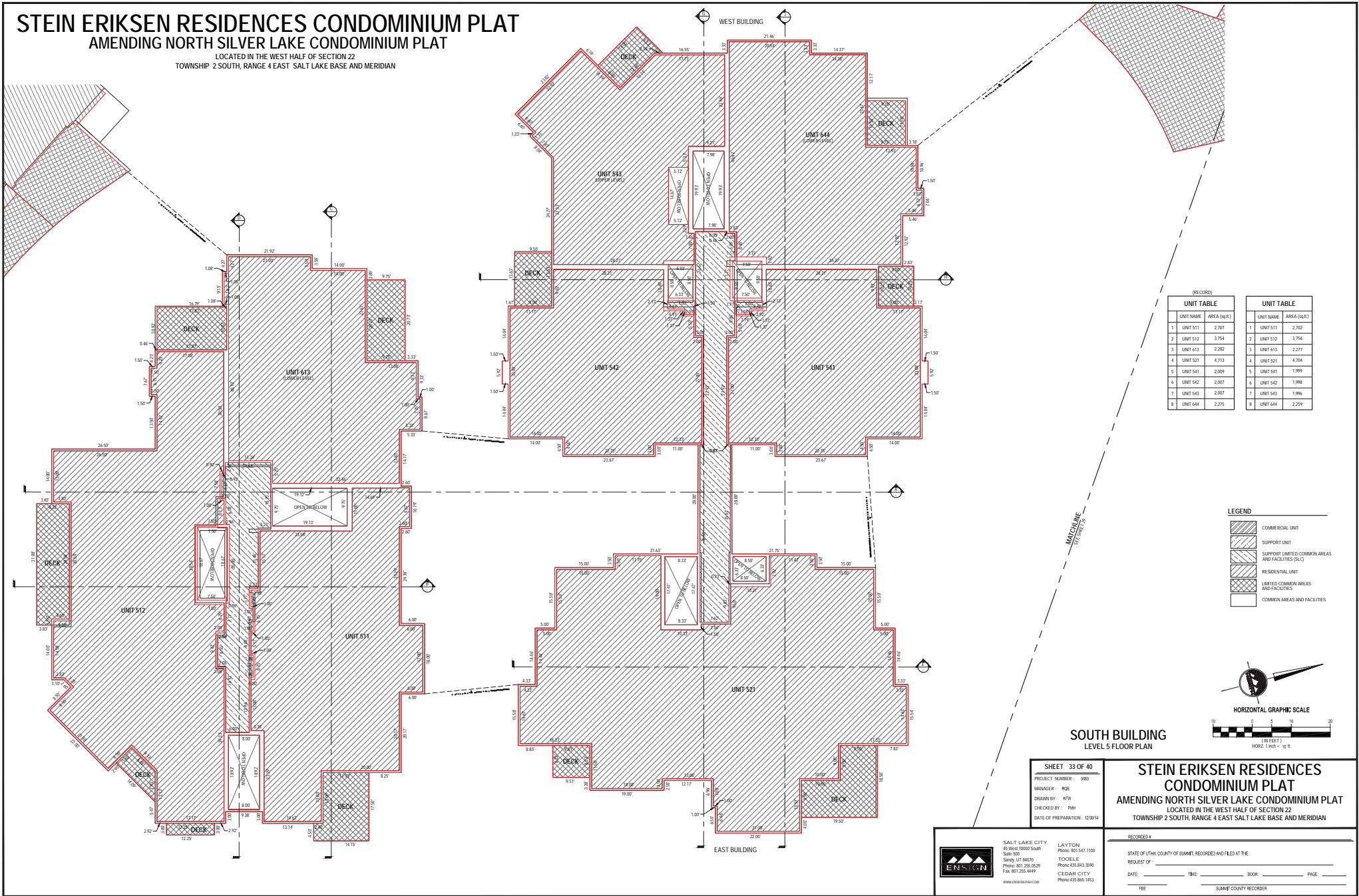
LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.414.3070
CEDAR CITY
Phone: 435.865.1483

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



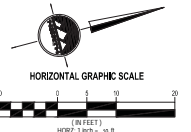
(RECORDS)

UNIT NAME	AREA (sq ft)
1 UNIT 511	2,702
2 UNIT 512	3,754
3 UNIT 513	2,277
4 UNIT 521	4,713
5 UNIT 541	1,999
6 UNIT 542	1,998
7 UNIT 543	1,996
8 UNIT 544	2,275

UNIT NAME	AREA (sq ft)
1 UNIT 511	2,702
2 UNIT 512	3,754
3 UNIT 513	2,277
4 UNIT 521	4,704
5 UNIT 541	1,999
6 UNIT 542	1,998
7 UNIT 543	1,996
8 UNIT 544	2,259

LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S(L)C)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



SOUTH BUILDING
LEVEL 5 FLOOR PLAN

SHEET 33 OF 40
PROJECT NUMBER: 390
MANAGER: ROE
DRAWN BY: KTW
CHECKED BY: RMH
DATE OF PREPARATION: 12/30/14

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

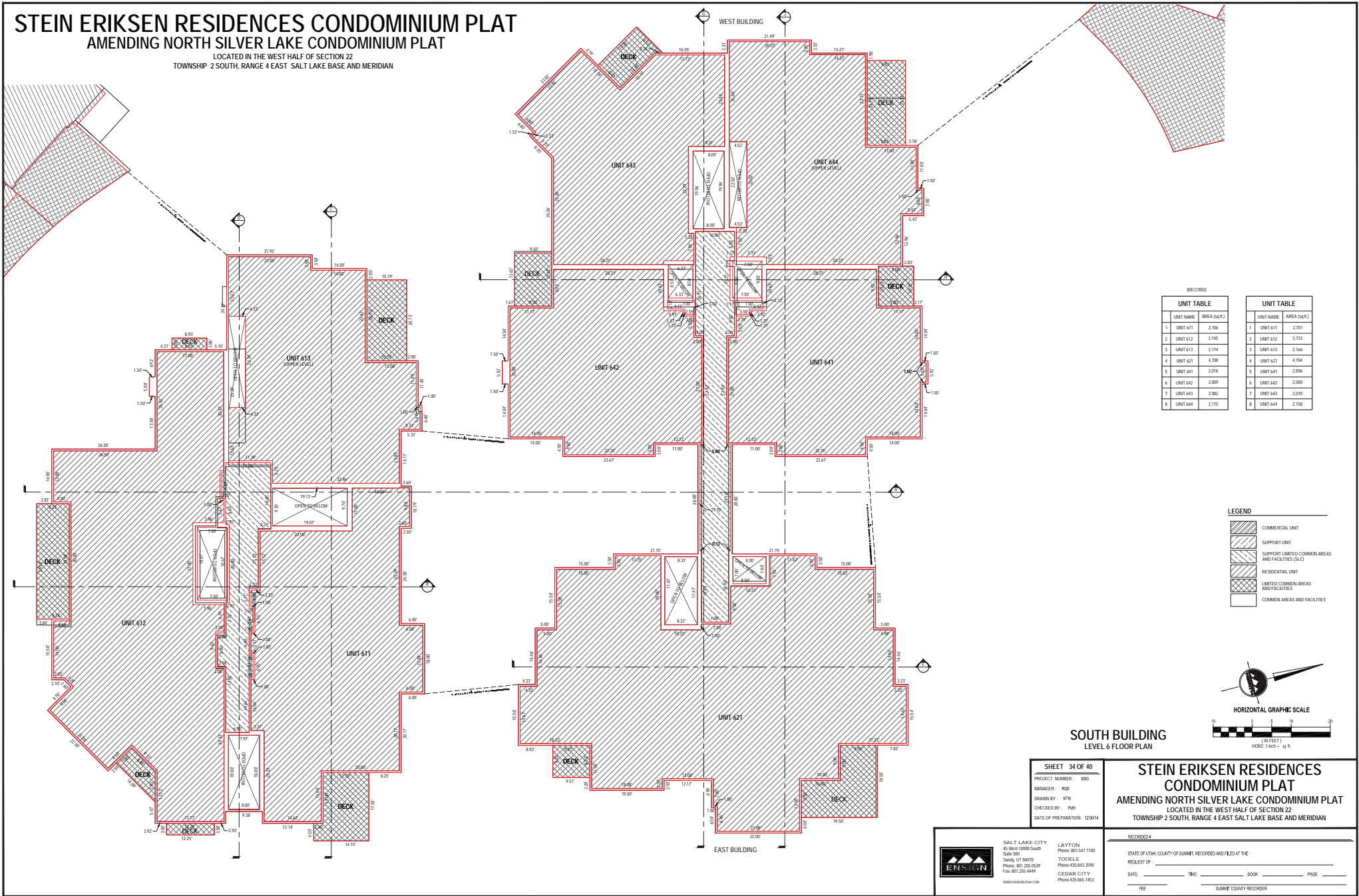
SALT LAKE CITY
45 West 10000 South
Suite 500
Shady UT 84070
Phone: 801.255.0529
Fax: 801.255.8449
WWW.ENRSTON.COM

LAYTON
Phone: 801.541.1100
TUCOLEE
Phone: 435.413.3070
CEDAR CITY
Phone: 435.965.1853

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

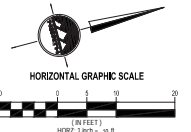


(RECORDS)

UNIT TABLE		UNIT TABLE	
UNIT NAME	AREA (Sq.Ft.)	UNIT NAME	AREA (Sq.Ft.)
1 UNIT 611	2,706	1 UNIT 611	2,707
2 UNIT 612	3,745	2 UNIT 612	3,733
3 UNIT 613	2,734	3 UNIT 613	2,746
4 UNIT 621	4,708	4 UNIT 621	4,704
5 UNIT 641	2,076	5 UNIT 641	2,006
6 UNIT 642	2,009	6 UNIT 642	2,000
7 UNIT 643	2,062	7 UNIT 643	2,070
8 UNIT 644	2,175	8 UNIT 644	2,158

LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S(L))
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



SOUTH BUILDING
LEVEL 6 FLOOR PLAN

SHEET 34 OF 40
PROJECT NUMBER: 390
MANAGER: ROE
DRAWN BY: KTN
CHECKED BY: RMH
DATE OF PREPARATION: 12/30/14

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SALT LAKE CITY
45 West 10000 South
Suite 500
Shoofy, UT 84070
Phone: 801.255.0529
Fax: 801.255.8449
WWW.ENRISONSALT.COM

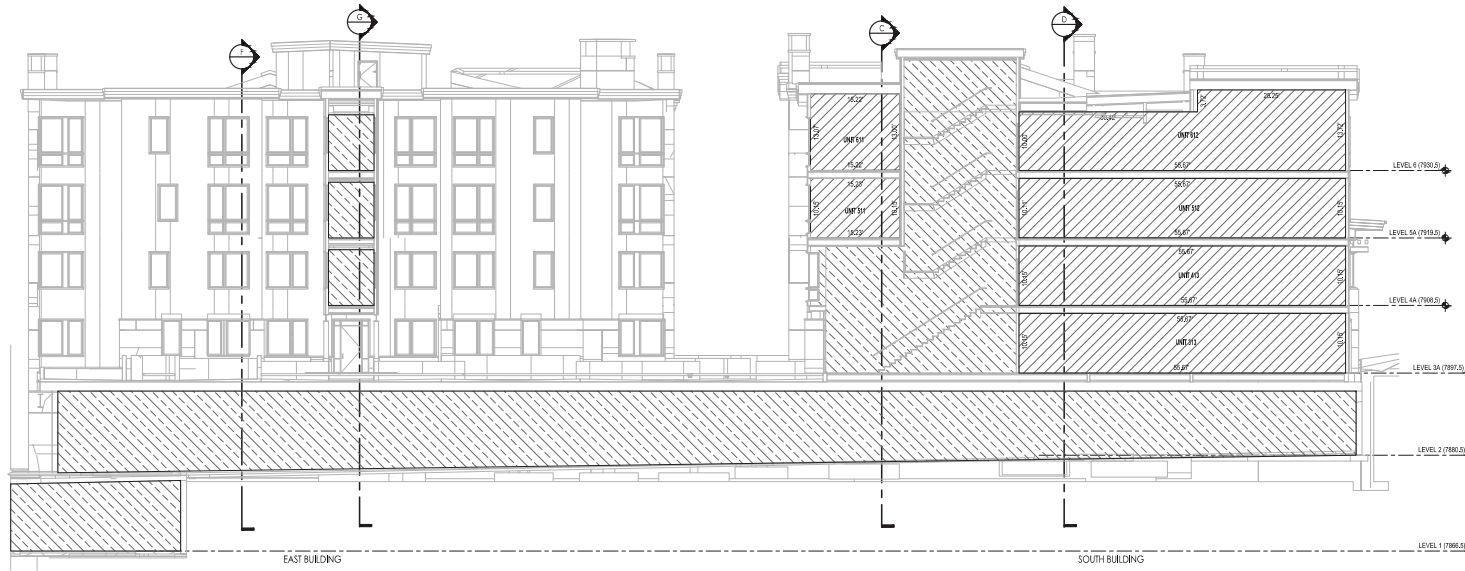
LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.413.3070
CEDAR CITY
Phone: 435.865.1853

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

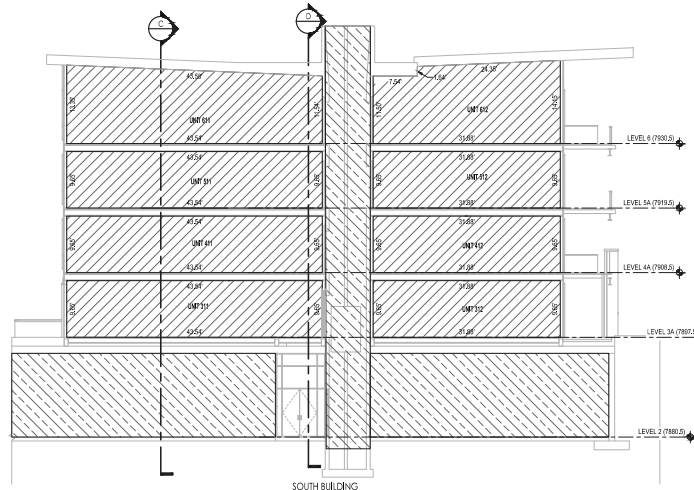
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

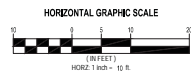
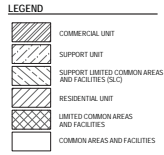
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



BUILDING SECTION A



BUILDING SECTION B



SHEET 35 OF 40
PROJECT NUMBER: 3003
MANAGER: ROE
DRAWN BY: KTR
CHECKED BY: RMH
DATE OF PREPARATION: 12/15

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



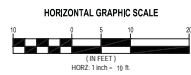
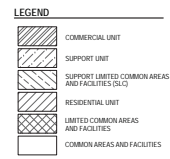
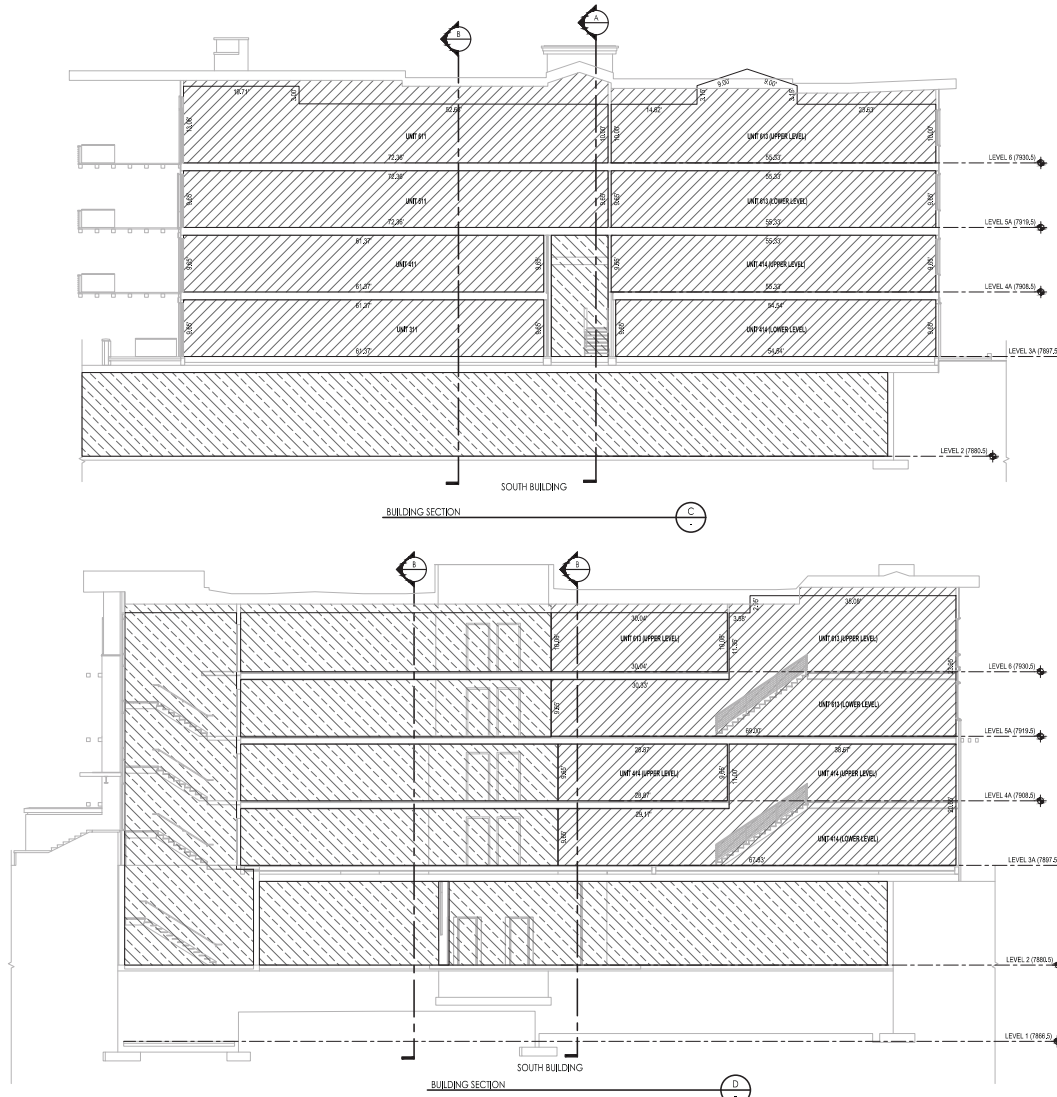
SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
www.enstein.com

LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



SHEET 36 OF 40
PROJECT NUMBER: 2683
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 07/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandj, UT 84070
Phone: 801.225.6279
Fax: 801.225.4447
www.ensign.com

LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

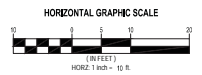
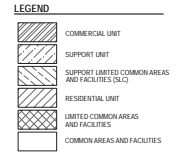
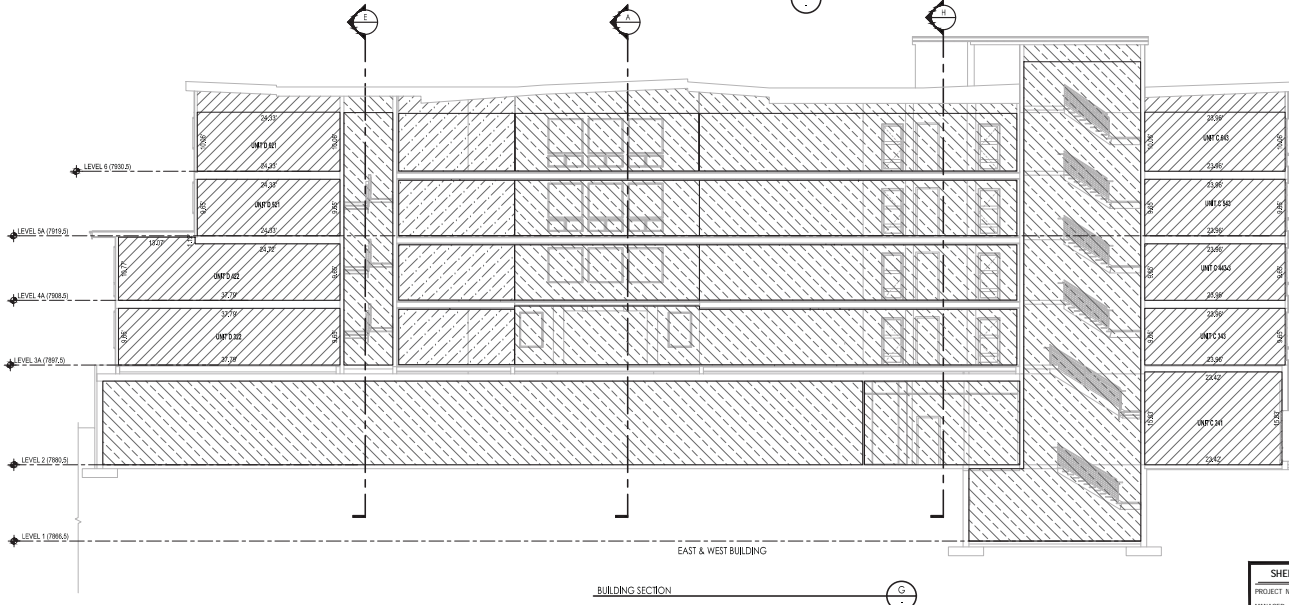
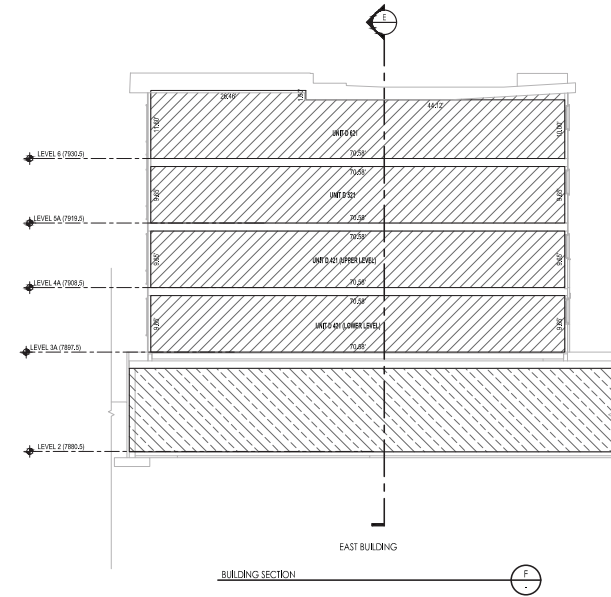
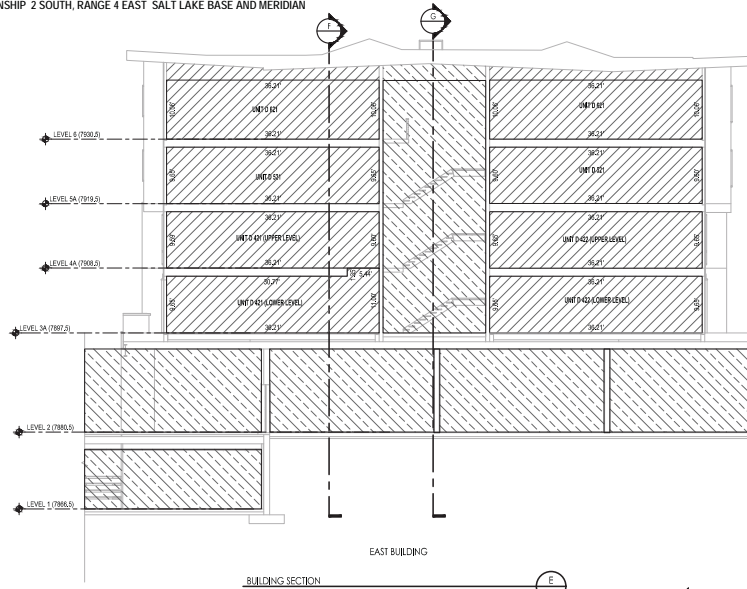
**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



SHEET 37 OF 40
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KFU
CHECKED BY: PMH
DATE OF PREPARATION: 07/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6229
Fax: 801.225.4449
WWW.ENSTON.COM

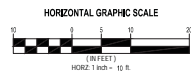
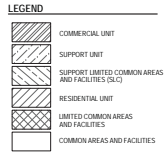
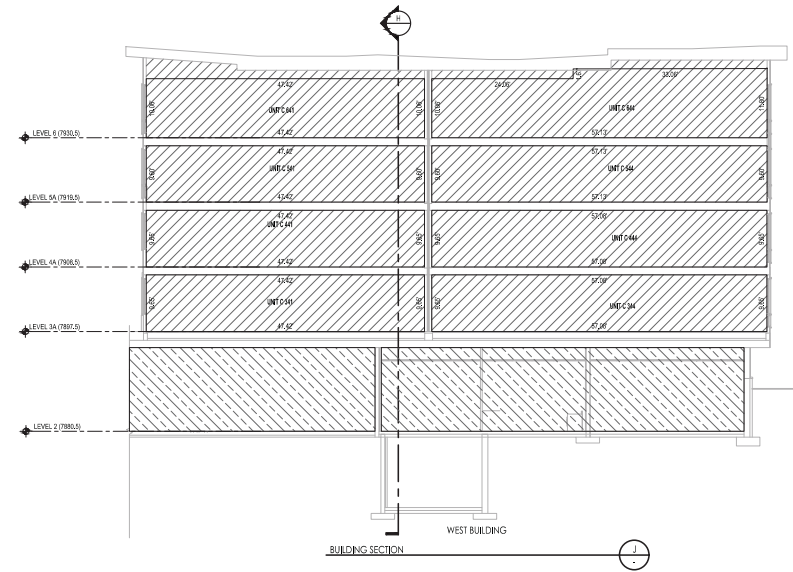
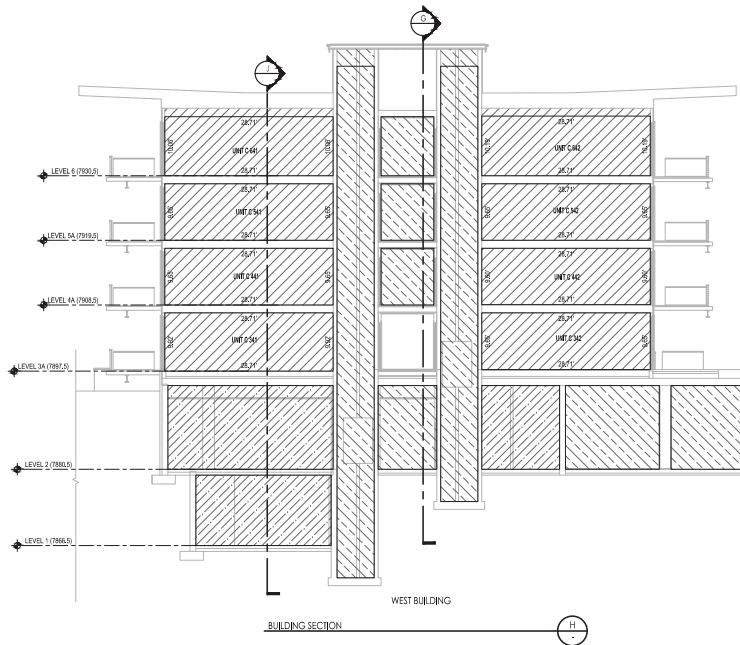
LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



SHEET 38 OF 40
PROJECT NUMBER: 3903
MANAGER: ROE
DRAWN BY: KTR
CHECKED BY: RMH
DATE OF PREPARATION: 1/15

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.6279
Fax: 801.225.4449
WWW.ENSTEN.COM

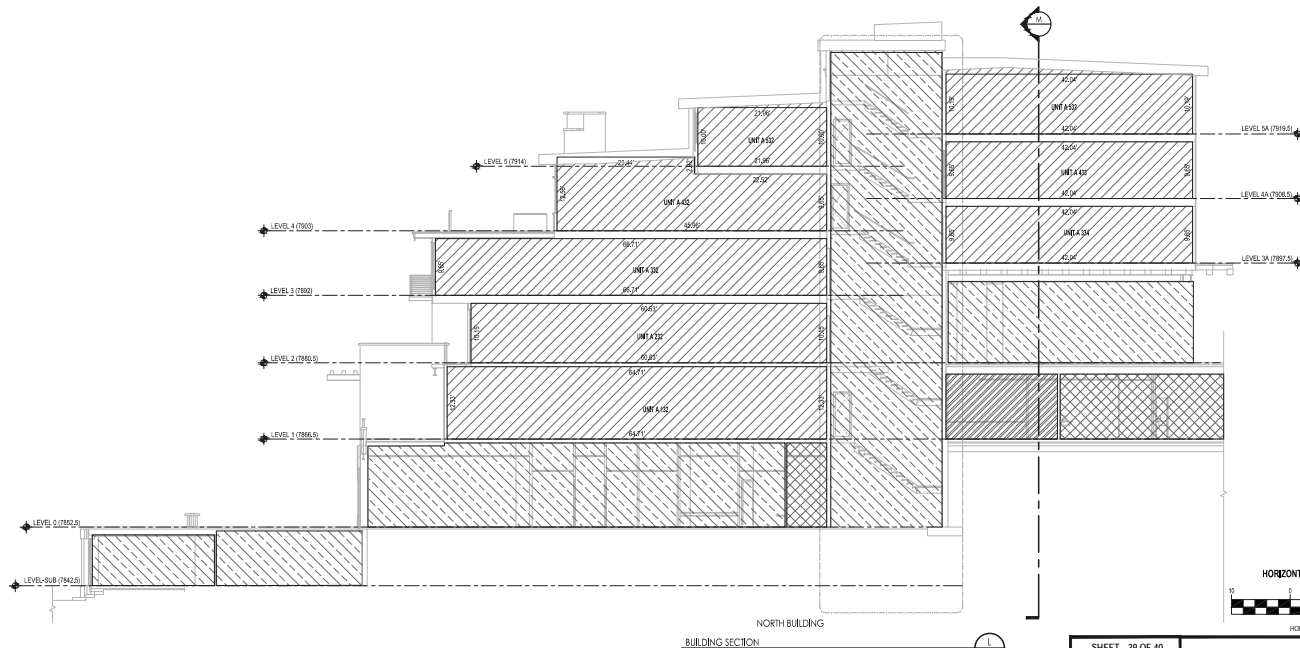
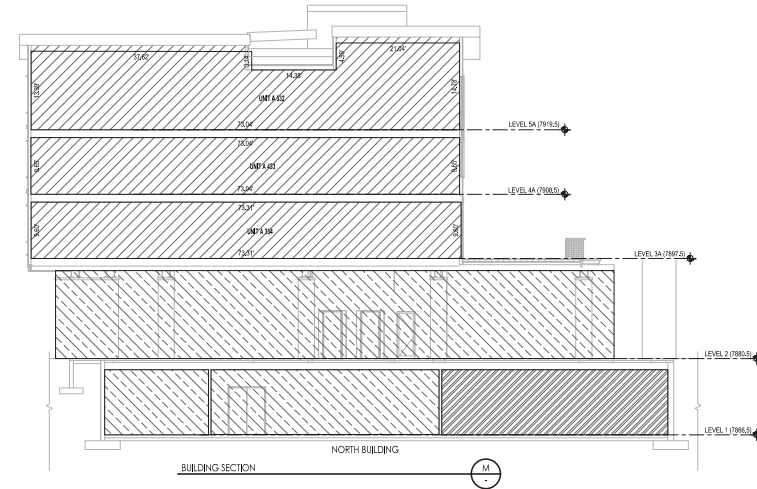
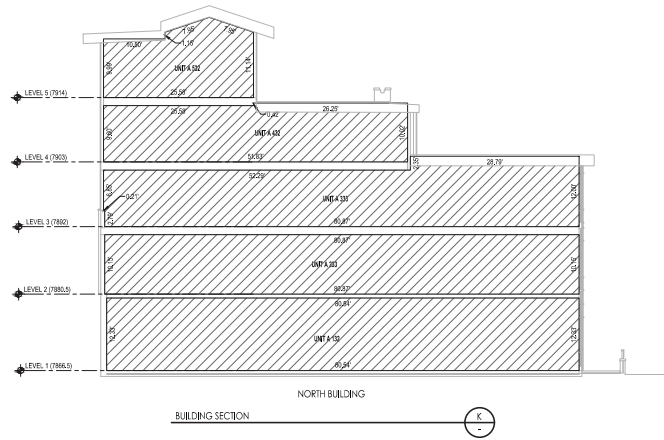
LAYTON
Phone: 801.542.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

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

STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT

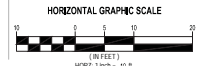
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S/LC)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



SHEET 39 OF 40

PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KFU
CHECKED BY: PMH
DATE OF PREPARATION: 07/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.8229
Fax: 801.225.4449
WWW.ENSTERN.COM

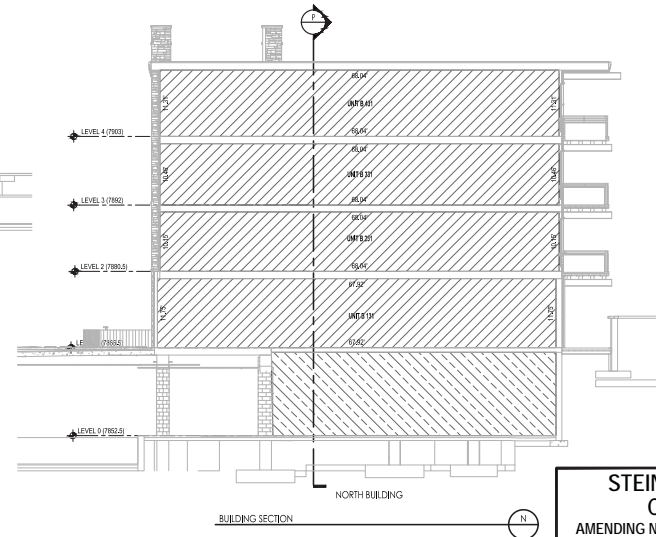
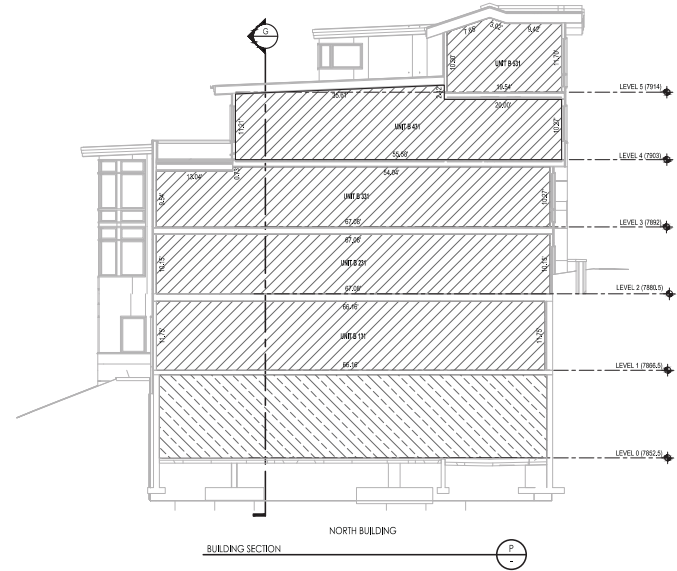
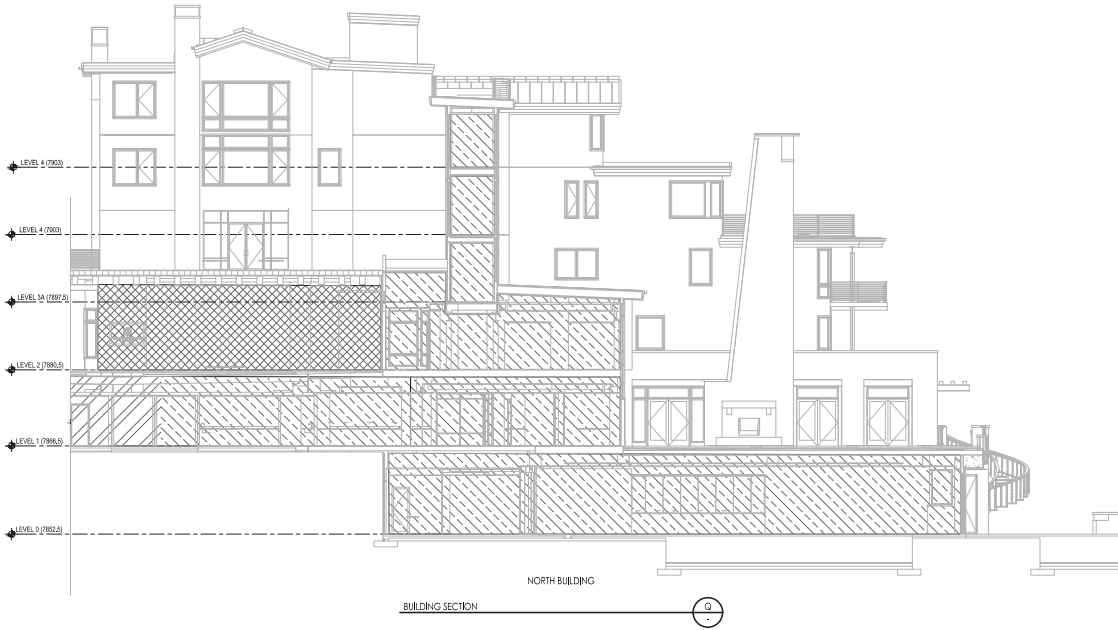
LAYTON
Phone: 801.542.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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

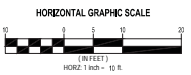
STEIN ERIKSEN RESIDENCES CONDOMINIUM PLAT AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLCA)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**STEIN ERIKSEN RESIDENCES
CONDOMINIUM PLAT**
AMENDING NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 40 OF 40
PROJECT NUMBER: 5083
MANAGER: RGE
DRAWN BY: KFU
CHECKED BY: PMH
DATE OF PREPARATION: 07/15



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: (801) 225-6229
Fax: (801) 225-4449
www.ens.com

LAYTON
Phone: (801) 542-1100
TOOELE
Phone: (435) 843-3990
CEDAR CITY
Phone: (435) 865-1453

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

**North Silverlake Plat Map Amendment
Description of Request/Change:**

Due to market demand and buyer request revisions, building envelopes and condo interiors have been adjusted from the existing plat. The building areas are maintained within the CUP approved square footage and exterior envelope revisions are minor. Each floor plan and envelope area has been reviewed through the Park City Building Department and planning department to ensure revisions are within the 2010 approval and then granted permit to proceed with construction.





City Council Staff Report

Project Number: PL-14-02225
Subject: North Silver Lake Condominium Plat
Author: Francisco Astorga, Planner
Date: May 8, 2014
Type of Item: Administrative – Condominium Record of Survey

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving the a Condominium Record of Survey for the North Silver Lake Condominium Plat 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 City Council, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: SR Silver Lake LLC represented by Rich Lichtenstein
Location: 7101 Silver Lake Drive
Lot 2B Subdivision of Lot 2 North Silver Lake
Zoning: Residential Development (RD) District
Adjacent Land Uses: Ski resort and residential
Reason for Review: Condominium Record of Survey Plats are required to be reviewed by the Planning Commission and reviewed and approved by the City Council

Proposal

Under the Deer Valley Resort Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial/support space. In 2010, the Park City Planning Commission approved a Conditional Use Permit (CUP) for the development consisting of fifty four (54) private total units: sixteen (16) detached single family dwellings/duplexes and four (4) condominium buildings containing thirty eight (38) private dwelling units. The applicant requests the approval of their proposed Condominium Record of Survey plat which is consistent with the approved CUP (2010).

Background

On January 10, 2014, a complete application was submitted to the Planning Department requesting approval of the North Silver Lake Condominium Plat located at 7101 Silver Lake Drive in Deer Valley. The site is located in the Residential Development (RD) District. The proposed Record of Survey identifies private and common space and

allows the applicant to sell the units. On March 14, 2014, the application was revised to include twelve (12) stand-alone single family dwelling units and (1) stand-alone duplex dwelling (containing 2 units) and forty (40) units within the main four (4) condominium buildings (the footprint of the main buildings will not change) instead of the original ten (10) stand-alone single family dwelling units and three (3) stand-alone duplex (containing 2 units each) dwellings equating to sixteen (16) units and thirty eight (38) units within the main four (4) condominium buildings.

A subdivision plat, known as the North Silver Lake Subdivision, was recorded in 1993. The subdivision created two (2) lots of record. According to this subdivision, Lot 2 was contemplated for further subdivision and future development. The Lot 2 North Silver Lake Subdivision was recorded in 1997. This subdivision further amended Lot 2 into four (4) separate Lots A - D. In 2005, the North Silver Lake Lodge Record of Survey Plat was recorded. That Plat subdivided Lot 2B into six (6) units and it identified convertible land for future development of the remaining land.

At this time, the applicant requests to replace the North Silver Lake Lodge Record of Survey Plat (2005) with the proposed North Silver Lake Condominium Plat. The proposed Condominium Record of Survey plat identifies private, limited common, common areas, etc., within the project. All buildings are fully depicted. The current recorded plat, North Silver Lake Lodge Record of Survey Plat (2005), will be retired when this one is recorded.

This Condominium Plat was originally noticed for the February 12, 2014, Planning Commission meeting. Due to a personal matter, which required the absence of the project planner, the applicant requested the Planning Commission continue the Condo Plat and a request for a Condition Use Permit modification for Lockout Units to the following Planning Commission meeting on February 26.

On February 26, 2014, the Planning Commission approved the applicant's request of thirty eight (38) Nightly Rental Lockout Units modifying the Conditional Use Permit (CUP) approved by the City in 2010. The modified CUP is subject to the findings of fact, conclusion of law, and conditions of approval of the Planning Commission action letter dated March 3, 2014. See Exhibit F.

During the February 26, 2014, meeting the applicant and a group of neighbors stipulated to specific conditions of approval that were approved by the Planning Commission and reflected on the March 3, 2014, Planning Commission action letter. Since then, the applicant and the same group of neighbors have also stipulated to certain conditions related to this Condo Plat application, which have been incorporated as specific provisions within the CC&Rs and updated by the applicant and would be recorded concurrently with the proposed Condo Plat. This item was continued to the April 9, 2014, Planning Commission meeting at the request of the applicant and neighbors.

During the April 9, 2014, Planning Commission meeting the Commission forwarded a positive recommendation to City Council. The recommendation consisted of a unanimous vote.

Open Space issues addressed by 2010 Quasi-Judicial Appeal of CUP Application

Under the Deer Valley Resort Master Plan Development (MPD), the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial and support space. The Deer Valley MPD requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC Section 15-1-10.

The original CUP application was before Planning Commission several times and approved in July 2009. That CUP was appealed. The City Council reviewed the appeal in October/November 2009 and remanded it to the Planning Commission with specific items included in the Order to be addressed.

The Planning Commission reviewed the remand during several Planning Commission work sessions and meetings in 2009 and 2010 to address the Order and findings of the City Council. The Planning Commission approved the revised CUP on April 28, 2010.

That approval was appealed by two separate parties, Eric Lee and Lisa Wilson. The City Council reviewed the appeal June 24, 2010. At that hearing, the Council reviewed the open space issue and found that the sixty percent open space requirement for the project has been met. The open space of the current design is 70.6%. Within the Deer Valley MPD, the applicant is allowed to utilize the open space of lot 2D toward the total open space calculation for the project. The specific findings regarding this issue found in the July 1, 2010, order state:

8. Within the Deer Valley MPD development parcels exhibit there is a note for the NSL Subdivision Lot 2D Open Space stating "This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B." Lot 2D is 4.03 acres in size.

9. Within the original North Silver Lake Subdivision, the Bellemont subdivision was allowed to also utilize Lot 2B towards the 60% open space requirement. The Bellemont Subdivision utilized ¼ acre of the Lot 2B parcel to comply with the open space requirement. [sic – this should have read Lot 2D]

10. The current application site plan contains 70.6% of open space on the site including the remainder 3.78 acres of open space on Lot 2D.

On July 1, 2010, the City Council ratified their decision on the appeal and modified the Planning Commission Findings of Fact, Conclusions of Law, Conditions of Approval and Order with minor corrections to the findings and conditions.

Under the current application, Staff received public comments regarding open space miscalculations which had already been addressed in the July 1, 2010, City Council order. All conditions of approval of the City Council's July 1, 2010, order shall continue to apply under this approval.

The applicant has submitted a master site plans showing the open space which calculated to the 70%. See Exhibit H.

District Purpose

The purpose of the Residential Development (RD) District is to:

- A. allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities;
- B. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services;
- C. allow commercial and recreational activities that are in harmony with residential neighborhoods;
- D. minimize impacts of the automobile on architectural design,
- E. promote pedestrian connections within Developments and between adjacent Areas; and
- F. provide opportunities for variation in architectural design and housing types.

Analysis

The proposed Condominium Record of Survey memorializes condominium units, common area, and limited common area for the development. The proposed plat identifies the private area, limited common area, support limited common area and facilities, and common area that allows the units to be sold individually.

The proposed Condominium Record of Survey consists of twelve (12) single-family dwellings; one (1) duplex dwellings with two (2) units, forty (40) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units. The boundary lines of each private unit are set forth on the proposed plat.

The size of the private units within the multi-unit dwelling ranges from 2,007 – 7,075 square feet. The size of the stand alone units as the single family dwellings and duplex range from 5,046 – 8,591 square feet. See table below showing the dwelling type, private square footage, and number of floors of units 1-14:

Unit #	Dwelling type	Private square footage	Number of floors
1	SFD	6,505	4
2	SFD	5,851	4
3	Duplex	5,824	3
4	Duplex	5,824	3

5	SFD	6,559	3
6	SFD	8,589	3
7	SFD	6,529	3
8	SFD	8,591	3
9	SFD	6,296	3
10	SFD	6,180	4
11	SFD	6,706	4
12	SFD	6,431	5
13	SFD	5,046	3
14	SFD	6,646	3

The Record of Survey includes: limited common areas consisting of decks, roofs, driveways, etc.; support limited common areas and facilities consisting of the private road, patio, exercise area, lockers, swimming pool, lobby, lounge, etc.; support unit consisting of the lobby; and the three (3) support commercial units identified as:

- Unit C-1: ski rentals, 817 square feet
- Unit C-2: spa, 852 square feet
- Unit C-3: dining area, 3,244 square feet

These support commercial areas mentioned above and all of the other amenities identified on the plat are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, lockers, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units onsite. The Deer Valley Master Planned Development allocated 14,525 square feet of commercial/support commercial for the Silver Lake Community. Per the 2010 approved CUP, the applicant requested to accommodate 5,140 square feet of support commercial space. At this time the updated CUP plans and Record of Survey indicates a combined support commercial area of 4,913 square feet.

Staff finds good cause for this Condominium Record of Survey as it reflects the approved CUP for the development.

Height of the single family dwellings and duplexes

After reviewing the previous staff reports and minutes, staff identified that the single family and duplex dwellings along the periphery of the site are substantially beneath the allowed height of 45 feet. The applicant’s representative indicated that their proposal was designed to put all the units on the perimeter of the project at 33 feet maximum height. The larger buildings in the center are designed at 50 feet. This is reflected on the August 13, 2008, Planning Commission staff report and meeting minutes.

During the October 22, 2008, Planning Commission meeting it was indicated that the homes on the perimeter were designed to be 33 feet above grade from natural grade; two units on steep grade. It was also noted that there are units where the buildings would be between 33 and 40 feet tall to create variation in the roof forms. These homes

create a scale more compatible to the surrounding single family homes than the four centralized condominiums.

During the February 25, 2009, Planning Commission the applicant's architect reviewed a fog study and talked about the massing of the project. It was stated that the applicants took it upon themselves to apply a 33 foot height limit. That same staff report indicated the following:

Height limitation: As previously mentioned, the applicant has self-imposed a 33 foot height limitation for the periphery detached homes in an effort to create compatibility with the adjacent projects. The larger stacked flat condominiums are 50 feet in height. They are located within the center of the project and to the north adjacent to open space. The new location of the larger buildings creates less impact on the adjacent neighbors and less impermeable surface area than the previous site plans.

During the May 27, 2009, Planning Commission, Planner Cattan reported that part of the master plan is a 45 foot height limit with an additional five feet for pitched roofs. She presented a display showing a 33 foot cloud over existing grade and noted that the applicant has self-imposed a 33 foot height limitation around the periphery. The project is above 33 feet in the central four units and in small portions around the periphery. For the most part they stayed under the self-imposed 33 foot height limit. The allowed height is 45 feet maximum. The Planning Commission commended the applicant on the effort put forth to reduce heights along the periphery to match the adjacent zone height of 33 feet above existing grade. The same was discussed during the July 08, 2009, Planning Commission meeting and the November 12, 2012, City Council meeting. Exhibit G – 2009 Fog Study was presented to the Planning Commission during the May 27, 2009, Planning Commission meeting.

On March 14, 2014, the applicant submitted a schematic site, floor, and elevation plans to reflect the 33 foot limit for the purpose of comparing the various plans, fog studies, etc., similar to the one above to ensure that the height of all structures matched what the City approved. This includes the self-imposed height condition of the single family dwellings and duplexes as the CUP was approved with this understanding. The proposed Record of Survey shall indicate the appropriate heights per the previous minutes, staff reports, and submitted exhibits reflect such self-imposed regulation. On May 1, 2014, the applicant updated the schematic plans submitted on March 14. Staff has identified that the structures are in substantial compliance with the 2009 fog study. Staff recommends that the City Council add a condition of approval indicating that the proposed Record of Survey shall indicate the appropriate heights per the previous minutes, staff reports, and submitted exhibits reflect such self-imposed regulation.

Density

The 2010 approved CUP include the fifty-four (54) units in the form of sixteen (16) single family dwellings/duplex and thirty eight (38) units within the multi-unit dwellings. The applicant with the agreement from a group of neighbors is shifting that density

slightly and requesting to plat twelve (12) single family dwellings, one duplex with two (2) units, totaling fourteen (14) dwelling units and forty (40) units within the same multi-unit dwelling. The footprint and size of the multi-unit dwelling is not expanding. The applicant requests to add the two (2) units from the single family dwelling/duplex pool. Staff does not find any detrimental impacts with this modification as the plat will still be in substantial compliance with the 2010 CUP, the size of the multi-unit dwelling is not expanding, and the overall density will remain at fifty-four (54) units.

Department Review

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

Notice

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

Public Input

Lisa Wilson has submitted comments in opposition of the condominium plat. See Exhibit G – Public Comments.

Process

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

Alternatives

- The City Council may approve the North Silver Lake Condominium Plat as conditioned or amended; or
- The City Council may deny the North Silver Lake Condominium Plat and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on North Silver Lake Condominium Plat; or
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts

There are no significant impacts on the City from this application.

Consequences of not taking the Suggested Recommendation

The Condominium Record of Survey would not reflect the approved 2010 CUP development. The owner would not be able to sell private units.

Recommendation

Staff recommends the City Council hold a public hearing and consider approving the a Condominium Record of Survey for the North Silver Lake Condominium Plat based on

the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits

Exhibit A – Proposed Ordinance with Proposed Condominium Record of Survey

Exhibit B – Project Description

Exhibit C – North Silver Lake Subdivision (1993)

Exhibit D – Lot 2 North Silver Lake Subdivision (1997)

Exhibit E – North Silver Lake Record of Survey Plat (2005)

Exhibit F – Planning Commission Action Letter dated March 4, 2014

Exhibit G – Public Comments

Exhibit H – Master Site Plan, Open Space

Exhibit I – 2009 Fog Study

Sub

Exhibit A – Proposed Ordinance with Condominium Record of Survey

Ordinance No. 14-XX

**AN ORDINANCE APPROVING THE NORTH SILVER LAKE CONDOMINIUM PLAT
LOCATED AT 7101 SILVER LAKE DRIVE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the North Silver Lake Condominium Record of Survey Plat, located at 7101 Silver Lake Drive have petitioned the City Council for approval of an amended and restated condominium record of survey plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 12, 2014, February 26, 2014, and April 9, 2014 to receive input on the North Silver Lake Condominium Record of Survey Plat record of survey plat;

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a positive recommendation to the City Council;

WHEREAS, the City Council on May 8, 2014 conducted a public hearing to receive input on the North Silver Lake Condominium Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the North Silver Lake Condominium 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. North Silver Lake Condominium Plat as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The site is located at 7101 Silver Lake Drive.
2. The site is located in the Residential Development (RD) District.
3. A subdivision plat, known as the North Silver Lake Subdivision, was recorded in 1993. The subdivision created two (2) lots of record. According to this subdivision, Lot 2 was contemplated for further subdivision and future development.
4. Lot 2 North Silver Lake Subdivision was recorded in 1997. This subdivision

further amended Lot 2 into four (4) separate lots. This record of survey plat is development of Lot 2B of the Lot 2 North Silver Lake Subdivision plat.

5. In 2005 the North Silver Lake Lodge Record of Survey Plat was recorded. This Plat subdivided Lot 2B into six (6) condominium units and identified convertible land
6. At this time the applicant requests to replace the North Silver Lake Lodge Record of Survey Plat (2005) with the proposed Record of Survey. Upon recordation of this current condominium plat, the North Silver Lake Lodge Record of Survey plat (2005) shall be retired.
7. The proposed Condominium Record of Survey plat identifies private, limited common, common areas, etc., within the project.
8. Under the Deer Valley Resort Master Plan the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial and support space.
9. In 2010 the Park City Planning Commission approved a Conditional Use Permit (CUP) for the development consisting of fifty four (54) private total units.
10. The proposed Condominium Record of Survey Plat amends Lot 2B of North Silver Lake Subdivision.
11. The boundary lines of each private unit are set forth on the proposed plat. The proposed Condominium Record of Survey plat consists of twelve (12) single-family dwellings, one (1) duplex unit, forty (40) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.
12. The support commercial areas mentioned above and all of the other amenities identified on the plat are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, lockers, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units.
13. The Deer Valley Master Planned Development allocated 14,525 square feet of commercial/support commercial for the Silver Lake Community.
14. The 2010 approved CUP accommodated 5,140 square feet of support commercial space.
15. At this time the updated CUP plans and this Record of Survey indicates a combined area of 4,913 square feet of support commercial.
16. All findings in the analysis section of the staff report are incorporated herein.
17. The 2010 approved CUP include the fifty-four (54) units in the form of sixteen (16) single family dwellings and 38 units within the multi-unit dwellings.
18. Currently the applicant is requesting to plat twelve (12) single family dwellings, one duplex with two (2) units, totaling fourteen (14) dwelling units and forty (40) units within the same multi-unit dwelling.
19. The size of the multi-unit dwelling footprint is not expanding. The overall density is not increasing as the applicant requests to add the two (2) units from the single family dwelling/duplex pool.
20. The condominium record of survey plat is in substantial compliance with the 2010 CUP. The size of the multi-unit dwelling is not expanding, and the overall density

will remain at fifty-four (54) units.

Conclusions of Law:

1. There is good cause for this Condominium Record of Survey.
2. The Condominium Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium record of survey plats.
3. Neither the public nor any person will be materially injured by the proposed condominium record of survey plat.
4. Approval of the condominium record of survey plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The condominium record of survey plat is consistent with the approved North Silver Lake Conditional Use Permit.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the condominium record of survey plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the 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 a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A note shall be added to the plat referencing that the conditions of approval of the Deer Valley MPD and the 2010 North Silver Lake CUP apply to this plat.
4. The applicant shall be responsible of filing the proper documentation with Summit County to retire the North Silver Lake Lodge Record of Survey Plat recorded in 2005 prior to recordation of this plat.
5. All conditions of approval of the City Council's July 1, 2011 order on the Conditional Use appeal shall continue to apply.
6. All conditions of approval of the Planning Commission's February 26, 2014 action modifying the CUP to allow Lockout Units shall continue to apply.
7. The proposed Record of Survey shall indicate the appropriate heights per the previous minutes, staff reports, and submitted exhibits reflect such self-imposed regulation.

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

PASSED AND ADOPTED this ____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

PROJECT AND PLAT DESCRIPTION

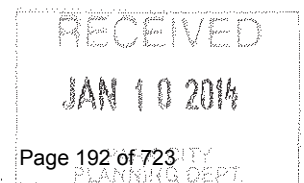
North Silver Lake Condominiums

This is an application for the approval of a condominium plat for North Silver Lake Condominiums.

Lot 2B of the North Silver Lake subdivision was originally created pursuant to the plat entitled “Subdivision of Lot 2 North Silver Lake Subdivision”, which was recorded on September 18, 1997. The plat submitted with this application is a further subdivision of Lot 2B, in accordance with the terms and conditions of a Conditional Use Permit approved on July 1, 2010 (“CUP”). The CUP authorized the development on this property of 54 units, consisting of 16 single-family homes (in detached or duplex configurations) and four stacked condominium buildings containing 38 additional residential condominium units. The stacked condominium buildings also include 3 commercial condominium units and 1 support condominium unit.

This plat divides the property into 54 condominium units and common areas including: (i) 4 single family units, (ii) 3 duplex buildings each with 2 units, (iii) 6 units currently shown as 2-dimensional lots that will be amended later to depict the 3-dimensional unit locations, (iv) 38 stacked flats in 2 buildings (North Lodge Building and South Lodge Building), and (v) a private road that is part of the common area. The condominium buildings have been designed to be consistent with the project plans submitted with, and approved as part of, the 2010 CUP.

Lot 2B is currently encumbered by a Record of Survey Plat for North Silver Lake Lodge that was recorded on April 19, 2005. That plat will be terminated of record immediately prior to the recordation of the condominium plat submitted with this application.



SURVEYOR'S CERTIFICATE

I, JACK HANSON, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NUMBER 8834 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PARCELS AS SHOWN HEREON:

Jack Hanson
JACK HANSON, L.S. 8834 DATE: 1-18-93



OWNER'S DEDICATION AND CONSENT TO RECORD

I, the undersigned, do hereby certify that the area shown in the above described tract of land, and hereby dedicate the same to be divided into lots, together with easements to set forth on the attached plat, hereafter to be shown as NORTH SILVER LAKE SUBDIVISION.

Also, the owner hereby dedicates to Park City Municipal Corporation, Summit and Wasatch-Cache National Forest, Park City Fire Protection District and Summit County a non-exclusive easement over the utility easements shown on the plat for the purpose of providing lines for utility installation, maintenance, use and removal.

Witness my hand and the seal of the County of Summit, Utah, this 18th day of January, 1993.

JOHN VALLEY RESORT COMPANY, a Utah Limited Partnership
By: *John M. Henderson*
JOHN M. HENDERSON, Vice President

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF SUMMIT

On this 18th day of January, 1993, personally appeared before me, the undersigned, a Notary Public in and for the State of Utah, in full view of me, a Vice President of JOHN VALLEY RESORT COMPANY, a Utah Limited Partnership, and that the actor and company, John M. Henderson and Company, do hereby consent and agree to the recording of this plat and the utility easements shown on the plat for the purpose of providing lines for utility installation, maintenance, use and removal.

John M. Henderson
Notary Public: 75146
Residing at: Silver Lake City, UT

- NOTES:**
1. ADDITIONAL UTILITIES AND CHANGED EASEMENTS ARE HEREBY DEDICATED AS SHOWN.
 2. RECORDING OF THIS PLAT ALONG WITH PLAT FORKINGS MAY VARY FROM SUBSEQUENTS OF THE UNDERLYING LAND.

LEGAL DESCRIPTION - TOTAL BOUNDARY

Beginning at a point which is 1994.16 feet North and 711.87 feet East of the Southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, (historical location, and section corner with east and west side lines on the Eastern right-of-way line of Silver Lake Drive, the following bearings and distances being said right-of-way line: (1) thence N 27°00'00" W 428.41 feet to a non-tangent curve (center line) and having a radius of 475.00 feet (center line is 488.00' (2) thence Northwesterly along said curve through a central angle of 171.17° an arc distance of 501.00 feet; (3) thence S 10°14'00" W 234.00 feet to a non-tangent curve (center line) having a radius of 263.75 feet (center line is 270.44' (4) thence Northwesterly along said curve through a central angle of 37°02'34" an arc distance of 445.84 feet; (5) thence S 87°40'00" W 178.34 feet to the beginning of a tangent curve (center line) having a radius of 174.00 feet; (6) thence Northwesterly along said curve through a central angle of 14°02'00" an arc distance of 287.11 feet; (7) thence S 22°00'00" W 144.15 feet, said point being the Northwest corner of lot 29 Evergreen Subdivision, thence along east on the S 22°00'00" W 144.15 feet, thence along east on the S 80°58'22" W 116.50 feet to the corner corner of lot 28 28 1/2 Evergreen Subdivision, thence S 74°02'00" W 35.71 feet to the Southeast corner of lot 28 Evergreen Subdivision, thence N 42°03'42" W 193.80 feet, thence S 82°52'18" W 49.26 feet, thence S 30°56'42" W 116.54 feet to a point on S 100°00'00" W, thence along curve Southwesterly (center line is 100.00 feet) having a radius of 100.00 feet (center line is 100.00 feet) through a central angle of 90°00'00" an arc distance of 157.08 feet; (8) thence along said curve through a central angle of 10°00'00" an arc distance of 17.00 feet; (9) thence S 20°00'00" W 15.00 feet to a point on a non-tangent curve (center line) having a radius of 174.00 feet (center line is 174.00 feet) (1) said point being the Northern right-of-way line of Royal Street East, the following bearings and distances being said right-of-way line: (1) thence along said curve through a central angle of 08°00'00" an arc distance of 15.00 feet; (2) thence N 84°00'00" W 45.00 feet, thence N 30°00'42" W 170.00 feet to a point on a non-tangent curve (center line) having a radius of 174.00 feet (center line is 174.00 feet) (3) said point being the Northern right-of-way line of Royal Street, thence along said right-of-way line through a central angle of 47°00'00" an arc distance of 87.11 feet, said point on the Eastern right-of-way line of Silver Lake Drive, the following bearings and distances being said right-of-way line: (1) thence S 31°40'00" W 12.88 feet to the beginning of a tangent curve (center line) having a radius of 100.00 feet (center line is 100.00 feet) through a central angle of 89°00'00" an arc distance of 281.00 feet to the point of beginning.

TOTAL PARCEL CONTAINS 24.62 ACRES

LEGAL DESCRIPTION - LOT 1

Beginning at a point which is 2380.71 feet North and 1145.44 feet East of the Southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, (historical location, and section corner with east and west side lines on the Eastern right-of-way line of Silver Lake Drive, the following bearings and distances being said right-of-way line: (1) thence N 27°00'00" W 428.41 feet to a non-tangent curve (center line) and having a radius of 475.00 feet (center line is 488.00' (2) thence Northwesterly along said curve through a central angle of 171.17° an arc distance of 501.00 feet; (3) thence S 10°14'00" W 234.00 feet to a non-tangent curve (center line) having a radius of 263.75 feet (center line is 270.44' (4) thence Northwesterly along said curve through a central angle of 37°02'34" an arc distance of 445.84 feet; (5) thence S 87°40'00" W 178.34 feet to the beginning of a tangent curve (center line) having a radius of 174.00 feet; (6) thence Northwesterly along said curve through a central angle of 14°02'00" an arc distance of 287.11 feet; (7) thence S 22°00'00" W 144.15 feet, said point being the Northwest corner of lot 29 Evergreen Subdivision, thence along east on the S 22°00'00" W 144.15 feet, thence along east on the S 80°58'22" W 116.50 feet to the corner corner of lot 28 28 1/2 Evergreen Subdivision, thence S 74°02'00" W 35.71 feet to the Southeast corner of lot 28 Evergreen Subdivision, thence N 42°03'42" W 193.80 feet, thence S 82°52'18" W 49.26 feet, thence S 30°56'42" W 116.54 feet to a point on S 100°00'00" W, thence along curve Southwesterly (center line is 100.00 feet) having a radius of 100.00 feet (center line is 100.00 feet) through a central angle of 90°00'00" an arc distance of 157.08 feet; (8) thence along said curve through a central angle of 10°00'00" an arc distance of 17.00 feet; (9) thence S 20°00'00" W 15.00 feet to a point on a non-tangent curve (center line) having a radius of 174.00 feet (center line is 174.00 feet) (1) said point being the Northern right-of-way line of Royal Street East, the following bearings and distances being said right-of-way line: (1) thence along said curve through a central angle of 08°00'00" an arc distance of 15.00 feet; (2) thence N 84°00'00" W 45.00 feet, thence N 30°00'42" W 170.00 feet to a point on a non-tangent curve (center line) having a radius of 174.00 feet (center line is 174.00 feet) (3) said point being the Northern right-of-way line of Royal Street, thence along said right-of-way line through a central angle of 47°00'00" an arc distance of 87.11 feet, said point on the Eastern right-of-way line of Silver Lake Drive, the following bearings and distances being said right-of-way line: (1) thence S 31°40'00" W 12.88 feet to the beginning of a tangent curve (center line) having a radius of 100.00 feet (center line is 100.00 feet) through a central angle of 89°00'00" an arc distance of 281.00 feet to the point of beginning.

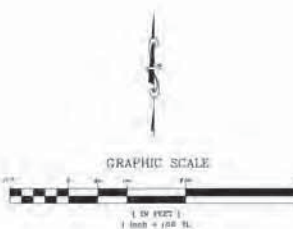
LOT 1 CONTAINS .488 ACRES

LEGAL DESCRIPTION - LOT 2

Being the total boundary area (the west except for lot 1) of 24.132 ACRES

NORTH SILVER LAKE SUBDIVISION

LOCATED IN THE WEST 1/2 OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



<p>CITY ENGINEER</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS 26th DAY OF JANUARY, 1993</p> <p><i>David W. Coyle, PE</i> CITY ENGINEER</p>	<p>CITY PLANNING COMMISSION</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THE 26th DAY OF January, 1993</p> <p><i>R. M. ...</i> CHAIRMAN</p>
<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM ON THIS 16th DAY OF February, 1993</p> <p><i>...</i> CITY ATTORNEY</p>	<p>CITY COUNCIL APPROVAL</p> <p>PRESENTED TO THE BOARD OF PARK CITY COUNCIL ON THIS 26th DAY OF JANUARY, 1993, AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED</p> <p><i>...</i> MAYOR <i>...</i> CITY RECORDER</p>
<p>RECORDED</p> <p>RECORDED AND FILED AT THE REQUEST OF: High Country Title NO. 574348 STATE OF UTAH COUNTY OF SUMMIT DATE 02-16-93 TIME 02:46 PM PLUMB FILE 60#</p> <p><i>...</i> COUNTY RECORDER</p>	<p>Sno-engineering, Inc.</p> <p>The Record Planners</p> <p>P.O. BOX 1726 PARK CITY, UTAH 84302 801-949-4777</p>

Sub Exhibit D - Lot 2 North Silver Lake Subdivision (1997)

SURVEYOR'S CERTIFICATE

I, Don Demerick, do hereby certify that I am a registered land surveyor and that I have prepared this plat in accordance with the laws of the State of Utah, a further certificate of my authority of the same I have made a survey of the tract of land shown on this plat and described herein and subdivided said tract of land into lots to be hereafter known as SUBDIVISION OF LOT 2 NORTH SILVER LAKE SUBDIVISION and that the same has been or will be correctly surveyed and staked on the ground as shown on this plat.

DATE: 9/9/97
DON DEMERICK

BOUNDARY DESCRIPTION

LOT 2 OF THE NORTH SILVER LAKE SUBDIVISION, according to the official plat on file recorded as City #474225 (Jan. 16, 1992) is a subdivision of the Summit County Recorder.

The above property is more described as follows: Beginning at a point on the westerly right-of-way line of Silver Lake Drive, said point is located north 194.18 feet and east 711.67 feet from the Southeast Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence N 22°07'00" E for 428.41 feet to a point on a 472.50 foot radius curve to the right, whose radius point bears N 68°02'00" E, thence along the arc of said curve 117.73 feet to a central angle of 14°02'30", thence S 82°44'30" W for 22.00 feet, thence N 80°40'00" E to a point on a 192.00 foot radius curve to the right, whose radius point bears N 85°20'00" E, thence along the arc of said curve 241.27 feet to a central angle of 7°00'00", thence N 10°30'00" E for 58.96 feet to a point on a 283.00 foot radius curve to the left, whose radius point bears N 73°00'00" W, thence along the arc of said curve 103.25 feet to a central angle of 27°30'00", thence N 50°07'00" E for 88.82 feet to a point on a 180.00 foot radius curve to the right, whose radius point bears S 34°00'00" E, thence along the arc of said curve 87.12 feet to a central angle of 38°27'31", thence N 82°54'31" E for 87.69 feet, thence S 74°47'47" E for 284.48 feet, thence S 87°54'38" E for 41.18 feet, to a point on a 115.00 foot radius curve to the right, whose radius point bears S 22°25'04" E, thence along the arc of said curve 287.14 feet to a central angle of 14°00'00", thence S 53°07'00" E for 142.15 feet, thence S 23°36'31" W for 156.70 feet, thence S 82°02'34" E for 118.30 feet, thence S 74°12'00" E for 90.71 feet, thence S 42°13'09" W for 180.93 feet, thence S 56°33'19" W for 99.26 feet, thence S 30°56'47" W for 118.34 feet to a point on a 140.00 foot radius curve to the left, whose radius point bears S 00°17'54" E, thence along the arc of said curve 223.27 feet to a central angle of 84°20'00", thence S 04°00'00" W for 284.99 feet to a point on a 439.89 foot radius curve to the right, whose radius point bears N 88°01'24" E, thence along the arc of said curve 322.24 feet to a central angle of 33°00'00", thence S 40°07'00" W for 58.81 feet to a point on a 200.17 foot curve to the right, whose radius point bears N 50°07'00" W, thence along the arc of said curve 174.88 feet to a central angle of 32°00'00" to a point on a 80.00 foot radius curve to the left, whose radius point bears South, thence along the arc of said curve 116.08 feet to a central angle of 70°00'00", thence S 20°09'00" W for 15.00 feet to a point on a 197.88 foot radius curve to the right, whose radius point bears N 14°14'45" E, thence along the arc of said curve 85.50 feet to a central angle of 28°12'52", thence N 88°06'00" W for 48.00 feet, thence N 35°00'41" W for 281.06 feet to a point on a 115.00 foot radius curve to the left, whose radius point bears N 01°07'40" E, thence along the arc of said curve 87.18 feet to a central angle of 43°40'00", thence S 01°45'00" E for 12.86 feet to a point on a 35.00 foot radius curve to the left, whose radius point bears N 38°07'00" E, thence along the arc of said curve 248.12 feet to a central angle of 150°15'18" to the point of beginning. Description continues 27.89 Acres.

OWNER'S DEDICATION

I, DON MEN BY THESE PRESENTS, that the undersigned is the Owner of the herein described tract of land, and hereby covenants the same to be divided into lots together with easements as set forth on the attached Plat, hereafter to be known as SUBDIVISION OF LOT 2 NORTH SILVER LAKE SUBDIVISION.

And the same hereby dedicates to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, and Park City Fire Protection District, a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use, and eventual replacement.

The owner or his/her representative, hereby irrevocably offers to dedicate to the City of Park City all of the streets and for local government utility easements, parks, required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

I, witness whereof the undersigned has set its name on this day of September, 1997.

DEER VALLEY REALTY COMPANY, a Utah Limited Partnership
By Royal Street of Utah, General Partner
Royal Street
Robert W. Wells, Vice President

ACKNOWLEDGEMENT

STATE OF UTAH: ss.
COUNTY OF WASATCH) ss.

On this 9 day of September, 1997, personally appeared before me, the undersigned Notary Public in and for said State and County, Robert W. Wells, who after being duly sworn, acknowledged to me that he is the Vice-President of Royal Street of Utah, a Utah Corporation, that he signed the foregoing Owner's Consent to Record on behalf of the corporation with full authority of its bylaws.

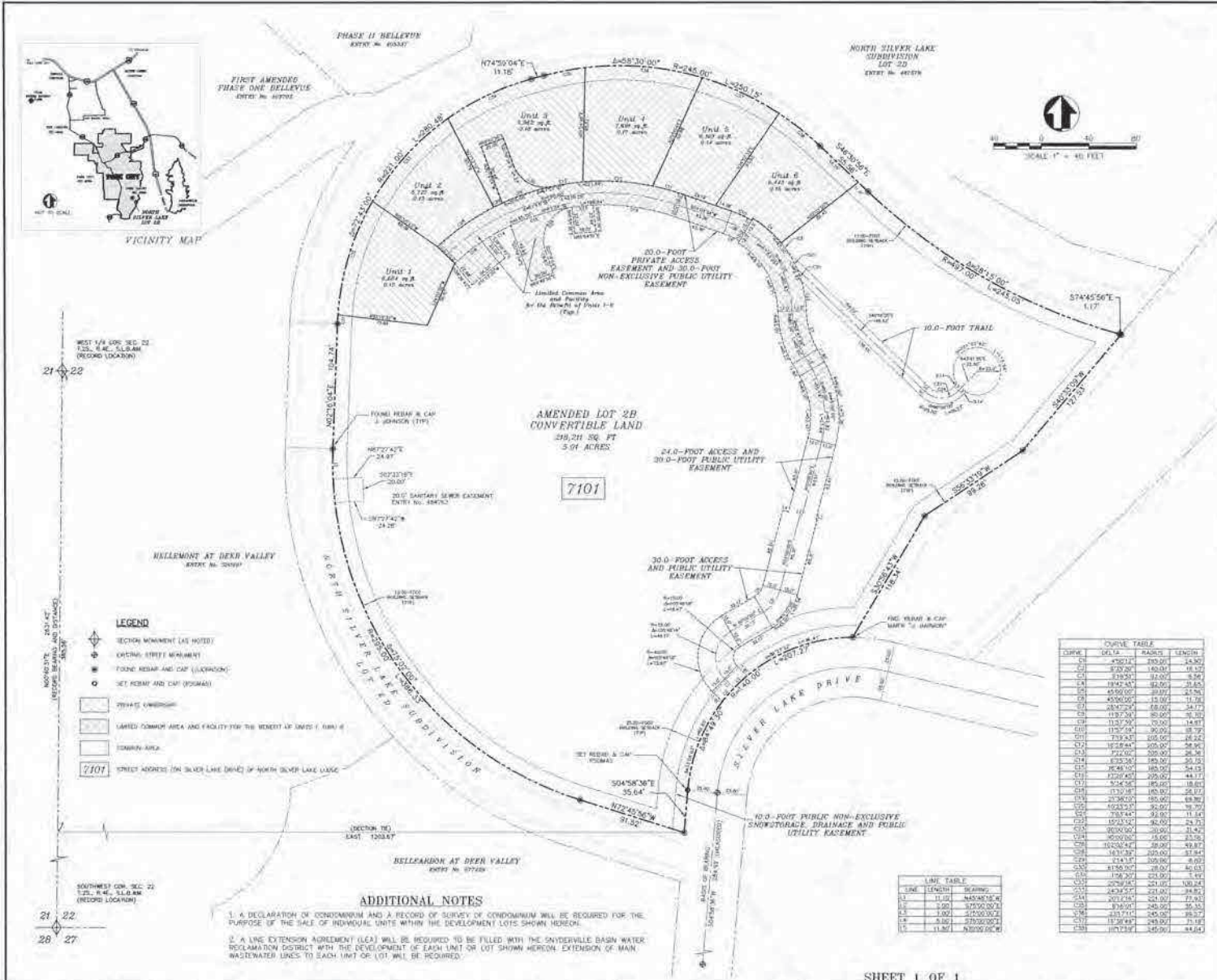
Robert Wells
NOTARY PUBLIC
Recording as:
My Commission Expires
May 30, 1999

**SUBDIVISION OF LOT 2
NORTH SILVER LAKE SUBDIVISION**

A SUBDIVISION
LOCATED IN THE WEST 1/2 OF SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY,
SUMMIT COUNTY, UTAH

LINE	DIRECTION	DISTANCE
1	N 88°01'24" E	287.14
2	S 53°07'00" E	142.15
3	S 23°36'31" W	156.70
4	S 82°02'34" E	118.30
5	S 74°12'00" E	90.71
6	S 42°13'09" W	180.93
7	S 30°56'47" W	118.34
8	N 14°14'45" E	85.50
9	N 88°06'00" W	48.00
10	N 35°00'41" W	281.06
11	N 01°07'40" E	87.18
12	S 01°45'00" E	12.86
13	N 38°07'00" E	248.12
14	N 88°06'00" W	48.00
15	N 35°00'41" W	281.06
16	N 01°07'40" E	87.18
17	S 01°45'00" E	12.86
18	N 38°07'00" E	248.12
19	N 88°06'00" W	48.00
20	N 35°00'41" W	281.06
21	N 01°07'40" E	87.18
22	S 01°45'00" E	12.86
23	N 38°07'00" E	248.12
24	N 88°06'00" W	48.00
25	N 35°00'41" W	281.06
26	N 01°07'40" E	87.18
27	S 01°45'00" E	12.86
28	N 38°07'00" E	248.12
29	N 88°06'00" W	48.00
30	N 35°00'41" W	281.06
31	N 01°07'40" E	87.18
32	S 01°45'00" E	12.86
33	N 38°07'00" E	248.12
34	N 88°06'00" W	48.00
35	N 35°00'41" W	281.06
36	N 01°07'40" E	87.18
37	S 01°45'00" E	12.86
38	N 38°07'00" E	248.12
39	N 88°06'00" W	48.00
40	N 35°00'41" W	281.06
41	N 01°07'40" E	87.18
42	S 01°45'00" E	12.86
43	N 38°07'00" E	248.12
44	N 88°06'00" W	48.00
45	N 35°00'41" W	281.06
46	N 01°07'40" E	87.18
47	S 01°45'00" E	12.86
48	N 38°07'00" E	248.12
49	N 88°06'00" W	48.00
50	N 35°00'41" W	281.06
51	N 01°07'40" E	87.18
52	S 01°45'00" E	12.86
53	N 38°07'00" E	248.12
54	N 88°06'00" W	48.00
55	N 35°00'41" W	281.06
56	N 01°07'40" E	87.18
57	S 01°45'00" E	12.86
58	N 38°07'00" E	248.12
59	N 88°06'00" W	48.00
60	N 35°00'41" W	281.06
61	N 01°07'40" E	87.18
62	S 01°45'00" E	12.86
63	N 38°07'00" E	248.12
64	N 88°06'00" W	48.00
65	N 35°00'41" W	281.06
66	N 01°07'40" E	87.18
67	S 01°45'00" E	12.86
68	N 38°07'00" E	248.12
69	N 88°06'00" W	48.00
70	N 35°00'41" W	281.06
71	N 01°07'40" E	87.18
72	S 01°45'00" E	12.86
73	N 38°07'00" E	248.12
74	N 88°06'00" W	48.00
75	N 35°00'41" W	281.06
76	N 01°07'40" E	87.18
77	S 01°45'00" E	12.86
78	N 38°07'00" E	248.12
79	N 88°06'00" W	48.00
80	N 35°00'41" W	281.06
81	N 01°07'40" E	87.18
82	S 01°45'00" E	12.86
83	N 38°07'00" E	248.12
84	N 88°06'00" W	48.00
85	N 35°00'41" W	281.06
86	N 01°07'40" E	87.18
87	S 01°45'00" E	12.86
88	N 38°07'00" E	248.12
89	N 88°06'00" W	48.00
90	N 35°00'41" W	281.06
91	N 01°07'40" E	87.18
92	S 01°45'00" E	12.86
93	N 38°07'00" E	248.12
94	N 88°06'00" W	48.00
95	N 35°00'41" W	281.06
96	N 01°07'40" E	87.18
97	S 01°45'00" E	12.86
98	N 38°07'00" E	248.12
99	N 88°06'00" W	48.00
100	N 35°00'41" W	281.06
101	N 01°07'40" E	87.18
102	S 01°45'00" E	12.86
103	N 38°07'00" E	248.12
104	N 88°06'00" W	48.00
105	N 35°00'41" W	281.06
106	N 01°07'40" E	87.18
107	S 01°45'00" E	12.86
108	N 38°07'00" E	248.12
109	N 88°06'00" W	48.00
110	N 35°00'41" W	281.06
111	N 01°07'40" E	87.18
112	S 01°45'00" E	12.86
113	N 38°07'00" E	248.12
114	N 88°06'00" W	48.00
115	N 35°00'41" W	281.06
116	N 01°07'40" E	87.18
117	S 01°45'00" E	12.86
118	N 38°07'00" E	248.12
119	N 88°06'00" W	48.00
120	N 35°00'41" W	281.06
121	N 01°07'40" E	87.18
122	S 01°45'00" E	12.86
123	N 38°07'00" E	248.12
124	N 88°06'00" W	48.00
125	N 35°00'41" W	281.06
126	N 01°07'40" E	87.18
127	S 01°45'00" E	12.86
128	N 38°07'00" E	248.12
129	N 88°06'00" W	48.00
130	N 35°00'41" W	281.06
131	N 01°07'40" E	87.18
132	S 01°45'00" E	12.86
133	N 38°07'00" E	248.12
134	N 88°06'00" W	48.00
135	N 35°00'41" W	281.06
136	N 01°07'40" E	87.18
137	S 01°45'00" E	12.86
138	N 38°07'00" E	248.12
139	N 88°06'00" W	48.00
140	N 35°00'41" W	281.06
141	N 01°07'40" E	87.18
142	S 01°45'00" E	12.86
143	N 38°07'00" E	248.12
144	N 88°06'00" W	48.00
145	N 35°00'41" W	281.06
146	N 01°07'40" E	87.18
147	S 01°45'00" E	12.86
148	N 38°07'00" E	248.12
149	N 88°06'00" W	48.00
150	N 35°00'41" W	281.06

LINE	BEARING	LENGTH	AREA
1	N 88°01'24" E	287.14	82,717.74
2	S 53°07'00" E	142.15	20,306.87
3	S 23°36'31" W	156.70	24,548.41
4	S 82°02'34" E	118.30	13,800.00
5	S 74°12'00" E	90.71	8,156.25
6	S 42°13'09" W	180.93	32,570.00
7	S 30°56'47" W	118.34	13,800.00
8	N 14°14'45" E	85.50	7,312.50
9	N 88°06'00" W	48.00	2,304.00
10	N 35°00'41" W	281.06	78,112.50
11	N 01°07'40" E	87.18	7,600.00
12	S 01°45'00" E	12.86	166.81
13	N 38°07'00" E	248.12	61,600.00
14	N 88°06'00" W	48.00	2,304.00
15	N 35°00'41" W	281.06	78,112.50
16	N 01°07'40" E	87.18	7,600.00
17	S 01°45'00" E	12.86	166.81
18	N 38°07'00" E	248.12	61,600.00
19	N 88°06'00" W	48.00	2,304.00
20	N 35°00'41" W	281.06	78,112.50
21	N 01°07'40" E	87.18	7,600.00
22	S 01°45'00" E	12.86	166.81
23	N 38°07'00" E	248.12	6



SURVEYOR'S CERTIFICATE

I, Brian D. Arnold, a Professional Land Surveyor residing in Salt Lake County, Utah, holding License No. 487007 as provided by the laws of the State of Utah, do hereby certify that I have surveyed the North Silver Lake County, Utah tract of land shown herein, the external boundaries of which are described as shown.

I further certify that the reference stakes shown on this Record of Survey Map are located as indicated and are sufficient to readily relocate as reestablished this Survey, that the information shown herein is sufficient to accurately establish the lateral boundaries of the above described tract, and of the buildings located or to be located on said tract, that the information shown herein is sufficient to accurately establish the horizontal and vertical boundaries of each of the units located or to be located on said tract, and that this Record of Survey Map complies with the provisions of Section 57-8-13(3) of the Utah Condominium Ownership Act, Utah Code Annotated Sections 57-8-1 through 57-8-36 (Supp. 2001).

Brian D. Arnold
PSOMAS

LEGAL DESCRIPTION

All of Lot 2B, Subdivision of Lot 2, NORTH SILVER LAKE SUBDIVISION, according to the official plat thereof recorded September 18, 1997 as Entry No. 487576 of the above records in the office of the Summit County Recorder. Basis of Bearing is identical to that shown on said Subdivision of Lot 2, North Silver Lake Subdivision.

Containing 5.91 acres more or less.

OWNER'S CERTIFICATE

I KNOW ALL MEN BY THESE PRESENT THAT NORTH SILVER LAKE, L.L.C., the undersigned member(s) of the aforesaid tract of land, do hereby consent to the recordation of this RECORD OF SURVEY OF NORTH SILVER LAKE LODGE, A Utah Expandable and Convertible Condominium Project.

Further, the owner does hereby irrevocably offer for dedication to the Park City Municipal Corporation, the Snyderville Basin Water Reclamation District and Park City Fire Protection District, a non-assignable easement over the utility easements, tool easements, public and private access easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement, and for trail access by the general public, in accordance with an irrevocable offer of dedication.

in witness whereof the undersigned has set his hand on this 23 day of March, 2005.

NORTH SILVER LAKE, L.L.C., a Utah Limited Liability Company.

By: Talbot Arnold, it's Managing Member

By: Val E. Southwick, representing the majority Membership interests.

ACKNOWLEDGMENT

IN WITNESS WHEREOF, I, Val E. Southwick, have caused this instrument to be executed by its proper officers thereunto duly authorized, this 23 day of March, A.D. 2005.

State of Utah County of Wasatch by North Silver Lake, LLC Limited Liability Company

by Val E. Southwick

On this 23 day of March, 2005, personally appeared before me Val E. Southwick, who, being by me duly sworn, did acknowledge to me that he is representing the majority Membership interests of North Silver Lake, L.L.C., a limited liability company, and that the within foregoing instrument was signed in behalf of said company by authority of its Articles of Organization, and said Val E. Southwick acknowledge to me that said company executed the same.

Notary Public: Ogden, Utah
My commission expires October 19, 2005

NOTES

1. THE BOUNDARIES OF THE UNITS REPRESENT THE BOUNDARIES WITHIN WHICH ALL BUILDING AND ASSOCIATED CONSTRUCTION DISTURBANCE SHALL OCCUR WHEN THE ACTUAL BUILDING FOOTPRINTS FOR THE UNITS ARE ESTABLISHED. IN ACCORDANCE WITH THE REDUCED DECLARATION OF CONDOMINIUM AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PROJECT, THE PARK CITY MUNICIPAL CORPORATION LAND MANAGEMENT CODE, THE APPLICABLE DEFERRIBLE SPACE PROVISIONS OF THE WILD LAND URBAN INTERFACE MINIMUM STANDARDS, AND THE PARK CITY BUILDING CODE, THE LIMITS OF CONSTRUCTION DISTURBANCE SHALL BE NO GREATER THAN 15 FEET BEYOND THE FOUNDATION WALL, THE BUILDING FOOTPRINT CAN SH'T WITHIN THE UNIT BOUNDARY. ALL UNITS SHALL HAVE A MONITORED 15-0 FIRE SPRINKLER PROTECTION SYSTEM INSTALLED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

2. UPON COMPLETION OF THE UNITS, THE TERM "UNIT" OR "CONDOMINIUM" SHALL INCLUDE THE ENTIRE DWELLING INCLUDING, BUT NOT LIMITED TO, THE POOF, WALLS, FOUNDATION, BALCONIES, PORCHES AND DECKS, TOGETHER WITH THOSE UTILITY SERVICE LINES THAT SERVICE ONLY THAT DWELLING, BUT SHALL NOT INCLUDE THE PORTION OF THE LAND ON WHICH THE DWELLING IS LOCATED. ALL AREAS OUTSIDE THE DWELLING SHALL BE DEEMED COMMON AREAS OR LIMITED COMMON AREAS, AS THE CASE MAY BE, AS DETERMINED WHEN THE BUILDING FOOTPRINTS ARE ESTABLISHED.

RECORD OF SURVEY PLAT
NORTH SILVER LAKE LODGE
A UTAH EXPANDABLE AND CONVERTIBLE CONDOMINIUM PROJECT
LOCATED IN THE WEST 1/2 OF SECTION 22, TOWNSHIP 2 SOUTH,
RANGE 4 EAST, SALT LAKE BASE & MERIDIAN

CURVE TABLE

CHORD	CHORD BEARING	ARC LENGTH	ARC BEARING
1.0	47.5014	89.0000	14.30
2.0	95.0028	178.0000	28.60
3.0	142.5042	267.0000	42.90
4.0	190.0056	356.0000	57.20
5.0	237.5070	445.0000	71.50
6.0	285.0084	534.0000	85.80
7.0	332.5098	623.0000	100.10
8.0	380.0112	712.0000	114.40
9.0	427.5126	801.0000	128.70
10.0	475.0140	890.0000	143.00
11.0	522.5154	979.0000	157.30
12.0	570.0168	1068.0000	171.60
13.0	617.5182	1157.0000	185.90
14.0	665.0196	1246.0000	200.20
15.0	712.5210	1335.0000	214.50
16.0	760.0224	1424.0000	228.80
17.0	807.5238	1513.0000	243.10
18.0	855.0252	1602.0000	257.40
19.0	902.5266	1691.0000	271.70
20.0	950.0280	1780.0000	286.00
21.0	997.5294	1869.0000	300.30
22.0	1045.0308	1958.0000	314.60
23.0	1092.5322	2047.0000	328.90
24.0	1140.0336	2136.0000	343.20
25.0	1187.5350	2225.0000	357.50
26.0	1235.0364	2314.0000	371.80
27.0	1282.5378	2403.0000	386.10
28.0	1330.0392	2492.0000	400.40
29.0	1377.5406	2581.0000	414.70
30.0	1425.0420	2670.0000	429.00
31.0	1472.5434	2759.0000	443.30
32.0	1520.0448	2848.0000	457.60
33.0	1567.5462	2937.0000	471.90
34.0	1615.0476	3026.0000	486.20
35.0	1662.5490	3115.0000	500.50
36.0	1710.0504	3204.0000	514.80
37.0	1757.5518	3293.0000	529.10
38.0	1805.0532	3382.0000	543.40
39.0	1852.5546	3471.0000	557.70
40.0	1900.0560	3560.0000	572.00
41.0	1947.5574	3649.0000	586.30
42.0	1995.0588	3738.0000	600.60
43.0	2042.5602	3827.0000	614.90
44.0	2090.0616	3916.0000	629.20
45.0	2137.5630	4005.0000	643.50
46.0	2185.0644	4094.0000	657.80
47.0	2232.5658	4183.0000	672.10
48.0	2280.0672	4272.0000	686.40
49.0	2327.5686	4361.0000	700.70
50.0	2375.0700	4450.0000	715.00

LINE TABLE

LINE	LENGTH	BEARING
1	11.61	N45°45'00"E
2	1.00	S70°00'00"W
3	1.00	S70°00'00"W
4	0.01	S70°00'00"W
5	11.61	N45°45'00"E

SHEET 1 OF 1

<p>PSOMAS 1925 East Jefferson Parkway, Suite 110 Salt Lake City, Utah 84129 (801) 370-5777 (801) 709-3702 (FAX)</p>	<p>CITY COUNCIL PRESENTED TO THE PARK CITY COUNCIL THIS 30th DAY OF MARCH, 2005. AT WHICH TIME THIS PLAT WAS APPROVED. <u>Diana Williams</u> CITY RECORDER</p>	<p>CITY ENGINEER APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT THIS 4th DAY OF APRIL, 2005. <u>Glenn Ordman</u> CITY ENGINEER</p>	<p>CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION THIS 13th DAY OF April, 2005. <u>John B. Smith</u> CHAIRMAN</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 22nd DAY OF March, 2005. <u>Brian D. Arnold</u> SLEWED</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS 4th DAY OF APRIL, 2005. <u>John B. Smith</u> CITY CLERK</p>	<p>RECORDED ENTRY NO. <u>733162</u> BOOK: _____ PAGES: _____ STATE OF <u>Utah</u> COUNTY OF <u>Summit</u> RECORDED AND FILED AT THE REQUEST OF: <u>High Country Title</u> Time: <u>8:59 AM</u> <u>Summit</u> County Recorder Fee: <u>36.00</u></p>
--	---	--	---	---	--	---



04 March 2014

SR Silver Lake LLC
Daniel Gryczman
11990 San Vicente Blvd. Suite 200
Los Angeles, CA 90049

NOTICE OF PLANNING COMMISSION ACTION

Application #: PL-13-02034
Subject: North Silver Lake
Address: 7101 Silver Lake Drive
Description: Conditional Use Permit for Lockout Units (nightly rentals)
Action Taken: Approved
Date of Action: February 26, 2014

On February 26, 2014 the Planning Commission of Park City approved your request of 38 Lockout Units (nightly rentals) to be located within the Stein Eriksen Residences formerly known as the North Silver Lake Development, located at 7101 Silver Lake Drive. Your approval is subject to the following Findings of Fact, Conclusion of Law, and Conditions of Approval:

Findings of Fact

1. The subject property is at 7101 North Silver Lake Drive, Lot 2B of the North Silver Lake Subdivision.
2. The property is known as Stein Eriksen Residences, formerly known as North Silver Lake Lodge
3. The proposed development is located within the Deer Valley Master Plan Development.
4. Within the Deer Valley Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space.
5. In 2010 the Planning Commission approved a Conditional Use Permit (CUP) consisting of fifty four (54) total units; sixteen (16) detached single family dwellings/duplexes and four (4) condominium buildings containing thirty eight (38) private units.

6. The conditions of approval for the CUP reflect that lockout units were not requested at that time, and would require Planning Commission approval, if requested in the future.
7. At this time the applicant requests the use of thirty eight (38) Lockout Units to be located in the four (4) stacked flats, condominium buildings and that nightly rentals be permitted for the lockout units.
8. The original CUP application was before Planning Commission on five (5) different occasions: August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009. The Planning Commission approved the CUP on July 8, 2009.
9. On July 17, 2009, the neighboring property owners submitted an appeal of the CUP approval. The City Council reviewed the appeal on October 15, 2009 and November 12, 2009. During the November 12, 2009 meeting, the City Council remanded the CUP application to the Planning Commission with specific items to be addressed.
10. The Planning Commission reviewed the remand during two (2) work sessions on November 11, 2009 and January 13, 2010 and two (2) Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010 to address specific findings of the City Council. The Planning Commission approved the revised CUP with a four to one (4 - 1) vote on April 28, 2010.
11. The April 28, 2010 CUP approval was appealed. The City Council reviewed the appeals on June 24, 2010. All parties stipulated to additional condition of approval #19 that "no lockouts are permitted within this approval". The City Council affirmed and denied in part the Planning Commission's decision to approve the North Silver Lake Lot 2B CUP. The City Council findings were ratified on July 1, 2010.
12. The Land Management Code § 15-1-10(G) allows for two (2) extensions of an approved CUP.
13. On March 17, 2011, the Planning Department received a Request for Extension of the Conditional Use Permit approval. On April 28, 2011, the Planning Director approved the Extension of the Conditional Use Permit for an additional year as conditioned.
14. The Planning Director's approval of the extension was appealed on June 8, 2011. The Planning Commission reviewed the matter de novo and rendered a decision to uphold the Planning Director's decision and grant the extension of the Conditional Use Permit to July 1, 2012.
15. On June 20, 2011, the City Council received a written appeal of the Planning Commission's final action upholding the Planning Director's decision to approve an extension of the development.
16. On July 21, 2011, the appeal was heard by the City Council, who held a quasi-judicial hearing before voting unanimously to uphold the Planning Commission's decision to uphold the Planning Director's issuance of an extension of time for the July 1, 2010 Conditional Use Permit. Because the appeal to uphold the Planning Director's decision was decided on July 21, 2011, the extension of the Conditional Use Permit was extended to July 21, 2012.
17. On October 27, 2011, Staff received an application to extend the CUP for an

- additional year, and on January 11, 2012, the Planning Commission heard the applicants request for an additional and final one-year extension from July 21, 2012 to July 21, 2013.
18. On February 9, 2012, the City Council received a written appeal of the Planning Commission's final action of January 11, 2012, approving the request for the one-year extension to July 21, 2013.
 19. The second appeal of the second extension was originally scheduled for the March 22, 2012 City Council meeting. The appellant was unable to make it to the meeting due to an accident. The City Council voted to continue the item to the April 5, 2012 City Council meeting and directed Staff not to accept any additional materials from the appellant or the applicant.
 20. On April 5, 2012 the City Council conducted a public hearing and voted unanimously to deny the appeal and approve the extension of the CUP and upheld with the following conditions of approval:
 - a. All conditions of approval of the City Council's July 21, 2011 order continue to apply.
 - b. This approval will expire July 21, 2013, 12 months from the first extension of the CUP.
 - c. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
 21. In March 2013, the applicant received a building permit for the first single family dwelling. This structure will be used as their model home.
 22. The LMC defines a dwelling unit as a Building or portion thereof designed for Use as the residence or sleeping place of one (1) or more Persons or families and includes a Kitchen, but does not include a Hotel, Motel, Lodge, Nursing Home, or Lockout Unit.
 23. The LMC defines a Lockout Unit as an Area of a dwelling with separate exterior Access and toilet facilities, but no Kitchen.
 24. The requested use meets the LMC definition of a Lockout Unit, which is an area of a dwelling unit and not a separate dwelling unit.
 25. Staff does not consider the proposed use to be a hotel due to the specific provision found in the Hotel definition which indicates that Lockout Units are not Hotels.
 26. The site will have accessory facilities in the development: a spa, ski rentals, and a dining area that were shown on the approved 2010 CUP plans. The use of these areas further reiterates that the use is not consistent with one of a hotel. These areas are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, ski rentals, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units.
 27. The proposal is in substantial compliance with the reviewed and approved CUP plans as the Lockout Units are designed within the existing floor area of each unit formerly reviewed and approved, located in the stacked flats.
 28. No Lockout Units are being requested within the sixteen (16) single family

- dwellings/duplexes.
29. The number of Lockout Units within each unit range from one to three (1 - 3).
 30. The floor plans have had minor alterations. The number of units has not changed and the plans are in substantial compliance with the approved 2010 CUP plans.
 31. The Planning Commission must review LMC § 15-1-10(E) when considering whether or not the proposed conditional use mitigates impacts.
 32. The proposed modification, the requested Lockout Units, does not require additional mitigation related to size and location of the site which was not already addressed in the originally approved CUP (2010).
 33. Regarding traffic considerations including capacity of the existing streets in the area, Staff received an updated Addendum to Traffic Impact Analysis prepared by Riley Traffic Consultants, LLC, dated November 2013.
 34. The updated 2013 traffic analysis indicates that under the maximum trip scenario with all of the lockouts occupied, all traffic is still projected to function at LOS (level of service) A, which is acceptable for a roadway of this classification.
 35. The Applicant needs to work with the City Engineer to ensure proper site distance per the 2009 Existing Traffic Counts and Traffic Projections which indicates the following under Sight Distance conclusion and Recommendations which indicates that special warning signage is recommended during the construction period. Also mitigation for the limited sight distance could include a warning sign, or clearing of the slope area across the street.
 36. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to utility capacity, including storm water run-off which has already been addressed in the originally approved CUP (2010).
 37. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to emergency vehicle access which has already been addressed in the originally approved CUP (2010).
 38. Regarding location and amount of off-street parking, parking for all fifty four (54) units must be provided within the North Silver Lake development.
 39. According to the Deer Valley MPD off-street parking requirements shall be determined in accordance with the LMC at the time of application for Conditional Use approval.
 40. The North Silver Lake development has a mix of single family dwellings/duplexes and multi-unit dwellings. There is also support commercial space within the project. No parking is required for the support commercial area.
 41. The current LMC requires 1 parking space per dwelling unit if the apartment or condominium is not greater than 1,000 sf floor area.
 42. The current LMC requires 1.5 parking spaces per dwelling unit if the apartment or condominium is greater than 1,000 sf and less than 2,000 sf floor area.
 43. The current LMC requires 2 parking spaces per dwelling unit if the apartment or condominium is 2,000 sf floor area or greater.
 44. The required parking for the multi-unit dwellings is 76 parking spaces without any parking reduction.
 45. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to the internal vehicular and pedestrian circulation

system which has already been addressed in the originally approved CUP (2010).

46. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to fencing, screening and landscaping to separate the use from adjoining uses which has already been addressed in the originally approved CUP (2010).
47. The proposed modification, the requested Lockout Units, does not require additional mitigation related to building mass, bulk, and orientation and the location of buildings on the site, including orientation to buildings on adjoining lots which has already been addressed in the originally approved CUP (2010).
48. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to usable open space which has already been addressed in the originally approved CUP (2010) and condition of approval no. 8.
49. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to signs and lighting which has already been addressed in the originally approved CUP (2010).
50. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing which has already been addressed in the originally approved CUP (2010).
51. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site which has already been addressed in the originally approved CUP (2010).
52. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup areas which has already been addressed in the originally approved CUP (2010).
53. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities which has already been addressed in the originally approved CUP (2010).
54. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to within and adjoining the site, environmental sensitive lands, physical mine hazards, historic mine waste and Park City Soils Ordinance, steep slopes, and appropriateness of the proposed structure to the existing topography of the site which has already been addressed in the originally approved CUP (2010).

Conclusions of Law

1. The application is consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. The Use is compatible with surrounding structures in use and circulation.
3. The Use is consistent with the Park City General Plan.

4. The effects of any differences in Use or traffic have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. All conditions of approval of the City Council's July 21, 2011 order shall continue to apply.
3. Approval is based on plans reviewed by the City Council on June 24, 2010 and the Planning Commission on December 11, 2013. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
4. The applicant shall work with the City Engineer to ensure proper compliance with the recommendations outlined in this staff report regarding site distance and special warning signage during the construction period.
5. The maximum number of Lockout rooms permitted in the project is 38, all of which shall be located in the units in the stacked condominium buildings as determined by the Applicant. The condominium declaration for the project shall contain a use restriction with this limitation, which use restriction shall not be modified without the written consent of 67% of the owners of residences located in the following adjacent subdivisions: (i) Evergreen; (ii) Bellemont; (iii) Belle Harbor; (iv) Bellevue; and (v) Belleterre.
6. The project is approved as a Multi-Family Dwelling project and not as a Hotel, and the inclusion of 38 Lockouts is deemed not to be a change in said Use. All commercial and support units with appurtenant limited common areas shall be restricted to the exclusive use of the owners of units and renters of units (or Lockouts) currently in residence at the time of use, and their guests. No advertising of the amenities to the public is permitted. The parking garage for the stacked condominium buildings shall contain 80 spaces, and all parking access for such buildings during the period in which Deer Valley Resort is open and operating for public skiing each year shall be limited to valet parking at the main porte cochere for the project. At all other times the parking garage may be accessed only by on-site owners of units or renters of a unit or Lockout, and their guests, as well as employees at the project, either by valet service or a mechanized entry system.
7. Group events hosted in the common areas at the Project shall only be permitted if all invited guests are staying at the Project or the host of the event owns a unit at the Project. Such restriction, together with other reasonable restrictions on event hours, use of amplified sound and other precautions typical of those found in CC&Rs for other condominium projects in Deer Valley shall be included in the condominium declaration.
8. The condominium declaration for the project shall prohibit construction of Structures in the outdoor open space shown on the submitted plat for the project.
9. Applicant shall install a dimmer in the project monument sign to allow the brightness to be reduced as appropriate for better compatibility with the neighborhood.
10. The condominium declaration for the project shall contain the use restrictions

described in conditions of approval 5-9.

Please be aware that the approval of a Conditional Use Permit by Park City in no way exempts the property from complying with other requirements that may be in effect on the property, and building permit regulations, as applicable. It is the responsibility of the property owner to ensure compliance with these regulations.

As the applicant, this letter is intended as a courtesy to document the status of your request. The official minutes from the Planning Commission are available in the Planning Department.

If you have questions regarding your application or the action taken please don't hesitate to contact me at 435-615-5064 or fastorga@parkcity.org.

Sincerely,

A handwritten signature in black ink that reads "F. Astorga". The signature is written in a cursive, flowing style.

Francisco Astorga
City Planner

Sub
Exhibit G- PUBLIC COMMENTS

Due to the size allowable on our website you may view Exhibit G [here](#).



194



Architects
Interior Design
Landscape Architecture
Land Planning
Construction Management

1000 West 10th
Suite 100
Portland, OR 97204
503.228.1111
www.thinkarch.com

STEIN ERIKSEN RESIDENCES

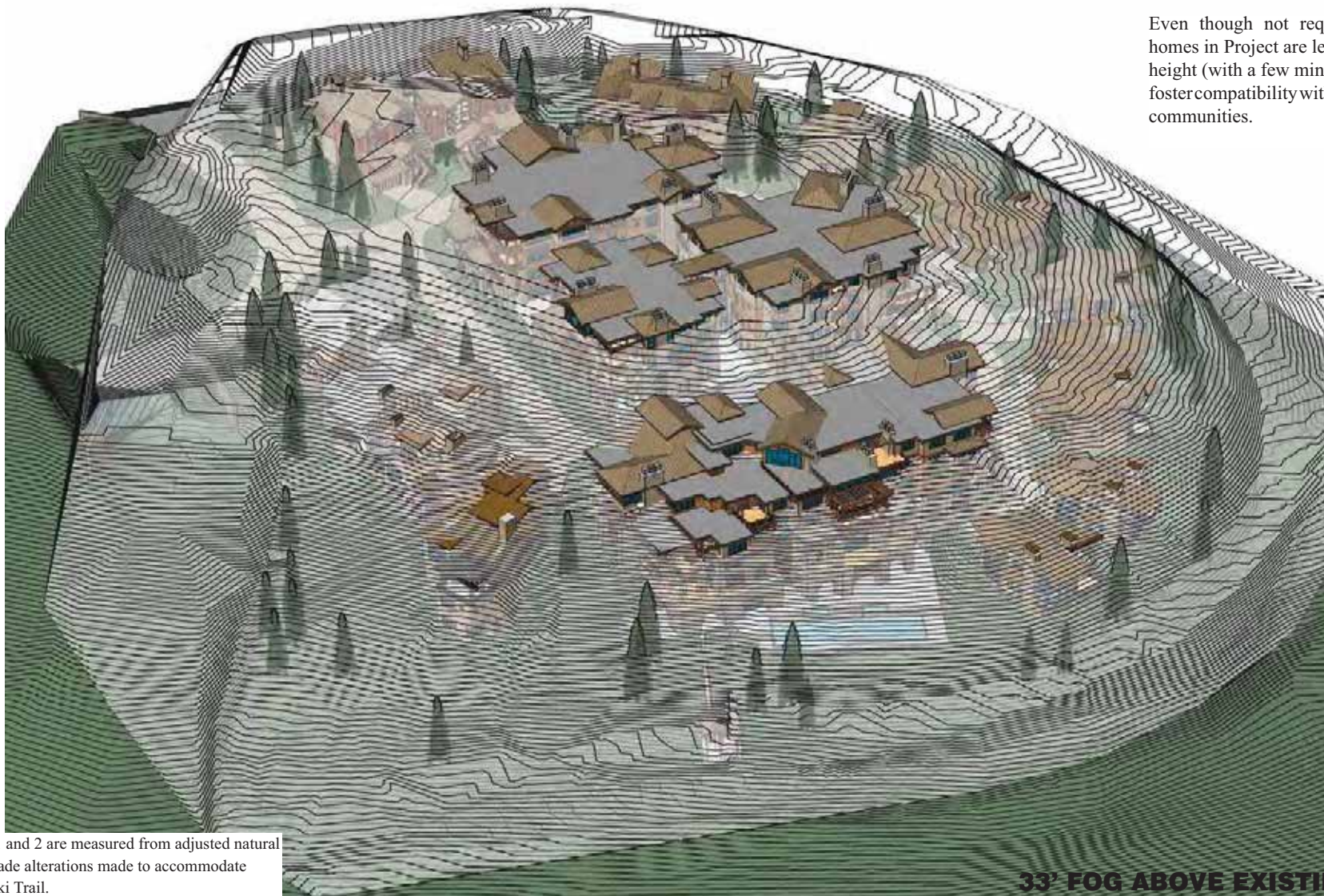
7107 W. WAKE DRIVE PARK CITY, UT 84143

PROJECT NO. 0020
DATE & WORK: 1/24
SCALE

DATE: 1/24
OPEN SPACE
CALCULATION
PROJECT NO.
SD101A

SEE PLAN AREA
1" = 100'





Even though not required, perimeter homes in Project are less than 33'-0" in height (with a few minor exceptions) to foster compatibility with the surrounding communities.

195

Note: Homes 1 and 2 are measured from adjusted natural grade due to grade alterations made to accommodate Silver Dollar Ski Trail.

33' FOG ABOVE EXISTING GRADE

HEIGHT STUDY



NORTH SILVER LAKE LODGE
DEER VALLEY, UTAH



1. Consideration of an Ordinance approving the re-establishment of Lots 30 and 31 of Holiday Ranchettes Subdivision, located at 2519 and 2545 Lucky John Drive, Park City, Utah City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from April 24, 2014.

Planner Alexander presented, with the applicant Steve Schuler, stating that the lots were original combined in 1999 and now the owner wishes to divide the lots into two one acre parcels.

Mayor Thomas opened the public hearing.

Steve Swanson, representing the Holiday Ranch HOA, stated that they have a working document with the owner and stated that the process has worked out ok. He stated that the Holiday Ranch HOA is strong and will be here to stay. They work hard to create harmony in their neighborhood.

Mayor Thomas closed the public hearing.

Council member Simpson moved to approve the re-establishment of Lots 30 and 31 of Holiday Ranchettes Subdivision, located at 2519 and 2545 Lucky John Drive, Park City, Utah City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney
Council member Henney seconded
Approved unanimously

2. Consideration of the North Silver Lake Condominium Plat located at 7101 Silver Lake Drive, Record of Survey City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from March 6, 2014

Mayor Thomas left the Council chambers. Planner Astorga presented the condominium plat for the North Silver Lake Condominiums. Astorga informed the Council that condition of approval number 7 has been met. Council member Beerman inquired about the difference between a multi-family dwelling and hotel. Astorga stated that when the conditional use permit was approved in 2010 the applicant was not looking at a lock out unit. In 2013 they decided to modify the conditional use permit to allow lock outs. The intent is nightly rental but gives the owner the option of living in the unit full-time and does not have public facilities for restaurants.

Mayor Pro Tem Simpson opened the public hearing.

Bob Dillon, representing the neighbors, stated that when the owner came forth with the lock out the neighbors sat down with the developer and came to an agreement. He spoke to the details of the agreement between the developer and neighbors stating that they are ok with the plat.

Mayor Pro Tem Simpson closed the public hearing

Council member Peek moved to approve the North Silver Lake Condominium Plat located at 7101 Silver Lake Drive, Record of Survey City pursuant to the findings of fact,

**conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney
Council member Beerman seconded
Approved unanimously**

3. Consideration of the 901 Norfolk Avenue Subdivision Plat Amendment, 901 and 907 Norfolk Avenue, Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from April 17, 2014

Planner Alexander stated that the applicant is looking to reconfigure the lot lines from three lots into two lots of record. She stated the Planning Commission forwarded a positive recommendation.

Mayor Thomas opened the public hearing. There were no comments. Mayor Thomas closed the hearing. Council member Simpson thanked Alexander for an excellent staff report.

**Council member Beerman moved to approve the 901 Norfolk Avenue Subdivision Plat Amendment, 901 and 907 Norfolk Avenue, Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney
Council member Henney seconded
Approved unanimously**

4. Consideration of approval of a subdivision plat for the Roundabout Subdivision Record of Survey for 300 Deer Valley Loop, Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from April 24, 2014.

Planner Alexander stated that this is an application to amend the current subdivision plat. The request is to remove the lot line in order to create one lot in to build an underground parking unit as well as creating 4 condominium unit. Blake Henderson, applicant, reiterated Planner Alexander's comments. Also speaking to the benefits of the underground parking and lot-line removal stating that they are committed to following the construction mitigation plan and will be mindful of the neighboring properties and the community.

Mayor Thomas opened the public hearing. None, closed the public hearing

**Council member Simpson moved to approve a subdivision plat for the Roundabout Subdivision Record of Survey for 300 Deer Valley Loop, Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney
Second Peek
Approved unanimously**

IX. NEW BUSINESS

1. Consideration of an Ordinance vacating a portion of Deer Valley Drive adjacent to the proposed Roundabout Condominiums Plat located at 300 Deer Valley Loop Road pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney

Planning Commission Meeting
April 9, 2014
Page 36

3. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – Echo Spur Subdivision

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. A ten foot (10') snow storage easement shall be dedicated to Park City across the lot's frontage.

4. Modified 13-d sprinklers will be required for all new construction.

Commissioner Campbell returned to the meeting.

**6. 7101 Silver Lake Drive, North Silver Lake Condominium Plat –
Condominium Record of Survey (Application PL-14-02225)**

Planner Astorga reported that this application was originally scheduled for February 12. Due to various circumstances it was continued to February 26th and again to April 9th.

Planner Astorga reviewed the application for a condominium record of survey plat, which allows 54 units to be subdivided as they are owned. Currently, the plat that was filed in 2005 has six units and an area defined as convertible space. As conditioned in the ordinance, the applicant would retire that document if the Condominium Record of Survey is approved.

Planner Astorga noted that originally there were 16 units, of which 3 were duplexes and the remaining ten were single family dwellings. Currently, the applicant was requesting to plat 14 units around the periphery of the multi-unit dwellings in the form of one duplex and ten single family dwellings. They were also requesting to move the two remaining units inside the multi-unit dwelling. Planner Astorga had confirmed that adding the two units would not make the building larger in terms of height, footprint or square footage

because two of the other units they were planning to build would be smaller. The Staff analysis found that the project was still in compliance with the Deer Valley Master Plan and the number of units would remain at 54 units.

Planner Astorga stated that the conditions discussed during the February 26th meeting for lockout units have been incorporated into the CC&Rs.

Chair Worel referred to a letter from Lisa Wilson on page 227 of the Staff report, in which Ms. Wilson alleges that a courtesy notice was not sent to adjacent home owners and that the sign was not posted. Planner Astorga replied that Ms. Wilson was incorrect and did not understand the process. When the item was continued to February 26th and then to April 9th, it was always continued to a date certain. Another notice is not mailed unless the item is continued to a date uncertain. Planner Astorga stated that this application met the local and state requirements for noticing when the application was continued. He had personally posted the sign in January.

Rich Lichtenstein, representing the applicant, reported that they had 40 reservations and they were excited to be mobilizing and getting ready to excavate and build out the project this summer.

Chair Worel opened the public hearing.

Bob Dillon, legal counsel with Jones Waldo, stated that he was representing a number of the adjoining neighbors who submitted several letters objecting to both the lockout appeal and this plat approval. Mr. Dillon noted that during the lockout approval reaffirmed a public statement that was made at that time. The objection letters were combined for both hearings so he would not repeat what was said. Mr. Dillon had reviewed the declaration and the plats and the applicant had made the changes requested by the neighbors. They approve the reduction of two units on the perimeter which eliminates two duplex units. Two units were placed inside the stacked building without increasing the size by making two units out of what was formerly shown as one two-story unit. Mr. Dillon had no objection to those changes. He stated that a main objection was the six condo units that had no defined structure. However, the new plat gives the dimensions for every unit in the project and they were pleased to see that. The applicant had submitted detailed plans to the Planning Department showing elevations and how they were calculated against the existing grade. Mr. Dillon stated that the neighbors want out of that argument because they do not have any basis for determining whether or not it is accurate, and prefer to leave that determination to the Planning Staff, as well as whether or not they comply with the conditions of approval of the project.

Chair Worel closed the public hearing.

Commissioner Strachan asked if the percentage of open space would change. Planner Astorga answered no. As measured, the open space exceeds the minimum of 60%.

The Commissioners questioned why the open space did not increase by removing the units from the perimeter. Planner Astorga explained that the original calculation underestimated the open space and did a blanket of all the periphery. At the time they did not know where the driveway would be located. Therefore, the open space was calculated with a bubble in the middle and everything around it, as well as Lot 2D.

Commissioner Gross asked if Lot 2D was the down slope on the north side. Planning Manager Sintz asked for the size of Lot 2D. John Shirley, the project architect, replied that it was 4 acres.

Chair Worel asked for the height of the existing model home. Mr. Shirley stated that it was slightly under the 45' height limit. Chair Worel referred to page 146 of the Staff report which talks about a self-imposed 33' height limit for the individual units. She asked if they intended to build all the units to the 45' height, or whether they would honor their self-imposed restriction. Mr. Shirley stated that the intention was to honor the self-imposed limit. He explained that there was a natural dip in the grade where the ski run was built to come around the project. In order to work with the natural contour, two homes would be built to the 45' height limit. The remaining units would be 33'.

Tom Bennett, Legal Counsel to the developer, stated that from the very beginning, as reflected in the meeting minutes going back to 2008, it was always represented that for the periphery units the self-imposed limit was 33', but that a few units or portions of those units broke the 33' line. Mr. Bennett stated that the Staff report contained a picture of a fog study which showed that several of the peripheral homes are higher. The model unit and the one next to it have always been shown as breaking through the 33' limit because of the contours of the land.

Planner Astorga stated that all of the conditions of approval of the original 2010 conditional use permit shall continue to apply, as well as the conditions of approval for the lockout units.

Commissioner Phillips asked why the applicant chose to do a self-imposed 33' height limit. Mr. Lichtenstein stated that it was part of the ongoing discussions with the neighbors. When they began to design the homes the architects indicated homes that needed to exceed the 33' limit. Commissioner Phillips clarified that the primary reason

was to work with the surrounding homeowners. Mr. Lichtenstein answered yes.

Chair Worel asked if the Commissioners concurred with the Staff findings that there are no detrimental impacts with this modification as the plat will still be in substantial compliance with the 201 CUP. The Commissioners concurred.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for a condominium record of survey on the North Silver Lake Condominium Plat, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact 7101 - North Silver Lake Drive

1. The site is located at 7101 Silver Lake Drive.
2. The site is located in the Residential Development (RD) District.
3. A subdivision plat, known as the North Silver Lake Subdivision, was recorded in 1993. The subdivision created two (2) lots of record. According to this subdivision, Lot 2 was contemplated for further subdivision and future development.
4. Lot 2 North Silver Lake Subdivision was recorded in 1997. This subdivision further amended Lot 2 into four (4) separate lots. This record of survey plat is development of Lot 2B of the Lot 2 North Silver Lake Subdivision plat.
5. In 2005 the North Silver Lake Lodge Record of Survey Plat was recorded. This Plat subdivided Lot 2B into six (6) condominium units and identified convertible Land.
6. At this time the applicant requests to replace the North Silver Lake Lodge Record of Survey Plat (2005) with the proposed Record of Survey. Upon recordation of this current condominium plat, the North Silver Lake Lodge Record of Survey plat (2005) shall be retired.
7. The proposed Condominium Record of Survey plat identifies private, limited common, common areas, etc., within the project.
8. Under the Deer Valley Resort Master Plan the North Silver Lake Subdivision Lot

2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space.

9. In 2010 the Park City Planning Commission approved a Conditional Use Permit (CUP) for the development consisting of fifty four (54) private total units.

10. The proposed Condominium Record of Survey Plat amends Lot 2B of North Silver Lake Subdivision.

11. The boundary lines of each private unit are set forth on the proposed plat. The proposed Condominium Record of Survey plat consists of twelve (12) single-family dwellings, one (1) duplex unit, forty (40) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.

12. The support commercial areas mentioned above and all of the other amenities identified on the plat are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, lockers, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units.

13. The Deer Valley Master Planned Development allocated 14,525 square feet of commercial/support commercial for the Silver Lake Community.

14. The 2010 approved CUP accommodated 5,140 square feet of support commercial space.

15. At this time the updated CUP plans and this Record of Survey indicates a combined area of 4,913 square feet of support commercial.

16. All findings in the analysis section of the staff report are incorporated herein.

17. The 2010 approved CUP include the fifty-four (54) units in the form of sixteen (16) single family dwellings and 38 units within the multi-unit dwellings.

18. Currently the applicant is requesting to plat fourteen (14) single family dwellings and forty (40) units within the same multi-unit dwelling.

19. The size of the multi-unit dwelling footprint is not expanding. The overall density is not increasing as the applicant requests to add the two (2) units from the single

family dwelling/duplex pool.

20. The condominium record of survey plat is in substantial compliance with the 2010 CUP. The size of the multi-unit dwelling is not expanding, and the overall density will remain at fifty-four (54) units.

Conclusions of Law – 1701 North Silver Lake

1. There is good cause for this Condominium Record of Survey.
2. The Condominium Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium record of survey plats.
3. Neither the public nor any person will be materially injured by the proposed condominium record of survey plat.
4. Approval of the condominium record of survey plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The condominium record of survey plat is consistent with the approved North Silver Lake Conditional Use Permit.

Conditions of Approval – 1701 North Silver Lake

1. The City Attorney and City Engineer will review and approve the final form and content of the condominium record of survey plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the 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 a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A note shall be added to the plat referencing that the conditions of approval of the Deer Valley MPD and the 2010 North Silver Lake CUP apply to this plat.
4. The applicant shall be responsible of filing the proper documentation with Summit

County to retire the North Silver Lake Lodge Record of Survey Plat recorded in 2005.

5. All conditions of approval of the City Council's July 21, 2011 order shall continue to apply.

6. All conditions of approval of the Planning Commission's February 26, 2014 action modifying the CUP to allow Lockout Units shall continue to apply.

7. 469 Ontario Avenue – Steep Slope CUP

Planner Alexander reviewed the application for a Steep Slope CUP for a new single family home to be located at 469 Ontario Avenue. The home is proposed to be 3,000 square feet, including a single car garage, on a vacant 3,650 square foot lot. Because the total floor area exceeds 1,000 square feet and the slope is greater than 30%, a Steep Slope CUP is required.

The Staff had analyzed the site and found no issues with the steep slope criteria. All the criteria is consistent and there are no unmitigated impacted. Planner Alexander noted that the Staff report indicated that the house was currently under review for an HDDR. However, the applicant submitted new plans this week and she had approved the new window drawings.

The Staff recommended that the Planning Commission conduct a public hearing and consider approving the Steep Slope Conditional Use Permit.

Chair Worel opened the public hearing.

There were not comments.

Chair Worel closed the public hearing.

Commissioner Strachan thought this was a straightforward application. He liked the contrast of seeing a simple project versus some of the more difficult projects that come before them.

MOTION: Commissioner Strachan moved to APPROVE the Steep Slope conditional use permit for 469 Ontario Avenue, according to the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the Staff report. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 469 Ontario Avenue

1. The property is located at 469 Ontario Avenue.
2. The property is described as Lot 1 of the Ontario Pack Subdivision. The lot contains 3,650 sf of lot area. The allowable building footprint is 1,486.58 sf for a lot of this size.
3. The site is not listed as historically significant on the Park City Historic Sites Inventory and there are no structures on the lot.
4. 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.
5. Access to the property is from Ontario Avenue, a public street. The lot is a downhill lot.
6. 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.
7. The neighborhood is characterized by primarily non-historic single family and duplex houses. There are historic structures on Marsac Avenue, the street to the west of Ontario Avenue.
8. A Historic District Design Review (HDDR) application is being reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. The design complies with the Guidelines except for the windows which are being revised.
9. The lot is an undeveloped lot containing primarily grasses, weeds, and shrubs that are not classified as significant vegetation.
10. There are no encroachments onto the Lot and there are no structures or wall on the Lot that encroach onto neighboring Lots.
11. The proposed design is for a single family dwelling consisting of 3,000 square feet (includes the single car garage) with a proposed building footprint of 1,435 sf.

12. The driveway is proposed to be a maximum of 12 feet in width and 18 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').

13. The proposed structure complies with all setbacks.

14. The proposed structure complies with allowable height limits and height envelopes for the HR-1 zoning as the house measuring less than 27feet in height from existing grade and the design includes a 10 foot step back at 23 feet on the rear elevation.

15. The proposal, as conditioned, complies with the requirements of 15-5-5 of the LMC. It is currently under review for compliance with the Historic District Design Guidelines.

16. The proposed materials reflect the historic character of Park City's Historic Sites, incorporating simple forms, unadorned materials, and restrained ornamentation. Though modern, the architectural style is a contemporary interpretation and complements the scale of historic buildings in Park City. 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 downhill side of Ontario Avenue.

17. The structure follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as the foundation, roofing, materials, as well as window and door openings. The single car attached garage and off-street parking area also complies with the Design Guidelines and is consistent with the pattern established on the downhill side of Ontario Avenue.

18. 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.

19. 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.

20. There will be no free-standing retaining walls that exceed six feet in height with the

majority of retaining walls proposed at four feet (4') 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.

21. 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.

22. The plans include setback variations, increased setbacks, decreased building heights and an overall decrease in building volume and massing.

23. 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.

24. The proposed structure complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade and the highest portion is 27' from existing grade.

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

26. The applicant stipulates to the conditions of approval.

Conclusions of Law – 469 Ontario Avenue

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 – 469 Ontario Avenue

1. All Standard Project Conditions shall apply.

2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permit.
3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. A final Landscape Plan shall be submitted to the City for review prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation. Lawn area shall be limited in area.
6. The plat must be recorded prior to building permit issuance.
7. An HDDR approval must be received prior to building permit issuance.
8. If required by the Chief Building Official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building Official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
9. This approval will expire on April 9, 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.
10. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and the Final HDDR Design.
11. 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.
12. Modified 13-D residential fire sprinklers are required for all new construction on this

lot.

13. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited.

14. 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.

**8. 901 Norfolk Avenue Subdivision, 901 and 907 Norfolk Avenue - Plat
(Application PL-13-02180)**

Planner Alexander reported that the applicant was requesting a plat amendment due to the fact that when the property was surveyed they found that the rebar was located one foot off the existing property line. The title reports have shown Lot 1 at 26' wide and Lot 2 as 24' wide for several years. The purpose of the plat amendment is to correct the error to make sure that the property line exists exactly where the markers are located.

Planner Alexander noted that Lot 2 would have been a substandard lot at 24' wide, but a home that was built in 1991 currently sits across Lot 2 and Lot 3. It is the same property owner and they are requesting to remove the lot line between Lots 2 and 3, creating two new lots of record. An existing historic home sits on Lot 1 and encroaches on the 9th Street right-of-way. The applicant is required to enter into an encroachment agreement with the City.

Planner Alexander understood that the applicant intends to come in with an HDDR for additions to both of the existing homes.

Commissioner Strachan asked if the one-foot error created a domino effect all the way down the street. Planner Alexander replied that the one-foot error ends with Lot 2 so it does not keep going.

Commissioner Campbell asked what would happen if the applicant is not able to get an encroachment agreement with the City. Assistant City Attorney McLean replied that the City Engineer, Matt Cassel, determines whether or not there is an encroachment into the right-of-way, and it is fact specific. Requiring an encroachment agreement with the

City is standard and it memorializes the fact that it is an encroachment.

MOTION: Commissioner Stuard moved to forward a POSITIVE recommendation to the City Council for 901 Norfolk Avenue Subdivision, located at 901 and 907 Norfolk Avenue, based upon the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 901 Norfolk Avenue Subdivision

1. The property is located at 901 and 907 Norfolk Avenue within the Historic Residential (HR-1) District.
2. On December 17, 2013, the applicant submitted an application for a plat amendment to amend three (3) lots containing a total of 5,625 square feet into two (2) lots of record in order to conform to the found rebar and cap and the existing ownership for 901 Norfolk Avenue and 907 Norfolk Avenue.
3. The proposed Lot 1 will contain 1,950 square feet and Lot 2 will contain 3,675 square feet.
4. The application was deemed complete on January 2, 2014.
5. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single-family dwelling and 3,750 square feet for a duplex.
6. Based on the lot areas, the maximum footprint allowed for Lot 1 is 873.8 square feet and for Lot 2 is 1,494.7 square feet.
7. The properties have frontage on and access from Norfolk Avenue.
8. Lot 1 contains an existing historic single family dwelling and Lot 2 contains an existing non-historic single family dwelling.
9. As conditions, the proposed plat amendment does not create any new non-complying or non-conforming situations.
10. The historic home at 901 Norfolk encroaches into the 9th Street ROW by less than one foot (1') and must obtain an encroachment agreement with the City for that encroachment prior to plat recordation.

11. The plat amendment secures public snow storage easements across the frontage of the lots.

Conclusions of Law – 901 Norfolk Avenue Subdivision

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

Conditions of Approval – 901 Norfolk Avenue Subdivision

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work shall be issued unless the applicant has first made application for a Historic District Design Review and a Steep Slope CUP application if applicable.
4. The applicant shall obtain an encroachment agreement from the City prior to recording the plat for the encroachments into the 9th Street ROW.
5. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
6. A 10 foot (10') wide public snow storage easement is required along the frontage of

the lots with Woodside Avenue and shall be shown on the plat.

The Planning Commission resumed their earlier discussion regarding 300 Deer Valley Loop Road.

9. Continued Discussion on 300 Deer Valley Loop Road, Roundabout Condominiums – Plat Amendment (Application PL-13092147)

Commissioner Campbell recused himself and left the room.

Chair Worel announced that the order of the agenda had changed and this item was presented and discussed earlier in the meeting. At that time, the public hearing was left open in the event that the public had judged the time of the public hearing based on the agenda.

Commissioner Strachan noted that the Commissioners would not repeat the comments they had already made during the discussion, and he suggested that the public read the minutes from this meeting when they become available.

Chair Worel called for public comment.

David Constable had concerns with how this project would be staged. It is a tight space and he wanted to know how construction would occur without blocking the sidewalk and the street. Pedestrians had a difficult time last summer during the Deer Valley Drive construction and it was a real problem. He believed that moving the bus stop closer to the Roundabout would exacerbate the problem in terms of traffic coming around the turn. He wanted to know if there were plans to stage the project without getting in the way of the public on a busy sidewalk.

Commissioner Strachan informed Mr. Constable that a condition of approval was added stating, "The construction mitigation plan required at building permit application shall stipulate that all staging of the project must be done entirely on the applicant's property, and that the hours of hauling shall be between 8:00 a.m. and 6:00 p.m. Monday through Friday throughout the duration of the project." Commissioner Strachan believed the 8:00 a.m. to 6:00 p.m. time frame mirrors the current LMC language for when construction activity begins and ends.

Planning Manager Sintz stated that the Planning Commission could consider adding a

condition of approval stating that a neighborhood meeting be held on building permit issuance to make the neighbors aware of the different conditions and how construction mitigation and other safety and welfare issues were addressed.

Patricia Constable noticed from the drawings that the steep slope appeared to be mitigated and there was more assurance that the hillside would not be sliding into the street. Chair Worel replied that she was correct. Commissioner Gross explained that permanent shoring was proposed as part of the excavation. Commissioner Strachan informed Ms. Constable that the Commissioners and the applicant had a lengthy discussion regarding the shoring process.

Assistant City Attorney McLean informed Ms. Constable that if she did not want to wait for the minutes, the recording of the meeting would be available within a day or two and she could contact the Planning Department for a copy. Blake Henderson, the applicant, offered to meet with Ms. Constable after the meeting to explain the shoring process.

Chair Worel closed the public hearing.

Commissioner Stuard noted that Finding of Fact #19 states that a geo-technical report has been reviewed and approved. He wanted to know who approved it since it is not the purview of the Planning Commission to review and approve geo-technical reports. Planning Manager Sintz revised the language to state, "A geo-technical report was provided to the Planning Commission for their review." Commissioner Stuard did not believe the brief review by the Planning Commission constitutes a full and necessary review.

Commissioner Phillips suggested revising the language to say that the geo-technical report was presented to the Planning Commission, but it should not say it was approved. Commissioner Gross thought they could add a condition of approval stating that the geo-technical report needs to be approved.

Mr. Henderson pointed out that it was a stamped certified geo-technical report by a licensed engineer. Commissioner Strachan clarified that the report as submitted needs to be approved by the City.

Chair Worel clarified that the wording in Finding of Fact 19 should read, "A geo-technical report was presented." Commissioner Stuard preferred to say it was submitted because the applicant was not able to read the report and walk them through it. The Commissioners concurred. The Finding was changed to read, "A geo-technical report was submitted."

Commissioner Strachan noted that the sidewalk that runs in front of the project is a dual use path that is used for biking and walking. He hoped that the construction staging would not interfere because it is the only way to get up and down Deer Valley Drive.

Planner Alexander noted that Condition of Approval #12 requires that all construction of the project must be staged on the property. Commissioner Gross asked if they should add a separate condition to required screening and fencing on the south side of the sidewalk. Commissioner Strachan suggested adding separate condition of approval stating, "The sidewalk on Deer Valley Drive shall remain passable at all times." Assistant City Attorney McLean recommended that they add the language to Condition #12, as opposed to making it a separate condition.

Chair Worel asked if the Commissioners wanted to add a condition of approval regarding a neighborhood meeting with the applicant. Mr. Henderson was not opposed to meeting with the neighbors and working through the plans; however, he was unclear on whether the neighbors would have a say in the construction mitigation plan. He was concerned that different opinions from different neighbors would stall the progress.

Commissioner Gross remarked that meeting with the neighbors would be more informational so they would know what to expect. Commissioner Phillips assumed that Mr. Henderson would take into consideration any concerns voiced by the neighbors.

Condition of Approval 15 was added to say, "The applicant shall conduct a neighborhood meeting that shall be held within 30 days of building permit issuance." Commissioner Stuard preferred "...within one week prior to the start of construction", rather than 30 days after the building permit.

Planning Manager Sintz suggested, "...within one week prior to the commencement of construction".

Commissioner Strachan thought they should require the applicant to make reasonable efforts to inform the neighbors. He drafted language to state, "The applicant shall make a reasonable effort to contact all the neighbors within 300 feet."

Commissioner Stuard was interested in adding language stating that the Building Department would look carefully at methods necessary to restore this site in the event that there is a cessation of construction. Planning Manager Sintz offered to schedule a work session where a representative from the Building Department could explain the current process. It would help the Commissioners understand the process for future applications. Assistant City Attorney McLean stated that the Staff would relay Commissioner Stuard's comments to the Building Department. She thought having a

work session with a Building Department representative was a good idea.

Commissioner Strachan reviewed the Findings and Conditions that were revised or added during this discussion.

Finding of Fact #19 – The geo-technical report was submitted.

Condition of Approval #12 – Add a sentence at the end, “The sidewalk on Deer Valley Drive shall remain passable at all times.

Add Condition of Approval #15 – Applicant shall conduct a meeting with surrounding neighborhoods within one week prior to beginning of construction. Applicant shall make reasonable efforts to inform all neighbors within 300’ of the meeting.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for the Condominium Plat Amendment for 300 Deer Valley Loop Road, according to the Findings of Fact, Conclusions of Law and Conditions of Approval in the draft ordinance and as amended. Commissioner Phillips seconded the motion.

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

Findings of Fact – 300 Deer Valley Loop Road

1. The property is located at 300 Deer Valley Loop Road.
2. The property is located within the Residential (R-1) District.
3. The R-1 zone is a transitional zone in use and scale between the historic district and the Deer Valley Resort.
4. The condominium plat will create one (1) condominium lot of record containing a total of 27,779.15 square feet.
5. There are no existing structures on the property.
6. Access to the property will be from Deer Valley Drive in a single access point on a common driveway for all units to a shared underground parking structure.
7. The minimum lot size in the R-1 zone is 3,750 square feet for a duplex dwelling.

8. A duplex dwelling is an allowed use in the R-1 zone.
9. The total private area of the condominiums consists of 5,230.2 square feet; the Limited Common Area consists of 306 square feet.
10. Unit A consists of 3,769.6 square feet of private area and 2,852.3 square feet of limited common area. Unit B consists of 2,581.2 square feet of private area and 2,013 square feet of limited common area. Unit C consists of 2,581.2 square feet of private area and 2,013 square feet of limited common area. Unit D consists of 3,076.7 square feet of private area and 2,385.8 square feet of limited common area.
11. The entire project including the parking structure contains 9,446.1 square feet of common area, 12,008.7 square feet of private area, and 9,264.1 square feet of limited common area.
12. The footprints total 2,613 square feet for Units A&B combined and 2,286 square feet for Units C&D combined; with a total footprint of the project being 4,899 square feet.
13. The height of the buildings will be 22 feet above existing grade
14. The front yard setback will be 20 feet, the rear yard setback will be 10 feet and the side yard setbacks will be 10 feet each.
15. The shared parking structure contains a total of 14 parking spaces, exceeding the eight (8) parking space requirement.
16. There are existing encroachments on the property from the owner of 510 Ontario Avenue.
17. The existing shared access easement will be removed with the approval of this plat.
18. Minimal construction staging area is available along Deer Valley Loop Road and Deer Valley Drive.
19. The Geo-technical report was submitted.
20. A Construction Mitigation Plan will be required upon submittal of a Building Permit application.
21. On June 14, 2007, the City Council approved the Roundabout Subdivision Plat.

This plat was recorded February 21, 2008.

22. On November 13, 2013, the Planning Department received a complete application for the Roundabout Condominiums plat.

23. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will need to deed a portion of property to the City for ROW improvements and receive another portion of existing ROW improvements back from the City. Exhibit C shows the 875 square feet that will be dedicated to the applicant and 164 square feet that will be dedicated to the City. The applicant previously dedicated 3,152.54 square feet to the City with the 2007 Subdivision for the bus pull-out and Deer Valley Drive and Deer Valley Loop ROW improvements (Exhibit E). In order for this to occur, the applicant will need to petition the City Council to vacate the 875 square feet of ROW.

24. As conditioned, this condominium plat is consistent with the conditions of approval of the Roundabout Subdivision plat as per the findings in the Analysis section.

Conclusions of Law – 300 Deer Valley Loop Road

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

Conditions of Approval – 300 Deer Valley Loop Road

1. The City Attorney and City Engineer will review and approve the final form of the condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Summit County within one (1) year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval will be void, unless a complete application requesting an

extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. The applicant stipulates restricting the development to two (2) condominium buildings with one (1) underground shared parking structure. This shall be noted on the plat.
4. The footprint of each condominium building will not exceed 3,200 square feet, to be noted on the plat.
5. Shared access for the four units will be a single access point for all units on a common driveway into a shared underground parking structure, accessed from Deer Valley Drive, to be noted on the plat.
6. All vehicles exiting the common driveway must pull out of the driveway onto Deer Valley Drive front-facing, to be noted on the plat.
7. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
8. A 10 foot (10') wide public snow storage easement is required along the frontage of the lot with Deer Valley Drive and Deer Valley Loop Road and shall be shown on the plat.
9. A five foot (5') wide public utility easement is required along the rear and side lot lines.
10. The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements including, but not limited to, the fire hydrant, storm drain box, bus pull-out, improvements to Deer Valley Drive, and lighting, prior to plat recordation.
11. An encroachment agreement between the applicant and the owner of 510 Ontario Avenue that addresses all current encroachments (asphalt driveway, rock retaining wall and hot tub) onto the applicant's property shall be remedied prior to plat recordation.
12. The Construction Mitigation Plan required at Building Permit application shall stipulate that all staging of the project must be done entirely on the applicant's property and that the hours of hauling shall be between 8 am and 6 pm Monday

through Friday throughout the duration of the project. The sidewalk on Deer Valley Drive shall remain passable at all times.

13. There shall be a tie breaker mechanism in the CCR's.

14. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will need to deed a portion of property to the City for ROW improvements and receive another portion of existing ROW improvements back from the City. In order for this to occur, the applicant will need to petition the City Council to vacate the 875 square feet of ROW prior to plat recordation.

15. Applicant shall conduct a meeting with the surrounding neighborhoods within one week prior to beginning of construction. Applicant shall make reasonable efforts to inform all neighbors of the meeting within 300'.

The Park City Planning Commission meeting adjourned at 8:45 p.m.

Approved by Planning Commission: _____

WHEN RECORDED, MAIL TO:

Thomas G. Bennett
Ballard Spahr LLP
201 So. Main, Suite 800
Salt Lake City, UT 84111-2221

**SECOND AMENDMENT TO
DECLARATION OF CONDOMINIUM
FOR
NORTH SILVER LAKE**

THIS SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR NORTH SILVER LAKE (“**Amendment**”), is made as of this ___ day of _____, 2015, by SR SILVER LAKE, LLC, a Utah limited liability company (“**Declarant**”).

RECITALS:

A. SR Silver Lake, LLC is the Declarant under that certain Declaration of Condominium for North Silver Lake recorded June 17, 2014 as Entry Number 997266 in Book 2244 at Page 934 of the Official Records of the Summit County Recorder, as amended by that certain First Amendment to Declaration of Condominium for North Silver lake recorded June 24, 2014 as Entry Number 997701 in Book 2245 at Page 1273 of the Official Records of the Summit County Recorder (“**Declaration**”) that encumbers the real property situated in Summit County, Utah and more particularly described in Exhibit “A,” which is attached hereto and incorporated herein by this reference.

B. Section 26.2 of the Declaration permits the Declarant to unilaterally amend Exhibit B to the Declaration to reflect the total square footages of each Unit after the Units have been constructed and permits Declarant to unilaterally amend the Declaration during the Declarant Control Period for any other purpose so long as such amendment does not materially adversely affect title to any property.

C. Declarant has completed construction of certain Units and has made small revisions to the construction plans for the remainder of the Project, resulting in changes to the Square Footage of the Units.

D. Declarant now desires to amend Exhibit B to the Declaration to reflect the as-built Square Footage of certain Units that have been constructed and to revise the projected Square Footage of other Units.

AGREEMENT:

NOW, THEREFORE, Declarant hereby declares as follows:

1. Incorporation of Recitals and Definitions. The foregoing Recitals are true and correct and are incorporated herein as fully set forth hereinafter. Capitalized terms in this Amendment, unless otherwise defined herein, shall have the meaning given to them in the Declaration.

2. Replacement of Exhibit B. Exhibit B to the Declaration is hereby amended and restated in its entirety and replaced with Exhibit B attached hereto, which exhibit is incorporated herein by reference.

3. Declaration Remains in Effect. This Amendment shall be considered supplemental to the Declaration. Except as expressly amended by the foregoing, the Declaration shall remain in full force and effect and shall not be cancelled, suspended or otherwise abrogated by the recording of this Amendment. In the event of a conflict or inconsistency between the terms of this Amendment and the provisions of the Declaration, the provisions of this Amendment shall control.

4. Declarant Rights. Declarant shall retain all rights of Declarant as set forth in the Declaration, and this Amendment shall neither amend nor abrogate such rights.

5. Authority. Declarant hereby certifies that Declarant may execute this Amendment without the signature of any other party pursuant to its rights under Section 26.2 of the Declaration.

[Signatures on Following Page]

IN WITNESS WHEREOF, the undersigned has executed this Second Amendment to Declaration of Condominium for North Silver Lake as of the date first set forth above.

SR SILVER LAKE, LLC, a Utah limited liability company

By: _____
Jeffrey Dinkin, Executive Director

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 2015, before me _____, a notary public, personally appeared Jeffrey Dinkin, the Executive Director of SR Silver Lake, LLC, a Utah limited liability company, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same. Witness my hand and official seal.

NOTARY PUBLIC

My Commission Expires: _____ Residing at: _____

EXHIBIT A

DESCRIPTION OF THE PROPERTY

All of the condominium units and other property included in the NORTH SILVER LAKE CONDOMINIUM PLAT, amending Lot 2B of North Silver Lake, as identified on the Condominium Plat recorded June 17, 2013, as Entry No. 997265, and in the Declaration of Condominium recorded June 17, 2014, as Entry No. 997266, in Book 2244 at Page 934, in the Summit County Recorder's Office.

EXHIBIT B

**SCHEDULE OF UNITS, SQUARE FOOTAGE,
VOTES AND UNDIVIDED INTERESTS**

Unit Identifying Number	Approx. Sq. Footage of Unit ¹	No. of Votes Per Unit	Undivided Interest Per Unit ²
131	4,137	17	1.75%
132	4,630	20	1.96%
231	4,149	18	1.75%
233	3,655	15	1.54%
311	2,544	11	1.08%
312	2,181	9	0.92%
331	3,965	17	1.68%
332	3,503	15	1.48%
333	3,651	15	1.54%
334	2,445	10	1.03%
341	1,997	8	0.84%
343	2,068	9	0.87%
411	2,541	11	1.07%
412	2,176	9	0.92%
413	4,333	18	1.83%
414	4,439	19	1.88%
421	4,579	19	1.94%
422	4,510	19	1.91%
431	4,761	20	2.01%
432	3,950	17	1.67%
433	2,993	13	1.27%
441	2,006	8	0.85%
442	2,008	8	0.85%
444	4,408	19	1.86%
511	2,702	11	1.14%
512	3,756	16	1.59%
521	4,704	20	1.99%
532	4,922	21	2.08%
541	1,999	8	0.84%
542	1,998	8	0.84%
543	4,064	17	1.72%
611	2,701	11	1.14%
612	3,733	16	1.58%

Unit Identifying Number	Approx. Sq. Footage of Unit ¹	No. of Votes Per Unit	Undivided Interest Per Unit ²
613	4,443	19	1.88%
621	4,704	20	1.99%
641	2,006	8	0.85%
642	2,000	8	0.85%
643	2,070	9	0.87%
644	4,417	19	1.87%
C-1	817	3	0.35%
C-2	909	4	0.38%
C-3	3,218	14	1.36%
SU-1	1,915	8	0.81%
1	6,505	27	2.75%
2	6,160	26	2.60%
3	6,148	26	2.60%
4	6,148	26	2.60%
5	6,688	28	2.83%
6A	6,106	26	2.58%
6B	6,106	26	2.58%
7	6,760	29	2.86%
8	8,686	37	3.67%
9	6,572	28	2.78%
10	6,261	26	2.65%
11	6,438	27	2.72%
12	6,851	29	2.90%
13	6,051	26	2.56%
14	6,413	27	2.71%

Totals: 236,600 1,000 100.00%

¹ Once the Units are completed, the Declarant has the unilateral right, but not the obligation to amend this Exhibit B to reflect the actual Square Footage of the Units, as constructed.

² May total slightly more or less than 100% due to rounding.

