



AGENDA

MEETING CALLED TO ORDER AT 5:30PM

ROLL CALL

ADOPTION OF MINUTES OF January 13, 2016

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

STAFF BOARD COMMUNICATIONS AND DISCLOSURES

Selection of a Planning Commission representative and an alternate to Citizens Open Space Advisory Committee (COSAC)

Transportation Update

*Planning Director
Erickson*

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.*

8910 Empire Club Drive- Conditional Use Permit for construction of Building 5 of the Village at Empire Pass Master Planned Development, consisting of 27 residential units, 1 ADA unit, and 1 deed restricted unit located on Lot 15 Village at Empire Pass West Side Subdivision. <i>Possible action</i>	PL-15-02983 <i>Senior Planner Whetstone</i>	61
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8910 Empire Club Drive- Condominium record of survey plat for 27 residential units within Building 5 of the Village at Empire Pass Master Planned Development. <i>Possible recommendation to City Council on February 25, 2016</i>	PL-15-03003 <i>Senior Planner Whetstone</i>	159
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REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below*

2900 Deer Valley Drive, The Lodges at Deer Valley Phase one, First Amended Condominium, Record of Survey – Proposal to convert the 62 parking spaces from convertible space to common ownership. <i>Public hearing and Possible Recommendation to City Council on March 3, 2016</i>	PL-15-02943 <i>Planner Hawley</i>	187
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615 Mellow Mountain Road- First Amendment to Lot 10 Sunnyside Subdivision <i>Public hearing and possible recommendation to City Council on March 10, 2016.</i>	PL-15-03024 <i>Senior Planner Whetstone</i>	201
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1043 & 1049 Park Avenue, Plat Amendment – Proposal to combine these two lots in order to relocate the existing lot line between 1043-1049 Park Avenue to address the encroachment of the historic house at 1049 Park Avenue, as well as remove any existing lot lines of the 1043 Park Avenue plat. <i>Public hearing and possible recommendation to City Council on March 3, 2016.</i>	PL-15-02979 <i>Planner Grahm</i>	225
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408/410/412 Deer Valley Loop Road, Gateway Estates Replat Second Amended – Plat Amendment creating two (2) lots of record from three (3) platted lots. PL-15-03017 267
Senior Planner
Astorga
Public hearing and Possible Recommendation to City Council on March 3, 2016

408/410/412 Deer Valley Loop Road, request for Zone Change from Historic Residential-1 (HR-1) District to Residential-1 (R-1) District. PL-15-03018 267
Senior Planner
Astorga
Public hearing and Possible Recommendation to City Council on March 3, 2016

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.

**WORK SESSION
PARK CITY PLANNING COMMISSION
SNYDERVILLE BASIN PLANNING COMMISSION
JOINT MEETING TO DISCUSS
TRANSPORTATION ISSUES
January 13, 2016**

COMMISSIONERS: Adam Strachan (PC), John Phillips (PC), Doug Thimm (PC), Steve Joyce (PC), Preston Campbell (PC), Melissa Band (PC), Canice Hart (SB), Mike Barnes (SB), Bea Peck (SB) Greg Lawson (SB).

Ex Officio: Bruce Erickson, Park City Planning Director; Patrick Putt, Summit County Community Development Director; Peter Barnes, Summit County Planning and Zoning Administrator; Alfred Knotts, Park City Transportation Manager; Caroline Ferris, Summit County Regional Transportation Planning Director; Park City Assistant City Attorney, Polly Samuels McLean.

Park City Planners: Francisco Astorga, Kirsten Whetstone, Makena Hawley.

The meeting was called to order at 6:30 p.m.

Planning Director Erickson stated that at the last joint meeting both Planning Commissions gave direction on important two important issues; Transportation and Employee Housing. He commented on the importance of working together to help move forward these forward in the future and reduce the impacts. He and Patrick Putt both believe that unless they solve the transportation system, affordable housing would not help. He noted that both Park City and Summit County have high-skilled Staff working on transportation.

Patrick Putt spoke on behalf of his Staff and expressed their appreciation for being involved in this joint meeting. Mr. Putt suggested that if Alfred Knotts and Caroline Ferris could go over the high level things they were working on, it would fill in some of the missing pieces and activities that the Snyderville Basin Planning Commission has been engaged in. He believed it would directly affect potential tools that would help with transportation problems.

Transportation Manager Alfred Knotts stated that his department has been giving the City Council monthly updates. In talking with Bruce Erickson he committed to updating the Park City and Snyderville Basin Planning Commissions on a quarterly basis. Mr. Knotts clarified that his presentation this evening was slanted more towards Park City because it was one he had prepared for the City Council.

Mr. Knotts provided a brief background on his experience. Has been in Park City for eight months and his counterpart, Caroline Ferris, has been in Summit County for six months. He and Ms. Ferris work well together on behalf of Park City City and Summit County. He is

accustomed to working on regional planning issues. He was pleased to be working with County Staff and Caroline Ferris has been a good partner.

Mr. Ferris introduced herself and noted that she was the Regional Transportation Planning Director for Summit County. Ms. Ferris agreed that she and Mr. Knotts were fortunate to have a good working relationship. They have both received a lot of support from their respective planning departments. She and Mr. Knotts have taken action to move towards a more regional approach to transportation planning, and the objective this evening was to talk to both Planning Commissions about the direction for the near and long term.

Mr. Knotts outlined the format for the discussion this evening. He would talk this evening about Park City's master plan and Ms. Ferris would talk about the long range transportation plan that they were embarking on as a County-wide effort. They would explain the issues and how they were being addressed. He pointed out that there was a variety of solutions to this problem. It is a land use issue and linking land use decisions with transportation is one step in the process. Other elements include regulatory tools, engineering solutions, transit solutions, and behavioral transportation demand management solutions. Following their presentations, they would like to have a two-way conversation about what the Planning Commissions roles would be in evaluating transportation impacts and addressing those solutions.

Mr. Knotts stated that when they look at projects and make decisions they always look to the General Plans and Transportation Plans of both the City and County to make sure those documents support their decision. The Transportation Master Plan is another document that guides their transportation solutions, evaluations and projects. It was developed in 2011 and was specific to the Park City area. They were embarking on a County-wide transportation effort, but currently this was the adopted plan for Park City. It talks about the gateway corridors, which have had congestions issues for some time and those issue were being exacerbated by growth. The goal is to make sure that the context of the transportation solutions fit the geographical area in the context of the communities and the natural environment. Mr. Knotts noted that Park City acknowledged in 2011 to accept some levels of congestion.

Mr. Knotts stated that within the Transportation Master Plan, Park City acknowledged that the policy control exist. In addition there are transportation infrastructure improvements, and at the center of that is the employment, the population and the other influences of being a resort town. Mr. Knotts pointed to a variety of solutions to be implemented and how those are prioritized and developed to address the issue at hand.

Mr. Knotts stated that there was a lot of outside influence and internal influence on the

transportation system based on land use patterns. The long range transportation plan would look at a 25-30 year planning horizon and focus around growth projections to make sure they prioritize the improvements. Mr. Knotts presented updated data that was obtained from the Transportation Demand Management Plan they were currently working on. The data shows where the growth would occur, and then overall with the overall balance of the Summit County growth potential. It was based on current zoning and entitlements.

Mr. Knotts presented the traffic volumes through the corridors. He thought they could expect to see the growth patterns on these corridors continue at the same rate. Typically a 4% annual increase is applied to these type of corridors based on growth projection, which is what they were seeing on SR248. It is where most of their growth projections were anticipated and it is where they have seen it occur.

Mr. Knotts commented on ways to overcome the challenges. He stated that Park City has a very comprehensive transportation system, including bike paths, sidewalks, and an aerial system in the Old Town area. They were also contemplating the possibility of additional aerial connections in the future. Mr. Knotts stated that currently underway was a short-range transit plan, a transit marketing and expansion plan, a TDM study and plan, a review of the corridor analysis that was done for the 248 corridor in 2009. They were also doing a parking study as well.

Mr. Knotts reviewed the short-range transit plan, which was a joint effort by Park City and Summit County. It was last done in 2011 and provides information on prioritized improvements within the first through the seventh year. It provides a snapshot of the demographics and where there is traffic demand, as well as the type of system improvements needed as it relates to vehicles. Revenue generation was also necessary to meet the service needs within the near term. Mr. Knotts noted that the short range transit plan was scheduled to be complete in 2016.

Mr. Knotts stated that a study was underway for the Bonanza Park and Lower Park Avenue to identify parking strategies for that area, and whether a transit hub would serve a need in that geographic area. That was scheduled to be complete in February 2016. Some of the recommendations are consistent with land use planning identified in the General Plan, and in the in the draft Bonanza Park Area Plan.

Mr. Knotts stated that the 248 Corridor Plan was complete. It looked at the 2009 assumptions and projections and it did not project it to fail until 2020, even though it fails now at key times. A preferred alternative that came out of the study was a transit only and HOV dedicated lane within the existing footprint. It would not require any physical widening

within the corridor. Mr. Knotts remarked that it was actually looking at the entire corridor from US40 to SR224 and bringing on the Richardson Flat parking lot, which is a key asset that is vastly under-utilized. It would add a signal at that intersection for the ability to use the park and ride lot, and to make sure it is safe for buses to pull in and out. Another component that has been proposed to UDOT is to evaluate an additional tunnel on 248 to remove the at-grade crossing. Another recommendation is for improvements at the Kearns/Bonanza intersection. They would be able to look at the full corridor and wrap up all those improvements into this one project.

Caroline Ferris stated that Mr. Knotts had covered the studies that Park City was undertaking and that Summit County was participating in a lot of those studies in meaningful ways. However, the primary focus for the County is the long range transportation plan which will officially kick-off on February 10th at the Swaner Eco Center.

Ms. Ferris thought it was important for people to understand that the long range transportation plan is meant to be the keystone planning document and a comprehensive look at the entire transportation system from the standpoint of sustainability, human health and safety, economic vitality. It will bring together all of the different short term plans, TDM strategies, and the Title 6 program into one comprehensive plan so they will know which direction they are going over the next 15-25 years. Ms. Ferris commented on the steps they need to take to get there through an implementation plan and the different funding sources they need to look to in order to get things done. They hope to look at the transportation system from a new perspective and get innovative ideas out to the Planning Commissions, the Councils and the public to see if that is really where they want to go as a region.

Mr. Knotts noted that the City and County were also working on an Alternative Analysis. It is a Federal Transit Administration Process that looks at what type of modes could potentially connect the Salt Lake Valley with the Summit County area using the I-80 corridor. Some of the potentials are bus rapid transit, rail and other types of fixed guideway systems that could operate within the corridor. Mr. Knotts commented on the school district planning, particularly the 248 corridor. They engaged the School District after realizing that if the school operated its ingress and egress better the corridor would function properly. They were working directly with the School District on addressing the problems.

Mr. Knotts remarked that the City and County also jointly formed a Transportation Management Association consisting of a variety of public and private entities, including UDOT, UTA, and all the resorts. They meet monthly with a developed agenda where they talk about programs and how the public side could interact better with the private side as it relates to employee travel, parking and other management strategies.

Ms. Ferris stated that the RFP on the transit center was sent out and the intent is to begin construction in the spring.

Director Erickson noted that Mr. Knotts and Ms. Ferris were watching the traffic cameras all through the Christmas holidays and both have firsthand knowledge of the situation. Mr. Knotts stated that cameras are placed at Deer Valley Drive, 224 and 248, Empire, the Canyons and Kimball Junction. Mr. Erickson pointed out that the update electronic messaging signs was also the work of Mr. Knotts and Ms. Ferris, and it is coordinated on a daily basis. He stated that for both Planning Commissions, these type of activities are regulated inside the Master Development Plan process and they will see Code items as they review MPDs identify the things that Mr. Knotts and Ms. Ferris are looking for. Both Commissions already have Code language to do what they would be asked to do. Mr. Erickson stated that he and the County Development Director, Patrick Putt, constantly work in conjunction with Mr. Knotts and Ms. Ferris, and both Planning Commissions have an excellent opportunity to affect the outcome on this issue.

Director Erickson was personally please about the Transportation Management Association. He asked that Mr. Knotts provide more information so the Commissioners would understand who is at the table, what can happen, and his experiences in Lake Tahoe. Mr. Knotts stated that they had two Associations in Lake Tahoe because the north and south sides of the lake were very different. He explained the process and the entities involved in the Lake Tahoe Associations. A Transportation Management Association is required for Lake Tahoe and they have been around since the late 1980s. The Association is very effective and they thought it would be very effective in Summit County as well. Mr. Knotts reiterated that all the resorts have been at the table, the HPCA, Prospector. They were looking at expanding the group to possibly include the taxi drivers and shuttles for a monthly dialogue to make sure they are sharing information.

Chair Strachan thanked Mr. Knotts and Ms. Ferris for the update. He asked which projects would be coming to both Planning Commissions on a near term basis. Mr. Knotts stated that the 248 State Highway system would not typically come before the Planning Commission for an approval; however, some of the recommendations coming out of the Bonanza Park study would be coming forward. One of those would be the Bonanza intersection improvements.

Director Erickson stated that the Park City Planning Commission would be seeing the recommendations already in the Land Management Code in the second quarter of 2016. They have some regulatory to implement now, but most of it will be address in the second quarter.

Ms. Ferris stated that for the Summit County Planning Commission she believed they would continue to see plans for the Whole Foods property. They would also be talking about Phase 2 of wayfinding, which also includes signage. Mr. Knotts noted that the County had established a Blue Ribbon Committee on remote parking. They were looking at site that could potentially be located on I-80 and US40, in addition to the Richardson Flat lot. Ms. Ferris stated that the County Council had approved membership of the Blue Ribbon Committee that today. Mr. Knotts noted that it was scheduled before the City Council on January 28th.

Chair Strachan asked what both Planning Commissions could do to help. He would not interest in bogging it down in regulation and have a good project go through two meetings because two Planning Commissions are involved. On the other hand, there should be communication between the two Planning Commissions. Chair Strachan asked if there was a streamlined process.

Ms. Ferris stated that from her perspective one of the most helpful things would be to have both Planning Commissions do a double-take when looking at plans and proposals see whether it fits in with the transportation network.

Commissioner Bea Peck asked if there was a way to develop a shared criteria between the two Planning Commissions so they would be reviewing projects against the same checklist. She stated that when new projects come in it is frustrating for the Commissioners to try and figure out the transportation. She thought it would be helpful to have an organic list that expands and could be used to ask the questions and see how it applies to each project. Commissioner Peck pointed out that if both Planning Commissions worked off of the same list they would be consistent in what they impose.

Commissioner Steve Joyce stated that one of the challenges is that the Snyderville Basin Planning Commission looks at things from a larger view. Most of what the Park City Planning Commission does is approve projects. When the developer submits the required traffic study it is a blip on the existing traffic, but when there are 20 blips it adds 50% to the traffic flow. Commissioner Joyce noted that the approval process is blip by blip but the accumulative effect is that it destroys traffic over the years. He was frustrated that there is not a mechanism in place to demand anything of the smaller projects.

Commissioner Peck stated that their Planning Commission faces the same problem. It is drip by drip from each little piece. She agreed that they needed something to help with the accumulative effect.

Commissioner Greg Larson asked, with the additional regulatory actions in place in other states, whether there was a legal method of tying future growth into what could be accommodated with transportation. Mr. Knotts answered yes. Commissioner Larson thought on an accumulative basis that there should be a way to quantify what the population growth is doing versus what could be done with transportation so they can approach a more balanced condition. They are behind now and he questioned whether they could ever catch. Commissioner Larson asked if there was a way to control the rate of development to be more consistent with the rate of improvements in transportation.

Mr. Knotts stated that there was a mechanism. If there is a transportation impact and the level of service does not go down to unacceptable, they do have to model out for 20 years from opening day through the useful life the project. Therefore, if it does hit in year 15 the improvement is fully funded and constructed from the developer fees that have been collected. Mr. Lawson asked if that mechanism was already on the table in the work they were doing with transportation. Mr. Knotts believed it was.

Community Development Director, Patrick Putt, thought the comments and observations made by Commissioners Peck and Lawson were very good. He believed everyone was aware that they were working on updating the Snyderville Basin Development Code. One of the tools Park City has that Snyderville Basin does not, is a legitimate Master Planned Development process. The County has a Specially Planned Area process which is similar, but it is limited to the Kimball Junction area. Mr. Putt stated that one of the pieces of the MPD process that they were just beginning to dialogue with the Planning Commission was a submittal requirement and a review requirement whereby master planned developments are required to submit a written plan for traffic reduction. They were exploring requiring the property owner, the developer or the applicant to go through the systematic exercise of evaluating that project to examine what viable reduction measures could be built into that project. If they could apply that exercise to the drip by drip, small project by small project, it begins to create additive solutions that might build to the whole. Mr. Putt believed the City and the County could work together on a strategy that is flexible enough that it allows considerations and opportunities to reduce traffic. The key is to look at those opportunities early on. When they talk about tools that allow both the City and Snyderville to use the same language, that type of strategy might be beneficial.

Commissioner Peck noted that they do a design committee review before projects come to the Planning Commission, particularly on larger projects. She thought a shared criteria would also be helpful at that subcommittee level rather than waiting until it reaches the Planning Commission.

Mr. Putt suggested that there may be a possibility to address reduction on a case by case

basis. He noted that they were going to be doing their first ever annual review of their General Plan, and they would be presenting to the Planning Commission the concept of taking a look at the transportation system at regular intervals and doing an audit. It would pertain primarily to the public realm and it would be like complete streets audit on a regular basis.

Director Eddington stated that both he and Mr. Putt have long-term credibility in the County; and in their 40 years of planning experience this is the first time that both the County Council and the City Council have actually funded experienced transportation managers. Prior to this, every transportation plan was reviewed by either the County Engineer or the City Engineer. The Commissioners were seeing the result of six months' worth of work. Up until now they were not interpreting the data correctly. Mr. Erickson noted that all of Mr. Knotts' work and most of Ms. Ferris' work was tiered to the Mountain Accord data base, which gives them an understanding of the long range transportation implications of potential development up to 2040.

Commissioner Peck had attended the presentation by the Canyon RVMA and she wanted to know how that coordinated with the work that Mr. Knotts and Ms. Ferris were doing. Ms. Ferris stated that the RVMA's master plan will play a large role in the long range transportation plan. They have been working closely with the RVMA and the Planning Department has provided significant input and helped shape the plan towards what was needed from a County perspective. She stated that basically she and Mr. Knotts operate as one staff so they both know what the other is doing and they talk about ideas and strategies. That is how the interaction was working between the three parties.

Commissioner Joyce noted that most of what was presented this evening were long range plans. If things occur in the short term he would like to be updated both from the standpoint of a Commissioner and private citizen. He suggested informing the public through the Park Record and similar means.

Commissioner Mike Barnes assumed the February 10th date would be a presentation and conclusion of a lot of these studies. He thought that was an important date and he suggested scheduling another joint meeting with Mr. Knotts and Ms. Ferris after February 10th so they could understand it and ask questions. If that is implemented City-wide and County-wide it would become their guide.

Ms. Ferris liked the idea of giving a monthly or quarterly update through the newspaper or on the radio from either her or Mr. Knotts as to what actions they have taken in the past month or quarter to help with the transportation system. Ms. Ferris stated that one action that was implemented in November was to increase transit service out in the County. The

County, Park City Transit and Mr. Knotts assisted in getting that service implemented. It is late night service into the Kimball Junction area. It was extended an hour so there were two additional runs. There have been over 3,000 riders since November 20th. Ms. Ferris reported that in response to employee concerns about getting to the resorts by 7:00 a.m., Park City Transit gave the County a plan for additional service and within two weeks they were able to implement an early morning service for the employees. She noted that this was an example of the things she and Mr. Knotts have been able to implement in the short time they have been working together with the assistance of Planning Departments, Engineering Departments and Transit Departments.

Ms. Ferris did not believe their brief description of the TMA this evening did justice for how dynamic it has been in the two months they have been meeting. They have had good conversations with the resorts and the business association. They were able to accomplish a lot in terms of improving communication. During the holidays, with the help of Deer Valley and Vail, she and Mr. Knotts knew how many cars were in each parking lot, when they were getting close to less than 10% capacity. They knew when cars were being redirected to the high school, and when they needed to change VMS signs. Ms. Ferris agreed that a lot of studies were going on, but she in the last six months a lot of action has been taken as well.

Commissioner Joyce did not doubt things were happening, but he was not hearing it and he requested that they do more to share it. The Commissioners commented on various ways to provide updates to the public as well as to both Councils and Planning Commissions.

Commissioner Doug Thimm asked if any of the studies start to account for strategies for special events. Mr. Knott replied that it was part of the Transportation Demand Management Plan. The Parking Management Plan also ties it all together in terms of peak times and how to better manage the parking inventory. The use of technology is also recommended in the plan for wayfinding and parking. There were other alternatives that could be implemented. Ms. Ferris noted that special events people from both the City and the County participate in the TMA, and they have been able to talk about Sundance and mitigation strategies for this year. They will also be working towards a plan for future years.

Commissioner Melissa Band asked if the lodging industry was also involved. Mr. Knotts replied that Ginger was also on the TMA. Commissioner Band asked if there was data for number of people who rent cars, those who drive from lodging to Main Street, etc. Mr. Knotts replied that it was part of the dialogue and they also meet with Bill Malone on a monthly basis. It was a matter of establishing the mechanism to obtain the feedback and implement the measures.

Mr. Knotts noted that over the last two months they were also able to implement additional nighttime service to the Canyons to accommodate people who miss the gondola. It was also a benefit for employees. The service runs on 20 minute headways and it runs until midnight.

Ms. Ferris stated that there would be an entire section in the Long Range Transportation Plan dedicated to best practices for getting visitors into their destination without cars. A second item is that a robust marketing plan is a mitigation strategy that was outlined as a tier one strategy for the Canyons RVMA master plan. The RVMA is hiring a transportation coordinator and one of his/her first charges is to work with all of the resorts to create a plan that will be marketed to out-of-town guests. The resort staff will then be instructed on how to communicate to their potential visitor that a car is unnecessary. Ms. Ferris remarked that the City and County were jointly working on an alternative transportation marketing program. As part of that they are using search engine targeting.

Commissioner Canice Hart always understood that the people who live there are the greater problem. It is good to take care of the tourists but the residents create the traffic by commuting back and forth. Ms. Ferris thought it was a great point and she agreed that it was true. Several studies have been done to draw that conclusion but this was the first time she has heard locals admit that they are the problem. She noted that there is a communication campaign ongoing which is to encourage people to try an alternative once a week.

Commissioner John Phillips suggested using the buses to advertise the transit system and provide information to educate people as they are driving behind a bus in their car. Commissioner Phillips appreciated the efforts of Mr. Knotts and Ms. Ferris and he was very excited and encouraged about all of them working together. He thought it was long overdue and hopefully they could begin to make an impact.

Director Erickson thanked Councilman Andy Beerman for listening to this presentation this evening.

Chair Strachan called for public input. There were no comments.

Chair Strachan noted that the Commissioners had talked about scheduling a joint meeting quarterly. He assumed that scheduling a meeting in three months was a good goal. Commissioner Peck requested that they discuss the integration of workforce/employee housing at the next meeting. She would also like the Planning Departments to develop mutual criteria or a checklist that the Commissioners could review at the next meeting.

Commissioner Hart thought it would also be helpful to have the criteria checklist for the MPD process. The root cause might be the type of developments and that may drive some of their mutual decisions. Chair Strachan thought those were good goals for the next meeting. Looking forward to future meetings he suggested that they set aside a five or ten minute segment at each meeting to address affordable housing and transportation before they begin discussing whatever topic is scheduled on the agenda. For the next meeting, Chair Strachan suggested that the ten minute portion of the transportation update could be devoted to the checklist. The Commissioners all agreed. Chair Strachan requested that every meeting agenda include setting aside time to address transportation and affordable housing.

Chair Strachan thanked the Snyderville Basin Planning Commission for attending this evening. It was a pleasure hosting them. The next meeting would be held in Snyderville Basin.

The Work Session adjourned at 6:30 p.m.

The meeting was adjourned at 7:30 p.m.

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JANUARY 13, 2016

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, Preston Campbell, Steve Joyce, John Phillips, Doug Thimm

EX OFFICIO:

Bruce Erickson, Planning Director, Francisco Astorga, Planner; Kirsten Whetstone, Planner; Polly Samuels McLean, Assistant City Attorney

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The Planning Commission held a joint meeting with the Snyderville Basin Planning Commission prior to the Regular Meeting. That discussion can be found in the Work Session Minutes dated January 13, 2016.

REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 6:43 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

December 9, 2015

MOTION: Commissioner Phillips moved to APPROVE the minutes of December 9, 2015 as written. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Director Erickson appreciated that the Commissioners had taken the time to listen to the Transportation presentation this evening. Questions could be forwarded to him or Alfred Knotts at any time. The Planning Commission will be looking at the Code changes in the second quarter of 2016. The Planning Commission could expect to see

approximately 25 LMC changes addressing the MPD process and other regulatory issues in the first quarter.

Director Erickson reported that the Staff was also updating the employee/affordable housing plan.

The next Planning Commission meeting would be February 10th.

Commissioner Joyce reported that he is the Planning Commissioner rep for COSAC, the Citizens Open Space Advisory Committee. He stated that COSAC is made up of a number of at-large positions, as well as reps from organizations such as the Summit Lands Conservancy, Mountain Trails, Realtors, etc. Commissioner Joyce noted that it was the three year period where COSAC asks all the organizations to decide whether their existing representatives will continue or if they would be replaced with a new representative. The City Council would also be re-evaluating the at-large positions, and it would be posted for public input.

Commissioner Joyce stated that he is currently the Vice-Chair of COSAC and because the Chair left he was currently the acting-chair of COSAC. He was willing to continue as the Planning Commission rep to COSAC, but he was unsure if there was a specific policy or direction to follow.

Assistant City Attorney McLean stated that since it requires a vote, it should be placed on the agenda for the February meeting.

Commissioner Band disclosed that her office is in Silver Lake directly across the street from the proposed Goldener Hirsch on the agenda this evening. It would not affect her ability to discuss this item.

Commissioner Band disclosed that she has a client who is purchasing a Silver Strike Condo that looks directly at the proposed One Empire. The client is aware of it and it would not affect her ability to discuss and vote on the item.

CONTINUATION(S) – (conduct a public hearing and Continue to date specified)

1. 152 Sandridge Road, Plat Amendment – Subdivision to create a legal lot of record from a metes and bounds parcel. (Application PL-15-02952)

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

MOTION: Commissioner Joyce moved to CONTINUE 152 Sandridge Road Plat Amendment to a date uncertain. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

2. 2900 Deer Valley Drive, the Lodges at Deer Valley Phase 1, First Amended, Records of Survey Amendment – Proposal to change the 62 parking spaces from convertible space to common ownership. (Application PL-15-02943)

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

MOTION: Commissioner Joyce moved to CONTINUE 2900 Deer Valley Drive, the Lodges at Deer Valley Phase I to February 10, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 1251 Kearns Boulevard – The Yard Townhomes Master Planned Development Pre-application determination consisting of 21 residential townhomes, 2 residential flats for determination of compliance with General Plan and Zoning.
(Application PL-15-02911)

Planner Francisco Astorga noted that page 48 outlined the process for a pre-application for an MPD. If the Planning Commission finds compliance with the General Plan, the applicant would submit a full MPD application, as well as a conditional use permit for multi-unit buildings and a plat amendment. Planner Astorga explained that the Yard itself, the event space and the two restaurants are part of the same lot.

Planner Astorga remarked that a pre-MPD application is required based on the number of units proposed. The purpose of this meeting was to give the applicant the opportunity to present the preliminary concept to the Planning Commission and for the public to comment on the preliminary concept during the public hearing. Planner Astorga stated that the applicant has the ability to respond to comments from the Commissioners and the public.

Planner Astorga requested the opportunity to review the discussion points outlined in the Staff report after the applicant completes their presentation and before public input.

Craig Elliot, the project architect, noted that the project location was shown in purple. He reviewed a site plan to orient the Commissioners to the site and the surrounding streets,

businesses and residential developments. Mr. Elliott pointed out that the project was in the heart of the Bonanza Park District. To the south were storage units and garage spaces. There were mixed use developments and light industrial uses closer to Iron Horse. The proposed project is in the GC zone. Behind the property is the substation and the Recycle Center. Mr. Elliott stated that access to the project would be along Homestake. They believe the project location is a great opportunity to extend the residential component into this area. It reduces some of the impacts by expanding commercial into the zone, as well as mixed-type residential units and townhouses. Mr. Elliott stated that townhouses were the missing component that was brought up in earlier discussions about housing in Park City. The applicant looked at how that could be accomplished in this location.

Mr. Elliott provided a brief overview of the site. He pointed out how they had opened up the green space to the neighboring residential areas to create a common green area. That space would be used to buffer and expand the green space with the Claim Jumper Condos and the Homestake Apartments. Mr. Elliott indicated a proposed service road that goes behind the project to access parking and garages. It also buffers the project from the light industrial storage units and garages on the side, and the substation on the east side.

Mr. Elliott stated that one requirement was to do a site-suitability analysis. They apply the existing zoning to determine the maximum development potential of a piece of property. He noted that he has been using this same methodology since 2002 to determine the maximum density. Mr. Elliott stated that in the GC zone density is defined by setbacks and height. He explained that MPDs have minimum requirements for setback, stepping and transition and building volume. He noted that the open space requirement for an MPD project is 30% open space.

Mr. Elliott presented the development being proposed which included five buildings. They were looking at adding height to the zone and putting it up against the substation. He noted that the initial Bonanza Park Area discussion always talked about putting height in the middle of the zoning area. The applicant believed that height has the least impact in this area and it allows them to open up the green space to the street and to the neighboring residential spaces. Mr. Elliott stated that it allows 49.59% open space on this development. The development proposed was approximately 70,764 square feet. He pointed out that there were not FARs in this zone. However, he had done a calculation to see what it was and the result was .8. Mr. Elliott thought it was important to understand the relative size of the project and the development density.

Mr. Elliott showed the first floor plan and how it would be configured. One bedroom units were in the front on the lower level. He noted that the configuration was more like a traditional townhouse configuration seen in different cities. He indicated that there were 15 potential one-bedroom lockouts in the project. Six of those would be designated as

affordable; and there were considering the possibility of making all 15 affordable, depending on how the overall project develops. Mr. Elliott presented the floor plans moving up, and he identified the two flats in the project. He explained the configuration of the units, the common space, the service alley, the garage area and the one-bedroom units with the townhouses that sit above.

Mr. Craig provided images showing the back corner parcel which enters off the alley way and provides a backyard component to the townhouse.

Mr. Craig showed a video to better describe how the configuration of the development would look and function.

Planner Astorga stated that as part of the pre-Application for the Master Planned Development, the Staff looks for specific compliance with both the General Zoning of the District as well as the General Plan. He noted that the applicant would be requesting a height exception; however the Staff did not believe it would be appropriate to discuss the height exception at this time. The height exception should be addressed when the full MPD is reviewed. For that reason, he had not drafted Findings regarding the height exception. Under the process, the applicant has to meet specific criteria and the Planning Commission would make the decision on whether or not to grant the height exception.

On another issue Planner Astorga stated that once an MPD is submitted for a site that is more than one acres, the setbacks are automatically increased to 25 feet around the perimeter. He explained that the applicant has the burden of providing the specific criteria as specified in the MPD section of the LMC, and the Planning Commission has the ability to reduce that setback from 25 to the setbacks for the General Commercial District. Planner Astorga remarked that the Staff did not believe this should be addressed at the pre-Application stage; but the applicant would eventually be making that request.

Mr. Elliott indicated the two areas where they were asking for a reduction in the setback to go to the underlying GC zone setbacks. All other pieces of the project meets the criteria for the setbacks of the zone and the MPD.

Chair Strachan asked if the height exception would be in those same two areas. Mr. Elliott answered no. The height exception would only occur for Building C. Chair Strachan asked for the reason behind the height exception for Building C. Mr. Elliott stated that in a normal development pattern that area might be filled in to create a courtyard space. He remarked that the height exception allows almost 50% open space, it opens up a nicer relationship to the residential across Homestake, and because it is adjacent to the substation, it would have virtually no impact to any neighboring properties.

Commissioner Band asked for the purpose of the extra height in Building C. Mr. Elliott replied that it would accommodate two residential units on the top.

Planner Astorga clarified that based on the application form, the Planning Department does not ask for enough information at the pre-Application stage. Therefore, he was not able to comment on the height exception area. When that information is provided in the full application he would review it and make findings.

Planner Astorga requested that the Planning Commission focus on the General Plan Compliance regarding the Bonanza Park Area Plan. He had indicated in the Staff report that the Planning Department never adopted the BoPa Plan, and that was still the case. Planner Astorga explained that the 2012 Bonanza Park Plan was supposed to go into the road dedication and provide specific information regarding the entire Bonanza Park Area, of which this subject parcel was a key feature and identified to be a park and some type of transit hub. Planner Astorga stated that the Planning Department was no longer working on that plan. Therefore, it would have been unfair to require the applicant to comply with those regulations.

Planner Astorga pointed out that the Bonanza Park Plan had specific scenarios on a base area plan and also included an incentive plan that included this areas to be dedicated as a park and other things. He explained that he was providing that information because the General Plan that was adopted significantly mentions the future plan that was supposed to follow for Bonanza Park. Section 3.3 of the neighborhood plan within the adopted General Plan talks about this area was specifically to be a model for sustainable redevelopment. He had copied the General Plan word for word and included it in the Staff report, beginning on page 54.

Planner Astorga read from Section 3.3 Bonanza Park – Sustainable Redevelopment. “The Bonanza Park and Snow Park Avenue will be a model for green, sustainable redevelopment in balance with nature”. He pointed out that without the Bonanza Park Area Plan, they were left only with that language. The entire next section that talked about for LEED-ND criteria and such was tied to the Bonanza Park Area Plan. Planner Astorga thought the sentence they were left with was vague and he asked the Planning Commission for specific clarification on that goal.

Planner Astorga read from page 55 of the Staff report, Section 3.4 Bonanza Park - Connected via new roadways, sidewalks, trails and a park system. Again, those goals were tied specifically to the future BoPa Plan. Planner Astorga referred to 3.5 Bonanza Park - Explore as a central hub for public transportation. He stated that the General Plan did not identify it, however, there were graphics in the Bonanza Park Area Plan that identified the triangle piece as the central hub. He requested direction from the Planning

Commission on that as well. Planner Astorga pointed out that there was a “left-over” affect and the Planning Department/City was caught in the middle on how to follow up on the remaining parts of the Adopted General Plan, since it was tied to a future plan that was no longer being reviewed. Planner Astorga asked the Commissioners to focus their discussion on those issues. He had prepared Exhibits from the Adopted General Plan that specifically mention the Bonanza Park Area Plan. He also had a copy of the draft BoPa which had a 1, 2, 3 scenario. Number one was to do nothing and follow the LMC. Number two was the Base Plan and the third was the Incentive Plan. Planner Astorga clarified that he did not have the regulation to move forward with those specific concepts.

Mr. Elliott requested the opportunity to respond after public comment. Mark Fischer, representing the applicant, stated that they tried to create a project based on what they learned the Form Based Code process that was not controversial, including in-town work force housing. He had asked Mr. Elliott to look at the Yarrow MPD that was approved by the previous Planning Commission that had three, four and five story elements. That proposal was on Park Avenue, whereas this project is buried in the center district where height was contemplated in the Form Based Code discussion. Mr. Fischer stated that if this project is not acceptable he was unsure what else would be. They had worked hard to give the community what it wanted.

Chair Strachan opened the public hearing.

Lee Whiting, President of the Claimjumper Condominium Association, which was across the street from the proposed development, congratulated the Elliot Work Group and Mr. Fischer and his associates for pulling together what looks to be an integrated part of the community. Mr. Whiting stated that the Claimjumper development has been in the community for 40 years, and some of their concerns have been alleviated by this project. One fear was the presence of height that would create a canyon effect and shadows that would encroach onto Claimjumper property. Having open space across the street makes a big difference to the residents across the street who face this property. Mr. Whiting noted that the Claimjumper Condominium Association has previously gone on record to say that they desire some outcomes for themselves and for their neighbors at the Homestake Condos to have attainable housing and other things that the City has not provided for whatever reasons, such as sidewalks, safe crossings, good intersections, a parking plan and other amenities that people enjoy throughout the community but do not exist where they live. Ms. Whiting suggested that the taxpayers of Park City consider this as a significant improvement to the overall community, and evaluate whether some of the things they seek for the safety and well-being of their children and residents could happen. They have waited a long time for these things and to have it occur in conjunction with this project would make a significant improvement. Mr. Whiting commented on what he has heard with respect to a connection to the east side of Bonanza Park by an extension of

Munchkin. He liked that approach and believed it would mitigate the effect of having a through-way. Mr. Whiting thought the plan presented this evening appeared to have a plan for storing snow. Claimjumper currently pushes snow from their driveways across the road and on to the embankment. He asked about refuse and asked if there would be a central dumpster location or whether there would be individual trash receptacles. Mr. Whiting believed that Homestake Road should be widened and add at least one lane of parking for cars under a managed plan that includes permits and enforcement.

Planner Astorga noted that Clay Stuard was in line to speak next. He noted that Mr. Stuard had sent two emails to the Planning Commission prior to this meeting.

Clay Stuard thought the proposed use, intensity of use and the general project design was very good. He believed it was a common sense, straightforward approach to a site that has number of constraints. Mr. Stuard stated that his comments related less to the project design and more to other issues that were raised during the Form Based Code discussions. One was the extension of Munchkin Road. He remarked that connectivity cuts two ways; and while it improves mobility between the east and the west half portions of Bonanza Park, it could potentially create more vehicle traffic on Homestake. Mr. Stuard stated that even though the General Plan is inadequate for this particular part of town, it does contemplate connectivity in this neighborhood. The General Plan indicates that new development and re-development plans are the appropriate times and opportunities to achieve connectivity. He believed this was the time to have a thorough discussion on whether or not Munchkin goes through and the pros and cons. At the very least he thought the right-of-way should be considered. Regardless of whether the connection is constructed in conjunction with this project, making the right-of-way available for future construction would be a wise thing to do. Mr. Stuard addressed the site suitability study. In his opinion the calculation method used is not done properly. In addition to square footage and unit equivalents, other requirements in the Building Code needs to be satisfied for light and air, ingress/egress, circulation, trash enclosures, guest parking, etc. Mr. Stuard read the definition in the Code, "The site suitability analysis will be a comprehensive analysis of the property used in making a determination of appropriate density considering such factors as sensitive lands, existing and proposed utilities and transportation systems, and other community objectives stated in the General Plan." Mr. Stuard stated that projecting a three-story cube on the net side area is not a comprehensive site analysis. He encouraged the Planning Commission to revisit that definition and make whatever changes are necessary in the near future. However, he believed they could rely upon it at the present time and include other community objectives in the comprehensive analysis. One would be transportation, and that would be the connection of Munchkin. Mr. Stuard agreed with Planner Astorga that the challenge is having a General Plan that references two things that will never occur. For that reason, he believed the General Plan needed to be amended with corresponding changes to the LMC. He encouraged the Planning Director,

the Community Development Director and the Planning Commission to immediately begin working on a new area plan for Bonanza Park that at least addresses the basic fundamental needs for that area, including transportation and project design guidelines.

Chair Strachan closed the public hearing.

Chair Strachan called for the Commissioners comments regarding the General Plan analysis on the pre-MPD application, as well as the discussion points outlined by Planner Astorga.

Commissioner Thimm stated that the idea of energy conservation and model for green sustainable development is talked about in the General Plan. He noted that the Staff report talks about limiting the square footage of envelope as the basic conservation methods. He asked if anything beyond that was contemplated.

Mr. Elliott stated that they have the opportunity to do that. The envelope discussion has to do with the townhomes efficiency. The center units have very minimal exterior exposure. The end units have only three side. In terms of looking at the types of heating and cooling demands on the building, the townhomes are extremely efficient. Mr. Elliott remarked that in the affordable housing project at 1440 they used a sip panel, which is an insulated panel for construction of the exterior walls. He stated that they have looked at the opportunity for solar panels on the project in addition to a number of different things. That would be a more in-depth discussion as they move forward in the process.

Commissioner Thimm asked if they had given any thought towards any sort of certification or a recognized benchmark being considered. He noted that LEED-ND was mentioned earlier. He understood that National Green Building Standards were more friendly for multi-family residential.

Mr. Elliott replied that the National Green Buildings Standards were used for both the Snow Creek affordable housing project and for the project at 1440 Empire. They did not have additional certification; but those were the standards they used to prepare the documents. Mr. Elliott assumed they would be moving forward at least at that level for this project. They would also look at a LEED Certification if it became necessary, but he did not believe it would produce a better product.

Commissioner Thimm asked Planner Astorga if there were standards of energy conservation or certifications that could be implemented by the Planning Commission. Planner Astorga answered no, and that was the challenge. He referred to the bottom of page 50 of the Staff report which talks about decrease per capita carbon output, decrease vehicle miles traveled, etc. He had taken that information from Objective 5A, Natural

Setting as currently written in the General Plan. Planner Astorga clarified that there were no specific standards, which is why he was seeking input from the Planning Commission and the application to see how they could meet that specific objective.

Mr. Elliott stated that the site location allows walkability to a drug store, a grocery store, three restaurants, and to the bus stop at the end of Homestake. It is a great location for housing, and affordable housing in particular.

Director Erickson stated that the Planning Commission could forward a recommendation for action on the pre-MPD with conditions that the final MPD come back with specifics on how to meet “x or y” criteria, as opposed to trying to negotiate it at this level. He pointed out that the applicant had not completed their analysis and the Staff had serious concerns that still needed to be resolved at the MPD stage. Given the state of the General Plan, Mr. Erickson remarked that there were other documents in force, one being the Transportation Master Plan from 2011 that needed to be reviewed for compliance. He remarked that Planner Astorga had requested input this evening on the questions regarding site suitability, height and connectivity. Director Erickson stated that connectivity was the most important issue related to the 2011 Transportation Master Plan.

Commissioner Thimm asked if anything was considered in terms of east/west connectivity through the site. Mr. Elliott replied that the applicant does not control the connection points. There is a substation on the east side of the project and adjacent properties lock in the site. There is no way to identify a location to connect across that area. They have some control on the west end and the plan shows sidewalks extending through the property. The access points are restricted to the property they maintain.

Commissioner Thimm asked if the open space proposed would be accessible to the public. Mr. Elliott stated that it is private property but there are no restrictions. Commissioner Thimm if the line with a series x’s shown on the plan was a fence. Mr. Elliott replied that it was the setback line.

Commissioner Campbell stated that when the bigger plan for Bonanza Park did not materialize he had asked if it could be developed organically in pieces. He thought this project was a great starting point. It complies with the General Plan and he assumed the Staff and the applicant would make that it complies with the LMC. Commissioner Campbell stated that if they could get this started, other pieces would start to come.

Commissioner Joyce stated that currently the site is used for commercial parking, and it has parking signs for the Boneyard and the Event Space. He wanted to know what would happen to the parking and the signs once the site is developed. Planner Astorga explained that in 2011 he was assigned to work on the conditional use permits in 2010 as an indoor

entertainment facility for the Event Space. The Conditional Use Permit approved by the Planning Commission was for a commercial parking lot since they had approximately 250 parking spaces. When the applicant comes back for the MPD and the CUP, they will have to make sure that all of the uses currently on the site can have the appropriate parking ratios as identified in the LMC for the restaurants and the Event Space.

Commissioner Joyce asked if the applicant definitely intended to do the sidewalks along the Homestake side that was shown in the video. Mr. Elliott answered yes. Commissioner Joyce noted that there was nothing continuing down to Homestake along the backside of the Boneyard and the Wine Dive. He asked if they had given any consideration to extending that walkway to keep people out of the road. Mr. Fischer stated that he has already spoken with Heinrich Deters at length about extending the walkway from the back entrance up to Kearns.

Commissioner Joyce stated that he was a proponent of fixing the connectivity in that neighborhood because currently it is a disaster. In his opinion, addressing the Munchkin Road extension either through right-of-way or through a plan with the City was critical with this proposal. He believed they could get most of the way there with the City-owned property for the Recycling Center. However, if the applicant builds right to the corner of the property and close to the Recycling Center it would present a challenge for completing the connectivity. Commissioner Joyce stated that he would be following this closely to make sure they do not cut off one of the most important opportunities they have to fix some of the traffic issues. Mr. Elliott remarked that the proposed plan would not restrict the opportunity to make that connection. If that were to happen they could change the configuration on the north access point to connect into Munchkin. Commissioner Joyce stated that when they reach the MPD process he would like the City to say that given the plan and the right-of-way, Munchkin could be extended to Homestake. Director Erickson remarked that the Transportation Director would be making a recommendation to the Planning Manager to that affect.

Commissioner Joyce commented on energy efficiency. He noted that energy efficiency is one of the City's top three priorities and that is backed up by the General Plan. Commissioner Joyce remarked that the statement, "condos don't have many exterior walls" was not consistent with the General Plan in terms of addressing energy efficiency. He was not prepared tonight to make a recommendation on a specific LEEDS Certification or green building certification, but they needed to see something more in line with the City Council's priority. Mr. Elliott offered to come back with an answer at the next meeting.

Commissioner Joyce wanted to see a better plan for bikes, walkability and bus transportation to keep people out of the streets. He also wanted to hear the nightly rentals issue discussed in more detail. The General Plan talks about limiting nightly rentals to

keep the Bonanza Park area focused on locals. He thought affordable housing could play into that goal.

Commissioner Joyce was uncomfortable with the height exception. He noted that the Bonanza Park Plan was so contentious because they had talked about four and five story height possibilities. As a trade-off to earn four or five stories there needed to be either significant improvements to affordable housing or significant improvements to open space. Commissioner Joyce stated that even with that trade-off, many citizens were upset about the height and it played a key role in the downfall of Form Based Code. In his opinion, the applicant needs to bring more to the table when they talk about the height exception because the reason has to be more than just being next to the power station. He thought the City has been clear about height exceptions requiring serious trade-offs.

Commissioner Joyce commented on the exception to the 25' setbacks with the townhouses. He understood what the applicant was trying to do, and he had less concern on the power station side. However, it also backs up to the property near the Windy Ridge Bakery and that caused him concern. He was interested in having that discussion if they get into the details of the MPD. Mr. Elliott explained that they were asking for the underlying Code setback, but not any variance beyond that. Commissioner Joyce understood that the underlying Code setback was 25' on anything greater than an acre. Planner Astorga stated that it was the MPD; however, through the MPD application they could further reduce it to the standard setback. Commissioner Joyce remarked that the Code is 25' unless they grant an exception. It would not be a concern if it was only the substation; but because there are other properties in close proximity he will be looking at it closely.

Commissioner Band liked the design and thought it was exactly what they have been talking about. However, the problem is that General Plan and the LMC do not go hand in hand. She noted that the General Plan identifies this as a live/work area, which she personally prefers. The LMC has nightly rentals as an allowed use and residential as a conditional use. She thought it was an interesting juxtaposition to look at, but it makes development decisions difficult. Commissioner Band noted that Craig Elliott and Mark Fischer have come before the Planning Commission many times and they worked with the City to try and figure out the Form Based Code. They have now submitted a great application, and while it probably needs to be fine tuned, she did not want to handicap the applicant because the General Plan needs to be re-written. Ms. Band noted that the General Plan for most of this zone no longer applies. Form Based Code is gone. All they can do is look at the intent of the General Plan and the LMC. Apart from a few details, she believed they had a good application and were going in the right direction.

Commissioner Band liked the lockout apartments. She would like nightly rental to be restricted, and she would like to see the City to consider partnering on a project like this for deed restricted housing to make it a live/work area.

Commissioner Band commented on the height exception. If they were going to allow extra height she believed this was a good location. Commissioner Band liked the open space plan, the garage in back, and the porches opening up to the front. If they can get the give and take they want, she would be comfortable granting the height.

Commissioner Phillips echoed Commissioner Band's comments. In general he thought this was a great application. He could see how some of the Form Based Code discussions may have played into the plan with the parking in back. He especially liked the additional open green space. Commissioner Phillips stated that the City has allowed additional height in the past and he thought it was something the applicant could achieve with a little work.

Director Erickson asked Commissioner Phillips for his thoughts on the connectivity question. Commissioner Phillips stated that he had mixed feelings. It is a great opportunity and he was anxious to hear what the applicant thought about dedicating a right-of-way for future possibility. He noted that someone previously commented on a short-cut for taxicabs and he was concerned that this would become another short-cut that would bring traffic through a neighborhood. He thought that needed be considered because he believes this project completes the whole neighborhood. Commissioner Phillips personally wanted to see this project occur and to have the City invest money on the street to make it a complete neighborhood. Park City is losing its neighborhoods and this is an area they can upgrade as a City. In terms of connectivity, bringing in more cars to get from one side to the other may not be the best thing for the neighborhood but it might be better for the overall area. He would have to look at it closely before forming an opinion.

Chair Strachan agreed with his fellow Commissioners. He clarified that this was a pre-MPD and the applicant was asking for a finding of initial compliance with the General Plan. He personally believed it complied. Chair Strachan stated that the General Plan was not finished with respect to Bonanza Park, but this was not the time nor was it fair to the applicant to finish the General Plan while their application was pending.

On the height issues, Chair Strachan believed the applicant could convince at least some of the Commissioners that the affordable housing aspect warrants a height exception. He personally was amenable to hearing that argument at the MPD stage.

Chair Strachan noted that the applicant had not ruled out Munchkin Road as a potential connection and as long as it remained on the table he thought it was better to have that discussion with the MPD. Chair Strachan stated that because this was a General Commercial Zone he was unsure whether a neighborhood feel was the objective. It is not historically a residential zone. He believed connectivity was important from the standpoint of moving people around to the businesses and well as the residential units.

Chair Strachan stated that the more he thinks about nightly rentals the more he dislikes them. He thought it was important not to have nightly rentals in this development because aside from the Homestake and Claimjumper units, this would be one of the first, major residential developments in Bonanza Park in a long time. It is important to have people living there on a daily basis; otherwise the result would be a commercial zone with dark residential units, and the live/work aspect of the controlling General Plan would be lost.

Commissioner Band stated that since this was in the GC zone, which requires a conditional use for residential. Since Bonanza Park was included in the zone, she asked if they could look at changing residential to an allowed use at some point. Director Erickson replied that residential use is an allowed use in the General Commercial Zone. However, he thought it was better to rezone towards more residential units and leave the GC zone as it exists. He stated that when they come forward with the MPD they would address the CUP as a parallel action. Director Erickson remarked that the Staff has significant concerns about neighborhood compatibility with the amount of exposed glass on these units and they would be looking very carefully at the impacts it might create. The Staff had also paid attention to the excellent comments the Commissioners and the public had made regarding the traffic and circulation plan, the extension of the sidewalks and other issues.

MOTION: Commissioner Joyce moved to find preliminary compliance with the purpose of the General Commercial District and General Plan of the Master Planned Development pre-Application for 23 residential units to be located at 1251 Kearns Boulevard, the Yard townhomes, based on the Findings of Fact and Conclusions of Law found in the Staff Report. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1251 Kearns Boulevard

1. The site is located at 1251 Kearns Boulevard.
2. The site is located within the General Commercial (GC) District.
3. The proposal is currently known as The Yard Townhomes.

4. The applicant requests review of a Master Planned Development (MPD) Pre-Application for twenty-one (21) residential townhomes, two (2) residential flats, and a small amenities space.
5. Sixteen (16) of the townhomes are proposed to have the ability to have a one-bedroom flat as a lockout or independent residential unit on the lower level.
6. A lockout unit is an allowed use within the GC District.
7. The submitted project description indicates that some of the one-bedroom units will be identified as affordable housing.
8. The townhomes are approximately 2,300 gross square feet in area with a garage of approximately 530 square feet.
9. The one-bedroom flats add approximately 620 gross square feet, each.
10. Access to the property is from Homestake Road, an existing public street.
11. The subject site is currently being used as commercial parking area.
12. The MPD Pre-Application is submitted for Planning Commission review prior to submittal of the full MPD Application.
13. Multi-Unit Buildings are a Conditional Use within the GC District.
14. The required Conditional Use Permit (CUP) has not been submitted to the City for review.
15. Staff recommends adding a condition of approval that a CUP application for Multi-Unit Dwellings is submitted concurrently or prior to the full MPD application.
16. There is no minimum lot size in the GC District.
17. The current lot is 4.60 acres (200,376 square feet).
18. The applicant only included the south portion of the lot to be included in the MPD Pre-Application.
19. The proposed MPD area is 2.03 acres (88,317 square feet).

20. In order to process an MPD on a portion of the lot, the site shall be subdivided as the north portion of the site is not included in this MPD Pre-Application.

21. The applicant requests a twenty foot (20') front yard setback and a ten foot (10') side and rear yard setbacks.

22. The proposal complies with the GC District minimum setbacks.

23. Once the full MPD application is submitted and deemed complete, the Planning Commission would have to make the findings for such setback reduction if adopted criteria is met.

24. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.

25. No visual obstruction in excess of two feet (2') in height above Road Grade shall be placed on any Corner Lot within the Site Distance Triangle.

26. The Building Height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in Building Height based upon a Site specific analysis and determination.

27. At full MPD Application the Applicant will be required to request a Site specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings can be made.

28. Once the full-MPD application is submitted, the Planning Department will be able to provide a thorough review of the height as specified on the LMC MPD section.

29. The Planning Department must review the proposed plans for compliance with the Architectural Design Guidelines, LMC Chapter 15-5.

30. The submitted Landscape Plan does not show any significant vegetation to be removed during development activity.

31. At full MPD Application the City will expect the Applicant to address all of the MPD requirements outlined in LMC §15-6-5.

32. Within the 2014 General Plan, Bonanza Park is included as part of the Bonanza

Park & Prospector Neighborhood.

33. In January 2012, the City prepared the second draft of the Bonanza Park Area Plan.

34. The Bonanza Park Area Plan was not adopted by the City.

35. Volume I of the General Plan contains goals for each of the four (4) Core Values: Small Town, Natural Setting, Sense of Community, and Historic Character.

36. The proposal complies with the Small Town goals as proposed (in the form of a MPD Pre-Application) and/or as conditioned.

37. The proposal complies with the Natural Setting goals as proposed (in the form of a MPD Pre-Application) and/or as conditioned.

38. The proposal complies with the Sense of Community goals as proposed (in the form of a MPD Pre-Application), and/or as conditioned.

39. The proposal complies with the Historic Character goals as proposed (in the form of a MPD Pre-Application) and/or as conditioned.

40. Volume II of the General Plan contains information that supports the goals outlined in Volume I.

41. The overriding goal for this neighborhood is to create new housing opportunities while maintaining the existing affordable housing units (GP BOPA § 3.1).

42. The site does not contain any existing housing units; however, as indicated on this preliminary application affordable housing is attempted. The proposed residential multi-unit buildings comply with the said concentration within the redevelopment area (GP BOPA § 3.1)

43. Staff recommends that the applicant in their future full MPD Application keep in mind placemaking and authenticity by emphasizing human scale, infusion of design elements representative of residents' diverse roots, contemporary design, etc. (GP BOPA § 3.2)

44. The entire neighborhood is to become a model for green sustainable redevelopment according to the General Plan (GP BOPA § 3.3).

45.The subject area is not located along the two (2) entry corridors (GP BOPA § 3.6).

46.The future MPD/CUP application would have to show a more defined character than the current dominant architectural styles within the District (GP BOPA § 3.7).

Conclusions of Law – 1251 Kearns Boulevard

1. The preliminary MPD-Pre Application plans for the 23 residential units to be located at 1251 Kearns Boulevard within the General Commercial (GC) Zone, comply with the Park City General Plan and are consistent with the purpose statements of the General Commercial (GC) District zoning.

2. **7520 – 7570 Royal Street East – Conditional Use Permit and Plat Amendment for 28 residential units on Lots F, G and H of the Silver Lake Subdivision plat as part of the Silver Lake Community of the Deer Valley Master Planned Development.** (Application PL-15-02966 and PL-15-02977)

Chair Strachan announced that this item was being continued this evening and the public would have another opportunity to comment at a future meeting.

Planner Whetstone stated that this was an introductory work session item that was noticed for public hearing. This is a large project and letters were sent to the neighbors to inform the neighbors of what was being proposed. Planner Whetstone reported that she had received one email and provided information to another person prior to this meeting.

Planner Whetstone reported that the proposal, known as the Goldener Hirsch Hotel and Residences, consists of 1) amendments to the existing Goldener Hirsch Hotel located at Upper Deer Valley in Silver Lake; and 2) construction of 38 residential condominium units within a single multi- story building proposed that sits over two levels of parking. The proposal is on Lots F, G and H of the Silver Lake Village Subdivision, which is part of the Deer Valley MPD that was approved in 1977. This is the last undeveloped parcel in Upper Deer Valley. There is one last development parcel at Lower Deer Valley. Planner Whetstone noted that this proposal was infill development. She reviewed the MPD that was included on page 125 of the Staff. In the Deer Valley Master there is a choice of either building 34 units of any size or 34 unit equivalents. In this case the applicant chose to build 34 unit equivalents at a total of 68,000 square feet.

Planner Whetstone explained that the proposed building has 68,843 square feet of residential construction because they were proposing to move 843 square feet of the existing units at the Goldener Hirsch. Those units would be demolished due to the proposed connection between this project and Goldener Hirsch.

Planner Whetstone noted that 3,200 square feet of meeting was also proposed, which is consistent with 5% of the residential area. Lot D is allowed 6 unit equivalents or 12,000. Lot D will decrease by the amount being transferred.

The Staff had reviewed this proposal against the LMC, as well as the Deer Valley Master Planned Development and there were a number of issues they would like the Planning Commission to discuss. The Staff was asking for input on the proposed site plan and the request to decrease the side setbacks and the existing setbacks along the back. A separate application is to combine F, G and H into one developable parcel. The Staff also requested input on the general architectural character, the transfer of density from Parcel D, parking and a height exception.

Planner Whetstone pointed out that the lots are undeveloped but they were currently being used as surface parking with approximately 45 parking spaces. The developer was proposing 109 parking spaces, which is an excess of 40 spaces required for this development.

The Staff requested that the Planning Commission conduct a public hearing, discuss these items and provide input and direction to the Staff and the applicant, and continue the item.

Chris Conabee reported that the applicant held a series of public open houses and part of their presentation would include the information obtained from the open houses and things they still need to work on based on that information.

Mr. Conabee with Utah Development and Construction introduced Paul Schlachter with Olsen Kundig and John Shirley with THINK Architecture. He stated that he had worked with Planner Whetstone in 2006 on Silver Star when he was a principle and co-developer on that project. The project turned out well because they were active in the community and worked to solve the problems upfront before coming to the Planning Commissions with the solutions. He wanted the Planning Commission to know that they were still the same people and they would work towards that end. Their goal is to make the best product for themselves and for the community. He was proud of the work that was done on Silver Star and he hoped to accomplish the same for this site.

Mr. Conabee also introduced the owners, Spencer Fox Eccles, Hope Eccles, Spencer Peterson Eccles, and Patty Wells, their realtor. He noted that Oakland Construction was part of their team and worked with them at Silver Star.

Mr. Conabee reported that the first open house was held on November 18th, but it was not heavily attended. Their general practice is to notify everyone in the project to make sure they reach out to all the HOAs, so letters were sent to people outside of the 300 foot radius. Mr. Conabee stated during the open house some of the concerns expressed related to public parking. Some were worried that they would lose their day parking. It was an issue that needed to be balanced. They have parking for proposed units and existing businesses, and they have a resort operator in Deer Valley. Mr. Conabee stated that one of the things they did productively at Silver Star was to find that balance. In the off-season they have parking for locals and in the busy season it is full parking. Mr. Conabee noted that the people had questions regarding the need to have a grocery store and some sundries. He noted that commercial was not in the plan, but they hoped to expand a plaza area that could field the function of a social gathering area. There was concern expressed for Sterling Court and trash, particularly in the spring. He assumed that would go away regardless of who built on that parcel. Mr. Conabee clarified that the beautification of Sterling Court was an issue for some of the neighbors.

Mr. Conabee stated that there was some concern about building height. He noted that the original projection presented in October had six stories with a flat roof that was not compliant with the Deer Valley MPD. They went back to the drawing board and eliminated a floor and added a pitched roof.

Chair Strachan asked if the five stories included two stories of parking. Mr. Conabee answered no. The two parking stories are subterranean.

Mr. Conabee stated that a problem in Silver Lake is that a lot of traffic flows into Marsac during a certain period of time. He talked about ways to “slow the flow” and he believed they had found a way to do that in this plan with their plaza concept.

Mr. Conabee stated that a second open house was held December 2nd and the turnout was a little better. Signage was a concern. There was support for an increase in bed count. There was also support for retaining the existing Hirsch, which is a critical design issue. He remarked that the Hirsch is an icon and it is unique. It is a difficult concept that would not exist without the ownership of the current hotel. Mr. Conabee noted that the team discussed what to do with that site and decided that the Hirsch is iconic enough that if they did good work on the design and marry the two facilities together they could enhance each other. Mr. Conabee commented on access concerns for Mont Cervin. He stated that Mike Farrell who represents the HOA wanted to make sure that if a bridge is approved that there

is an ability to get future vehicles and trucks back there. The team agreed that it was a good idea and they would be doing a study to show whether they could get a crane under there, roofing materials, trucks, etc.

Mr. Conabee noted that they had also given presentations to representatives for the Chateau, the Stein Eriksen Lodge, Mont Cervin, the Black Bear Lodge, the Inn at Silver Lake and Deer Valley Resort.

Mr. Conabee reviewed the amendment to the plat. One of the issues related to setbacks. The lease complicated setback issue was the front. The MPD allows a 20' setback with garage. The current plat has a 25' setback. This applicant shares concerns with Deer Valley regarding sidewalks and snow storage. He stated that the building currently complies with 25' and they were not opposed to pushing it back to 25'. Mr. Conabee pointed to a 12' setback on the west side by the Stein Eriksen Lodge, which is consistent with the previous plat. The setback to the south next to Mont Cervin is currently 7' and they were committed to increasing it to 15'. Mr. Conabee explained that the constraint is in the width. They were asking the Planning Commission to consider the setback along Sterling Court. They would like to line up the second story of this project with the neighboring façade of the Mont Cervin property. To accomplish that they were asking the Planning Commission for a ten foot setback on the second story for the unit layout. He reiterated that they would maintain the 15' setback on the first floor.

Paul Schlachter with Olsen Kundig outlined the plaza concept and the massing concept for the project. He believed this was a unique property in Deer Valley and the last of its kind. Mr. Schlachter stated that when the original programming document was done there was massive building that was maxed out to the corners, but it did not feel right on the site. The concept he would be presenting was the result of studies and the thought process of several people in terms of building shape. Throughout the process they kept coming up with smaller buildings collected into a whole. It turned out to be the end result because it keeps with the scale of everything else within the village core. Even though the building is larger it is broken into smaller masses to keep the village feel. Breaking the building into three smaller pieces also allowed a better connection to the plaza that connects to the bottom of the hill. Mr. Schlachter explained how they envisioned the plaza to create a unique core to that neighborhood that does not currently exist. He presented three scenarios that were done to help them achieve the best plaza concept. Mr. Schlachter reviewed the concept they decided on. They still maintained a bridge connection between the old Hirsch and the new addition. It is a thinner bridge that has the clearance required for fire truck access.

Mr. Conabee stated that the goal of creating the plaza was to increase the activity for the existing retail space to slow down the transition off the mountain and work towards

staggering the traffic flow. The intent was to create a transitional space between the new and the old, and to establish a gathering space during the ski season and the off-season.

Mr. Schlachter reviewed the proposed design layout and amenities. Mr. Conabee pointed out that the original concept showed the pull-in off of Royal Street. However, from the standpoint of traffic and congestion they decided to move it in between the two existing buildings and to utilize space in the middle of the project for cars to pull off and to create a lobby experience. It would not only help with the beautification of Sterling Court, but it would act as a centering point for both buildings and the project. It also speaks to their commitment to signage.

Mr. Schlachter did not believe the renderings did the project justice. Over the last 50 years his firm has had great experience in doing residential architecture, and they would bring that breadth of knowledge to this in terms of scale and proportions. Materials are also very important to his firm. He provided an example of the materials and elements they would use to provide a warm, cozy atmosphere. The form and shape would be simple to avoid detracting from the overall architectural spaces. They were proposing floor to ceiling windows in the units to maximize the views of Deer Valley. Mr. Schlachter remarked that the renderings were showing a board form concrete base, which is something his firm likes to do on their projects.

John Shirley with THINK architecture presented a fly-through of the proposal starting from the west and heading towards the existing Goldener Hirsch, then coming down Sterling Court towards the proposed porte cochere location. It continued from the end of the ski day across the plaza. Mr. Shirley stated that in addition to the bridge, the plaza in front of the existing Goldener Hirsch would be expanded to create activity space in front of the restaurant. He showed the entry coming into the entry lobby and up the staircase to the connecting bridge for direct access to the plaza.

Mr. Conabee stated that the Chateau and the Stein Eriksen Lodge were not shown. He explained that they had 3-D modeling done of all the buildings when they were originally looking at doing a giant plaza and the cap on Sterling Court. They were currently in the process of illustrating those two buildings in both model form and 3-D form for the next Planning Commission meeting.

Chair Strachan asked Director Erickson for direction on how to address the issues and questions since they were continuing this item for both the CUP and a Plat Amendment. Director Erickson stated that in context with the Deer Valley MPD questions regarding height and consistency with the master plan need to be discussed. Public parking is a broad question for the Planning Commission. The parking area is not part of the Deer

Valley Master Plan parking. The parking just occurred and it is managed by Deer Valley. He did not believe there were any restrictions on the parking.

The architect had prepared a 3-D model. The Commissioners left the dias to view the model. In response to a question about the 64' ceiling height in terms of a fog study, Mr. Conabee replied that it would be approximately at the roof line. He pointed out that everything sits below the maximum ceiling height established by the Silver Lake Property Owners Association.

Chair Strachan asked if the 3D model could be left in the Planning Department for people to view.

Chair Strachan opened the public hearing.

Steve Issowitz stated that he works for Deer Valley Resort and he also sits on the Board for the Silver Lake Village Plaza Association and Royal Plaza Condominiums. Mr. Issowitz stated that he is always sad to see surface parking go away, but he thanked the Eccles family for all the years they have let the community use the site for both snow storage and for Deer Valley to use it for resort parking and trailhead parking. He believed most of the issues have been mentioned, particularly the height limits in the area which are important to all the neighboring properties. In speaking with Mr. Conabee he understood that architecture finessing still needed to occur since this was still preliminary. Mr. Issowitz stated that Deer Valley supported the project as a resort. The MPD was put together in the late 1970s and he believed this would finish up the Silver Lake area and encourage people to stay longer, which would solve the traffic problems. Mr. Issowitz hoped everything would come to fruition and come together.

Chair Strachan closed the public hearing.

Commissioner Phillips commented on the additional parking being requested. He asked if it would maintain the same use as the current surface lot, and whether it would be accessible to everyone or become private or special parking. Mr. Conabee stated that the goal is to create a multiple use parking area. In the winter and high season or if there is a function in the conference facility they would need the parking, but he believed that would be rare. The majority of the time in the summer and off season months it will be open to the public. Mr. Conabee stated that they were working on getting the highest number of stalls so they do not negatively affect what is coming down Marsac, and at the same time making sure there were spaces for viable business and viable traffic flow. Mr. Conabee explained that outside of a special event, they were requesting the same thing they did at Silver Star. Each unit will have a dedicated reserved stall and a non-dedicated stall that would be available for the owner's guests or open to the general public in the summer

season. In addition to those 78 stalls, they supported the resort's desire to create additional spaces for public parking, which is why they were proposing 108 stalls.

Commissioner Phillips had mixed feelings. Traffic is a growing problem and he recently witnessed traffic backing up past Hillside on Marsac, which was causing him concern. However, he also understood the need for having parking up there. Mr. Conabee stated that if they could get those stalls contained in two levels and make it a public area it would demonstrate the commitment of the applicant and the owners to encourage traffic to stay there. If someone is parked underground at the new Goldener Hirsch Inn and they walk across the plaza, they are more likely to stop and buy something or sit next to a fire pit or engage someone in conversation. When they talk about slowing the traffic, the hope is that the path through the plaza to the garage will have that effect.

Commissioner Phillips was still trying to understand the height. Mr. Conabee remarked that Deer Valley allows 59 feet with an exception to go to the middle median of the roof. On a pitched roof they were well below their requirement because the pitch roof sits well below this. The maximum roof line is 8186'. The problem is that the height line off of grade bisects the upper floor where there is a changing room and exercise equipment. The question was Code interpretation. It is a flat roof and he would say the median of the roof was where it sits. However the pool deck is a unique feature and the question is how to get people up there and to keep people from being visible if they change next to the pool. Mr. Conabee noted that the two other pitched roofs cover it so it cannot be seen from either side. He felt it was fortunate that the Stein Eriksen Lodge has spa services on that back wall, and they are draped off and unused. Mr. Conabee stated that the roof line sits approximately a foot to a foot and a half below the peak of roof on the two buildings on either side that they were proposing to build.

Planner Whetstone clarified that the Planning Commission was being asked for an interpretation rather than an actual height exception. She noted that that MPD states that the height for these parcels is 59'; however, further into the design guidelines it talks about the mid-point of the roof. Planner Whetstone explained that height used to be measured to the mid-point of the roof, but that was changed to say the height is 28' in the RD zone plus 5' for the pitch of the roof. The MPD still has the old language and identifies 59' in height next to those parcels. Below that is a footnote that says the heights are measured from 8122' and no part of the roof can exceed 8186'. Planner Whetstone reiterated that the Staff was asking for interpretation on whether the proposal exceeds the 8186'.

Commissioner Band understood that it was the peak of the roof but that section of roof is flat. She asked if they were asking the Planning Commission to say whether the entire roof meets the requirements. Mr. Conabee explained that the top roof is allowed to go up to 8186', but if it is 10' high and they took the median it would be 5 feet. Because that pool

area has a flat roof it is higher than that, but it is still below the 8186', but the median of a flat roof is the top of the roof. That is where the problem comes in with the interpretation.

Commissioner Phillips thanked Mr. Conabee for clarifying the height issue. With that understanding, in general he would support it. Commissioner Phillips commented on the question of architectural and design, and he had no objections to what was shown. Commissioner Phillips did not object to combining the lots.

Chair Strachan asked if combining the lots was the only amendment to the plat they were being asked to approve. Planner Whetstone replied that it was combining the lots and the change to the second floor setback from 15' to 10'.

Commissioner Joyce asked the applicant to bring up the visual that showed the difference between the first floor and the second floor where they were requesting the change in setback. Mr. Conabee stated that on the southeast corner of the project the second floor steps forward five feet from what is a 15' setback on the ground floor and will encroach into a ten foot setback on the second floor.

Commissioner Band stated that she had reviewed the MPD with Planner Whetstone that morning and it was very complicated. Considering the number of times the MPD has been amended, she did not believe this proposal was out of character with all of the other "shenanigans" that have gone on. Commissioner Band was comfortable with the public parking. She thought eliminating the visual parking might keep people from driving up there, especially if they have to go underground and drive down a road. Extra parking would be a benefit and they definitely want vibrancy. Commissioner Band stated that her office is literally across the street and she would look at this every day. The architecture is important and she thought it looked nice. Commissioner Band noted that in the presentation they had shown single family homes that were more in keeping with what this project will look like. She did not think they looked exactly like everything in Silver Lake but it was a beautiful design and she liked it better than some of the other designs they have seen. Commissioner Band was not opposed to the plat amendment to combine the lots. She liked what they had done with the entrance to try and bring people in, and she especially liked that it would not come off of Royal Street. If everything else was hard and fast in the MPD the height might be a bigger issue, but considering that it is in between pitched roofs and against a hard wall she did not think it was a problem.

Commissioner Joyce stated that the current LMC has requirements for minimum parking and the Commissioners have discussed whether they should start thinking about requirements for maximum parking; especially for a hotel that is on the bus route and next to a ski resort with restaurants and other services. At some level he would prefer minimizing the traffic by minimizing the parking. Therefore, he was not in favor of the extra

parking being proposed. When they start looking at LMC Amendment he would like to know whether the minimum parking requirement is correct and whether they should be finding ways to reduce that.

Director Erickson asked if Commissioner Joyce would like the Staff to specifically look at employee transportation and shuttle service. He noted that the Planning Department has more regulatory authority over those matters and the operations of van/shuttle. Director Erickson stated that parking is soft in the LMC and the items he just mentioned were easier for the Staff and the Planning Commission to address. Commissioner Joyce made that request of Staff. He stated that Stein Eriksen as part of the Stein Eriksen Residences provided good information about the processes they went through to keep people from driving to their place. He would like to see more of that.

Commissioner Joyce commented on the plaza. He liked what they had done from an architectural walking standpoint, but in his opinion it would have zero effect on slowing down the traffic flow. He was not convinced that people would stop just because there was as 20' corridor instead of a three foot walkway. Commissioner Joyce appreciated the goal, but he thought bars, live music and places to sit and gather would be much more effective in getting people to stop. He was not in favor of the plaza area as proposed. Commissioner Joyce did not have an issue with the height. He appreciated the explanation about the Stein Eriksen piece but he would like to see a visual to make sure he understands it. His concern was from across the street and if it is actually lower than the pitched roof blocking the Chateau he had no other concerns.

Commissioner Joyce understood that this proposal would clean up Sterling Court, but he thought the bridge would feel like a tunnel and put a visual barrier across a public street. In terms of being consistent with the General Architectural Design, Commissioner Joyce had concerns with the amount of glass on the buildings. The buildings look attractive but they were not consistent with the surrounding buildings. Mr. Conabee informed Commissioner Joyce that the team was having that same discussion internally and he understood his concern.

Commissioner Campbell understood that because they were opening up the MPD, the Planning Commissioner could massage the soft numbers as a trade-off in the MPD. Director Erickson replied that he was correct. The Planning Commission has flexibility in height and setbacks and some flexibility in moving around unit equivalents. Commissioner Campbell stated that he would be willing to give the applicant almost anything they wanted if the applicant was willing to help keep more cars off the street in that direction. He thought the architecture was spectacular. His daughter lives in Seattle and they are years ahead in architecture. He was pleased to see some of that architecture come to Park City.

Commissioner Thimm was comfortable with the transfer of density. It is the same project in proximity and he did not see a change in intensity of use. The building height made sense. He understood the application and it appears to work. Commissioner Thimm had concerns with bringing more traffic into the neighborhood and into the City. He was hesitant about the increase in parking. Commissioner Thimm noted that in the presentation they said that the additional parking would benefit business. He asked if parking was currently set aside for those businesses. He was told that there was parking available in other properties in the surrounding area. None of those are guaranteed and during the winter it is paid parking as opposed to free parking. For evening events that occur at Silver Lake, any loss of parking would be detrimental to the commercial businesses. Commissioner noted that the City has been trying to temper the number of cars and lead towards the use of public transportation. Director Erickson clarified that what was being talked about in the application was a reduction of approximately 100 casual spaces to approximately 40 designed spaces. Those casual spaces tend to be the peak pressure spaces. Director Erickson stated that they were reducing approximately 60 vehicle trips in each direction by reducing it to 40 spaces. The winter peak will continue but once the spaces go underground he assumed the used would be further reduced in the off-season. Commissioner Thimm agreed that having the spaces hidden underground would be an advantage.

Commissioner Thimm was comfortable with the 10' setback given its location on the site. He liked the architectural continuity, and having a contrast rather than being a Deer Valley knock-off was positive. He agreed with previous comments that the amount of glass should be looked at in terms of energy savings. Commissioner Thimm remarked that the broken down scale of the buildings seemed appropriate and worked nicely in terms of the layout of the plan.

Mr. Conabee stated that the team was also looking at solar and when the study comes back they would present it so the Planning Commission would have an idea of where it could or could not go and what it would look like. Director Erickson asked if they would be meeting State Energy requirements on this building. Mr. Conabee answered yes.

Director Erickson stated that after review of the site conditions in Silver Lake, the Staff will be reviewing the roof forms icicle formation and snow shed with the minimum setback. The Staff has concerns on buildings from the 1980s and they will be working with the design team to make sure those are not replicated.

Chair Strachan thought this would have been better as a work session to allow for a more informal conversation and to get a better feel for the project.

Chair Strachan stated that for him personally the big thing is how this project fits in with the other existing buildings in terms of compatibility, the building mass and scale and all the criteria that the MPD requires them to look at. The model was a good step, but he would like to see fog studies to show the height, how it compares to Stein Eriksen, where it will sit in comparison to Mont Cervin, and how it relates to the rest of Silver Lake. Chair Strachan thought it would be helpful to see that in a computer model context. He agreed with the architect that the rendering do not do it justice, and they need to look at them more carefully. Chair Strachan thought it was aggressive architecture for the area. He originally questions the design, but after hearing from the more knowledgeable and experienced Commissioners he was re-thinking that view, and a something new architecturally could be positive. He asked the applicant to bring the Commissioners into the project so they can really get to know.

Chair Strachan thought the fog study would address the height issue. One of the questions in his mind is the compatibility of the bridges and the flying balconies. He needed to be convinced that it was something architecturally that Deer Valley, and Silver Lake Lodge in particular, should have. Chair Strachan agreed that the original Goldener Hirsch is icon and he believed this project had a chance of being iconic as well. He just needed to see it and he looked forward to more computer renderings.

Regarding the parking issue, Chair Strachan understood that Silver Lake Village was never intended to be a base area. It was a mid-mountain area for overnight skiers. He thought the base area for the day skier was the Snow Park Lodge. He believed this project fits with that assessment because the skiers would stay for three or four nights, and hopefully they would not bring cars. However, if they do bring cars they needed to provide the LMC required parking. They also need to make parking for day skiers as easy as possible. Chair Strachan remarked that the opportunity to create further goodwill with Deer Valley and the day skier base in Park City by providing parking accessible to locals and the general public would be in the applicant's best interest. He strongly recommended that the applicant look at Staff parking and he would be interested in hearing their solutions.

Chair Strachan stated that in terms of General Plan compliance, there was no question that this complied. He was interested in seeing more of the details.

Mr. Conabee assured Chair Strachan and the Planning Commission that they were here to solve problems and find solutions. He appreciated their time and their efforts. Mr. Conabee stated that Spencer Eccles requested time to speak this evening.

Mr. Eccles noted that skiing was superb this morning in the bright Deer Valley sunshine. Mr. Eccles stated that it was a privilege for him to appear before the Planning Commission on behalf of the beloved Goldener Hirsch Inn. His family has deep roots in the Deer Valley

area, in Park City, and in the entire State of Utah. He has now lost his great friend Stein Eriksen who he first met when Mr. Eriksen came to the United States in 1953. Mr. Eccles stated that years later he help Mr. Eriksen realize his dream as First Security financed the construction of his named lodge. Later the convention center and the spa. Mr. Eccles reported that years later he, his wife and four children bought the Goldener Hirsch Inn next door to Stein's. It was a family investment in 1991 and they just started their 25th year of operation. Mr. Eccles thought it was obvious that they were committed to the Silver Lake area and they were excited to work with everyone to put the exclamation point on what is already the finest ski area in the country. He stated that this expansion is part of their great vision of Park City and Deer Valley and they look towards working with everyone once again on something great for the entire Park City community. Mr. Eccles thanked the Planning Commission for allowing them time to give their presentation and for giving him time to tell them about the background and the love and affection that has gone into the Goldener Hirsch Inn.

Planner Whetstone requested that the Planning Commission continue this time to February 24th instead of February 10th as listed on the agenda.

MOTION: Commissioner Joyce moved to CONTINUE the Goldener Hirsch Hotel and Residence CUP and Plat Amendment to February 24th, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

3. **900 Round Valley Drive- Request to amend the Intermountain Health Care Master Planned Development to allow the Peace House facility to be constructed on Lot 8 of the IHC/USSA Subdivision plat, as partial fulfillment of required affordable housing, and other administrative changes.**
(Application PL-15-02999)
4. **Public hearing and possible action 700 Round Valley Drive- Conditional Use Permit for new construction of the Peace House facility to be located on a portion of Lot 8 of the IHC/USSA Subdivision plat for an emergency shelter, transitional housing and support uses.** (Application PL-15-03000).

The Planning Commission discussed these two applications simultaneously.

Chair Strachan noted that Planning Commission had reviewed the applications at previous meetings.

Planner Whetstone reviewed the request to amend the IHC Master Planned Development. During the pre-MPD process the Planning Commissioner reviewed the proposal with the exception of the requested 50,000 square feet of density. That discussion had been continued.

Planner Whetstone stated that there were three amendments to the MPD. One is to allow the Peace House facility to be located on Lot 8. Second is to allow Lot 8 to be subdivided into two lots. She noted that the actual subdivision application has not yet been submitted but it would come before the Planning Commission. The amendment would allow a subdivision to occur. The third amendment relates to the 50,000 square feet of density that was previously continued for discussion at a future meeting.

Planner Whetstone commented on two additional administrative amendments that included corrections on conditions and a development agreement to memorialize the changes to the IHC MPD.

The Staff report detailed the history of the IHC MPD, the criteria for the CT zones, as well as the MPD Chapter in the LMC. The Staff recommended that the Planning Commission conduct a public hearing and consider approving the MPD amendments pursuant to the findings of fact, conclusions of law and conditions of approval as outlined in the Staff report.

Planner Whetstone reported that the application for 700 Round Valley Drive was a CUP for the Peace House to be constructed on Lot 8.

Morgan Bush, representing IHC, had read through the Staff report and concurred that it reflected everything that was discussed through the pre-MPD process and what was submitted in the Amended MPD application. He had nothing further to add.

Doug Clyde, representing the Peace House, remarked that Bob Dillon, legal counsel, had one item to address with the Planning Commission.

Bob Dillon, representing the Peace house, referred to Condition of Approval #11 of the CUP. He noted that the Peace House had executed the lease approximately a year ago as a condition for obtaining funding from the County. Mr. Dillon requested that Condition 11 be rewritten to only say, "Terms of the ground lease shall include a time frame of 40 years or longer." The remaining language would then become a separate condition and modified to read, "Any future changes to the use of the building or property **as other than transition and/or affordable housing** will require a Conditional Use Permit and may, depending upon the use, require an amendment to the IHC MPD Housing Mitigation Plan and the provision of additional affordable." Mr. Dillon remarked that the ground lease requires the

Peace House to operate it as such; otherwise the ground lease terminates. He thought it was important to address the requirement as a separate condition and not as part of the ground lease.

Mr. Clyde pointed out that if the Peace House terminates its operation at any time for any reason, it would not negate IHC's obligation to provide affordable housing. Therefore, the requested change to the condition of approval would not change anything, but it would avoid complicating the lease issue. Planner Whetstone understood that it was a 40 year lease. Mr. Clyde replied that it was a 40 year lease with two five year renewals.

Assistant City Attorney McLean was comfortable with the change to Condition of Approval #11 as proposed by Mr. Dillon.

Chair Strachan opened the public hearing on both the Amendment to the IHC MPD and the CUP for new construction of the Peace House.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Phillips moved to APPROVE the Second Amended Intermountain Health Care Master Planned Development for 900 Round Valley Drive pursuant to 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.

MOTION: Commissioner Joyce moved to APPROVE the Peace House Conditional Use Permit at 700 Round Valley Drive based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 900 Round Valley Drive

1. On November 10, 2015, the City received a complete application for an MPD Amendment for the Intermountain Healthcare Master Planned Development (IHC MPD).
2. The proposed MPD Amendment includes the following items:
 - Allow the Peace House facility to be located on Lot 8 of the IHC/USSA

subdivision plat to fulfill a portion of the remaining affordable housing obligation for the IHC MPD. A Conditional Use Permit (CUP) is required prior to building permit issuance. A CUP application was submitted for concurrent review with the MPD Amendment application.

- Allow Lot 8 to be subdivided into two lots with the eastern 3.6 acres proposed to be leased to the Peace House as Lot 8 and the western 6.334 acres to become a new Lot 12 retained by the Intermountain Healthcare with no density assigned to it. A plat amendment application is required and has not yet been submitted.
- Add 50 Unit Equivalents (UE) of density as 50,000 square feet of support medical offices/clinics to the overall IHC MPD to be located on Lot 1. (Note- this item was continued for further analysis and discussion with Staff recommendation to bring it back to the Planning Commission later in 2016.)
- Make administrative corrections to conditions #16 and #17 of the October 8, 2014, approval of the First Amended IHC MPD.
- Include a condition of approval requiring recordation of a Development Agreement to cover all items of the original MPD as well as the First and Second Amendments.

3. The IHC MPD was approved by the Planning Commission on May 23, 2007.

4. A First Amended IHC MPD was approved by the Planning Commission on October 8, 2014, transferring assigned medical support density from Lots 6 and 8 to Lot 1, along with other amendments related to Phase 2 of the Medical Center construction.

5. The IHC MPD consists of Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11 of the Second Amended Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility Subdivision (IHC/USSA Subdivision) approved and recorded at Summit County on November 25, 2008.

6. The property is generally located on Round Valley Drive west of US 40 and east of Round Valley in the Quinn's Junction neighborhood of Park City.

7. The approved IHC MPD includes an Intermountain Healthcare Hospital of 300,000 square feet (180 Unit Equivalents) located on Lot 1 and Support Medical Office space of 150,000 square feet (150 Unit Equivalents) located on Lots 1, 7, and 10.

8. Lot 2 of the IHC/USSA Subdivision plat is dedicated as open space.

9. Lot 3 is not part of the IHC MPD and is the location of the USSA Headquarters and Training Center MPD.

10. Lot 4 was the original location of 28 affordable, deed restricted townhouse units incorporated into the Park City Heights neighborhood during the Park City Heights MPD approval. Lot 4 currently has no designated density and is an open space lot.

11. Lot 5 was dedicated and transferred to the City for future recreation uses.

12. The density initially designated for Lot 6 was transferred to Lot 1 with the First Amendment to the MPD.

13. Lot 7 contains the 25,000 sf medical support office density and is also known as Physician Holdings or MOB (Medical Office Building).

14. The density initially designated for Lot 8 was transferred to Lot 1 with the First Amendment to the MPD.

15. Lot 9 contains a small Questar gas regulating facility.

16. Lot 10 is the location of the Summit County Health Department and People's Health Clinic utilizing 25,000 sf of support medical office density. Summit County has a ground lease from IHC on this lot.

17. Lot 11 is the one acre lot around Lot 9, owned by IHC and not designated as to use or density.

18. This MPD amendment is being processed concurrent with a Conditional Use Permit application submitted for the Peace House proposed to be located on the eastern portion of Lot 8 with a ground lease to the property from IHC.

19. The Peace House includes approximately 25,964 sf of emergency shelter and transitional housing, 8,622 square feet of shelter and housing support uses related to the Peace House mission, 2,096 square feet of circulation and back of house uses (mechanical, storage, etc.), and 4,096 square feet. The proposed building also includes a 4,096 square foot parking structure for a gross building size of approximately 41,000 square feet.

20. On June 4, 2015 the Park City Housing Authority approved an amended Housing Mitigation Plan outlining the affordable housing strategy for the IHC MPD and approved the Peace House as part of that strategy.

21. The June 4, 2015 Housing Authority approval included a condition of approval that future density increases for the IHC Medical Campus at Park City Medical Center

will be reduced by 10 AUEs or 8,000 square feet to address the issue that a portion of the Peace House facility is provided as satisfaction of an affordable housing obligation for the Tanger Outlet expansion through the Summit County approvals.

22. The June 4, 2015 Housing Authority approval also included a condition that if the Peace House ceases operation of their program on Lot 8 prior to 50 years from the date of signing the amended Housing Mitigation Plan agreement, IHC will owe the City 12.5 AUEs.

23. The Park City Housing Authority is the decision making body responsible for approving any amendments to the IHC MPD Affordable Housing Mitigation Plan and for determining the number of AUEs the Peace House facility will count for. A final Housing Mitigation Plan will be reviewed by the Park City Housing Authority based on uses, residential units, and square footages of the final approved Peace House CUP.

24. The IHC MPD is subject to the IHC/USSA/Burbidge Annexation plat approved by the Park City Council on December 7, 2006, with an effective date of January 1, 2007.

25. A plat amendment application is required to be submitted for review by the Planning Commission with final action by the City Council in order to subdivide Lot 8.

26. An Annexation Agreement for this property was recorded on January 23, 2007.

27. The Annexation Agreement is currently the Development Agreement for the MPD and sets forth maximum building floor areas, development location, and conditions related to developer-provided amenities on the various lots of the IHC/USSA subdivision plat, such as roads, utilities, and trails.

28. The property is located in the Community Transition (CT) Zone.

29. The maximum Building Height in the CT Zone is 28 feet (33 feet with a pitched roof). The IHC MPD provided height exceptions for the Park City Medical Center on Lot 1. The remaining lots are subject to the CT Zone Height. No changes to MPD approved heights are proposed.

30. The proposed Peace House building on Lot 8 complies with the maximum Building Height of the CT Zone.

31. The setbacks within the CT Zone are twenty five feet (25') in the front, rear, and sides. The proposed Peace House building complies with these setback

requirements.

32. There is no minimum lot size in the CT Zone.

33. The base density in the CT Zone is 1 unit per 20 acres. Maximum density allowed in the CT Zone for non-residential projects is 3 units per acre provided that all Density bonus requirements set forth in LMC Section 15-2.23 A are met and the additional standards are incorporated into the Master Planned Development. This MPD Amendment does not change the allocated density within the IHC MPD.

34. Eighty percent (80%) open space is required for approved density and this MPD Amendment does not change the total open space within the MPD. With construction of the Peace House facility the open space for the entire annexation area will be at approximately 85%.

35. Trails and linkages to trails as shown on the approved IHC MPD comply with the City's Master Trail Plan. No changes to the trails or linkages are proposed with this MPD Amendment.

36. A pre-MPD application for these MPD Amendments was submitted on September 14, 2014 and reviewed by the Planning Commission on April 8th, August 26th, October 28th, and Nov 11th, 2015. The Planning Commission conducted public hearings on these dates and made findings that the proposed MPD Amendments initially comply with the intent of the Park City General Plan and general purposes of the Community Transition (CT) Zoning District.

37. Green Building requirements are part of the Annexation Agreement and continue to apply to the Peace House CUP.

38. Administrative corrections to conditions #16 and #17, of the October 8, 2014 approval of the First Amended IHC MPD, are included as part of these MPD amendments.

39. Condition #16 was left over from the original MPD approval and states that prior to issuance of a building permit for future phases the applicant and Staff shall verify that all items agreed to by the applicant (as listed in Finding of Fact #21 of the original approval), as mitigation for the loss of the use of the planned ball field at the Park City Recreation Complex, have been completed. The applicant and Staff verified that these items have been satisfied and this Condition is not necessary and should not be included in the language of the Development Agreement.

40. Condition #17 states that the applicant shall conduct and present to the Planning Commission a parking study of the Medical Center site as part of the October 8th Amendments. The Commission discussed the timing of the study and determined that the study was not needed with the Second Phase of construction but should be included with any applications for future construction of the Medical Center.

41. A condition of approval requiring recordation of a Development Agreement to cover items of the original MPD as well as the First and Second Amendments is included as part of this amended MPD.

42. The Analysis section of this staff report is incorporated herein.

Conclusions of Law – 900 Round Valley Drive

1. The MPD amendment, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD amendment, as conditioned, meets the minimum requirements of Section 15-6-5 of the LMC Code.
3. The MPD amendment, as conditioned, is consistent with the Park City General Plan.
4. The MPD amendment, as conditioned, provides the highest value of open space, as determined by the Planning Commission.
5. The MPD amendment, as conditioned, strengthens and enhances the resort character of Park City.
6. The MPD amendment, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
7. The MPD amendment, as conditioned, is Compatible in Use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility.
8. The MPD amendment provides amenities to the community so that there is no net loss of community amenities.
9. The MPD amendment, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
10. The MPD amendment, as conditioned, meets the provisions of the Sensitive Lands provisions of the Land Management Code. The project has been designed to place Development on the most Developable Land and least visually obtrusive portions of the Site.
11. The MPD amendment, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections.
12. The MPD amendment has been noticed and public hearing held in accordance with this Code.

Conditions of Approval – 900 Round Valley Drive

1. All applicable conditions of approval of the IHC/USSA Annexation Agreement shall apply to this MPD amendment.
2. All applicable conditions of approval of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Second Amended subdivision plat shall apply.
3. Construction of the Peace House facility on Lot 8 shall be subject to an approved Conditional Use Permit, as well as to all applicable conditions of approval of the MPD, as amended, the Annexation Agreement, and the Subdivision plat.
4. A Development Agreement specifically for the IHC Master Planned Development, as amended, shall be ratified by the Planning Commission within 6 months of final action on the MPD Amendment application.
5. The Development Agreement shall reiterate all applicable requirements of the Annexation Agreement, as well as zoning requirements related to findings, conclusions, and conditions of approval of the MPD, included the approved amendments.
6. The Development Agreement shall include an express reservation of the future legislative power and zoning authority of the City, a copy of the approved MPD plans and any other plans that are a part of the Planning Commission approval, a description of all Developer exactions or agreed upon public dedications, an agreement to pay all specified impact fees; a description of the form of ownership anticipated for the project; and a list and map of all known Physical Mine Hazards on the property.
7. All construction within the IHC MPD is subject to the plat notes and conditions of approval of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility amended subdivision plat recorded at Summit County on November 25, 2008, as well as conditions of approval of the IHC MPD, as amended, including amendments to Conditions #16 and #17 of the October 8, 2014 MPD Amendment approval, as described in #8 below.
8. Conditions #16 and #17 of the October 8, 2014 approval of the First Amended IHC MPD shall be amended, and reflected in the development agreement, as follows:
 - a) Condition #16 shall be deleted.
 - b) Condition #17 shall be amended to state the following: The applicant shall submit

a parking study as part of an application for the next Medical Center expansion. The study shall include qualified transportation professionals recommendations addressing the potential impact of reduced parking ratios in future phases and a comprehensive program to increase utilization of underutilized parking areas. Along with impacts to street intersections out to and including SR-248.

9. In order to create a separate lot of record for the Peace House, a plat amendment application would be required to be submitted to the City.

Findings of Fact – 700 Round Valley Drive

1. This Conditional Use Permit is for the Peace House facility proposed on a 3.6 acre portion of Lot 8 of the Second Amended Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Subdivision plat approved by the City Council and recorded at Summit County on November 25, 2008.

2. Lot 8 includes a total lot area of approximately 9.934 acres. Peace House has recently entered into a 50 year ground lease from IHC on the eastern 3.6 acres of Lot 8.

3. The property is subject to the Amended Intermountain Healthcare Master Planned Development (IHC MPD), originally approved on December 7, 2006 and amended in 2014 to transfer support medical office uses from Lots 6 and 8 to Lot 1.

4. On February 18, 2015, IHC submitted a pre-MPD application for various amendments to the IHC MPD. On June 18, 2015 a revised pre-MPD application was submitted with a specific request for consideration of the Peace House facility to be located on Lot 8 as fulfillment of the affordable housing requirements for the next phase of construction of the IHC Park City Medical Center.

5. The revised pre-MPD application was reviewed by the Planning Commission on August 26, 2015 and the Planning Commission made a finding that the proposed MPD amendments specific to the Peace House on Lot 8 were generally consistent with the purpose statements of the CT Zoning District and the goals and objectives of the General Plan.

6. On November 10, 2015, applications for a second amendment to the IHC MPD and this Conditional Use Permit for the Peace House on a portion of Lot 8 were submitted to the Planning Department.

7. The applications were considered complete on November 10, 2015.
8. The property is located in the CT Zoning District.
9. The property is currently undeveloped and consists of native grasses and low vegetation with an area of delineated wetlands located to the north and west of the proposed building.
10. The wetlands delineation was done more than five years ago and will need to be updated, re-delineated and re-submitted to the Corp.
11. The proposed Peace House facility consists of approximately 37,600 square feet of new construction for an emergency shelter for victims of domestic violence; including emergency and transitional housing, support uses (day care, counseling, training, common kitchen and living areas, laundry, storage, and administrative offices), and twelve structured parking spaces. An additional 42 surface parking spaces in two separated lots are proposed. An enclosed landscaped courtyard is proposed for outdoor activities.
12. As a mixed use building the Land Management Code requires in the range of 45-50 parking spaces. A total of 54 spaces are proposed.
13. The building is two stories and at the tallest point is 27'10" above existing grade and complies with the 28' height restrictions of the CT Zoning District. The proposed building complies with required horizontal and vertical articulation.
14. The proposed mass and scale of the building, as well as the architectural design, materials, and colors are consistent with adjacent buildings in the surrounding area.
15. Adjacent to the north is the two story Physician Holdings support medical offices and clinic building and adjacent to the south is the two story Summit County Public Health and People's Health Clinic building.
16. The proposed building is setback more than 25' from all property lines and complies with the minimum 25' setbacks from property lines required by the CT Zoning District. The building and parking area comply with the required 50' setbacks from delineated wetlands located to the north and west of the proposed building.
17. Access to the site is from Round Valley Drive, an existing public street that intersects with State Road 248 at a signalized intersection approximately a half mile to the south.

18. Two driveway entrances are proposed for the facility. The southern driveway is proposed as a shared driveway with Summit County Health. This driveway currently exists and is proposed to become a secured access to the structured and secured surface parking. A northern driveway, separated by approximately 300' from the southern driveway, provides access to the main parking area and building's front entrance. An access easement agreement is required prior to using the shared driveway.

19. There are existing sidewalks along the street frontage as well as interconnecting paved trails throughout the subdivision. The site plan proposes a 6' sidewalk connecting the front entrance to the existing sidewalk on Round Valley Drive.

20. The proposed Conditional Use Permit is consistent with the Second Amended IHC MPD that identifies Lot 8 as an approved location for the Peace House as an emergency shelter with emergency and transitional housing, as well as support uses, to satisfy a portion of the remaining IHC MPD affordable housing obligation.

21. On June 4, 2015, the City's Housing Authority approved the amended IHC MPD Housing Mitigation plan allowing the Peace House facility, including housing and support uses, to satisfy affordable housing mitigation requirements for the IHC MPD.

22. The Peace House facility does not require the use of Unit Equivalents because the Peace House facility satisfies the affordable housing requirements on-site for the MPD per LMC Section 15-6-8.

23. The Analysis section of this staff report is incorporated herein.

Conclusions of Law – 700 Round Valley Drive

1. The CUP, as conditioned, is consistent with the IHC Master Planned Development, as amended, and the Park City Land Management Code.
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use, as conditioned, is 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 – 700 Round Valley Drive

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A final landscape plan shall be submitted with the building permit application. The Planning Department shall review and approve the final landscape plan prior to issuance of a building permit. The plan shall include water efficient landscaping and irrigation, snow storage areas, defensible space requirements, and additional berming and landscaping to screen parking and security walls from Round Valley Drive.
3. All exterior lighting, including parking lot lighting, must comply with the City's lighting requirements as outlined in LMC Chapter 5. Final compliance with the City's lighting requirements will be verified at the time of building permit plan review and prior to issuance of a certificate of occupancy.
4. A security lighting plan shall be submitted with the building permit application for Planning Department review and approval.
5. All exterior signs require a sign permit, approved by the Planning and Building Departments, prior to installation.
6. The final building plans (site and landscape plans, building design, articulation, materials, colors, and design details) shall be in substantial compliance with the plans and drawings reviewed by the Planning Commission on January 13, 20
7. Final utility, storm water, and grading plans must be approved by the City Engineer prior to Building Permit issuance.
8. The Park City Housing Authority has the final authority to approve the IHC Housing Mitigation Plan and to determine how the Peace House Facility fulfills affordable housing obligations required by the IHC Annexation and Amended IHC Master Planned Development.
9. The wetlands delineation shall be updated and re-submitted to the Corp for approval prior to issuance of a building permit.
10. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the area provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping.
11. Terms of the ground lease shall include a time frame of 40 years or longer.

12. Any future changes to the use of the building or property as other than transition and/or affordable housing will require a Conditional Use Permit and may, depending upon the use, require an amendment to the IHC MPD Housing Mitigation Plan and the provision of additional affordable

13. The applicant shall demonstrate at the time of Building Permit application that the building plans and construction meets the NAHB Green Standards or a LEED Certificate level. All appliances and products, including light bulbs shall be Energy Star qualifying products.

14. The access easement agreement for the shared driveway with Summit County Health Department shall be recorded at Summit County prior to issuance of a certificate of occupancy for the Peace House.

5. **8910 Empire Club Drive- Conditional Use Permit for construction of Building 5 of the Village at Empire Pass Master Planned Development, consisting of 27 residential units, 1 ADA unit, and 1 deed restricted unit located on Lot 15 Village at Empire Pass West Side Subdivision. (Application PL-15-02983)**

6. **8910 Empire Club Drive- Condominium record of survey plat for 27 residential units within Building 5 of the Village at Empire Pass Master Planned Development. (Application PL-15-03003)**

The Planning Commission discussed the two applications simultaneously.

Planner Whetstone reported that the Planning Commission had reviewed the application at a work session during a previous meeting.

Planner Whetstone reviewed the application for a conditional use that is subject to the Flagstaff Annexation and Master Planned Development; and more specifically subject to the Village at Empire Pass MPD. She had prepared a density chart on page 377 of the Staff report. Planner Whetstone explained that the site was not identified for this amount of density. There is a pool of density which they can pull from, and in this case the applicant purchased an x-number of UEs from Talisker. She pointed out that they had not exceeded that density. Planner Whetstone stated that the benefit of having a condo plat is that every square foot of the condominium plat is identified with the square footage. The Staff had reviewed the condominium plat in detail. They will review it again prior to recordation to make sure remains at or under the density that was purchased.

Planner Whetstone identified three changes. The first is that the total residential floor area, not including the affordable or the ADA units, should be changed from 64,374 square feet to the correct number of 64,965 square feet. The second change was instead of 32.2 unit equivalents, the number should be 32.48 unit equivalents. The third change is the gross square footage of the entire building. She noted that 113,293 should be changed to 113,884. Planner Whetstone clarified that wherever the numbers occur in the Findings of Fact of both Staff reports, it should be changed to reflect the correct number.

The Staff recommended that the Planning Commission conduct a public hearing and consider approving the Conditional Use Permit for One Empire Pass pursuant to the Findings of Fact, Conclusions of Law and Conditions of Approval in the Staff report as amended.

For the Condominium Plat, the Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council pursuant to the Finding of Fact, Conclusions of Law and Conditions of Approval as amended.

Assistant City Attorney McLean asked Planner Whetstone to clarify whether the change in numbers was due to a typo or a change to the plat. Planner Whetstone explained that the new condominium plat was delivered to the Planning Department after the Staff report went out. The square footage of the top floor units had increased, which increased the UEs and the overall square footage of the buildings. Ms. McLean asked if the Planning Commission had been given a copy of the new plat. Planner Whetstone had copies available but it had not been provided to the Commissioners.

Bill Fiveash, representing the applicant, explained that the minor modification to the plat occurred on the 6th level of the building. There was a flat roof section that separated one residence from the stair core. A small flat roof section in another area separated another residence from the stair core. In order to accommodate multiple exits on that level, both residences were extended to connect to the stair core to achieve two exits from the residences on the 6th Floor. Mr. Fiveash stated that it was a small addition of square footage which was still allowed under the 65,537 square foot cap on the allowed plat area that was purchased from Talisker in 2005. He clarified that the change was also a function of Building Code.

Joe Drew with IBI, the project architect stated that upon the original plat work, they were still in the process of going through the Code analysis for the building, which then determined the two exit requirements. Mr. Drew assumed that because they were still under the square footage that it would be acceptable.

Chair Strachan asked Assistant City Attorney McLean about process since the plan they were being asked to approve was not part of the Staff report. He pointed out that it was noticed for public hearing but the public had not seen the correct plat. Ms. McLean stated that the Planning Commission could make the determination of whether or not to accept the amendments as outlined. She thought the changes appeared to be minor; however, that was hard to evaluate at this point. Ms. McLean pointed out that typically the Commissioners would have the opportunity to review it in their packet or at least as a separate document prior to the meeting. She also pointed out that it was a long meeting and it was not the fault of the applicant that they were being heard this late in the evening. Ms. McLean noted that the condominium plat is the issue and it would go back to the City Council. Therefore, the public would have the opportunity to see the revised plat and make comment. Assistant City Attorney McLean stated that legally the Planning Commission could make a determination that the changes were minimal and within the realm.

Commissioner Joyce did not believe this was much different from when they find minor changes or typos in findings of fact or conditions of approval, and modify those at the time. He thought it was clear that the change in square footage had no material effect on the design or cross the boundaries of acceptable space. It would not change any of the other parameters. Commissioner Joyce stated that it still fits the criteria of minimum. He remarked that the Planning Commission needed to make a choice. Either they get to the point of continuing any application that has a minor change or exception, or they should move this one forward.

Assistant City McLean asked if the applicant had redlines of what had changed. Mr. Drew presented a slide and explained how the spaces were connected to the residences. Commissioner Phillips asked for the total square footage. Director Erickson replied that it was a total of 600 square feet. Planner Whetstone pointed out that it only occurs on the 6th level.

Chair Strachan clarified that his only concern was for the public who had looked at the packet without any knowledge that the plat had been changed. He would not want to be in the position of having someone challenge the process. However, if Ms. McLean felt they could legally move forward, he preferred to do that instead of making the applicant come back.

Planner Whetstone offered to include the redlined portion in the City Council packet. Chair Strachan thought that was a good idea. He also wanted the City Council to clearly understand that the Planning Commission had not seen the Findings of Fact or the plat after it was amended.

Chair Strachan opened the public hearing for both the Conditional Use Permit and the Condominium Record of Survey Plat.

There were no comments.

Chair Strachan closed the public hearing.

Assistant City Attorney McLean asked if the volumetrics in the CUP would be affected by the change to the condo plat. Commissioner Thimm believed it would change the percentages. Ms. McLean understood that it was minimal but she wanted to make sure they addressed it to avoid any issues.

Mr. Drew explained that they had not changed the roof form. They simply extended the space to connect with other existing roofs. He presented a slide showing the maximum heights and pointed out that everything remains under it. Nothing extended to the ridgeline and in fact, it was 9 to 12 feet below the ridgeline. Ms. McLean asked if the roof gets bumped out. Mr. Drew answered no. Ms. McLean verified that the outside volumetrics of the building were exactly the same, and that the change was only to convert stairwell area to private area. Mr. Drew replied that it was attic space that was converted to actual square footage of unit space to connect the unit to the actual staircase exit.

Commissioner Phillips clarified that it was an interior remodel. He was told that was correct. Ms. McLean was unclear as to why the gross square footage had changed. Mr. Drew replied that it was attic space that was not part of the unit. Doug Clyde explained that the gross square footage changed because the attic space was not habitable space. Gross square footage only includes habitable space.

Commissioner Thimm asked Mr. Drew to walk them through the roof plan on page 319 of the Staff report. Mr. Drew stated that the flat roof between grid lines three and four was an existing roof line and that did not change. The portion of the flat roof to the right of grid line four, which was down at the floor level, was turned into interior space. It was the same between grid lines 10 and 11. Mr. Drew pointed out that in looking at the building elevation the roof shape had not changed at all. They simply extended over those spaces to connect to the other existing roofs to make the exiting work.

Commissioner Campbell noted that the stairwells were not shown on the plan. Commissioner Thimm asked if they were adding the whole area identified as flat roof. Mr. Drew answered yes. In doing the calculations Mr. Drew thought it was more than 600 square feet. Commissioner Thimm agreed. Mr. Drew calculated that the total difference was 600 square feet. They may have shrunk other portions of the building to achieve that. Commissioner Thimm asked if those would differ as well.

Based on the number of questions and the difficulty of making a clean motion, Chair Strachan thought it was best to continue the plat amendment. He believed it could come back as a Consent Agenda item where the Commissioners could see the final plat.

Tom Bennett, representing the applicant, asked if it would be possible to approve the plat in the form that was circulated and allow the Staff to determine that the changes are immaterial changes. Commissioner Strachan would not be opposed. Assistant City Attorney McLean requested that when this goes to the City Council they include a redline of the plat and outline all of the numbers so it is very clear.

Commissioner Thimm asked for the upper limit of the allowed square footage. Planner Whetstone stated that the upper limit based on the agreement with Talisker was 65,537 square feet for residential area. However, that does not include the ADA unit or the affordable housing units. There was also no limit to the amount of amenity space. Chair Strachan noted that it was currently at 64,965 sf. However, if they add 1200 sf it exceeds it. Mr. Drew clarified that the 64,965 sf was the net number on the plat as submitted.

Director Erickson wanted an opportunity for the Staff to carefully review the amended plat before it moves forward. Given the questions and discussion, Director Erickson preferred not to follow Mr. Bennett's suggestion and he requested that the Planning Commission continue the plat amendment this evening. Chair Strachan deferred to the Planning Director and agreed that it was better to take a cautious course of action. He preferred that it come back as a Consent Agenda item for the February 10th meeting if possible.

Commissioner Joyce referred to page 295 of the Staff report, last bullet item which stated that approximately 368 certificates of occupancy have been done and that the affordable housing obligation comes due for every 150 certificates of occupancy. Commissioner Joyce wanted to know what, if anything, would increase it to 450 certificates of occupancy. Planner Whetstone explained that they were beyond the 300 certificates of occupancy and some Cos were withheld when they reach approached the 300 on another project. In addition to this one, there are a couple of single units under construction at Red Cloud. After those three are built there was anything else except the second phase of Montage, which would probably push it over the 450.

Mr. Clyde noted that the CUP and the plat were separate applications and he asked if they could take action on the CUP. Director Erickson remarked that the CUP also had incorrect information that required modifications to make the square footage and the areas conform

MOTION: Commissioner Joyce moved to CONTINUE the conditional use permit for One Empire Pass to February 10, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Joyce moved to CONTINUE the One Empire Pass condominium records of survey plat to February 10, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Mr. Bennett asked if they could get a fixed date for a City Council meeting to expedite the process once the Planning Commission takes action. Chair Strachan suggested that Mr. Bennett work with the Staff.

The Park City Planning Commission Meeting adjourned at 10:15 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report



Application: PL-15-02983
Subject: One Empire Pass
Author: Kirsten Whetstone, AICP, Sr. Planner
Date: February 10, 2016
Type of Item: Administrative - Conditional Use Permit

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing, consider public input, and approve the Conditional Use Permit for One Empire Pass (Building 5) of the Village at Empire Pass MPD pursuant to the findings of fact, conclusions of law, and conditions of approval outlined in this report.

Description

Applicant: Guardsman Lodge, LLC, represented by Bill Fiveash, managing partner
Location: 8910 Empire Club Drive- Pod A, Lot 15 Village at Empire Pass West Side Subdivision (Building 5)
Zoning: Residential Development (RD) District as part of the Flagstaff Annexation and Master Planned Development (MPD)
Adjacent Land Uses: Deer Valley Resort, condominiums, townhouses, and vacant development parcels of the Village at Empire Pass Pod A

Background

On October 26, 2015, the Planning Department received an application for a CUP for a 27 unit residential building to be located on Lot 15 of the Village at Empire Pass West Side Subdivision (Exhibits A-E). The building is identified as Building 5 on the Village at Empire Pass MPD. The application was deemed complete on October 30, 2015. An application for a condominium plat was submitted on November 13, 2015 for concurrent review. Substantial background information on this property was described in the January 13, 2016 Staff Report and is included in the attached findings of fact.

At the Planning Commission work session on December 9, 2015, the applicant presented an over view of the project and reviewed the site plan, building plans, and volumetric. Volumetric and building height diagrams approved with the MPD are attached as Exhibit F.

On January 13, 2016, the Planning Commission conducted a public hearing and discussed the proposed condominium plat. No public input was provided and the public hearing was closed. Staff explained that there had been minor changes to the plat submitted on January 11th after the packet had gone out. The Commission continued the item to February 10, 2016 to allow Staff and the applicant to get the correct figures, plat, and plans into the packet for the Commission to review.

Staff did have the correct overall gross building square footage (113,293 sf), as it was provided by the architects on Friday, January 8th before the final report was placed in the packet. An intermediate change to the plat made in December (that was not submitted to the City) increased the size of some of the some units bringing the total residential area to the 64,374 sf, which was the same number that Staff referred to in the January 13th report that was calculated from the revised architectural drawings that were submitted for the Conditional Use Permit.

The original November plat was included in the January 13th meeting packet, because the December plat was not submitted to the City. The November plat reflected the originally submitted total residential square footage of 62,668 sf. The intermediate plat reflected the total residential floor area as 64,374 sf (a 1,706 sf increase primarily to Unit 604, with minor changes to other units) that matched the architectural floor plans submitted by the architect. The revised plat (submitted January 11th) reflects the correct total residential floor area of 64,965 sf (32.48 UE), an increase of 591 square feet (primarily to Unit 603) from the 64,374 sf figure staff used in the January 13th report.

Staff incorrectly thought that the gross building area also increased, but the figure (113,293 sf), provided by the architects, and included in the January 13th report, was correct, already reflecting the changes made to the plat and to the volumetric exhibits submitted for the CUP. Staff has provided the correct residential square footage (64,965 sf) and UE (32.48 UE) throughout this report and in the findings of fact in the draft Ordinance.

Purpose

The purpose of the Residential Development (RD) Zoning 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.

Land Management Code (LMC) and Village MPD Analysis

The proposal complies with lot and site requirements of the RD Zoning District as described below.

	RD Zoning District and/or Village at Empire Pass MPD
Lot Size	No minimum lot size. Lot is approximately 1.17 acres (50,999 square feet)
Building Footprint- Floor Area Ratio (FAR)	Density is per the Flagstaff Annexation and Development Agreement and Village and Empire Pass MPD. Building 5 site was sold with up to 65,537 net residential square feet (32.8 UE). The proposed CUP is for 27 units (64,965 sf, utilizing 32.48 unit equivalents (UE)). Density is based on 1 UE is equivalent to 2,000 sf of residential floor area. The Flagstaff annexation and Development Agreement tracks both UEs (each 2,000 sf) as well as total number of units. The gross building is 113,293 sf, including the parking garage, mechanical, circulation, common areas, storage, and other areas that do not use UE.
Front yard setbacks	25 feet to front facing garage, 20 feet to building. Minimum of 25 foot front setbacks are proposed.
Rear yard setbacks	15 feet. Minimum of 15 foot rear setbacks are proposed.
Side yard setbacks	12 feet. Minimum of 12 foot side setbacks are proposed.
Building Height	Per Village MPD Volumetric and Height Exception Diagrams (Exhibit F) For Building 5, 20% of the building was permitted to reach 80' above existing grade, 55% of the building to reach 92' above existing grade, and 25% of the building to reach 74' above existing grade. The volumetric diagram allows Building 5 to be four to six stories.
Parking	The Transit and Parking Management Plan requires a 25% reduction in parking from what would be normally required by the LMC. Based on unit sizes, fifty-two (52) spaces would be required for the 27 units based and one ADA unit. With the 25% reduction 40 spaces are required. The underground parking structure will have 38 spaces and 2-4 surface spaces will be provided near the front drop-off area.

Architectural Design	All construction is subject to Village at Empire Pass Design Review Board approval and LMC Chapter 15-5 Architectural Design Guidelines with final review conducted at the time of the Building Permit. The building complies with the Village MPD volumetric, including articulation and height exceptions.
Residential Units	27 units ranging in size from 1,140 sf to 3,895 sf, one 900 sf affordable housing unit, and one 944 sf ADA unit.
Commercial space	No commercial space is proposed.
Support space	Common amenity areas are provided for the unit owners, including storage areas, locker rooms, fitness area, lounge and lobby areas, children's room, and small business center areas.
Density Summary	<p>The Mountain Village (Pods A, B1 and B2) was approved for a maximum of 785 UE of multi-family (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units.</p> <p>To date 352 multi-family units (558.3 UE) (of which 52 are PUD style units) and 16 single family units have been platted and/or built within the Mountain Village.</p> <p>Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge.</p> <p>Still to be approved are Tower Residences (Building 1), Building 3, Building 4, and subject property One Empire Pass, as Building 5.</p> <p>There is sufficient remaining density in the MPD (226.7 UE), or 198 units, to accommodate the density of Building 5 (32.19 UE) as 27 units in a lodge style building. (see Exhibit J)</p>

Analysis of Conditional Use Criteria

Conditional Uses are subject to review according to the following criteria set forth in the LMC 15-1-10(E). Staff's analysis is in *italics*.

(1) **Size and location of the Site;**

One Empire Pass consists of a single multi-story building with 27 residential units ranging in size from 1,140 sf to 3,895 sf, one 900 sf affordable housing unit, and one 944 sf ADA unit. It is located north of the Silver Strike Lodge on Lot 15 of the Village at Empire Pass West Side Subdivision. The lot consists of approximately 1.17 acres (50,999 square feet). Excluding the affordable and ADA units, the total residential floor

area is 64,965 sf, utilizing 32.48 unit equivalents (UE). The Village MPD identified a pool of 785 residential Unit Equivalents for the Mountain Village (Pods A, B1 and B2) for a maximum total of 550 units. A total of 65,537 sf of residential floor area (32.8 UE) was purchased by this applicant from the MPD (owner).

The site slopes up from the street and the design proposes a single level underground parking structure with up to six stories of residential units above. The garage entrance is at grade with the street and built into the slope of the lot so that the back of the garage and first story is underground. The building pad is relatively level as it was graded and used during construction of surrounding buildings.

*The building plan complies with setbacks, height, density, and parking. The building size and location are appropriate for the site and comply with parameters of the MPD. **No unmitigated impacts.***

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

*The site will be served by Empire Club Drive, a private road that connects to Marsac Avenue, a public Right-of-Way. A traffic management plan was approved as part of the Technical Reports for the Flagstaff Annexation and Development Agreement to reduce overall traffic generated from the development. A Construction Mitigation Plan is required at the time of Building Permit issuance in compliance with the Flagstaff Development Agreement that reiterates that downhill truck traffic will use Royal Street, unless use of Marsac Avenue is approved and/or required by the City Engineer and Chief Building Official. The Construction Mitigation Plan shall also address where excavated materials will be hauled if they are not used on this site. The Development Agreement requires excavated materials to remain within the Annexation Area. **No unmitigated impacts.***

(3) Utility capacity;

*A storm water plan is being reviewed by the City Engineer (Exhibit G). A final approved storm water plan, as well as a utility and grading plan, is required prior to issuance of a building permit. Adequate sewer, electric, gas, and phone service is available. All utility above ground infrastructure (transformers, ground sleeves, telephone boxes, cable boxes, etc.) are to be located on the property. Staff recommends condition of approval related to the location of dry facilities on the property to ensure that the location of transformers and other utility infrastructure on the property is shown and can be adequately screened. Showing dry utilities on the final plans allows verification from utility companies that the location shown on the plans is viable for their installation. **No unmitigated impacts.***

(4) Emergency vehicle Access;

*Primary emergency access is from Marsac Avenue and Empire Club Drive that winds through the Village area with two access points onto Marsac Avenue. **No unmitigated impacts.***

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

*The Transit and Parking Management Plan requires a 25% reduction in parking from what would be normally required by the LMC. Fifty-two (52) spaces would be required for the 27 units and one ADA unit. The 25% reduction rounds to a required 40 spaces. The underground parking structure will have 38 spaces and 2-4 surface spaces will be provided near the front drop-off area. **No unmitigated impacts.***

(6) Internal vehicular and pedestrian circulation system;

*Access to One Empire is from Empire Club Drive, a private street. A drop-off area is located in the front of the building and a bus stop is located nearby on Marsac Avenue. A pedestrian path system is proposed consistent with the Village Master Plan of Trails. **No unmitigated impacts.***

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

*A landscape plan that provides a buffer between buildings to the greatest extent possible is required as a condition precedent to Building Permit. Landscaping and irrigation will be water efficient, utilizing drought tolerant plantings, limited turf area, and drip irrigation. **No unmitigated impacts.***

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

*This building is one of ten lodge buildings clustered within Pod A. One Empire Pass has four to six floors of residential units with a single level parking structure under the building. Gross building area, including parking and all common areas is 113,293 square feet. Twenty-seven (27) units are proposed with a total of 64,965 square feet, not including the 900 square foot deed restricted affordable housing unit and the 944 square foot ADA unit. All zone required setbacks will be maintained. To the south, there are five existing buildings of a similar size, height, and volumetric, with four still to be constructed, for a total of ten similar lodge style buildings within the VMPD. The mass of the building steps across the lot and is well articulated both horizontally and vertically. **No unmitigated impacts.***

(9) Usable Open Space;

*Both passive and active Open Space is provided in excess of 88% within the annexation boundary. The individual lots were not required to provide open space. The proposal includes useable open space plaza areas in the front, as well as adjacent to the ski run/lift area. **No unmitigated impacts.***

(10) Signs and lighting;

*Signs and lighting must be in conformance with the Park City codes and the Flagstaff Mountain Resort Design Guidelines. Signs require a separate sign permit. Street lights must be approved by the City Engineer (LED, 48 watt, 2700 K in a style consistent with Park City street lights) and will be privately maintained. **No unmitigated impacts.***

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

*In the immediate area, there are four existing similarly sized multi-story residential condominium buildings (Silver Strike, Flagstaff (aka Snowberry), Shooting Star, and Talisker Tower Club), as well as the two story Larkspur town homes and Paintbrush PUD style homes (single-family detached homes). The master developer is coordinating design elements for all phases of the project and all developments require approval by the Flagstaff Architectural Design Review Board. Staff has reviewed the proposed building for compliance with the Volumetric Diagram and height exceptions and finds that the building complies. The building is 4 to 6 stories and is lower in height by 8' to 15' from the allowed height exceptions. The building also complies with required horizontal and vertical building articulation. **No unmitigated impacts.***

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

*All uses are inside the residential building and there are no expected impacts on residents/visitors or Property Off-Site. Staff recommends conditions of approval related to screening of mechanical equipment. **No unmitigated impacts.***

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

*Service and delivery will be minimal as there is no commercial or support commercial component in the building. It is anticipated that laundry/maid service will be needed on a weekly basis throughout the Village. Trash pickup will be in the parking garage. **No unmitigated impacts.***

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

*The project will be platted as a condominium. Nightly rental is a permitted use within the RD zoning district. These units will primarily be second homes and it is unlikely that many will be full-time residences, although this possibility is not precluded. **No unmitigated impacts.***

(15) Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site. *There are no Environmentally Sensitive Lands within or adjoining the site. The building, as with most of the Village, is located on the flatter slopes within the Pod. The site is currently vacant with little significant vegetation as it was used during construction of the surrounding buildings, ski lift, and ski run. **No unmitigated impacts.***

Department Review

This project has gone through an interdepartmental review. Staff is working with the applicant to address storm water issues. No further issues were brought up at that time.

Notice

The property was posted and notices were mailed to property owners within 300 feet on December 23, 2015. A legal notice was published in the Park Record on December 26,

2015. No public input has been received at the time of this report.

Alternatives

1. The Planning Commission may approve the Conditional Use Permit for One Empire Pass as conditioned or amended, or
2. The Planning Commission may deny the Conditional Use Permit for One Empire Pass and direct staff to make Findings for this decision, or
3. The Planning Commission may continue the discussion on the Conditional Use Permit for One Empire Pass.

Significant Impacts

There are no significant fiscal or environmental impacts from this application that have not been mitigated with the Flagstaff Agreement and Master Planned Development conditions.

Recommendation

Staff recommends that the Planning Commission hold a public hearing, consider public input, and discuss the Conditional Use Permit for One Empire Pass (Building 5) of the Village at Empire Pass MPD. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration:

Findings of Fact:

1. The One Empire Pass Conditional Use Permit (CUP) is located in the RD-MPD zoning district, within Pod A of the Village at Empire Pass Master Planned Development.
2. The property is subject to the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007.
3. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities for the annexation area.
4. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (Village MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area. The MPD (known as Mountain Village) was amended to include Pod B2 (Montage). The Mountain Village (Pods A, B1 and B2) was approved for a maximum of 785 UE of multi-family (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units. To date 352 multi-family units (558.3 UE) (of which 52 are PUD style units) and 16 single family units have been platted and/or built.
5. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. Still to be approved are Tower Residences (Building 1), Building 3, Building 4, and subject property One Empire Pass, as Building 5. There is sufficient remaining density (226.7 UE), or 198 units, to accommodate the density of Building 5 (32.48 UE) as 27 units in a lodge style building.

6. Approximately 368 certificates of occupancy for the entire Flagstaff Annexation and Development area (Pods A, B1, B2, and D) have been issued. According to the Annexation and Development Agreement, the affordable housing obligations come due for each 150 certificates of occupancy. The next housing obligation trigger point is 450 certificates of occupancy. The 27 certificates of occupancy for One Empire Pass would bring the total to 395 certificates of occupancy.
7. One affordable AUE is proposed as part of the One Empire Pass condominium plat, as part of the sale agreement for the 32.8 UEs the applicant purchased from the owner.
8. On October 26, 2015, the Planning Department received an application for a Conditional Use Permit for a twenty seven unit residential building to be located on Lot 15 of the Village at Empire Pass West Side Subdivision.
9. The application was deemed complete on October 30, 2015.
10. Access to the property is from Empire Club Drive, a private street, via Marsac Avenue, a public street.
11. The property is also known as Lot 15 of the Village at Empire Pass West Side Subdivision, approved by Council in 2005 and recorded at Summit County on August 12, 2005. Lot 15 consists of 50,999 square feet of lot area and is currently undeveloped.
12. The property is subject to subdivision plat notes that require compliance with RD zone setbacks, approval of a Conditional Use Permit for each building prior to issuance of a building permit, a declaration of condominium and a record of survey plat prior to individual sale of units, membership in the Empire Pass Master HOA, identifies Empire Club Drive as a private street, plats a 20' snow storage easement along the street frontages, requires water efficient landscape, and includes other utility and maintenance provisions.
13. The proposed One Empire Pass CUP consists of a single multi-story building with 27 residential units ranging in size from 1,140 sf to 3,895 sf, one 900 sf affordable housing unit, and one 944 sf ADA unit. The gross building area is 113,293 sf, including the parking garage, storage, mechanical, trash and recycling area, fire command closet, pool mechanical, and entry lobby, as well as circulation elevators and stairs, and common amenities on the upper floors that do not utilize UEs.
14. The building consists of 64,965 square feet of residential uses and utilizes 32.48 Unit Equivalents. Common amenities areas (exercise and recreation rooms, ski lockers, locker rooms, etc. are proposed at the south end of levels one and two. Common amenity areas do not require use of UEs.
15. No commercial uses are proposed.
16. The Transit and Parking Management Plan requires a 25% reduction in parking from what would be normally required by the LMC. Based on unit sizes, fifty-two (52) spaces would be required for the 27 units based and one ADA unit. The 25% reduction is 40 spaces. The underground parking structure will have 38 spaces and 2-4 surface spaces will be provided near the front drop-off area.
17. The elevation and climate of Flagstaff creates a harsh environment for utilities and their maintenance.
18. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). A height exception was approved with the Village Master Plan Development.

Specific volumetric diagrams were approved for each Building Site. For Building 5, 20% of the building was permitted to reach 80' above existing grade, 55% of the building to reach 92' above existing grade, and 25% of the building to reach 74' above existing grade. The volumetric diagram allows Building 5 to be four to six stories.

19. The proposed building complies with the granted height exceptions and percentages, number of stories, and required vertical and horizontal articulation. The proposed building is 11.5' to 15' lower than the 80' allowance (20% of the building), approximately 9'-8" below the 92' allowance (55% of the building), and approximately 5' lower than the 74' allowance (25% of the building).
20. The building complies with all RD District zone setbacks maintaining a 25' front setback, 12' side setbacks, and 15' rear setbacks.
21. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of building permits for buildings within the Mountain Village. This property is also subject to these documents, in addition to any declaration of condominium and CCRs recorded with the condominium plat.
22. The Construction Mitigation Plan for the Mountain Village reiterates downhill construction truck traffic for this Conditional Use Permit will use Royal Street, as opposed to Marsac Avenue.
23. Excavated soil will remain within the Flagstaff Annexation area as required by the Annexation Agreement.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Village at Empire Pass Master Planned Development and Flagstaff Mountain Resort Master Planned Development, the Park City Land Management Code, and the General Plan.
2. The proposed use, as conditioned, will be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A final water efficient landscape and irrigation plan that indicates required storm water facilities and snow storage areas, and that meets the defensible space requirements, shall be submitted with the building permit application for approval by the Planning, Building, and Engineering Departments.
3. All exterior lights must conform to the City lighting ordinance and the Flagstaff Mountain Resort Design Guidelines. Final compliance with the City's Lighting Ordinance will be verified at the time of building permit plan review and prior to issuance of a certificate of occupancy.
4. All exterior signs require a sign permit prior to installation.
5. Materials color samples and final design details shall be approved by staff prior to building permit issuance and shall be in substantial compliance with the elevations reviewed by the Planning Commission on January 13, 2016.

6. All exterior mechanical equipment shall be painted and/or otherwise screened and shielded from public streets. All wall and roof top vents and protruding mechanical shall be painted to match the adjacent wall or roof.
7. All utility facilities must be located on site. A plan must be provided at the time of the building permit application showing all utility locations, including dry utilities. The applicant shall provide verification that the utility plan is viable and the utility boxes can be screened.
8. The final building plans and construction details for the project shall substantially comply with the drawings reviewed by the Planning Commission on January 13, 2016 and February 10, 2016.
9. The applicant shall record a condominium Record of Survey prior to selling individual units.
10. Utility and grading plans, including storm water drainage plans, must be approved by the City Engineer prior to Building Permit issuance.
11. Affordable housing provided with this Conditional Use Permit shall comply with all requirements and stipulations of the Flagstaff Development Agreement and the City's affordable housing resolution in effect at the time of the Development Agreement prior to issuance of a certificate of occupancy for the building.
12. All conditions of approval of the Village at Empire Pass MPD shall continue to apply.
13. All conditions of approval of the Flagstaff Annexation and Development Agreement shall continue to apply, including the restrictions on solid wood burning fireplaces, removal of excavated materials, construction of pedestrian connections to the transit hub within the Village, and provision of any required ADA and affordable housing units.

Exhibits

Exhibit A – Project Description

Exhibit B – Existing Conditions

Exhibit C – Subdivision plat

Exhibit D – Site and Landscape Plans and Floor Plans

Exhibit E – Architectural Elevations and Materials

Exhibit F – Village at Empire Pass MPD approval and Volumetric Diagrams

Exhibit G – Utility Plans

Exhibit H – Flagstaff Annexation Agreement (related sections)

Exhibit I – Village Map

Exhibit J– Density Summary

Guardsman Lodge, LLC

PO Box 682023
 Park City, Utah 84060
 Phone: 435.714.0267
 E-Mail: bfiveash@ewpartners.com

To: Park City Planning
 From: Bill Fiveash OBO Guardsman Lodge, LLC
 Date: October 21, 2015
 Re: VEPWS - 15 - CUP Written Statement

Memo

Guardsman Lodge LLC is seeking a Conditional Use Permit for the development and construction of a residential building on VEPWS-15 at Empire Pass. The site is part of the land subject to the Amended and Restated Development Agreement for Flagstaff Mountain recorded in March 2007 which granted the Developer/Owner of the property a Large Scale Master Planned Development. This application seeks to move forward the approvals as required in the development agreement to the level considered a Small Scale Master Plan, for which, we believe a CUP is required.

Guardsman Lodge LLC is proposing to build a 109,479 SF structure consisting of 27 residential for sale properties (Not exceeding 65,537 SF), 1 Accessible Unit as required by town code (1 ADA Unit), 1 Employee Housing Unit (1 EHU Unit), 42 total parking spaces, and various Residential Accessory Uses as defined in the Development Agreement.

Below are answers to specific questions required in the CUP Application:

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

The development of a resort style condominium property was specifically contemplated for this site within the previously granted MPD. The proposed building fits the approved massing and square footage allowances per previous approvals.

What type of service will it provide to Park City?

The property is part of the resort residential development of Empire Pass Village.

Is the proposed use consistent with the current zoning district and with the General Plan?

The proposed development is consistent with the Development Agreement recorded in March 2007 for Flagstaff Mountain.

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

Yes, the proposed property has received preliminary approval from the Empire Pass HOA Design Review Board as being compliant with the expected design and use of the property.

Is the proposed use suitable for the proposed site?

Yes, the proposed property fits within the prescribed massing and maximum SF.

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

The proposed use is similar in design to the other condominium buildings in Empire Pass Village. There are no extraordinary uses or mechanical systems that one would expect to produce any emissions dissimilar to the other existing properties.



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

As a residential property, it is expected to be occupied during all hours of the day. The developer is proposing to have Deer Valley Lodging operate the HOA and thus will employ at least one FTE employee as a lodge keeper, plus other support employees from existing staff of DV Lodging.

Are other special issues that need to be mitigated?

No.



BUILDING 5 EMPIRE PASS east west partners

Guardsman Lodge - Park City, Utah

Architect:
IBI Group
10 Exchange Place, Suite 112
Salt Lake City, UT 84111
T: 801.532.4233
F: 801.532.4231
Contact: Joe Geroux, AIA



IBI Project # 38654

CONDITIONAL USE PERMIT

REVISED JAN. 14, 2015

OWNER:

Owner:
east west partners
126 Riverfront Lane,
5th Floor
Avon, CO 81620
T - 970.845.9200

CONSULTANTS:

Landscape Architect:
IBI Group
10 Exchange Place, Suite 112
Salt Lake City, Utah 84111
T - 801.532.4233
F - 801.532.4231

Civil Engineer:
Alliance Engineering Inc
323 Main Street
Park City, Utah 84060-2684
T - 435.849.9467
F - 435.849.9475

Structural Engineer:
Dunn Associates Inc
380 W 800 S, Suite 100
Salt Lake City, Utah 84101
T - 801.575.8877
F - 801.575.8875

Mechanical Engineer:
VBFA
330 S 300 E
Salt Lake City, Utah 84111
T - 801.530.3148

Electrical Engineer:
Envision Engineering
240 E Morris Ave, Suite 200
Salt Lake City, Utah 84115
T - 801.534.1130

SHEET INDEX:

GENERAL

1	COVER SHEET, SHEET INDEX
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CIVIL

1 OF 1	EXISTING CONDITION & TOPOGRAPHIC MAP
1 OF 1	ALTA / ACSM LAND TITLE SURVEY
C100	GRADING & UTILITIES PLAN
C101	DETAILS

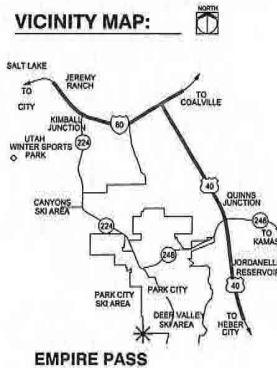
LANDSCAPE

L100	MASTER SITE PLAN
L101	ENLARGED SITE PLAN AUTO-COURT
L102	ENLARGED SITE PLAN AMENITY DECK
L103	PLANTING PLAN
L201	ENLARGED SITE PLANTING PLAN
L302	ENLARGED SITE PLANTING PLAN

ARCHITECTURAL

A000	PARKING LEVEL PLAN
A201	LEVEL 1 PLAN
A202	LEVEL 2 PLAN
A203	LEVEL 3 PLAN
A204	LEVEL 4 PLAN
A205	LEVEL 5 PLAN
A206	LEVEL 6 PLAN
A207	ROOF PLAN
A301	BUILDING ELEVATIONS
A302	BUILDING ELEVATIONS
A301C	BUILDING ELEVATION (PREFERRED)
A302C	BUILDING ELEVATION (PREFERRED)
A401	BUILDING SECTIONS
1 OF 4	SOUTH ELEV. - MASSING DIAGRAM
2 OF 4	NORTH ELEV. - MASSING DIAGRAM
3 OF 4	PLAN OVERLAY W/ ROOF BLDG. OUTLINE
4 OF 4	PLAN OVERLAY W/ ROOF BLDG. OUTLINE

VICINITY MAP:



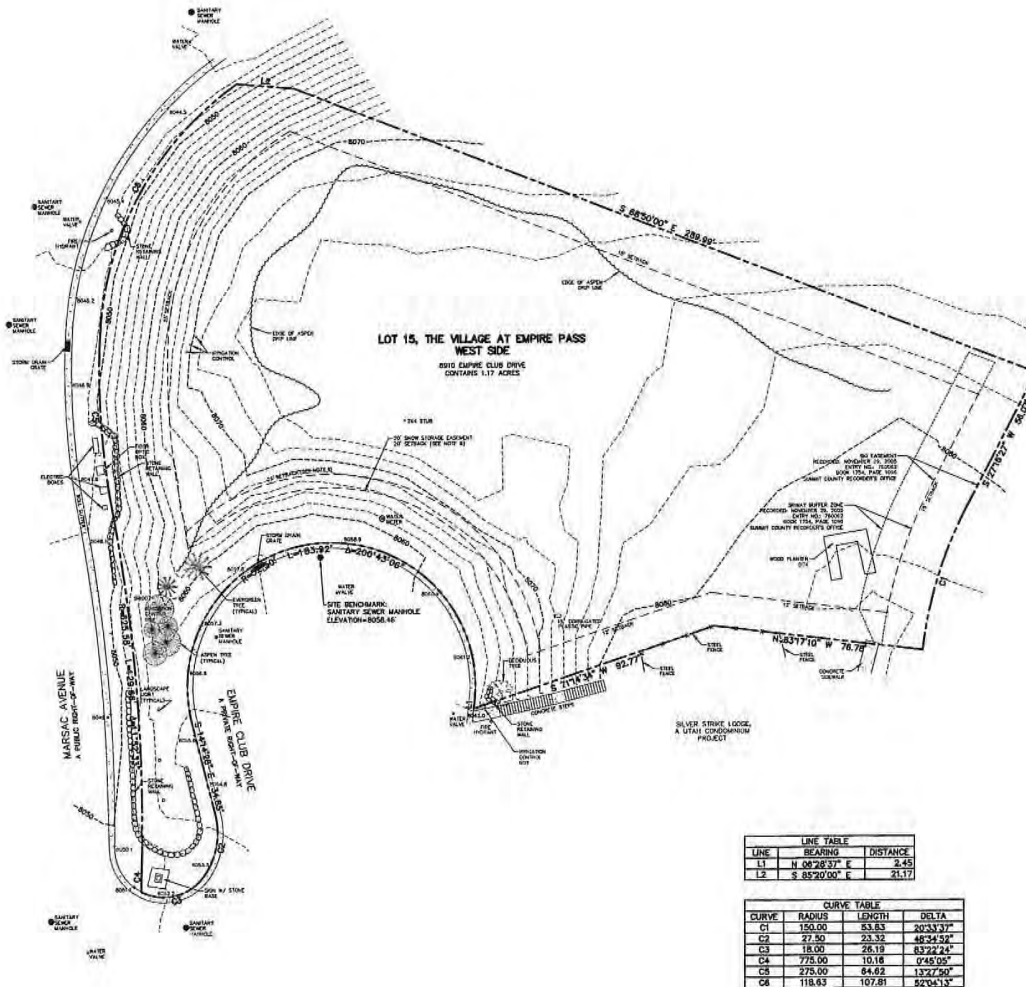
Updated Rendering



EXHIBIT B

EXHIBIT B

EXISTING CONDITIONS



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 08°28'37" E	3.45
L2	S 85°20'00" E	21.17

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	150.00	53.83	20°33'37"
C2	27.50	23.32	48°34'58"
C3	18.00	25.19	53°22'24"
C4	775.00	10.16	0°45'05"
C5	275.00	84.62	13°27'50"
C6	118.63	107.81	52°04'37"



SURVEYOR'S CERTIFICATE

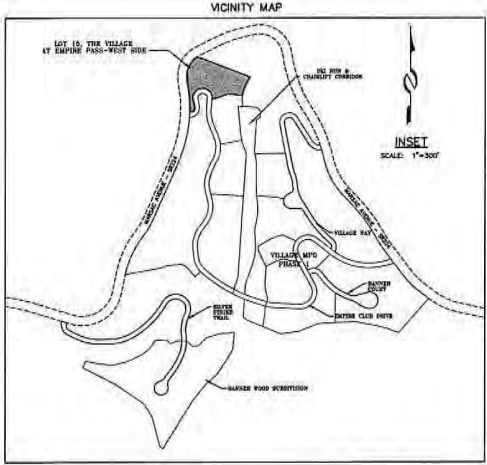
I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certification no. 4838738 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described herein. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

NOTES

1. Site Benchmark Sanitary Sewer Manhole Elevation=808.46'
2. See record of survey plat for easements and restrictions.
3. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
4. This topographic map is based on a field survey performed on June 19, 2015.
5. Property corners were set or found during a previous survey.
6. The required 25' setback for master planned developments is measured from the floodstaff annexation boundary. The internal setback lines shown herein are standard RD zone setbacks. RD zone setbacks are as follows: 20' front yard (front facing garages), 20' front yard (residence), 12' side yard, & 15' rear yard.



<p>(435) 644-8887 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 223 West Street, P.O. Box 2014, Park City, Utah 84060-2014</p>	<p>STAFF: MARSHALL KING HARTY MORRISON HARRISON HOLLEY</p>	<p>EXISTING CONDITIONS & TOPOGRAPHIC MAP LOT 15, THE VILLAGE AT EMPIRE PASS WEST SIDE, 8910 EMPIRE CLUB DRIVE</p>	<p>SHEET 1 OF 1</p>
	<p>DATE: 6/26/15</p>	<p>FOR: EAST WEST PARTNERS JOB NO.: 7-2-15 FILE: X:\Empire\dwg\11\topo2015\070215.dwg</p>	



SURVEYOR'S CERTIFICATE

To: QuardemanLodge, LLC; Filmore EMP Holdings II, LLC; East West Partners, Inc.; Empire Mountain Village II, LLC; First American Title Insurance Company; Park City Title Company and Boland Spahr LLP.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the Minimum Standards Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA, and NSPS, and include items 1, 2, 3, 4, 6(b), 8, 11(c), 11(b), 13, 16-19 and 20(a) of Table A thereof. The field work was completed on February 24, 2015.

4-29-15



LOT 61
MARSAC MINING CLAIM
LFC PROPERTIES, LLC

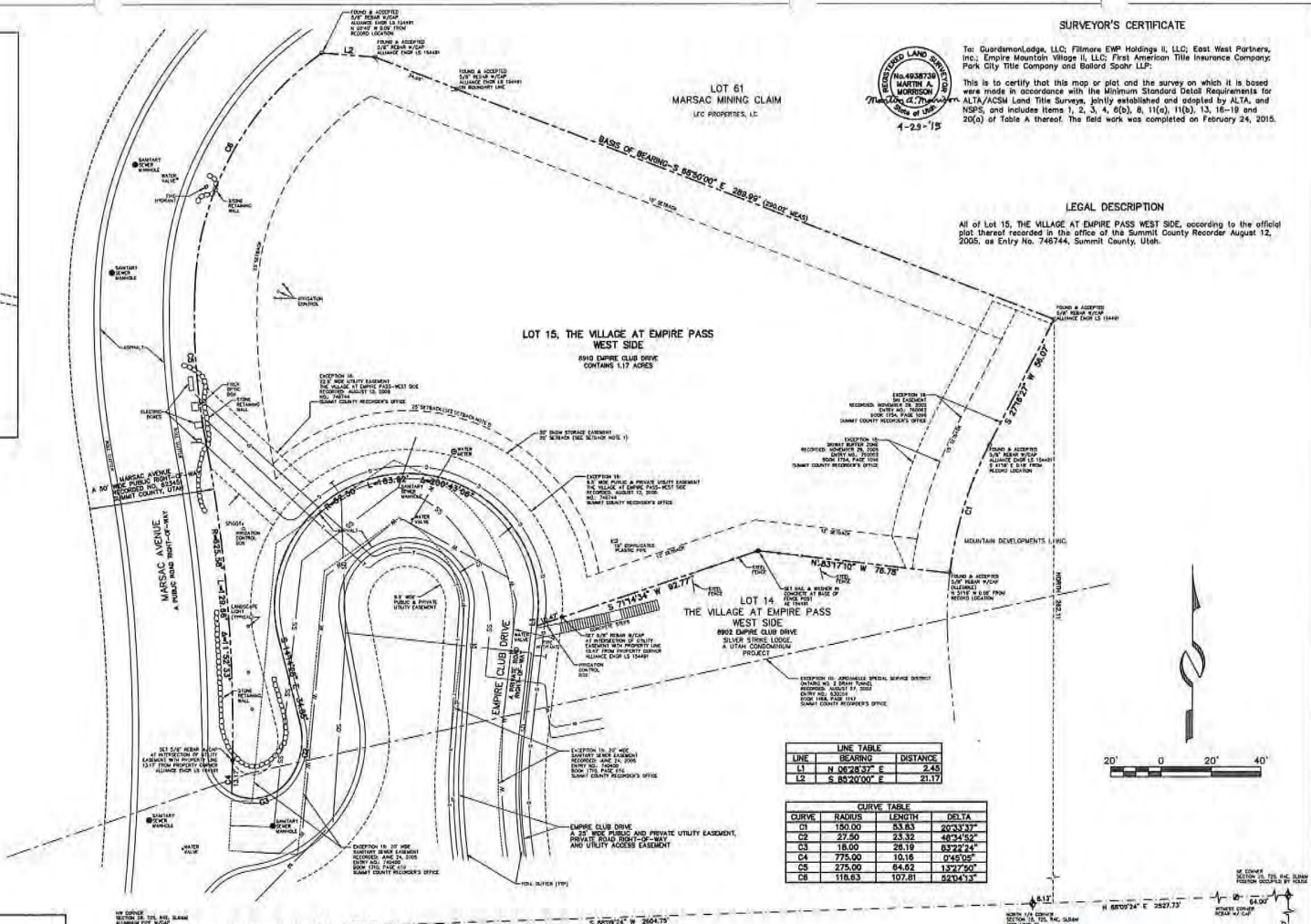
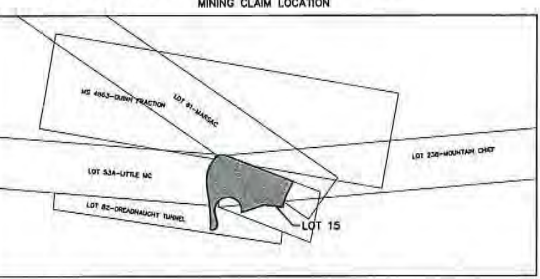
LEGAL DESCRIPTION

All of Lot 15, THE VILLAGE AT EMPIRE PASS WEST SIDE, according to the official plat thereof recorded in the office of the Summit County Recorder August 12, 2006, as Entry No. 746744, Summit County Utah.

- NARRATIVE**
- The underground utilities shown on this survey are from construction drawings.
 - This survey is performed in conjunction with a Commitment for Title Insurance issued by Park City Title Company dated February 10, 2015, as File No. 20594.
 - The following exceptions in Schedule B, Section II of the Title commitment dated February 10, 2015, as File No. 20594 are not addressed by this survey: 1, 2, 5-8, 11-14, 15.
 - A relocation survey of Sections 28, 29, 31, 32 and 33 was performed by RBB Land Surveyors. The section corners shown on this survey are based on the RBB surveys. See recorded survey no. S-3819, Summit County, Utah and recorded survey no. 09C-024-028-0-1020, Wasatch County, Utah. The aluminum pipe w/cop set at the north 1/4 corner of Section 28 during the RBB survey no longer exists.
 - The subject property is located in Flood Insurance Rate Map Panel 49043C1125C and is in Zone X, which is determined to be outside the 0.25% annual chance floodplain.
 - The subject property is zoned RD and is part of a Master Planned Development (MPD) and may have building requirements specific to the approval of this MPD. See Park City Municipal Corporation for information regarding requirements and restrictions.
 - The property was vacant at the time of the survey.
 - There is no observed evidence of current earth moving work or building construction.
 - There are no known proposed changes to street right-of-way lines nor is there any evidence of recent street or sidewalk construction or repairs.
 - There is no observed evidence of the site being used as a solid waste dump, sump or sanitary landfill.
 - There are no wetland areas on the property.

SETBACK NOTE
(as approved by Park City Municipal Corporation Empire Pass Village Master Plan, July 21, 2004.)

- The required 25' setback for master planned developments is measured from the Right-of-Way boundary. The interval setback lines shown hereon are standard RD zone setbacks. RD zone setbacks are as follows: 25' front yard (front facing garages), 20' front yard (residence), 12' side yard, & 15' rear yard.



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 06°28'37" E	2.45
L2	S 82°20'00" E	21.17

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	150.00	53.83	26°33'37"
C2	27.50	23.32	49°24'52"
C3	18.00	26.19	83°22'24"
C4	775.00	10.16	0°45'00"
C5	275.00	64.52	132°27'50"
C6	116.63	107.81	92°04'13"

- LEGEND**
- D — GAS
 - P — POWER
 - SS — SANITARY SEWER
 - SO — STORM DRAIN
 - T — TELEPHONE
 - W — WATER



<p>(435) 644-8443</p> <p>CONSULTING SURVEYORS LAND PLANNERS SURVEYORS</p> <p>222 Main Street P.O. Box 2004 Park City, Utah 84050-2004</p>	<p>STAFF:</p> <p>JOHN DEMKOWICZ MARSHALL KING MARTY MORRISON JETT KITCHEN</p>	<p>ALTA/ACSM LAND TITLE SURVEY</p> <p>LOT 15</p> <p>THE VILLAGE AT EMPIRE PASS—WEST SIDE</p> <p>FOR: EAST WEST PARTNERS</p> <p>JOB NO.: 7-2-15</p> <p>FILE: X:\Empire\demj\mry\mry2015_070215.dwg</p>	<p>SHEET</p> <p>1</p> <p>OF</p> <p>1</p>
	<p>DATE: 4/25/15</p>		



LINE	BEARING	DISTANCE
L1	S 27°16'27" W	56.07
L2	S 05°33'11" E	17.15
L3	N 86°34'48" W	25.55
L4	S 12°21'15" W	31.90
L5	S 17°27'15" W	25.58
L6	S 48°55'59" W	40.09
L7	N 41°37'40" W	65.58
L8	S 86°52'18" W	44.62
L9	S 85°20'00" E	21.17

CURVE	RADIUS	LENGTH	DELTA
C1	150.00	75.83	28°27'37"
C2	300.00	20.22	3°51'42"
C3	250.00	92.29	21°09'04"
C4	75.77	11.84	8°33'08"
C5	1025.00	38.87	5°10'21"
C6	137.50	12.52	5°33'08"
C7	50.00	44.07	51°32'04"
C8	137.50	60.72	25°18'01"
C9	375.00	93.78	14°10'44"
C10	825.56	129.66	11°52'33"
C11	275.00	64.62	15°27'50"
C12	318.03	107.81	5°29'41.5"

LINE	RADIUS	LENGTH	DELTA
L13	190.00	55.83	20°41'21"
L14	175.00	10.78	2°43'05"
L15	190.00	22.20	8°24'20"
L16	300.00	25.86	1°24'40"
L17	162.50	48.81	15°02'02"
L18	200.00	24.31	1°04'23"
L19	162.50	86.25	32°03'11"
L20	131.25	91.02	37°03'31"
L21	275.00	13.84	1°02'02"
L22	175.00	38.08	21°03'21"
L23	131.25	23.77	1°28'12"

SUBDIVISION PLAT
THE VILLAGE AT EMPIRE PASS
WEST SIDE

LOCATED IN SECTIONS 21 AND 25,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

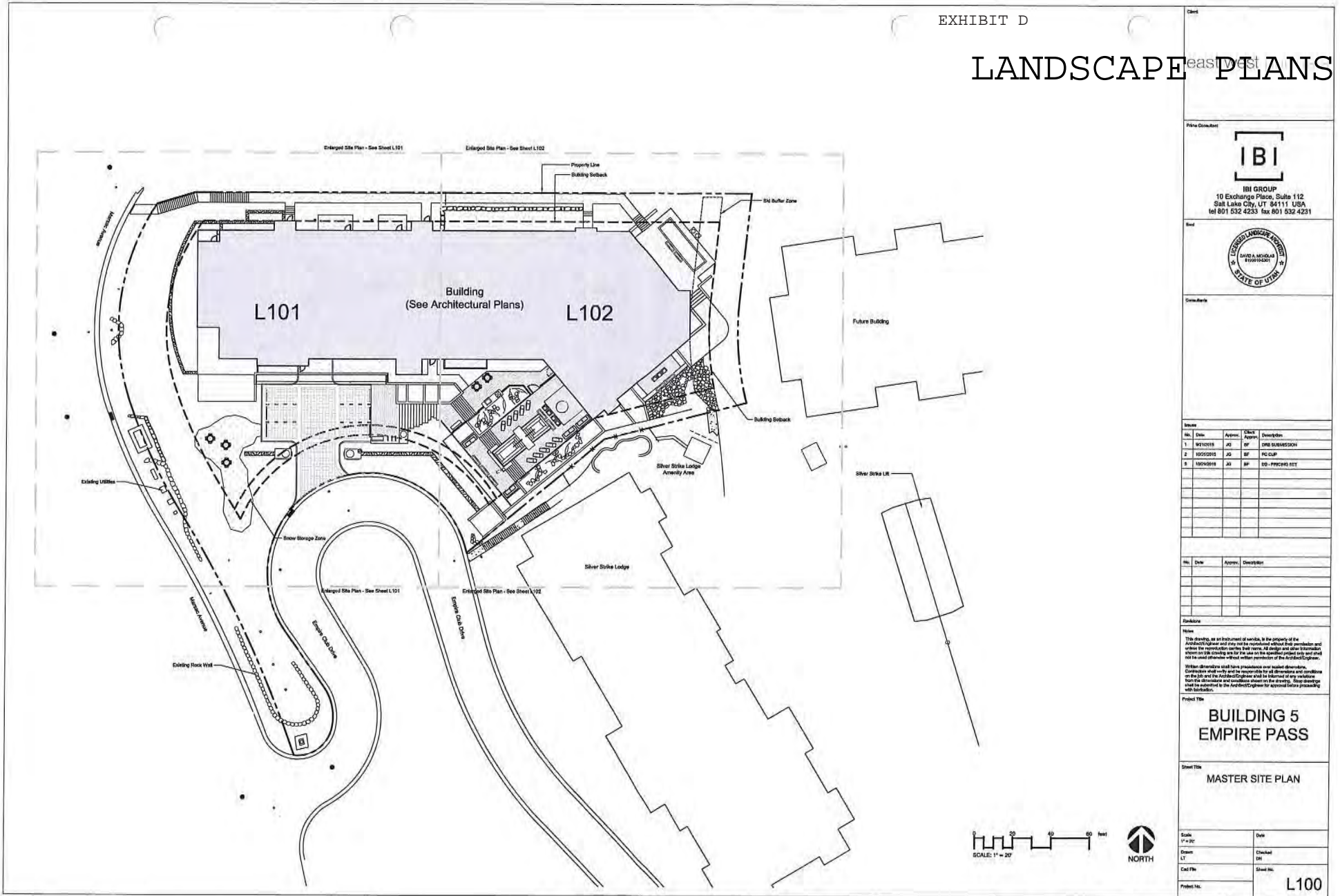
SHEET 2 OF 2

JOB NO.: 1-1-01 FILE: 4
 146744 RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
 AT THE REQUEST OF Park City Title
 DATE 6-12-05 TIME 4:28 PM BOOK PAGE
 \$67.00
 FEE *Denise Walker, Deputy*
 RECORDER

EXHIBIT D

EXHIBIT D

LANDSCAPE PLANS



Client
eastwest

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DAVID A. MCQUINN
REGISTERED LANDSCAPE ARCHITECT
STATE OF UTAH

Comments

No.	Date	Appr.	Check	Description
1	02/10/16	JL	DF	ONE SUBMISSION
2	02/02/16	JL	DF	PLC/CP
3	02/02/16	JL	DF	DD - PREPARED SET

Notes

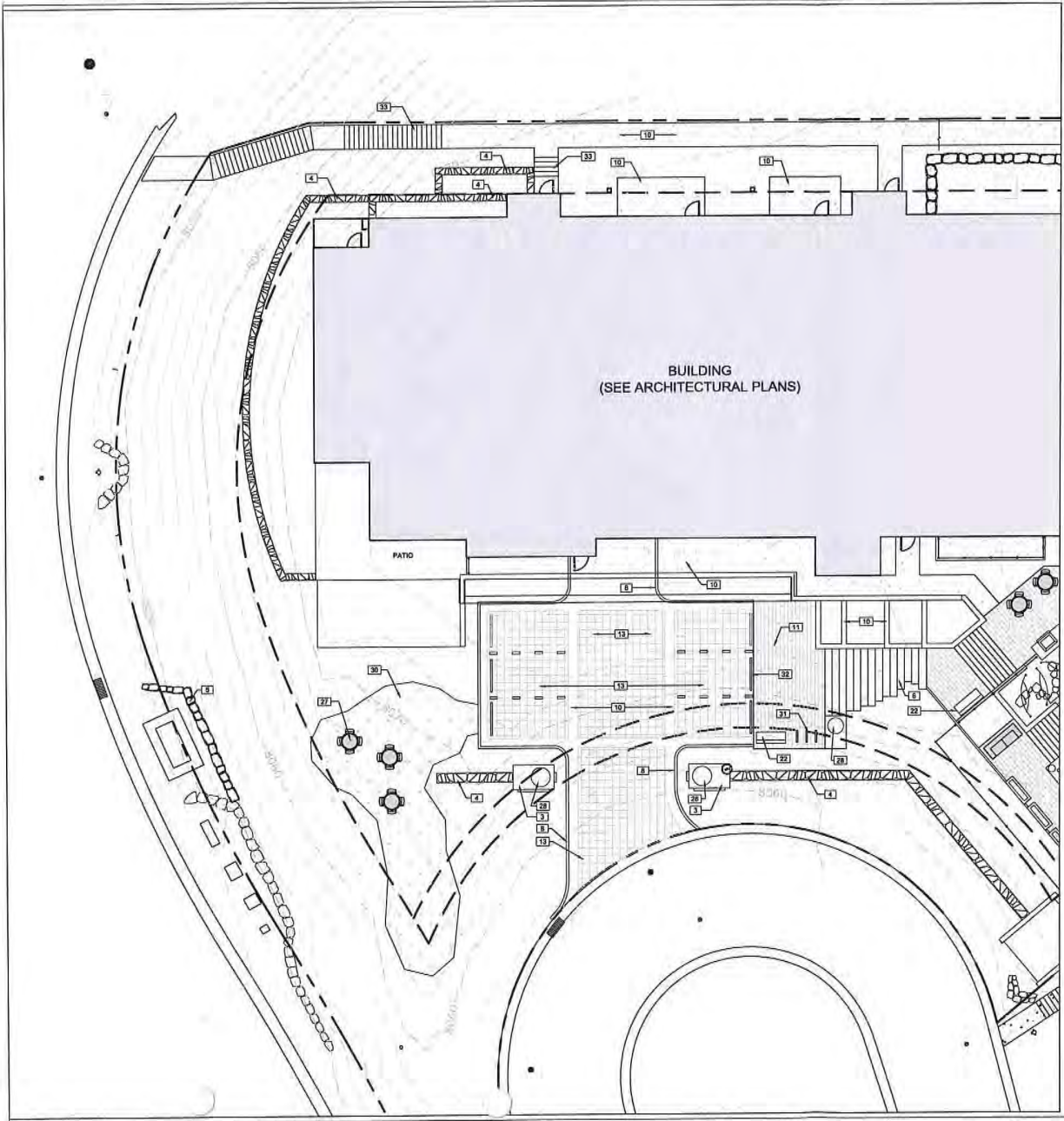
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Without disclaimer shall have precedence over related drawings. Conditions shall only be for reference and shall not be used as a condition of the job and the Architect/Engineer shall be deemed to have accepted the conditions of the contract and the conditions of the drawing. Any conditions that are not stated in the contract shall be deemed to be the responsibility of the Architect/Engineer for approval before proceeding with the drawing.

Project Title
**BUILDING 5
EMPIRE PASS**

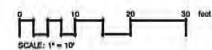
Sheet Title
MASTER SITE PLAN

Scale 1" = 20'	Date
Drawn LT	Checked DF
Cad File	Sheet No.
Project No.	L100



REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY	DETAIL
11	STONE VENEER RETAINING WALL - BENCH/ERRADES		
12	STONE VENEER RETAINING WALL - TALL		
13	STONE VENEER MONUMENT		
14	STACKED STONE RETAINING WALL		
15	BOULDER WALL		
16	STONE STAIR		
17	OUTDOOR KITCHEN		
18	CONCRETE CURB		
19	STONE CURB		
20	4" CONCRETE PAVING/SAND		
21	2" CONCRETE PAVERS OVER 4" CONCRETE BASE W/1" SAND SETTING BED WITH HYDRONIC SNOW MELT		
22	2" CONCRETE PLANK PAVERS OVER 4" CONCRETE BASE W/1" SAND SETTING BED WITH HYDRONIC SNOW MELT		
23	3 1/2" CONCRETE PAVERS OVER 4" CONCRETE BASE WITH 1" SAND SETTING BED WITH HYDRONIC SNOW MELT		
24	FLAGSTONE		
25	HOT TUB		
26	HOT TUB FENCE - DECORATIVE		
27	HOT TUB FENCE - STANDARD		
28	HAMMOCK GARDEN COLUMNS		
29	FIRE TABLE		
30	BENCH		
31	CHAIRSE LOUNGE CHAIR		
32	OUTDOOR FURNITURE		
33	TABLE AND CHAIRS		
34	SAUCER PLANTER/FIRE BOWL		
35	SOCCER BALL COURT		
36	LAWN AREA		
37	BIKE RACKS		
38	CONCRETE WHEEL STOPS		
39	CONCRETE STAIR WITH HANDRAILS		



east west



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No.	Date	Appr.	Check	Description
1	02/10/15	JG	BP	DRB SUBMISSION
2	10/09/15	JG	BP	PC CLIP
3	10/29/15	JG	BP	DD - PAVING SET

No.	Date	Appr.	Description

Revisions

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Written descriptions shall have precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job and the Architect/Engineer shall be relieved of any liability from the dimensions and conditions shown on the drawing. Design changes shall be submitted to the Architect/Engineer for approval before proceeding with installation.

Project Title
**BUILDING 5
EMPIRE PASS**

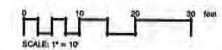
Sheet Title
**ENLARGED SITE PLAN -
AUTOCOURT**

Scale: 1" = 10'	Date:
Drawn: ST	Checked: ST
Civil File:	Sheet No.:
Project No.:	L101



REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY	DETAIL
[1]	STONE VENEER RETAINING WALL - SHORT/RECESSES		
[2]	STONE VENEER RETAINING WALL - TALL		
[3]	STONE VENEER ACCENTMENT		
[4]	STACKED STONE RETAINING WALL		
[5]	BOLDER WALL		
[6]	STONE STAIR		
[7]	OUTDOOR KITCHEN		
[8]	CONCRETE CURB		
[9]	STONE CURB		
[10]	4" CONCRETE PAVINGSAND		
[11]	2" CONCRETE PAVERS OVER 4" CONCRETE BASE W/1" SAND SETTING BED WITH HYDROSHOCK SHOW MELT		
[12]	2" CONCRETE PLANK PAVERS OVER 4" CONCRETE BASE W/1" SAND SETTING BED WITH HYDROSHOCK SHOW MELT		
[13]	3 1/2" CONCRETE PAVERS OVER 4" CONCRETE BASE WITH 1" SAND SETTING BED WITH HYDROSHOCK SHOW MELT		
[14]	FLAGSTONE		
[15]	HOT TUB		
[16]	HOT TUB FENCE - DECORATIVE		
[17]	HOT TUB FENCE - STANDARD		
[18]	HAMMOCK GARDEN COLUMNS		
[19]	FIRE TABLE		
[20]	BENCH		
[21]	CHAISE LOUNGE CHAIR		
[22]	OUTDOOR FURNITURE		
[23]	TABLE AND CHAIRS		
[24]	SAUCER PLANTER/FIRE BOWL		
[25]	BOCCE BALL COURT		
[26]	LAWN AREA		
[27]	BIKE RACKS		
[28]	CONCRETE WHEEL STOPS		
[29]	CONCRETE STAIR WITH HANDRAILS		



east west

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and

Comments

Revisions

No.	Date	Apprv.	Desc.
1	02/10/2015	JD	2DS SUBMISSION
2	10/05/2015	JD	PC CUP
3	10/02/2015	JD	SC - DRIVING SET

No.	Date	Apprv.	Description

Notes

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Unless otherwise noted, all dimensions and conditions are to be in accordance with the Architect/Engineer's and the information of any conditions shown on the drawings and conditions shown on the drawings. Shop drawings shall be submitted to the Architect/Engineer for approval before proceeding with construction.

Project Title

**BUILDING 5
EMPIRE PASS**

Sheet Title

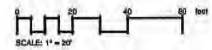
**ENLARGED SITE PLAN -
AMENITY DECK**

Drawn LT	Checked DK	Date	
Calc. Pk.	Sheet No.		
Project No.			L102



PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME / COMMON NAME	QNTY	HT.
	ABI CON	ABIES CONCOLOR / WHITE FIR	8"	12'
	ACE GH	ACER GRIMALDI 'FLAME' / FLAME AMBROS MAPLE	8"	12'
	ACE ORA	ACER GRANDIDENTATUM / BISTOOTH MAPLE	8"	12'
	PIN BR	PINUS ARISTATA / BRISTLECONE PINE	8"	12'
	POP TRE	POPULUS TREMULOIDES / QUAKING ASPEN	1 1/2"	12'
	PSE DOU	PSEUDOTSUGA MENZIESII / DOUGLASS FIR	8"	12'
SHRUBS	CODE	BOTANICAL NAME / COMMON NAME	QNTY	HT.
	COR RES	CORNUS SERICEA / RED TWIG DOGWOOD	5 GAL	24"
	RHU GRO	RHUS AROMATICA 'GRO-LOW' / GRO-LOW FRAGRANT SUMAC	5 GAL	36"
	RIB ALZ	RIBES ALPINA 'AUREUM' / DWARF GOLDEN ALPINE CURRANT	5 GAL	24"
	SAL PUR	SALIX PURPUREA NANA / DWARF ARCTIC WILLOW	5 GAL	24"
	SAM CAS	SAMBUCUS CABAULEA / BLUE ELDERBERRY	5 GAL	36"
	MIX	SHRUBS / PERENNIAL MIX - TBD		
PERENNIAL/BIENNIALS	CODE	BOTANICAL NAME / COMMON NAME	QNTY	HT.
	PER ANN	PERENNIAL/BIENNIALS	1 GAL	520 SF
SOFTSEED	CODE	BOTANICAL NAME / COMMON NAME	QNTY	HT.
	NAT GRA	NATIVE GRASSES / WILDOFLOWERS	SEED	15,424 SF
	TUR GRA	TURF GRASS	800	1,877 SF



Client
east west

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Comments

Revisions

No.	Date	Appr.	Desc.	Description
1	05/05/15	JG	DP	OMB SUBMISSION
2	10/05/15	JG	MP	PG CLP
3	10/23/15	JG	BP	DD - PRELIM SET

Revisions

No.	Date	Appr.	Description

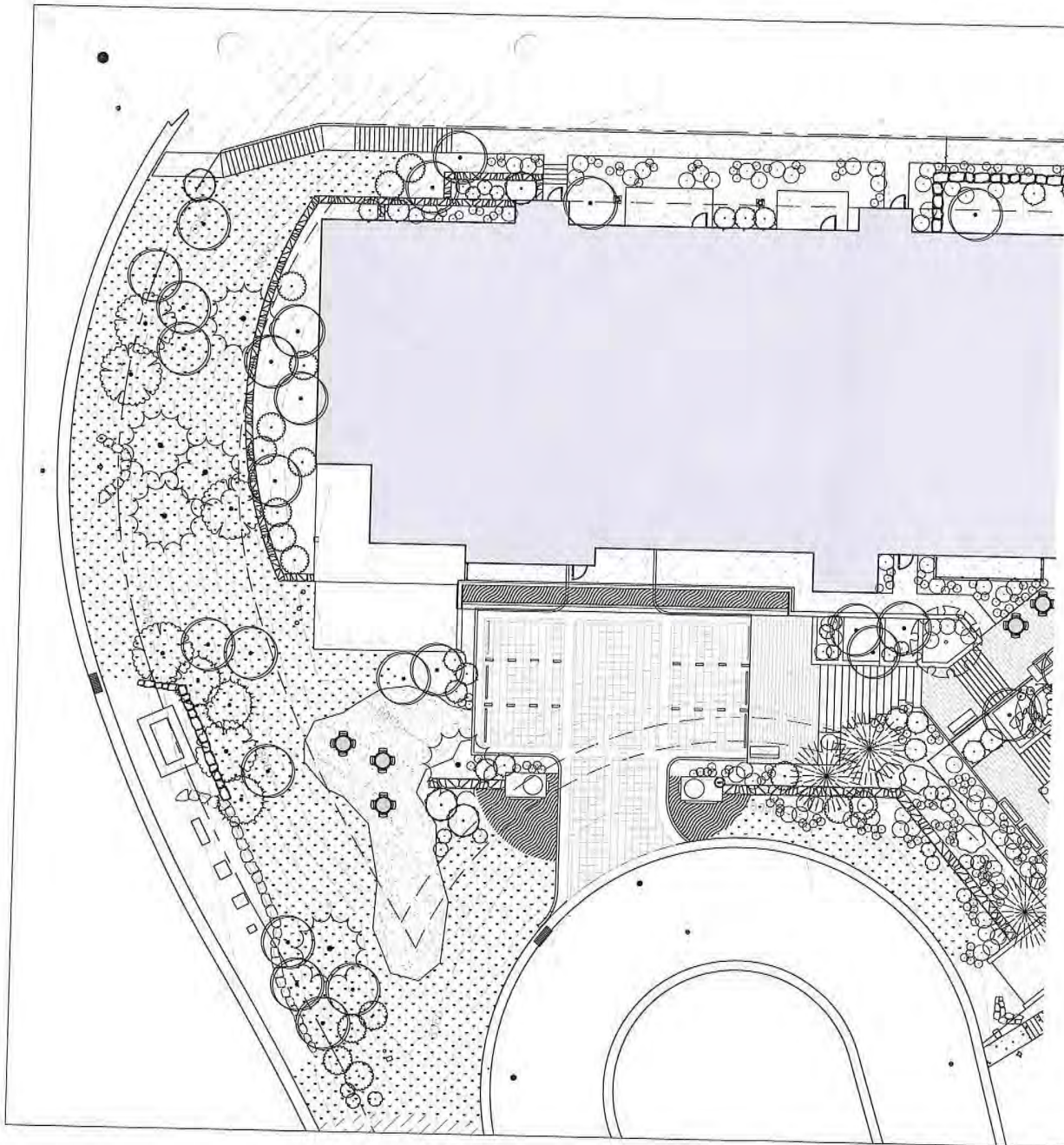
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Written dimensions shall have precedence over printed dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job and the Architect/Engineer shall be relieved of any liability from the information and conditions shown on this drawing. They are to be used as indicated in the Architect/Engineer for approval before proceeding with installation.

Project Title
**BUILDING 5
EMPIRE PASS**

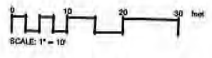
Sheet Title
PLANTING PLAN

Date 1/7	Date
Drawn JG	Checked JG
Cost File	Sheet No.
Project No.	L300



PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME / COMMON NAME	QNTY	QTY
ARB CON		ARIES CONCOLOR / WHITE FIR	6'-8" HT.	3
ACE GRN		ACER GINNALA 'FLAME' / FLAME AMUR MAPLE	6'-8" HT.	2
ACE GRN		ACER GRANDIDENTATUM / BIGTOOTH MAPLE	6'-8" HT.	3
PN BR		PNUS ARISTATA / BRISTLE CONE PINE	6'-8" HT.	3
POP TRE		POPULUS TREMULOIDES / QUAKING ASPEN	1.5' GAL	38
PSE DOU		PSEUDOTSUGA MENZIESII / DOUGLAS FIR	6'-8" HT.	6
SHRUBS				
CODE		BOTANICAL NAME / COMMON NAME	QNTY	QTY
COR RES		CORNUS SERICEA / RED TWIG DOGWOOD	5 GAL	24
WRA GRD		RHUS AROMATICA 'ORIO-LOW' / ORIO-LOW FRAGRANT SUMAC	5 GAL	3
RB ALZ		RIBES ALPNUM 'ALPHEUM' / DWARF GOLDEN CURRANT	3 GAL	28
SAL PUR		SALIX PURPURA 'NANA' / DWARF ARCTIC WILLOW	5 GAL	28
SAM GAE		SAMBUCUS CAERULEA / BLUE ELDERBERRY	5 GAL	8
MX		SHRUB / PERENNIAL MIX - TBD		
PERENNIALS/ANNUALS				
CODE		BOTANICAL NAME / COMMON NAME	QNTY	QTY
PER ANN		PERENNIALS/ANNUALS	1 GAL	528 SF
SPRSEED				
CODE		BOTANICAL NAME / COMMON NAME	QNTY	QTY
NAT GRA		NATIVE GRASSES / WILDFLOWERS	SEED	16,424 SF
TUR GRA		TURF GRASS	SGD	1,077 SF



east west

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SEEDLING LANDSCAPE ARCHITECT
DAVID A. MOULDER
REGISTERED ARCHITECT
STATE OF UTAH

Revisions

No.	Date	Appr.	Chgt.	Description
1	05/01/16	JG	AP	THIS SUBMISSION
2	10/01/15	JG	SP	PC CLIP
3	10/01/15	JG	SP	DD - PENDING SET

Notes

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Written descriptions shall have precedence over symbol descriptions. Corrections shall apply to all drawings and conditions. In the absence of the Architect/Engineer and in the absence of any notations on the drawings, the professional seal on the drawings shall constitute approval by the Architect/Engineer for approval before proceeding with construction.

Project Title
**BUILDING 5
EMPIRE PASS**

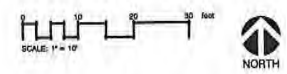
Sheet Title
**ENLARGED
PLANTING PLAN**

Scale 1" = 10'	Date
Drawn LJ	Checked JG
Chief JG	Sheet No. L301



PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME / COMMON NAME	QTY	SIZE
	ABI COH	ABIES COHCOLOR / WHITE FIR	6'-8" HT.	3
	ACE GRN	ACER GINNALA 'FLAME' / FLAME AMAR MAPLE	6'-8" HT.	2
	ACE GRA	ACER GRANDIDENTATUM / REDTOOTH MAPLE	6'-8" HT.	6
	PH RR	PIRUS ARSIATA / BRISTLECOCK PINE	6'-8" HT.	3
	POP TRE	POPULUS TREMULOIDES / QUAKING ASPEN	1.5" CAL.	30
	PSE DOU	PSEUDOTSUGA MENZIESII / DOUGLAS FIR	6'-8" HT.	6
SHRUBS	CODE	BOTANICAL NAME / COMMON NAME	QTY	SIZE
	COR RES	CORNUS SERICEA / RED TWIG DOGWOOD	5 GAL	24
	RHU GRD	RHUS AROMATICA 'GRO-L-O-W' / GRO-LOW FRAGRANT SUMAC	5 GAL	3
	RIB AU2	RIBES ALPINUM 'AUREUM' / DWARF GOLDEN ALPINE CURRANT	5 GAL	20
	SAL PUR	SALIX PURPUREA 'NANA' / DWARF ARCTIC WILLOW	5 GAL	20
	SAM GAE	SAMBUCUS CAERULEA / BLUE ELDERBERRY	5 GAL	6
	MIX	SHRUB / PERENNIAL MIX - TBD		
PERENNIAL BIENNIALS	CODE	BOTANICAL NAME / COMMON NAME	QTY	SIZE
	PER ANN	PERENNIALS/BIENNIALS	1 GAL.	525 SF
SEEDS	CODE	BOTANICAL NAME / COMMON NAME	QTY	SIZE
	NAT GRA	NATIVE GRASSES / WILDFLOWERS	SEED	10,424 SF
	TUR GR	TURF GRASS	500	1,077 SF



east west |

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STATE OF UTAH
LAND SURVEYING BOARD
1919019-0001

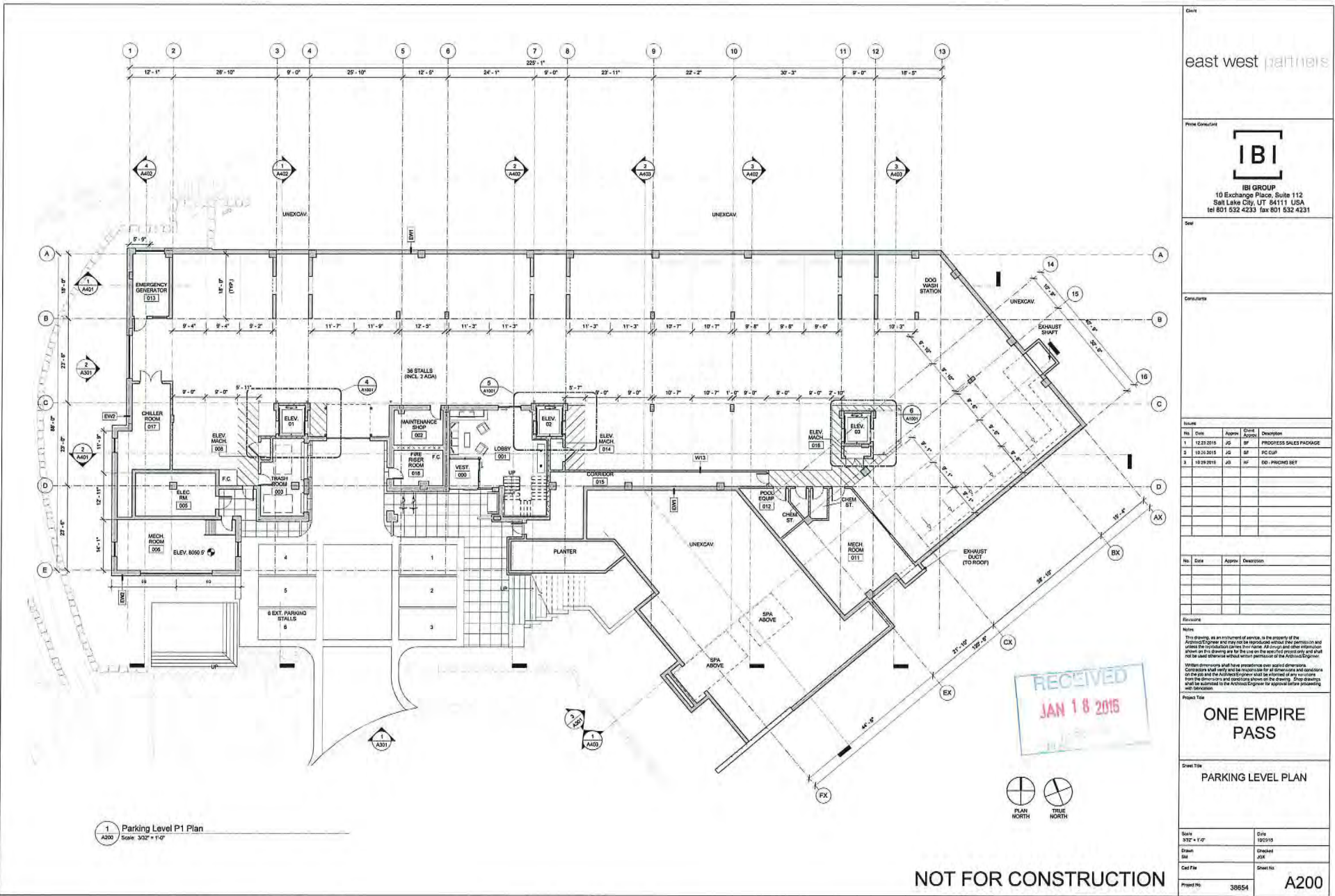
PROJECT TITLE
**BUILDING 5
EMPIRE PASS**

SHEET TITLE
**ENLARGED
PLANTING PLAN**

Scale: 1" = 10'

Drawn	Checked
LT	DN
Cal File	Sheet No.
Project No.	L302

EXHIBIT E FLOOR PLANS



east west partners



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No.	Date	Appr.	Drawn	Description
1	12/23/2015	JG	JR	PROGRESS SALES PACKAGE
2	10/20/2015	JG	JR	PCUP
3	10/20/2015	JG	JR	00 - PROGRESS SET

No.	Date	Appr.	Description

Revision

Note

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Unless dimensions shall have precedence over verbal dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the site and the Architect/Engineer shall be relieved of any liability. All dimensions and conditions shall be shown on the drawing. Deep drawings shall be submitted to the Architect/Engineer for approval before proceeding with construction.

Project Title

ONE EMPIRE PASS

Draw Title

PARKING LEVEL PLAN

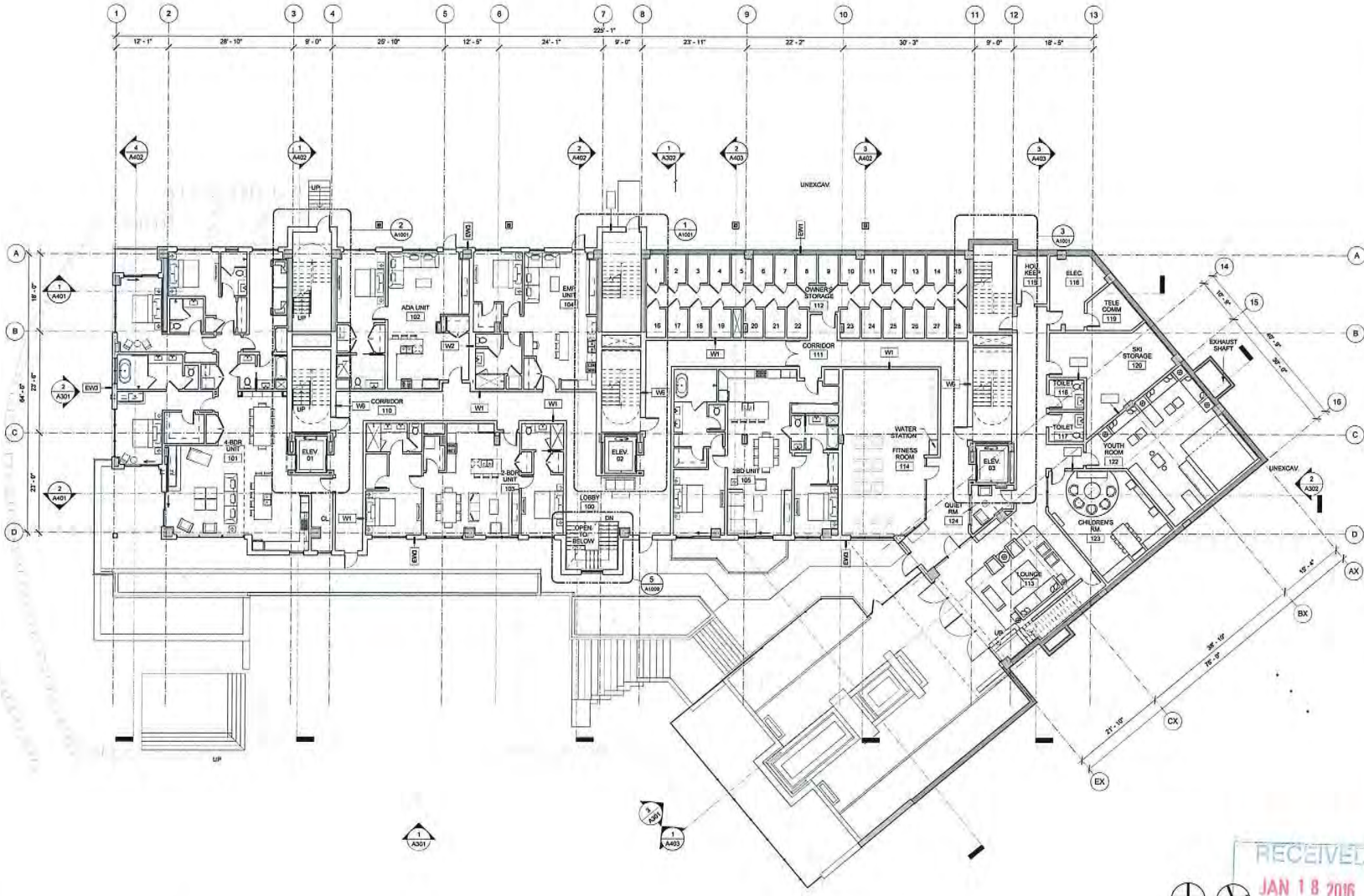
Scale	3/32" = 1'-0"	Date	10/20/15
Drawn	JR	Checked	JR
Plot File		Sheet No.	A200
Project No.	38654		

NOT FOR CONSTRUCTION

1/13/2016 5:17:01 PM

1 Parking Level P1 Plan
Scale: 3/32" = 1'-0"

1/13/2016 5:17:00 PM



1 Level 1 Plan
A201 Scale: 3/32" = 1'-0"

east west partners

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No.	Date	Appr.	Drawn	Description
1	12/23/2015	JD	BP	PROGRESS SALES PACKAGE
2	10/20/2015	JD	BP	PC CLIP
3	10/23/2015	JD	BP	DD: PROGRESS SET

No.	Date	Appr.	Description

Notes
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Within dimensions shall have precedence over stated dimensions.
Contractors shall verify and be responsible for all dimensions and conditions on the job and the Architect/Engineer shall be relieved of any liability from the dimensions and conditions shown on the drawing. Shop drawings shall be submitted to the Architect/Engineer for approval before proceeding with fabrication.

Project Title
ONE EMPIRE PASS

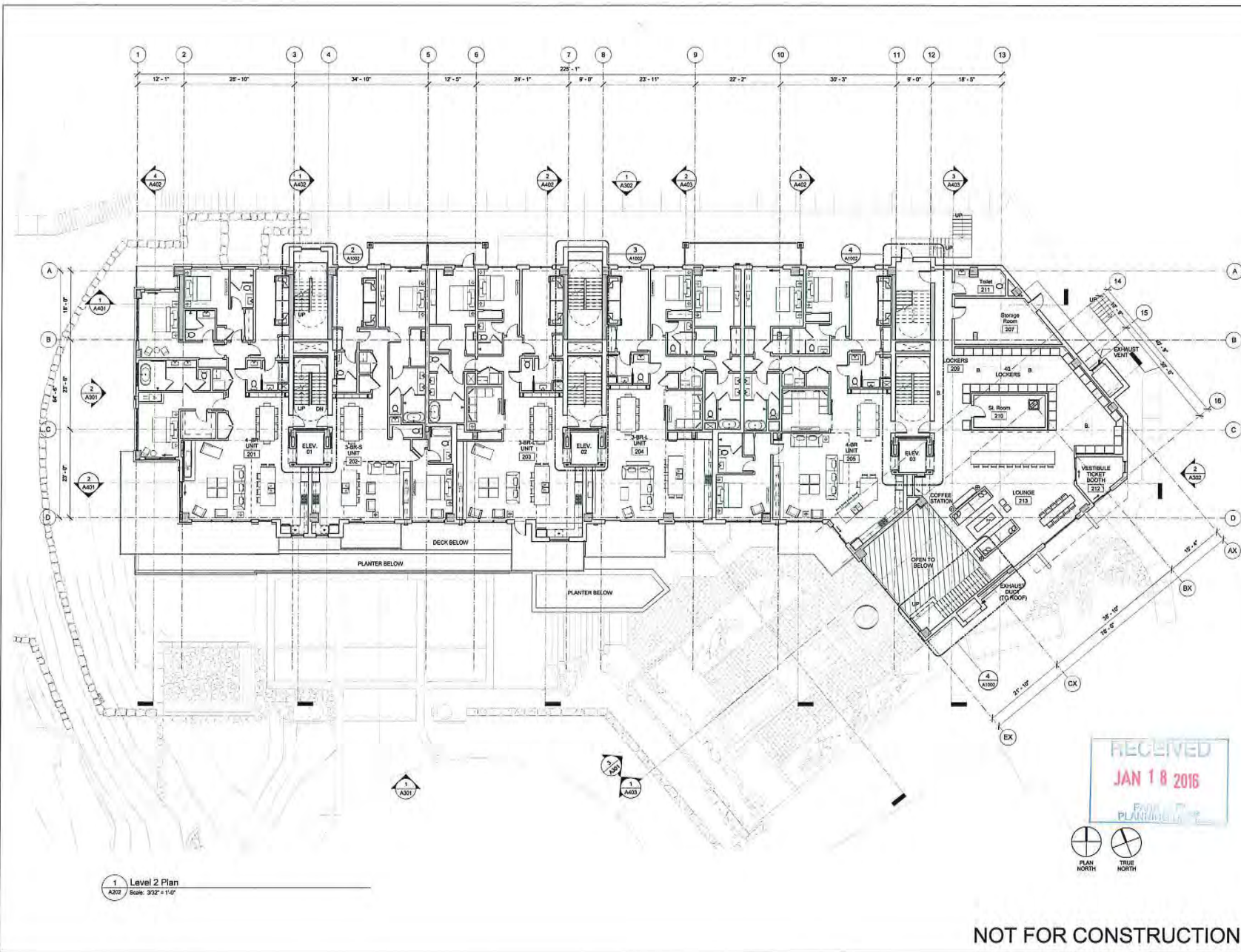
Sheet Title
LEVEL 1 PLAN



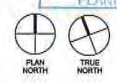
NOT FOR CONSTRUCTION

Scale 3/32" = 1'-0"	Date 10/23/15
Drawn JDK	Checked JDK
Client File	Sheet No.
Project No. 38854	A201

1/13/2016 5:17:18 PM



1 Level 2 Plan
A202
Scale: 3/32" = 1'-0"



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Prime Consultant
IBI
IBI GROUP
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Salt Lake City, UT 84111 USA
tel 801 532 4233 fax 801 532 4231

Scale

Consultant

No.	Date	Appr.	Drawn	Description
1	12/23/2015	JOS	BP	PROGRESS SALES PACKAGE
2	10/20/2016	JOS	BP	PG DUP
3	10/20/2016	JOS	BP	DD - DRG. PRINTING SET

Revisions

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Project Title
ONE EMPIRE PASS

Sheet Title
LEVEL 2 PLAN

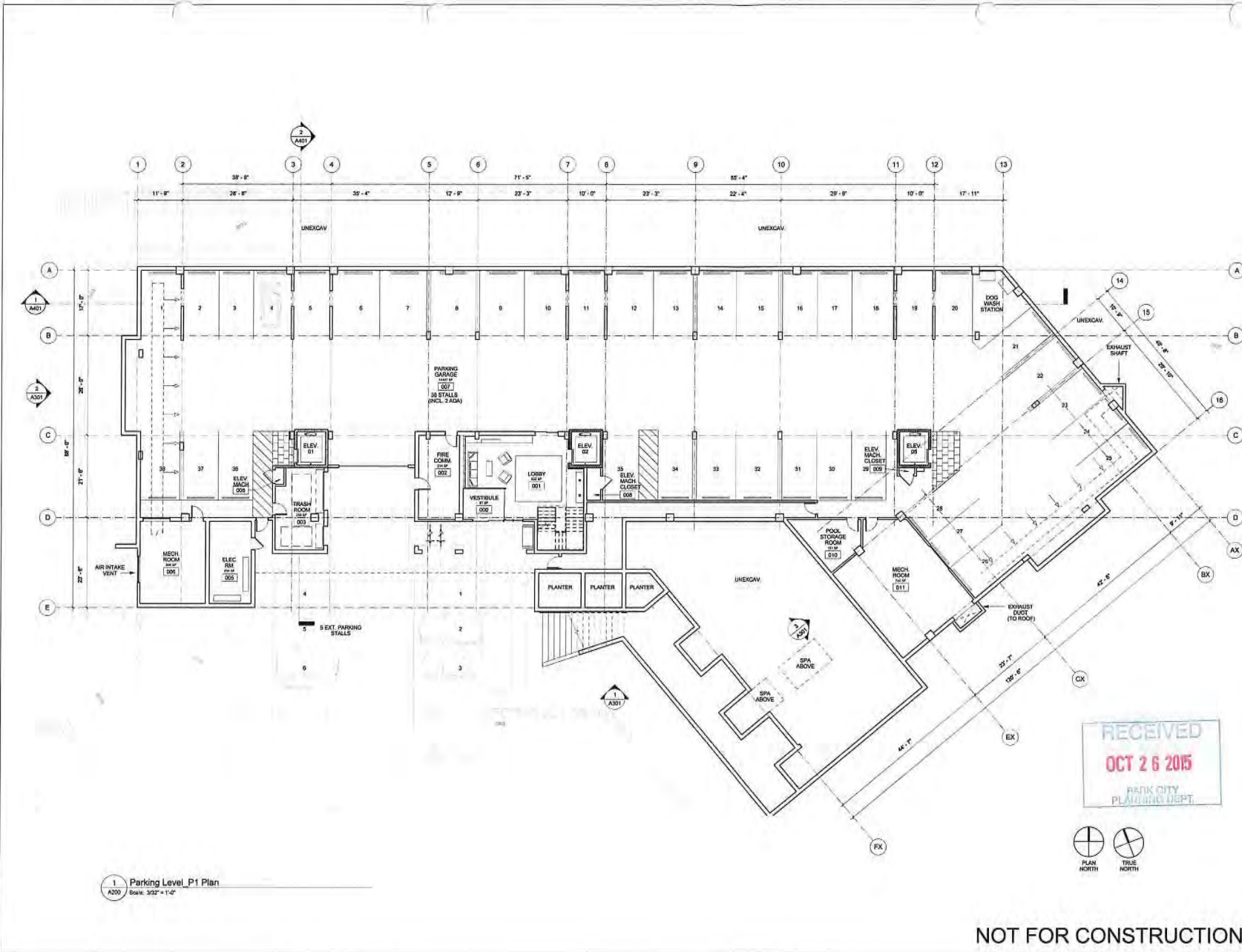
Scale	Date
3/32" = 1'-0"	10/20/16

Drawn	Checked
JOS	JOS

Client File	Sheet No.
	A202

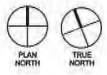
Project No.	Sheet No.
38654	A202

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1 Parking Level_P1 Plan
Scale: 3/32" = 1'-0"

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Revisions

No.	Date	Appr.	Description
1	09/21/2015	JG	RF
2	10/20/2015	JG	RF

Revisions

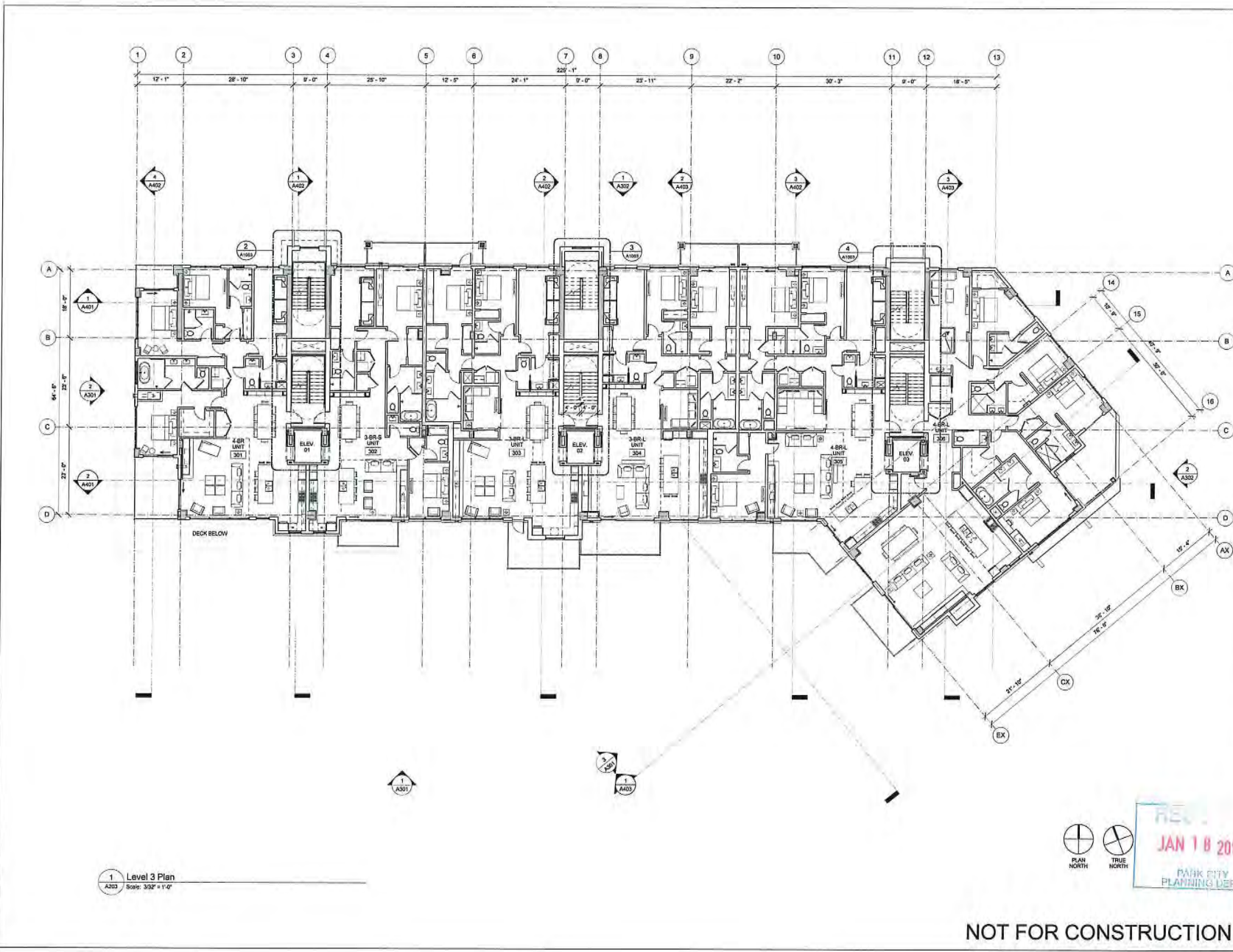
No.	Date	Appr.	Description

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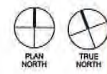
Project Title
**BUILDING 5
EMPIRE PASS**

Sheet Title
PARKING LEVEL PLAN

Scale 3/32" = 1'-0"	Date 10/26/15
Drawn SM	Checked JMK
Case File	Drawn By
Project No 38654	A200



1 Level 3 Plan
A203 Scale: 3/32" = 1'-0"



REV. JAN 18 2016
PARK CITY PLANNING DEPT.

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No.	Date	Appr.	Drawn	Description
1	12 23 2015	JCS	BP	PROGRESS GATE#1 PACKAGE
2	10 20 2015	JCS	BP	PG CLIP
3	10 21 2015	JCS	BP	DD - FIRING SET

REVISIONS

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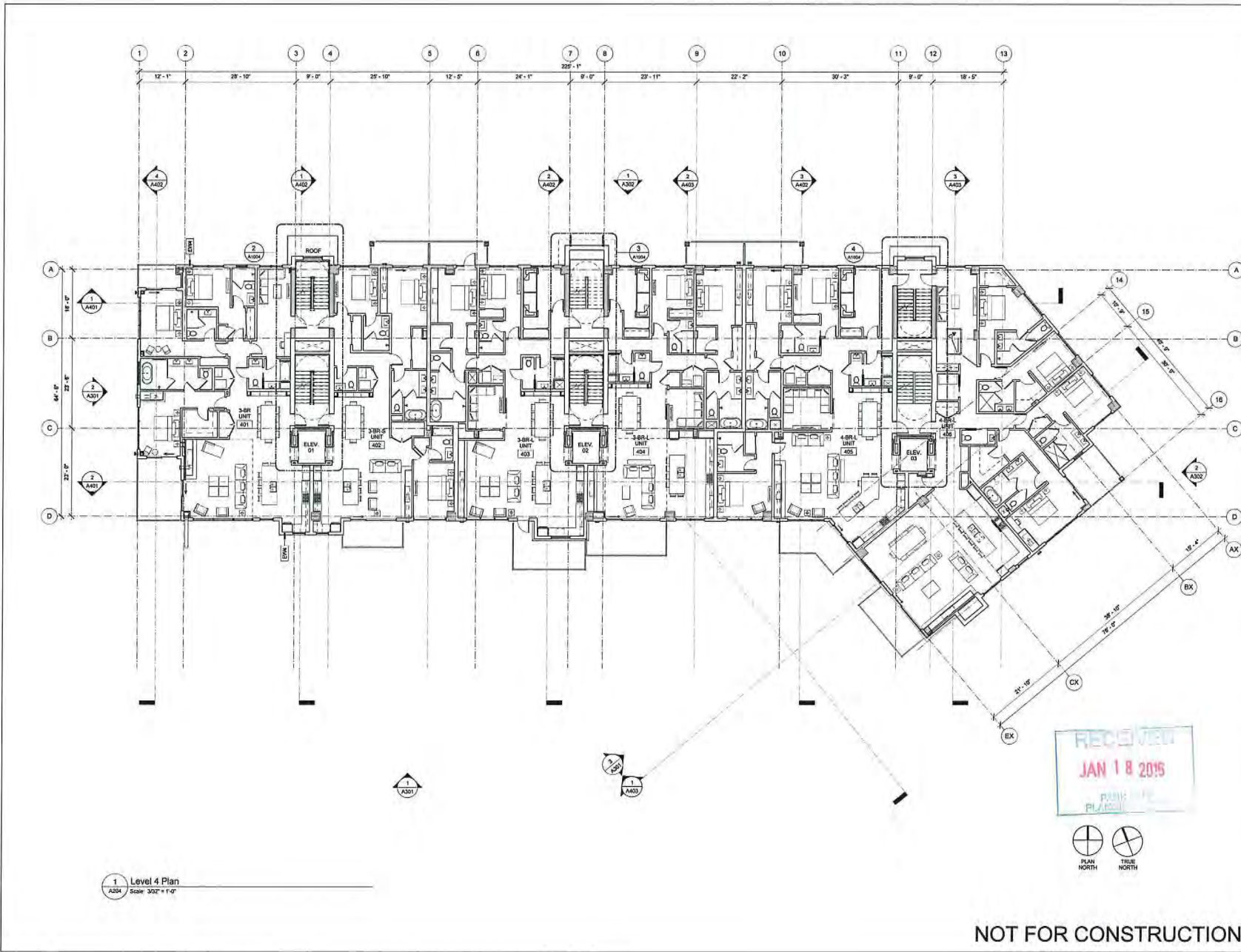
Vertical dimensions shall have precedence over horizontal dimensions. Corrections shall verify and be responsible for all dimensions and locations on the job and the Architect/Engineer shall be informed of any variations from the dimensions and specifications shown on the drawing. Group drawings shall be submitted to the Architect/Engineer for approval before proceeding with construction.

Project Title
ONE EMPIRE PASS

Sheet Title
LEVEL 3 PLAN

Scale 3/32" = 1'-0"	Date 10/29/16
Drawn JCS	Checked JCS
Chief of File	Sheet No. A203
Project No. 38654	

1/13/2016 8:12:27 PM



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Revisions

No.	Date	Appr.	Decision
1	12-23-2014	JG	MP
2	10-23-2015	JG	MP
3	10-23-2015	JG	MP

Notes

1. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

2. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

3. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

Project Title

ONE EMPIRE PASS

Sheet Title

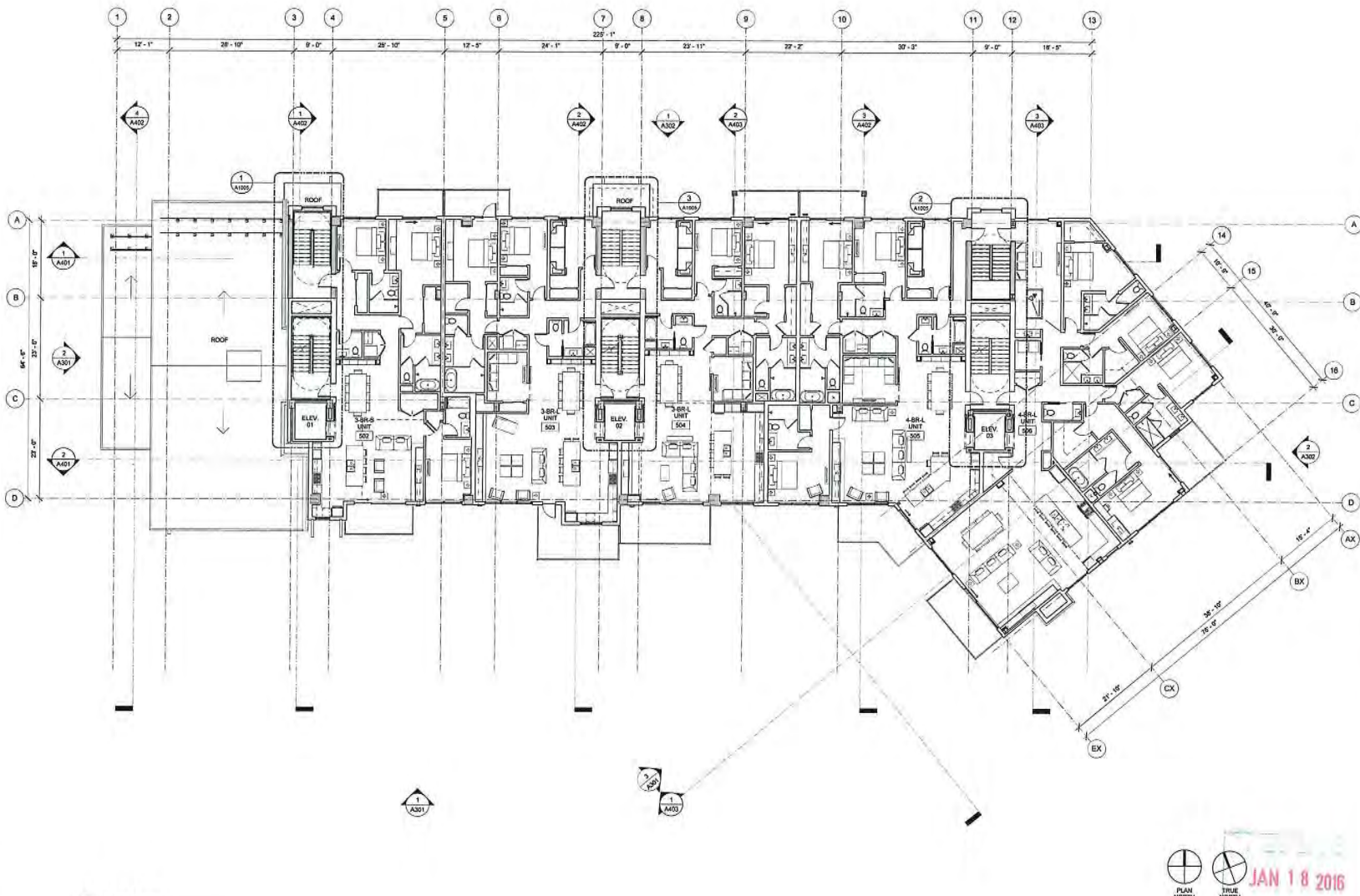
LEVEL 4 PLAN

Scale	3/32" = 1'-0"	Date	10/23/15
Drawn	JG	Checked	JG
Plot File		Sheet No.	A204
Project No.	38654		

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1/13/2016 5:17:36 PM

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1 Level 5 Plan
A205
Scale: 3/32" = 1'-0"

PLAN NORTH
TRUE NORTH
JAN 18 2016
SALT LAKE CITY HOUSING DEPT.

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Consultants

No.	Date	Appr.	Rev.	Description
1	10.29.2015	JS	01	PROGRESS SALES PACKAGE
2	10.29.2015	JS	01	PC CLIP
3	10.29.2015	JS	01	IBI - PROGRESS SET

No.	Date	Appr.	Description

Revisions

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Project Title

ONE EMPIRE PASS

Sheet Title

LEVEL 5 PLAN

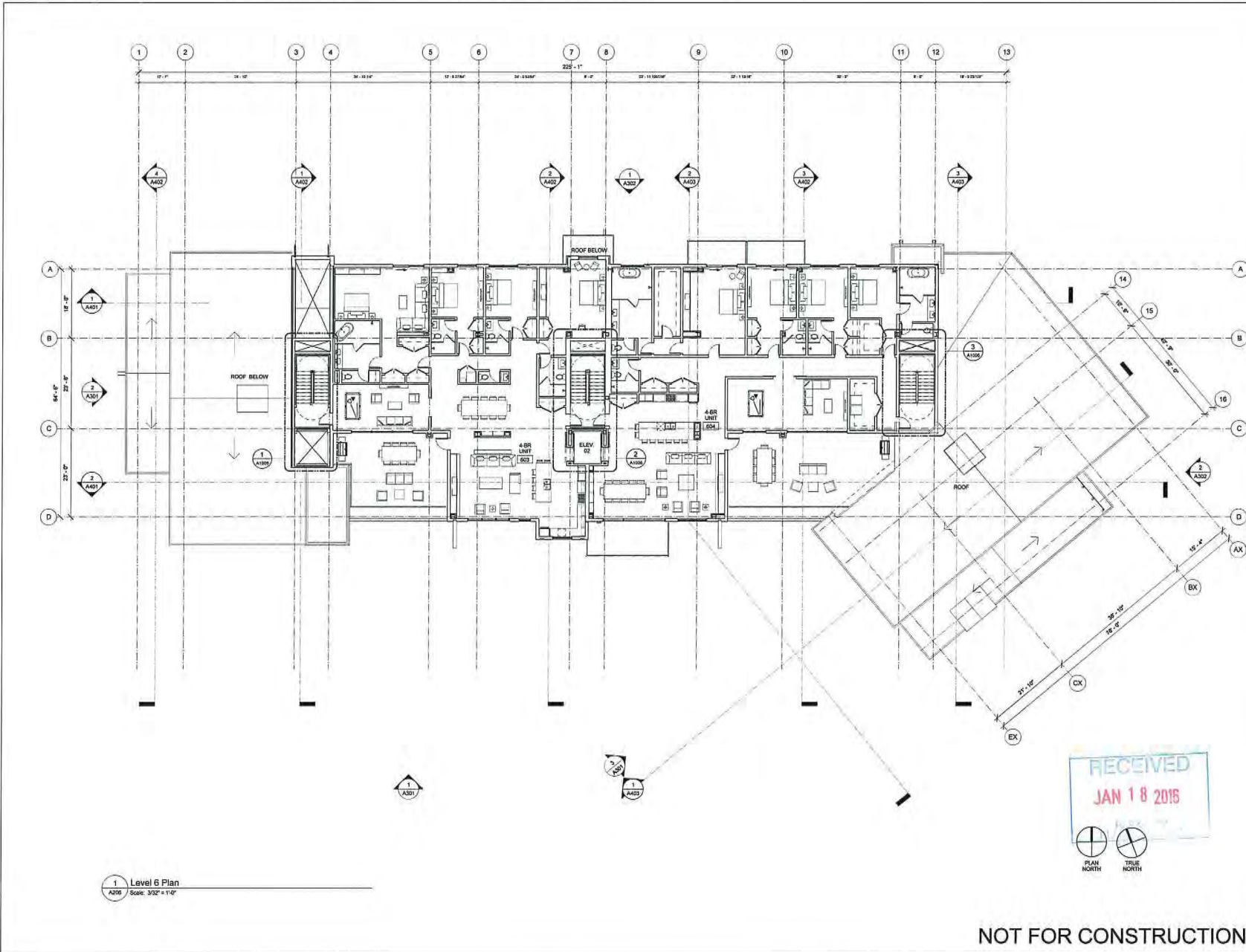
Scale	Case
3/32" = 1'-0"	100/115

Drawn	Checked
JS	JS

Case File	Sheet No.

Project No: 38854

A205



1 Level 6 Plan
A206
Scale: 3/32" = 1'-0"



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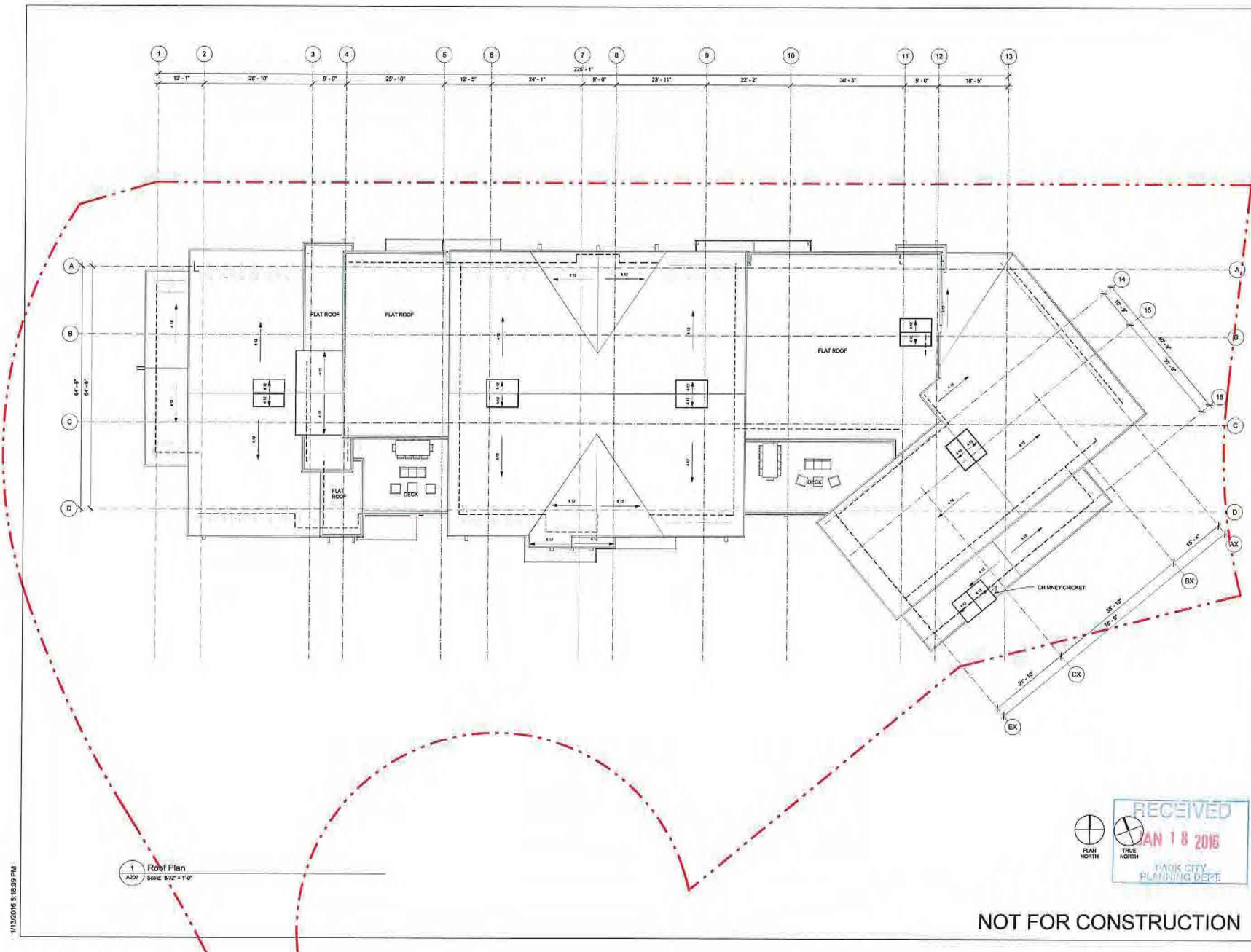
No.	Date	Appr.	Drawn	Description
1	12/23/2015	JCS	BP	PROGRESS SALES PACKAGE
2	10/20/2015	JCS	BP	PC CLIP
3	10/29/2015	JCS	BP	DD - PRICING SET

ONE EMPIRE PASS

LEVEL 6 PLAN

Scale	3/32" = 1'-0"	Date	10/09/15
Drawn	JCS	Checked	JCS
Plot			
Plot File		Sheet No.	A206
Project No.	38664		

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No.	Date	Author	Check	Description
1	12/24/2014	JG	BF	PROGRESS SALES PACKAGE
2	10/21/2015	JG	BF	PC CLIP
3	10/24/2015	JG	BF	DD: (P)GMS SET

No.	Date	Author	Description

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Project No.

ONE EMPIRE PASS
Roof Plan



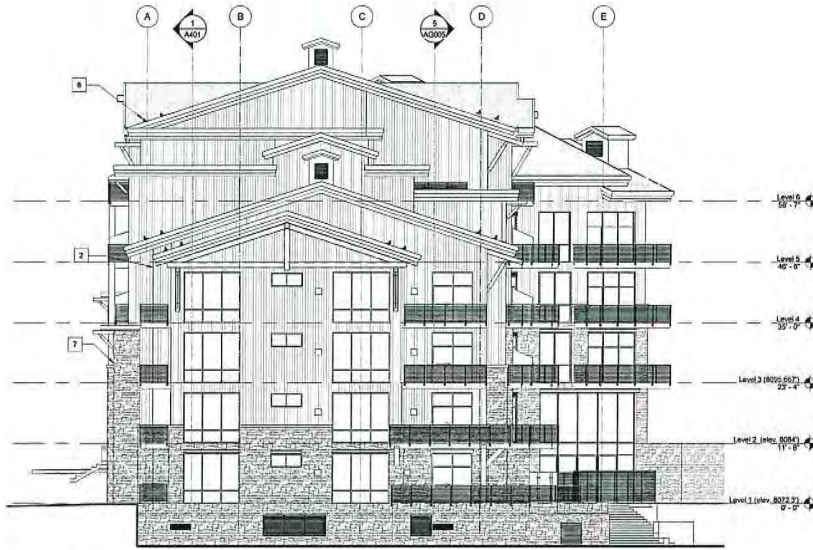
NOT FOR CONSTRUCTION

Scale 3/32" = 1'-0"	Date 10/21/15
Drawn JGK	Checked JGK
Field No.	Sheet No.
Project No. 38654	A207

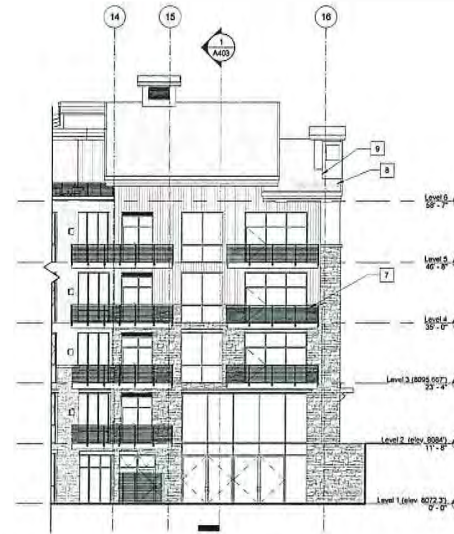
11/30/2016 5:15:30 PM

1 Roof Plan
A207
Scale: 3/32" = 1'-0"

EXHIBIT E ELEVATIONS



2 WEST ELEVATION
A301 Scale: 3/32" = 1'-0"



3 NORTH EAST PARTIAL ELEVATION
A301 Scale: 3/32" = 1'-0"



1 SOUTH ELEVATION
A301 Scale: 3/32" = 1'-0"

- KEYNOTES - ELEVATIONS**
- 1- NATURAL STONE
 - 2- CEDAR SIDING - STAINED
 - 3- TIMBER LINTEL
 - 4- STEEL BRACKETS - ROUGH SAWN WOOD TRUSS
 - 5- ZINC PANEL - PATINA
 - 6- LOW E GLASS WINDOWS/DOORS
 - 7- STEEL RAILING WITH WOOD ACCENT
 - 8- SNOW GUARD
 - 9- 40 YEAR ASPHALT SHINGLE

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No.	Date	Appr.	Drawn	Description
1	12/23/2015	JCS	BP	PROGRESS SALES PACKAGE
2	10/16/2016	JCS	BP	PG CUP
3	10/29/2016	JCS	BP	DD - FINING SET

ONE EMPIRE
JAN 18 2016
PASS

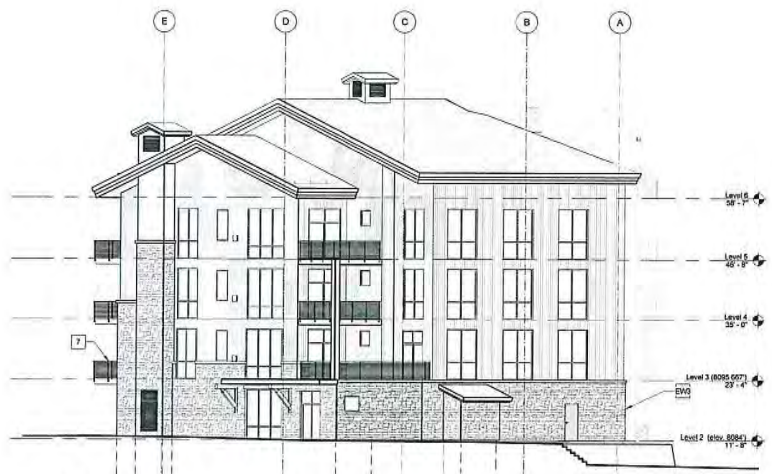
EXTERIOR ELEVATIONS

Scale: 3/32" = 1'-0" Date: 10/04/16
Drawn: JCS Checked: JCS
Cad File: Sheet No: A301
Project No: 38654

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1/13/2016 5:21:26 PM

- KEYNOTES - ELEVATIONS**
- 1- NATURAL STONE
 - 2- CEDAR SIDING - STAINED
 - 3- TIMBER LINTEL
 - 4- STEEL BRACKETS - ROUGH SAWN WOOD TRUSS
 - 5- ZINC PANEL - PATINA
 - 6- LOW E GLASS WINDOWS/DOORS
 - 7- STEEL RAILING WITH WOOD ACCENT
 - 8- SNOW GUARD
 - 9- 40 YEAR ASPHALT SHINGLE



2 East Elevation
A302 Scale: 3/32" = 1'-0"



1 North Elevation
A302 Scale: 3/32" = 1'-0"

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Scale
3/32" = 1'-0"

Date
10/21/15

Drawn
JST

Checked
JST

Scale No.
A302

Project No.
38654

Project 154
ONE EMPIRE PASS

Sheet Title
EXTERIOR ELEVATIONS

Revision
1
12/23/2014
JOS
RF
PROGRESS SALES PACKAGE

2
10/27/2015
JOS
BP
PC CLIP

3
10/20/2015
JOS
BP
DD - PRISING SET

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1/13/2016 5:22:50 PM



2 Building Section 2
A401 Scale: 3/32" = 1'-0"



1 Building Section 1
A401 Scale: 3/32" = 1'-0"

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No.	Date	Appr.	Drawn	Description
1	12/23/2015	JG	BF	PROGRESS SALES PACKAGE
2	10/20/2015	JG	BF	PC/CEP
3	10/23/2015	JG	BF	00 - PRICING SET



No.	Date	Appr.	Description

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BUILDING SECTIONS

Scale 3/32" = 1'-0"	Date 10/29/15
Drawn JGK	Checked JGK
Client File	Sheet No.
Project No. 38654	A401

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No.	Date	Appr.	Dist.	Description
1	10.13.2015	JG	BF	PROGRESS SALES PACKAGE
2	10.26.2015	JG	BF	PC OUP
3	10.29.2015	JG	BF	DO-PRIMG SET

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No.	Date	Appr.	Description

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Project Title

ONE EMPIRE PASS

Sheet Title

EXTERIOR ELEVATIONS - COLOR

Scale

Scale: 3/32" = 1'-0"

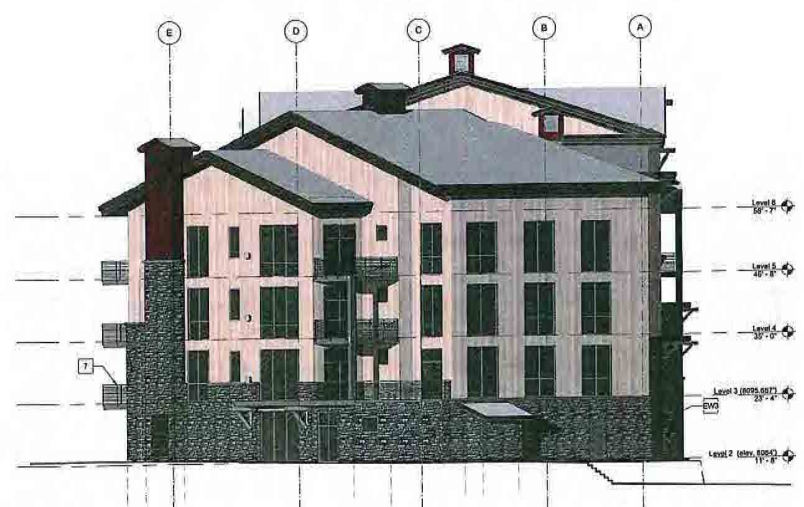
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Drawn: JDC

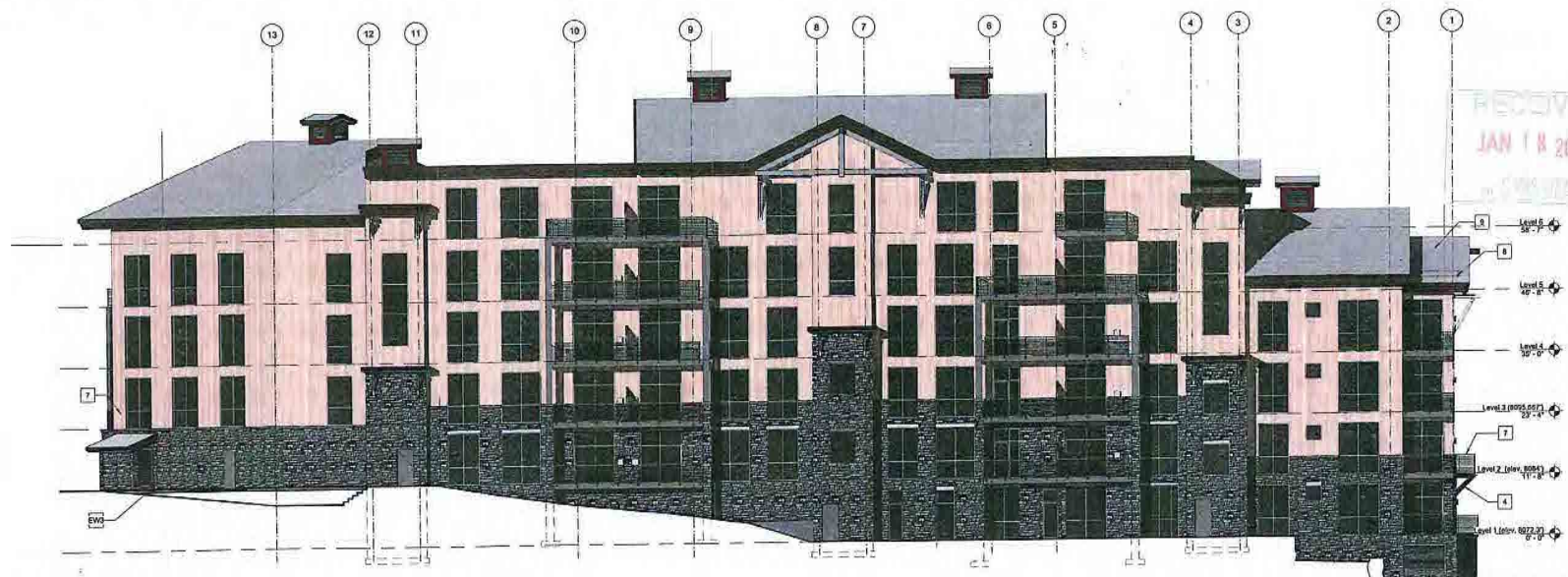
Checked: JDC

Project No.: 38854

Sheet No.: A302C



2 EAST ELEVATION COLOR
Scale: 3/32" = 1'-0"



1 NORTH ELEVATION COLOR
Scale: 3/32" = 1'-0"

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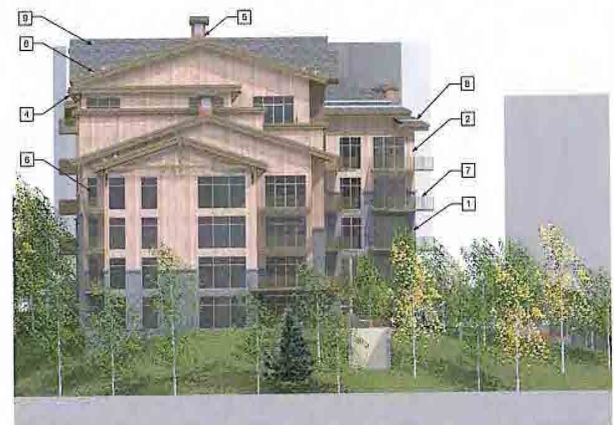
- KEYNOTES - ELEVATIONS**
1. NATURAL STONE
 2. CEDAR SIDING - STAINED
 3. TIMBER LINTEL
 4. STEEL BRACKETS - ROUGH SAWN WOOD TRUSS
 5. ZINC PANEL - PATINA
 6. LOW E GLASS WINDOWS/DOORS
 7. STEEL RAILING WITH WOOD ACCENT
 8. SNOW GUARD
 9. 40 YEAR ASPHALT SHINGLE



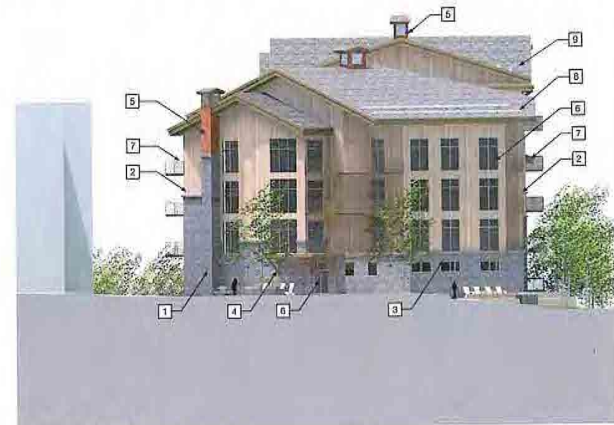
NORTH ELEVATION
SCALE 0 5 10 15 20 25



SOUTH ELEVATION
SCALE 0 5 10 15 20 25



WEST ELEVATION
SCALE 0 5 10 15 20 25



EAST ELEVATION
SCALE 0 5 10 15 20 25

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No.	Date	Appr'd	Drawn	Description
1	1/27/2016	JCS	BP	END SUBMISSION
2	1/29/2016	JCS	BP	FC CLP

Revisions

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Project Title
**BUILDING 5
EMPIRE PASS**

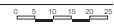
Sheet Title
**COLOR
EXTERIOR
ELEVATIONS**

Scale	Date
Drawn	Checked
Cell File	Sheet No.
Project No.	38854

500



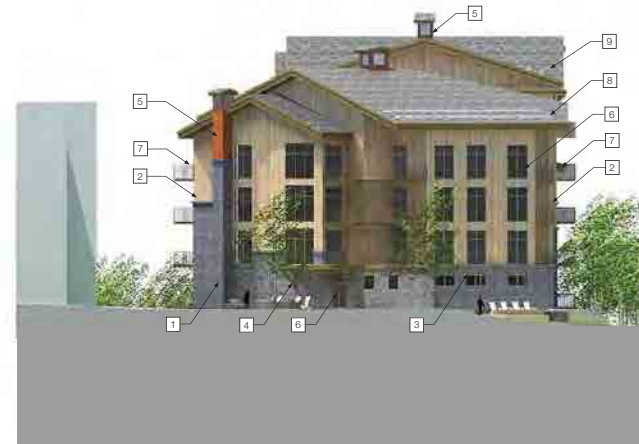
NORTH ELEVATION
SCALE



WEST ELEVATION
SCALE



SOUTH ELEVATION
SCALE



EAST ELEVATION
SCALE



KEYNOTES - ELEVATIONS

- 1- NATURAL STONE
- 2- CEDAR SIDING - STAINED
- 3- TIMBER LINTEL
- 4- STEEL BRACKETS - ROUGH SAWN WOOD TRUSS
- 5- ZINC PANEL - PATINA
- 6- LOW E GLASS WINDOWS/DOORS
- 7- STEEL RAILING WITH WOOD ACCENT
- 8- SNOW GUARD
- 9- 40 YEAR ASPHALT SHINGLE

Client

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Prime Consultant

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Issues

No.	Date	Approv	Client Approv	Description
1	9/21/2015	JG	BF	DRB SUBMISSION
2	10/26/2015	JG	BF	PC CUP

Revisions

No.	Date	Approv	Description

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Project Title

**BUILDING 5
EMPIRE PASS**

Sheet Title

**COLOR
EXTERIOR
ELEVATIONS**

Scale	Date
	10/26/15
Drawn	Checked
SM	JCA
Cur File	Sheet No.
	500
Project No.	38654

EXHIBIT F
VOLUMETRICS



DOUGLAS CLYDE
Mountain Resort Consulting Services, LLC

P.O. Box 561
5258 N. New Lane
Oakley, UT 84055

MEMO

To: Kirsten Whetstone

Re: Building 5 Volumetric Analysis

Date: 12/15/15

Kirsten, following up on our meeting of last week, I have attached some drawings that detail the façade and roof shifts in building number 5 of Empire Pass. The data in these drawings correspond to the volumetric analysis in that MPD approval. In short, the building meets or exceeds those design elements that were contemplated in the MPD. The volumetric analysis is essentially broken down into building height and façade shifts the dimensions of which are called out on the attached drawings. Beyond the volumetrics, the project square footage is controlled by the unit equivalent formula (UE) and the total unit count, which is a unique requirement of the Empire Pass approval. UEs and units float within the Village MPD approval and are not specific to any building. In short, every building can have as many units and UEs as can be contained in the volumetrics.

Building Height:

Maximum building height was detailed for each building and further broken down within each building to provide stepping of the building at each end. The height of the building was determined from existing grade and corresponded to visual analysis that was presented during the MPD approval. As can be seen in the attached drawing, the building is substantially under the maximum heights in all reaches of the building.

Volumetrics:

Each building (1-9) within the Village was associated with a specific volumetric drawing and subject to the Supplemental Project Description. The drawings themselves are representative of the anticipated forms and are sometimes repeated from one to another, albeit that no two buildings were meant to be identical.

Mountain Resort Consulting Services, LLC
Douglas Clyde its Managing Member
Phone: 435-333-8001 - Fax: 435-333-8002 - email: dclyde@allwest.net

The Volumetric section of the Supplemental Project Description noted, among other things:

"The intent of the volumetric analysis is to define the architectural massing of a building and insure that the mass of the building is broken up by significant façade and roofline shifts.... "

"The volumetrics generally depicts the location and heights modeled in the attached visual analysis, however there has been, and will continue to be, some changes in the shapes and approximate locations of the buildings as the plans evolve through the design process."

With respect to Building 5, the architecture in the CUP closely follows the volumetric diagram, so no extrapolation is required to interpret the building mass per se. The building has several façade and roof shifts that meet or exceed the expectations of the MPD approval and its overall height as a percentage of length is likewise compliant. Further, while the overall height of the building is lower than the total allowance, the mass of the building shifts as specified. See attached drawings.

There has been some specific questions about the roof zone (the "1/2 story") and what its utility is in the overall approval. The purpose of defining this zone was to prevent penthouse units from having large vaulted ceilings with associated glazing. In short, glazing and ceiling height were limited by the restriction on stem wall height or physical limitations on the size of dormers. If dwelling units were in the roof zone, this would drive roof forms that were consistent with "mountain" architecture. In addition, and for the same purpose, the floor to floor height restriction was also incorporated, again primarily to avoid excessive glazing and forms that were not in the vernacular of traditional mountain architecture. By and large, this restriction has caused the typical building in Empire Pass to avoid residential units in the "roof zone". Such is the case with this CUP.

Attachments:

Building 5 façade shift and height analysis
Flagstaff MPD with attachments (Supplemental Project Description)

Village MPD
Supplemental Project Description and Conditions

Site Plan

The site plan for the project shows the location of the nine condo-lodge buildings that have received additional height as established in the volumetrics. The shape and location of these buildings on the site plan are approximate and are more fully described in the attached volumetric analysis. The building locations for the nine condo lodges are controlled by the preliminary parcel map. Within the parcels on that map areas have been identified where reduced setbacks will be allowed. Final dimensions of these setback reductions will be determined at CUP approval for the individual buildings. Building location within the parcel is subject only to the zoned setbacks and the approved reductions, and general compliance with preservation of significant vegetation as shown on the MPD Limits of Disturbance exhibit.

Volumetrics

The intent of the volumetric analysis is to define the architectural massing of a building and insure that the mass of the building is broken up by significant façade and roofline shifts, as well as introducing architectural elements at the base of the building. The volumetrics define three distinct zones within the building: a parking zone, the intermediate floor plates and a roof zone. The roof zone is a region in which the roof shapes and architectural elements that appear in the project design guidelines are required to be employed in order to break up the building massing and provide architectural character. The roof zones are allowed as residential or mechanical space.

The volumetrics generally depicts the location and heights modeled in the attached visual analysis, however there has been, and will continue to be, some changes in the shapes and approximate locations of the buildings as the plans evolve through the design process.

The volumetrics will be used in conjunction with the approved project Design Guidelines to control final architecture that will be reviewed by the Planning Commission at a subsequent CUP.

Building Height

Building height is measured continuously from the highest point of the building to the existing grade directly below that point. The isometric diagrams establish maximum heights at various areas of the building. This height allow for three separate elements above existing grade as follows:

1. Height to accommodate the roof and residential units within the roof zone.
2. Height for the Intervening full floors of residential below the roof zone, and
3. Height for a varying amount of parking structure above the existing grade depending on where you draw the section through the building.

The sum of these three elements cannot exceed the maximum heights and are further restricted as follows:

Floor to Floor Height

The isometric diagram shows numbered full height floors that are sandwiched between the garage and roof zone. The floor to floor height of these floors is limited to 12'. The remaining height up to the maximum height of the building is available only for roof elements, garage, and the provision for residential units in the roof zone as described below.

The Roof Zone

In addition to the numbered floors that are between the roof zone and the garage, there is a provision for units in the roof. Residential units are encouraged within the roof to the extent that they add architectural interest by providing for dormers and window elements in the roof. Out of the maximum height allowed within each area of a building, up to 6' of that height can be allocated for a stem wall in order to accommodate a functional residential unit in the roof. The height of the stem wall is measured from the floor of the unit to where the units ceiling intersect the wall on the inside of the unit. The floor of the Roof Zone unit cannot be more then 12' above the floor of the lower unit. Acceptable roof forms are found in the approved Design Guidelines.

Ground Floor Architectural Elements

The volumetrics denote "entry structures" at possible locations that are intended to break down the mass of the structure at the entry points. In addition, a portion of the ground floor will have architectural elements such as covered balconies that will project out from the façade above in order to break down overall building scale.

Building Appurtenances and Exceptions

Beyond the height and massing shown in the volumetrics, some appurtenances are allowed outside of this envelope. Acceptable appurtenances include but are not limited to:

1. Dormer with ridge heights not exceeding the ridge height of the roof to which they are attached
2. Chimneys and chimney roof forms used for HVAC equipment and mechanical penthouses provided that they do not extend more the 5' above the top of the roof. Elevator penthouses may exceed the ridge height by 8'.
3. Skylights not exceeding 3' above the ridgeline of the roof that it is on
4. Code required parapet walls
5. Roof overhangs, brackets and bracing
6. Awnings
7. Covered and uncovered balconies
8. Grade level arcades not to exceed 15' in height
9. Kiosks, pool and spa pavilions, outdoor food service not exceeding 15' in height
10. Bay windows not exceeding 5' in depth measured perpendicular to the building
11. Screened and covered HVAC equipment
12. Porte Cochere structures not to exceed 28' in height
13. Accessory buildings and other structures and appurtenances as allowed in the zone by the LMC

Appurtenances that fall outside of the building envelope must not remove significant vegetation as preserved in the Limits of Disturbance plan and are subject to Planning Commission approval through a CUP. All appurtenances are subject to the projects approved Design Guidelines.

Conservation Easements and Conservation Parcels

Conservation Easements and Conservation Parcels are to remain as open space. Their purpose is to maintain a vegetative buffer between the project and Marsac Avenue. No structures, accessory building or appurtenances are allowed in any Conservation Easement or Conservation Parcel. Only those utilities as approved by the MPD or as revised in subsequent CUPs are allowed. Signs, as allowed by the Land Management Code, which are adjacent to the road, are allowed provided they do not cause the removal of Significant Vegetation as defined by the LMC.



LEGEND	
	Compliant with LMC Height Requirements
	Additional Height Requested

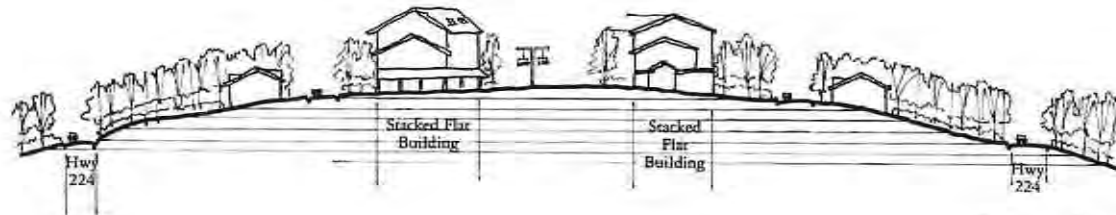


Building Height Diagram

* Revised Building Height Diagram as requested by the Park City Planning Commission.

May 6, 2004
HART HOWERTON
PLANNING ARCHITECTURE

THE VILLAGE AT EMPIRE PASS
 Park City, Utah



SECTION AA



SECTION BB



SECTION CC



May 6, 2004

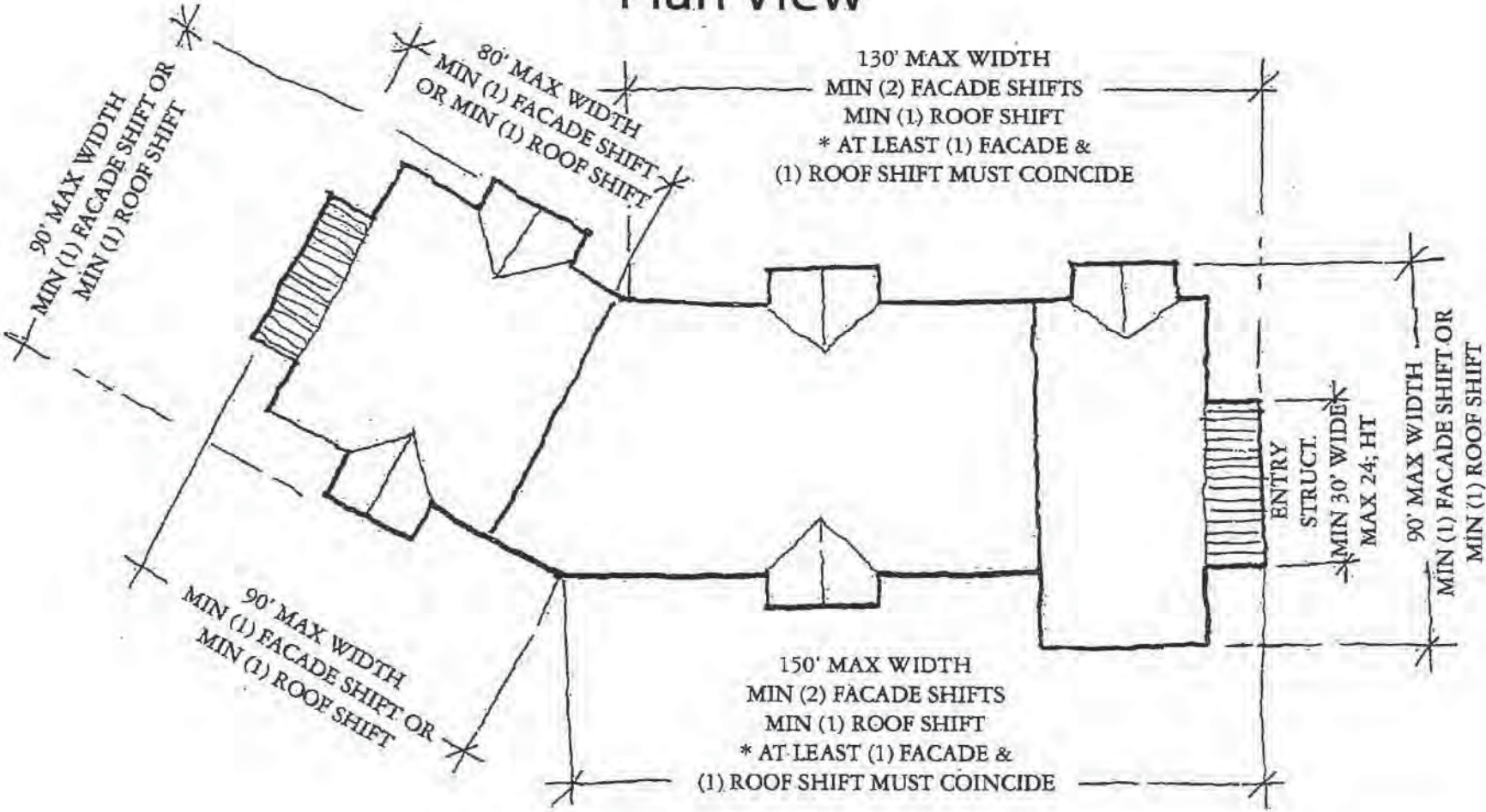
United Park City Mines Company

HART HOWERTON
ARCHITECTS
PLANNERS
ENGINEERS

THE VILLAGE AT EMPIRE PASS
 Park City, Utah

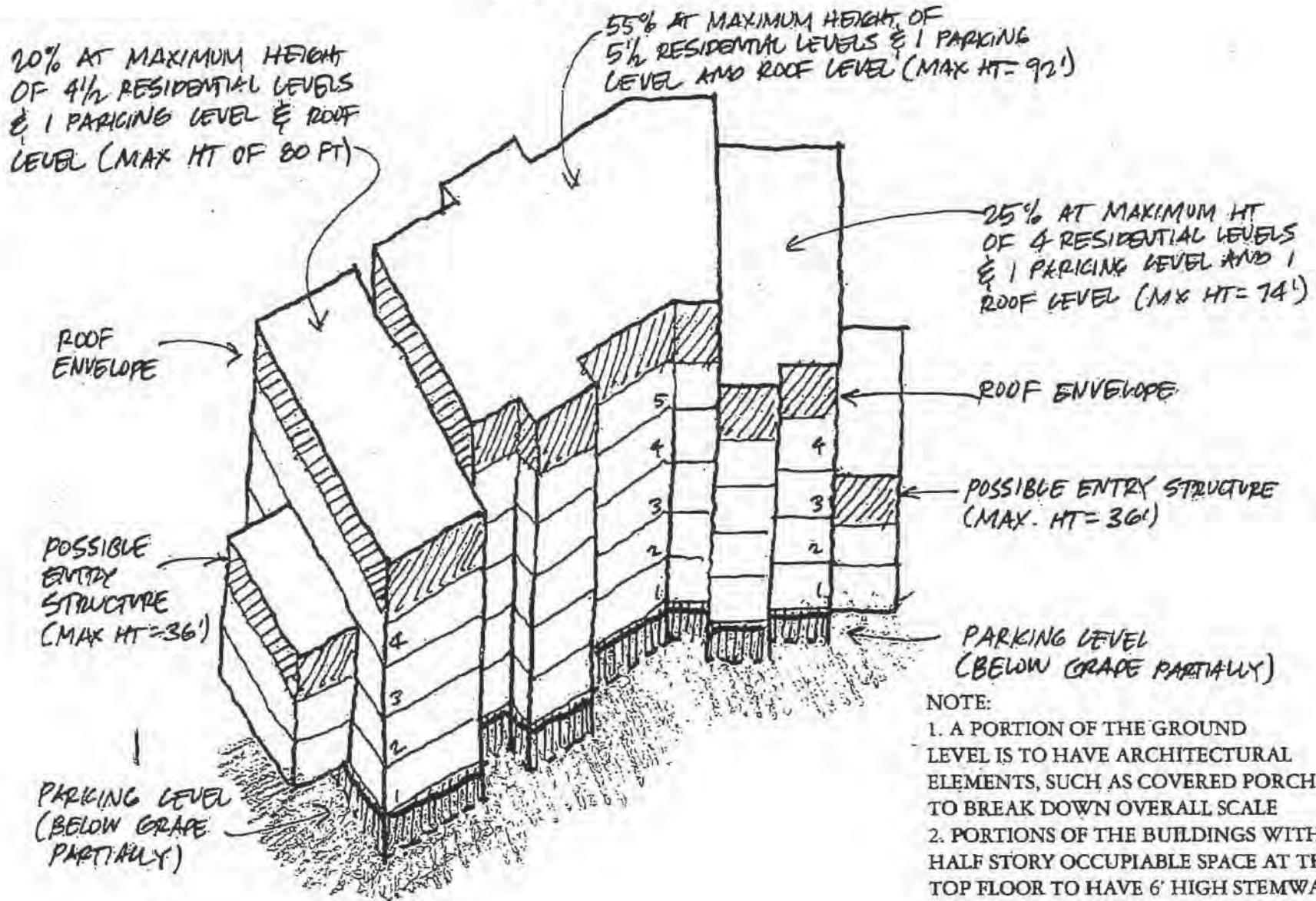
Pod A Preliminary Sections
Volume Analysis

Building 5 Volumetric Plan View

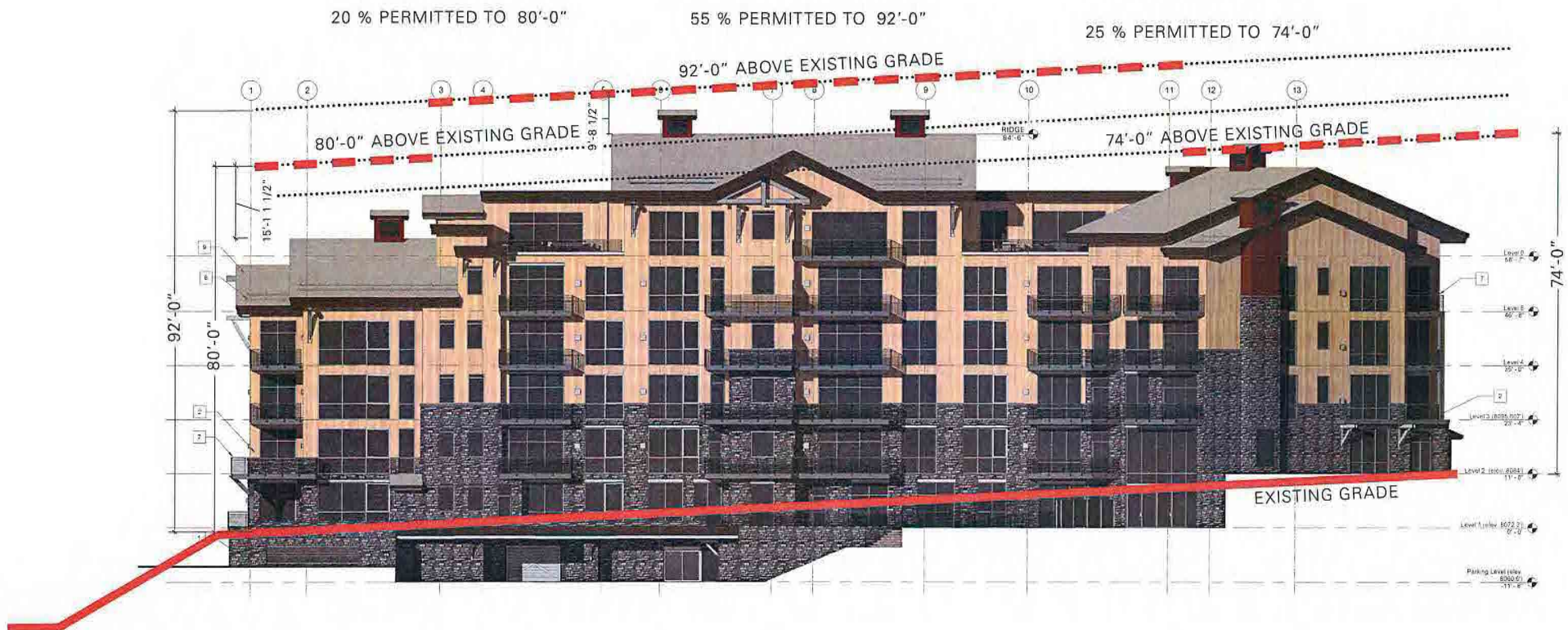


- NOTES:
1. WHERE (1) FACADE SHIFT IS REQUIRED IT MUST BE >10'
 2. WHERE (2) FACADE SHIFTS ARE REQUIRED THE SUM TOTAL MUST BE >16'
 3. WHEN BUILDING LENGTH EXCEEDS 120' AT LEAST (1) FACADE AND (1) ROOF SHIFT MUST COINCIDE
- JUNE 17, 2004

Building 5 Volumetrics Isometric View

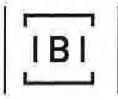


JUNE 17, 2004



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 PLANNING

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ONE EMPIRE PASS
 CONDITIONAL USE PERMIT

SOUTH ELEVATION - MASSING DIAGRAM

DEER VALLEY, UTAH
 EMPIRE PASS
 JAN. 2016

1 OF 4



RECEIVED
 JAN 18 2016
 DEER VALLEY

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ONE EMPIRE PASS
 CONDITIONAL USE PERMIT

NORTH ELEVATION - MASSING DIAGRAM

DEER VALLEY, UTAH
 EMPIRE PASS
 JAN. 2016

2 OF 4



20% PERMITTED TO 80'-0"

55% PERMITTED TO 92'-0"

25% PERMITTED TO 74'-0"



JAN 18 2016
 PARK CITY
 PLANNING DEPT.

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ONE EMPIRE PASS
CONDITIONAL USE PERMIT

SOUTH ELEVATION - MASSING DIAGRAM

DEER VALLEY, UTAH
EMPIRE PASS
DEC. 2015

1 OF 4



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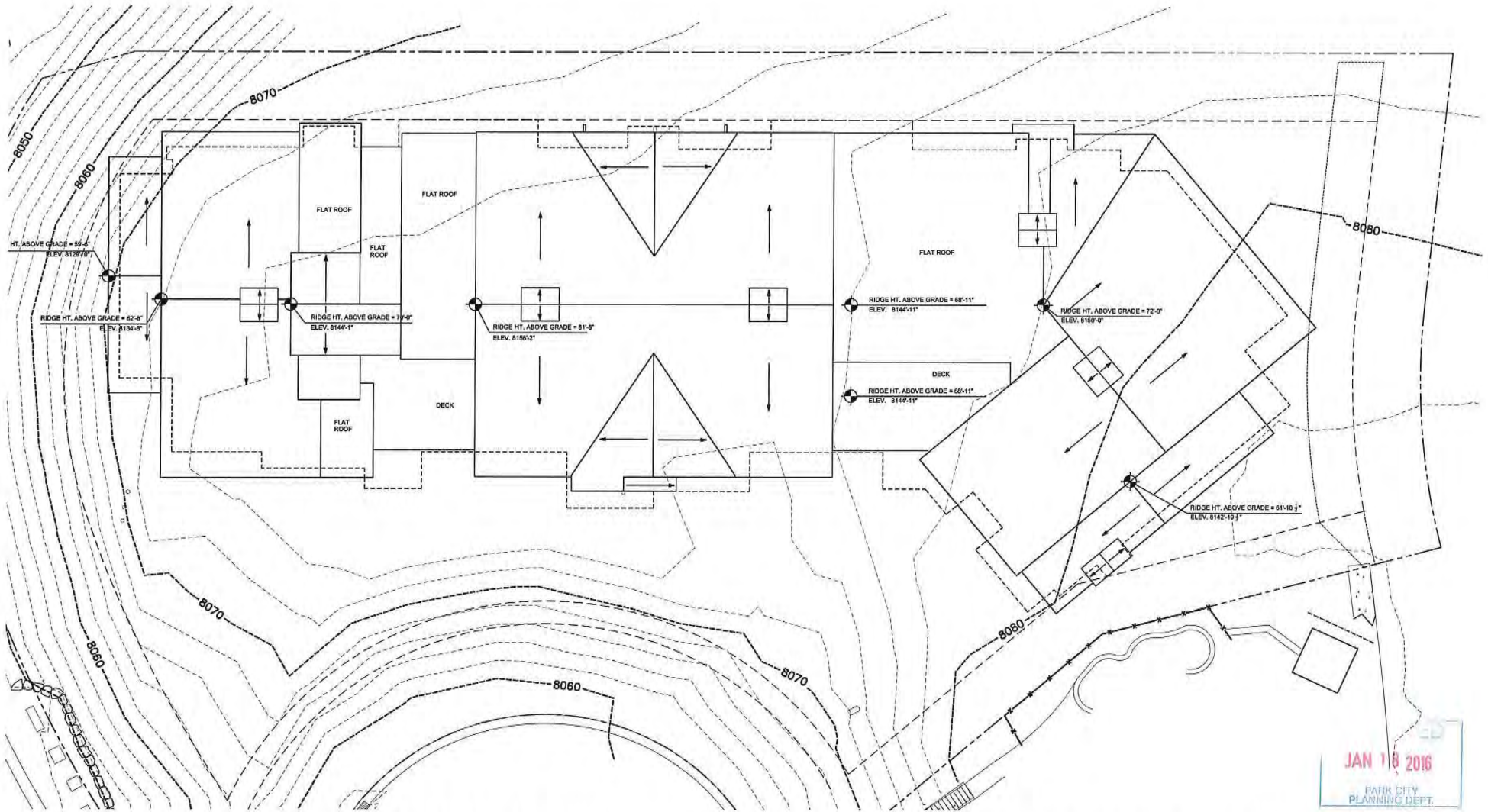


ONE EMPIRE PASS
CONDITIONAL USE PERMIT

NORTH ELEVATION - MASSING DIAGRAM

DEER VALLEY, UTAH
EMPIRE PASS
DEC. 2015

2 OF 4



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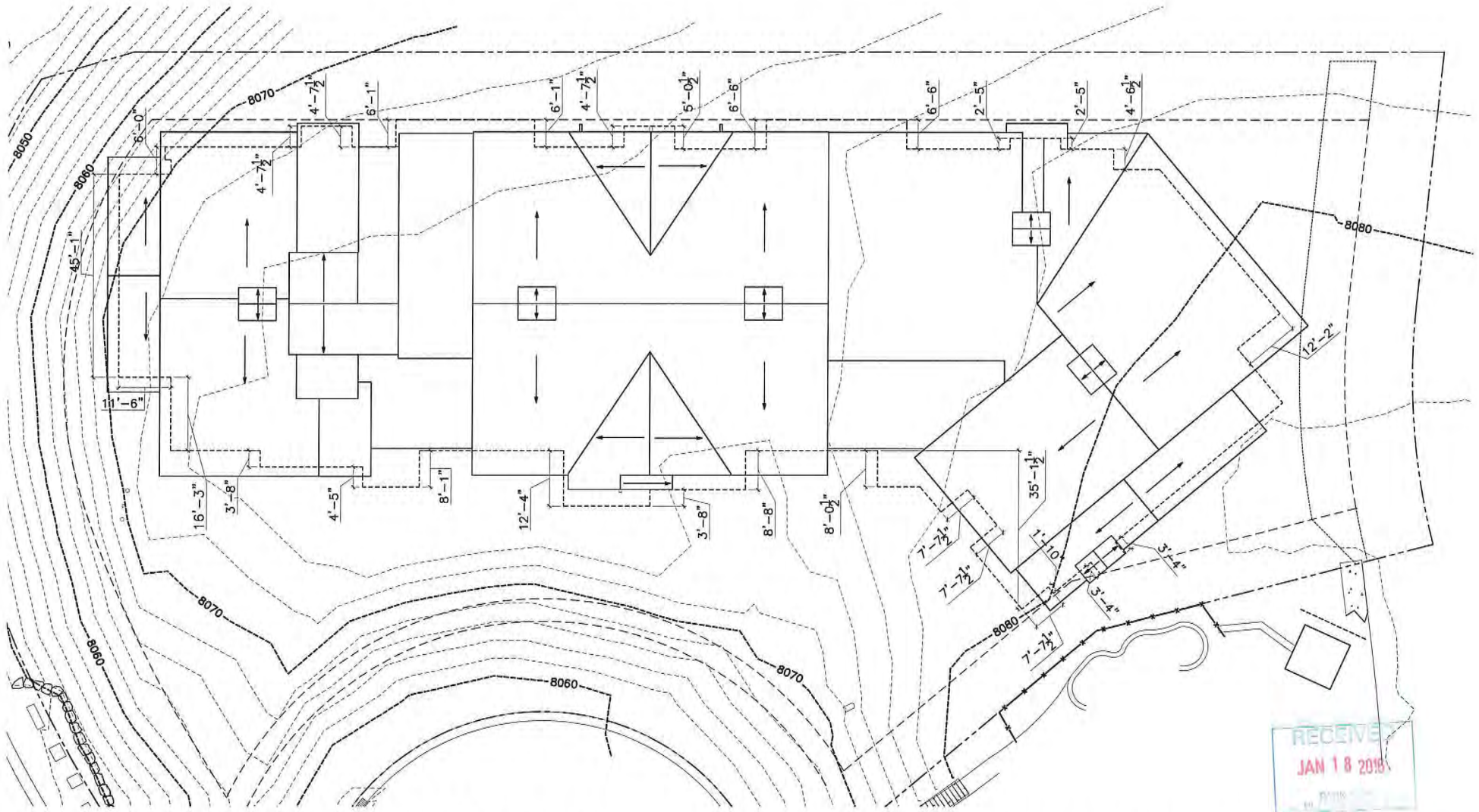


ONE EMPIRE PASS
CONDITIONAL USE PERMIT

**PLAN OVERLAY WITH ROOF AND BUILDING
OUTLINE AT GRADE**

DEER VALLEY, UTAH
EMPIRE PASS
DEC. 2015

3 OF 4



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ONE EMPIRE PASS
CONDITIONAL USE PERMIT

**PLAN OVERLAY WITH ROOF AND BUILDING
OUTLINE AT GRADE**

DEER VALLEY, UTAH
EMPIRE PASS
DEC. 2015

4 OF 4

RECEIVED
JAN 18 2016

20% PERMITTED TO 80'-0"

55% PERMITTED TO 92'-0"

25% PERMITTED TO 74'-0"





Planning Commission Staff Report



Author: Brooks T. Robinson
Subject: Village at Empire Pass,
Master Planned Development
Date: July 28, 2004
Type of Item: Administrative

**PLANNING
DEPARTMENT**

Summary Recommendations:

The Planning Department recommends the Planning Commission re-open the public hearing and take public comment. Staff has prepared Findings of Fact, Conclusions of Law and Conditions of Approval.

Topic

Applicant Location	United Park City Mines / Talisker Corp. Village at Empire Pass (formerly known as Flagstaff Mountain Resort)
Zoning	Residential Development (RD) as part of the Flagstaff Master Planned Development (MPD)
Adjacent Land Uses	Deer Valley Resort ski terrain, State Route 224

Background

On June 24, 1999, Council adopted Ordinance 99-30 approving the annexation and development agreement for the 1,655 acre Flagstaff Mountain area. Ordinance 99-30 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions and amenities for each parcel.

The Development Agreement specifies that only 147 acres of the 1,655 acre annexation may be developed. The remainder of the annexation area is to be retained as passive and recreational open space.

Prior to construction, the applicant must receive site-specific MPD and final plat approval from the City. The Planning Commission takes action on MPD applications and forwards a recommendation to Council on subdivision plats.

Ordinance 99-30 also required that the applicant submit 14 specific technical reports for review and approval by the City. The 14 studies, along with the Land Management Code and the Development Agreement (99-30) form the standards under which the subject MPD and preliminary/final plat will be reviewed.

During the Olympic break a subcommittee consisting of the applicant's design team, staff, and Commissioners Chris Larson, Bruce Erickson, and Michael O'Hara focused on a review of the preliminary road layout for the mountain village (Pods A, B-1, and B-2) and a building height analysis for the project build-out using the base RD-zone 33 foot height limit. These items were reviewed at a work session and a public hearing on March 27, 2002. No public comment was received. The Commission concluded that:

1. The base RD-zone height analysis demonstrates that the maximum project densities set forth in Ord. 99-30 could potentially be constructed within the approved development pods without the necessity of a height increase above the 33-foot RD zone height limit; and
2. Building height increases for specific multi-family/resort-related buildings may be considered based on site-specific reviews and compliance with the standards set forth in the Master Planned Development section of the Land Management Code (LMC).

Proposal

The applicant seeks Master Planned Development (MPD) approval for the Mountain Village (Pods A, B-1, and B-2), now called the Village at Empire Pass. Pod B-1 was previously approved in May 2002. B-2 is not far enough along in the planning process to have a clear idea of that part of the development. However, residual units and unit equivalents remain for a future B-2 MPD.

The Development Agreement constrains the mixed-use development in the Mountain Village area (Pods A, B-1, and B-2) to:

- The Mountain Village is to be contained within 84 acres.
- No more than 705 Unit Equivalents (2,000 square feet each) in no more that 470 residential units (including not more than 60 PUD-style units) and no more than 16 single-family home sites.
- 65% of the residential units (306) must be within Pod A.
- No more than 75,000 square feet of resort support commercial.
- A maximum 35,000 square foot day skier lodge in Pod B-2 with no public road access, no day skier parking, and limited parking to meet service and administrative requirements.

On May 22, 2002, the Planning Commission approved an MPD and final plats for portions of the Mountain Village including:

Lot	Unit Equivalents	Actual Units	Acres
Ten single family homes	Does not count towards 705 total		6.40 acres in Pod B-1

A: Empire Day Lodge	None currently. Commercial activities outside of Day Skier use may require use of Commercial UEs.		1.33 acres in Pod B-2
B: PUD-style homes	27 UEs	18	16.99 acres in Pod B-1
C: Ironwood Townhomes	37.5 UEs	25	3.63 acres in Pod B-1
D: Building H	33 UEs plus 1UE Support Commercial	22	1.34 acres in Pod A
Larkspur Townhomes (currently approved is a tri-plex and a duplex)	7.1 UEs or 14,052 sf	5	Pod A
Paintbrush PUD-style SFD	18.1 UEs or 36,139 sf	7	Pod A
TOTAL: 77 units (10 SFD homes do not count towards total)	123.7	77	28.35 acres outside of Pod A

Proposed Pod A Village (excludes Building H which is in Pod A; includes already approved Paintbrush and Larkspur units)

Lot	Unit Equivalent	Actual Units	Units as PUDs	Single Family
Buildings 1-9	225.6 UEs	217 Units		
PUD-style	85.4	30	30	
Townhomes	64	51	8	
Banner SFD				6
Total	375	298	38	6

Analysis

Master Planned Development Review

Staff has performed a final review of the proposed Master Planned Development per the Land Management Code Section 15-6-5: Master Planned Developments–MPD Requirements.

Length of Approval

Construction of the approved MPD will be required to commence within two (2) years of the approval date. After construction commences, the MPD remains valid as long as it is consistent with the approved MPD and any phasing plan.

MPD Modifications

Substantive changes to the MPD require a subsequent Planning Commission review and approval of the MPD and Development Agreement.

Site Specific Approvals

Conditional use permit approval including a specific density (square foot) allocation will be required prior to the construction of the PUD-style single-family units and the multi-family units. No conditional use permit is required for the proposed 6 single-family lots. Approval and recordation of the subdivision plat, as well as City Engineer approval of all public improvements is necessary prior to construction of the proposed subdivision.

Density

With the current approvals noted above, Pod A and the development parcel of Pod B-2 outside of the Empire Day Lodge is limited to 55.65 acres, 393 residential units and 563.3 Unit Equivalents. Pod A has 34 units (9 PUDs, 3 townhomes, and 22 condo-lodge units in Building H) already approved of the 306 residential units that are required to be in Pod A. Proposed for Pod A is 321.5 Units, which includes the 34 units, leaving up to 105.5 units unallotted. In addition, the remaining 6 single-family lots of the 16 allowed in the Village are proposed in Pod A.

Marsac Claim/Mayflower

Please refer to the July 14, 2004 report for discussion on the Marsac Claim and Mayflower holdings. The Court issued a ruling in the partition case between Mayflower and Unite Park. Staff will update the Commission as necessary, but it does not impact this application or approval.

Pod B-1

The density table allocates 90,000 square feet or 45 Unit Equivalents to Lot C. The previous MPD approval for these 18 PUD-style homes allocated 27 UEs to this lot, with each unit being up to 5,000 square feet. The footprints and sections that were reviewed by the Planning Commission were concepts of 5,000 square foot units. An amendment to the MPD will be required to adjust this number, however the density table recognizes that up to 90,000 square feet may be assigned to Lot C.

Pod B-2

The developer is unsure what this last development piece may look like. Several alternatives were presented in the Planning Commission binder. An MPD will be required when a UPK has a better idea of how this pod will develop. This MPD approval only applies to Pod A.

Setbacks

The LMC requires a minimum 25-foot setback around the exterior boundary of a master planned development. The proposed Village MPD complies with this standard. Within the Village, the Planning Commission may reduce the RD zone setbacks. Exhibit 10 (Setback Exhibit) shows potential areas for setback reductions based on the conceptual site plans. Specific setbacks will be considered during the Conditional Use Permit process.

Open Space

The Development Agreement limits the overall development to 147 acres out of the 1,655-acre project area. The 88% open space provision exceeds the normal 60% open space requirement set forth in the LMC. Within each of the pods, Conservation Easements will be placed on several lots to restrict development on platted lots. Staff finds that this restriction is consistent with the development acreage restriction and will not count the Conservation Easement areas as part of the development acreage.

Off-Street Parking

The Parking and Transit Management Plans (adopted by the Planning Commission on October 24, 2001) establish specific parking requirements for the project area that include a 25% parking reduction from the normal LMC requirements for multi-family and commercial units. Parking for all single-family and PUD-style single-family units will meet or exceed the two-space/unit requirement. Specific parking requirements for the multi-family units and any commercial area will be subject to more specific analysis during the subsequent conditional use permit review process.

Building Height

The single-family (both PUD and non-PUD) and townhouse units will be constructed pursuant to the 33' RD-zone height limitation. Height exceptions are being requested for the nine stacked-flat condo-lodges including the Empire (Alpine) Club. The applicant's request and discussion of the four required findings for additional height are discussed in the Volumetrics Analysis section of the application binder. The Planning Commission gave a final review of the Visual Analysis and building heights at the July 14, 2004 hearing and preliminarily determined the proposed heights comply with these criteria.

The LMC grants the Planning Commission the authority to allow additional building height based upon site-specific analysis provided the Commission can make the following four findings. The findings are listed below with Staff comments.

1. The increase in building height does not result in an increase in square footage or building volume over what could be allowed under the zone-required building height and density, including requirements for facade variation and design, but rather provides desired architectural variation.

Complies. In January 2002, a Planning Commission subcommittee and staff met with the applicant over the course of several meetings to review a base zone height analysis of the Flagstaff Mountain Resort (now Empire Pass) project. The

analysis was conducted to determine whether or not the density authorized in Development Agreement and Large-Scale MPD could be designed to meet the RD District 33-foot building height limits. Based on this analysis, it was determined that the Mountain Village area (Pods A, B-1, and B-2) could be designed utilizing 2-3 story, relatively-flat roof structures (4:12 roofs) and meet all necessary LMC height, setback, and facade shift requirements without the necessity of height exceptions. The result of such a design approach to the Mountain Village would be significantly greater site disturbance and loss of significant areas of vegetation. At the March 27, 2002 meeting, the Planning Commission reviewed the analysis and concluded that additional building height could be considered for multi-unit dwellings provided that proposal was consistent with the LMC.

Consistent with the base zone height analysis previously reviewed by Staff and the Planning Commission, the proposed buildings 1-9 volumetrics result in a unit count and overall square footage consistent with the density assigned to the Mountain Village area pursuant to the Development Agreement and Large-Scale MPD approval. Therefore, there is no increase in density or square footage as a result of the height increase. The additional height is also offset by increased setbacks that offer opportunities for greater landscape buffers to be established. The proposed roof design, including pitched roofs that step with grade, are consistent with LMC Architectural Design Guidelines, suggestive of pitched/sloping roofs found on historic mine structures originally located in the area, provide increased vertical breaks in the building mass, and increased architectural interest beyond that provided by a relatively flat roof building.

2. Buildings have been positioned to minimize visual impacts on adjacent structures. Potential problems on neighboring properties caused by shadows, loss of solar access, and loss of air circulation, have been mitigated to the extent possible as defined by the Planning Commission.

Complies. No structures currently exist on the neighboring properties. Townhouses and Single Family/PUD-style units are proposed to the south, east and west of the nine building core. The conceptual site plan is designed to orient the multi-family units to the central ski run and to mountain views to the west and east.

3. There is adequate landscaping and buffering from adjacent properties and uses. Increased setbacks and separations from adjacent projects are being proposed.

Complies. The proposed building exceeds the RD District setback requirements. The setback requirements of the RD District are 20 feet for front yards, 15 feet for rear yards, and 12 feet for side yards. The proposed setbacks are 25-55 feet for the front yard setback, 15-25 feet for the rear setback, and 15-30 feet for the side yard setback. Staff finds that sufficient building separation between each

structure is provided. A specific landscaping/buffer plan will be required as part of the conditional use permit review for each of the nine buildings.

4. The additional building height has resulted in more than minimum open space required and has resulted in the open space being more usable.

Complies. The Mountain Village design clusters the majority of the Empire Pass density into Pods A, B-1, and B-2 in exchange for larger areas of project open space. The LMC requirement for MPD open space is 60%. Approximately 88% open space is provided pursuant to the Development Agreement. The bulk of the project open space is utilized for passive recreation areas, trails, ski terrain and improvements, wildlife areas, and sensitive terrain preservation.

In addition to the criteria outlined above, the Planning Commission subcommittee identified several vantage points during the Olympic break that are to be used during MPD and subsequent PUD reviews. The vantage points include views from King Road, two points from Stein Eriksen Lodge, the Marsac Building, Guardsman Road/Guardsman Road Connection intersection, the Daly West head frame, and American Flag Subdivision. A visual analysis of the Village from these vantage points has been included with this report as an attachment. As demonstrated by the visual analysis, the nine buildings are partially visible from the subcommittee's vantage points, but are mitigated by the current and potential tree canopy and the backdrop of the mountains behind. The buildings do not break any significant ridgelines.

Site Planning

The nine site planning criteria outlined in the LMC are intended to promote overall design that incorporates the development into the site's natural characteristics. Generally, the location of the proposed development parcels is consistent with the development pods approved as part of Development Agreement and Large-Scale MPD which clustered the development onto less-steep terrain and in the least visually sensitive areas. The open space areas designated in the Development Agreement are respected with this plan.

Roads

The roadway system has been reviewed by staff and is much preferable to the previous configurations. Three roads plus a frontage road on the north end townhouses serve Pod A. The previous configuration had dead-end cul de sacs serving the interior larger buildings. The present configuration allows for greater tree buffer along Marsac Avenue and reduced grading. However, a cul de sac in excess of 650 feet is created in the southwest quadrant. This is in conflict with the general policy and subdivision code of the City to limit the length of dead-end roads. The Chief Fire Marshall finds the plan to comply with the necessary standards for fire access and safety. The end of the cul de sac continues as an emergency access point as part of the Emergency Response Plan. The Commission reviewed this issue at the work session of April 14, 2004 and was

accepting of the Fire Marshall's recommendation. Approval of the proposed cul de sac will require a specific finding of the Planning Commission.

Trails

Existing and new trails are accommodated with the proposed plan. All "back-country" work is to be coordinated with the Mountain Trails Foundation. The proposed trail work is consistent with the Trails Master Plan adopted by the Planning Commission on October 24, 2001.

Overall pedestrian circulation is outlined in the applicant's packet. The internal pedestrian paths are intended to keep users off the roads as much as possible and to link the Empire Club with the outlying areas. There may be instances, particularly at the north and south ends, where sidewalks along the streets would be required in order to meet the subdivision regulations. The Planning Commission discussed this issue on April 14, 2004 and agreed to waive this requirement. Snow storage, landscaping, recycling, delivery access, and ADA access for multi-family units will also be analyzed during the subsequent conditional use permit process.

Landscape and Streetscape

Landscaping, streetscape, and lighting will be reviewed for the multi-family and PUD-style single-family lots during the subsequent conditional use permit process. The applicant will need to clarify the amount and type of street lighting proposed along the residential streets. The lighting must comply with the City Engineer's specifications, the Municipal Lighting Code, and the Design Guidelines adopted by the Planning Commission on October 24, 2001. All streetlights will be privately maintained. Staff has added a Condition of Approval that each CUP application include a preliminary landscape plan with water-efficient irrigation systems.

Sensitive Lands Compliance

The Sensitive Lands (overlay) Zone did not specifically apply to the Empire Pass Large-Scale MPD and annexation; however, the locations of the development pods are based on Sensitive Lands principles.

Employee/Affordable Housing

Pursuant to the Flagstaff Mountain Resort Employee/Affordable Housing Plan, 15 employee/affordable housing units are required to be constructed or in-lieu fees paid with the Certificate of Occupancy of 150 Unit Equivalents. Review of the employee housing units and specific conditions of approval will take place during the conditional use permit review process.

Recommendation: The Planning Department recommends the Planning Commission re-open the public hearing and take public comment. Staff has prepared Findings of Fact, Conclusions of Law and Conditions of Approval for the Village at Empire Pass as follows:

Findings of Fact

1. The Village at Empire Pass (Mountain Village) Master Planned Development is located in the RD-MPD and ROS-MPD Districts.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. The Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-used development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2, and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.
4. The Development Agreement limits development in Pods A, B-1, B-2 to:
 - No more than 705 Unit Equivalents in no more than 470 residential units (including not more than 60 PUD-style units) and no more than 16 single-family home sites.
 - no more than 75,000 square feet of resort support commercial; and
 - a maximum 35,000 square foot day skier lodge in Pod B-2.
5. The Development Agreement required City review and approval of fourteen (14) technical reports/studies. The reports include details on the following information:
 - Mine/Soil Hazard Mitigation
 - Architectural Design Guidelines
 - Transit
 - Parking
 - Open Space Management
 - Historic Preservation
 - Emergency Response
 - Trails
 - Private Road Access Limitations
 - Construction Phasing
 - Infrastructure and Public Improvement Design
 - Utilities
 - Wildlife Management
 - Affordable Housing
6. The Planning Commission completed the review and approval process for the technical reports/studies on December 12, 2001.

7. This Master Plan for Pod A consists of a total of 321.5 units and 435.6 Unit Equivalents, including the previously approved Paintbrush, Larkspur, and Building H; the Transit Hub, ski lift and ski trails, and the location of the Alpine Club.
8. Over 65% of the residential units (minimum 306) are within Pod A and within walking distance of the Transit Hub as required by the Development Agreement.
9. The 14 technical reports/studies, along with the Land Management Code and the Development Agreement (99-30) form the standards which the subject Master Planned Development and Phase 1 preliminary/final plat are reviewed.
10. The applicant has provided supplemental materials including Master Plan Development Project Description (dated July 2004, Exhibit A), Supplemental Project Description and Conditions (dated July 5, 2004, Exhibit B) Volumetric Analysis (dated July 5, 2004, Exhibit D and E), Visual Analysis dated July 4, 2004 (Exhibit F), Architectural Character dated March 19, 2004 (Exhibit G), and Supplemental Plans including Building Height Diagram, Vegetative Buffer, Trails, and Construction Sequencing (Exhibit H). Together with the Site Plans dated July 21, 2004 (Exhibit C), these Exhibits and this report comprise the Village at Empire Pass MPD.
11. The Village at Empire Pass MPD illustrates conceptual access and street layouts that have not been specifically approved by the City Engineer and City Fire Marshall. Final road layout will be subject to individual Subdivisions and Conditional Use Permits.
12. Conditional Use Permit approval is required prior to any development within the Village at Empire Pass MPD area.
13. The proposed Village at Empire Pass Master Planned Development includes a maximum density assignment and conceptual site design for Thirty (30) detached single-family PUD-style units utilizing 85.4 Unit Equivalents.
14. The proposed Village at Empire Pass Master Planned Development includes a maximum density assignment and conceptual site design for Fifty-One (51) Townhouse units utilizing 64 Unit Equivalents. Eight of these Townhouse units are in a duplex configuration and count towards the PUD limit of 60.
15. The proposed Village at Empire Pass Master Planned Development includes a conceptual site design for Six (6) single-family homes.
16. Conservation Easements are proposed within platted lots. These Conservation Easement areas will not count towards the development acreage.
17. The PUD-style cluster homes and the Townhomes are to be platted as condominiums and not as individual lots.

18. Utility lines and ski trails will be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
19. The Emergency Response Plan has been reviewed by the Chief Fire Marshall and the Planning Commission in order to allow fire access and safety at the end of the over length cul de sac.
20. The Planning Commission may decrease setbacks within an MPD. Setback variance is shown on Sheet 10 of 10 of Exhibit A, dated June June 15, 2004.
21. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof).
22. The Land Management Code, Section 15-6-5(E) allows the Planning Commission to consider increased building height based upon a site specific analysis and determination.
23. The applicant has requested additional building height for the structures proposed as Buildings 1-9, inclusive. The proposed building volumetrics are detailed on Exhibit D dated June 14, 2004.
24. The proposed increase in building height for Buildings 1-9 does not result in an increase in square footage or building volume over what could be allowed under the zone-required building height and density, including requirements for facade variation and design, but rather provides desired architectural variation.
25. Proposed Buildings 1-9 has been positioned to minimize visual impacts on adjacent structures. Potential problems on neighboring properties caused by shadows, loss of solar access, and loss of air circulation, have been mitigated to the extent possible as defined by the Planning Commission.
26. The site plan for proposed Buildings 1-9 on includes adequate landscaping and buffering from adjacent properties and uses.
27. The additional building height for proposed Buildings 1-9 has resulted in more minimum open space than required and has resulted in the open space being more usable.
28. An MPD for pod B-2 will be reviewed under a separate MPD application.

Conclusions of Law

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code;

2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code;
3. The MPD, as conditioned, is consistent with the Park City General Plan;
4. The MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission;
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City;
6. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
7. The MPD, as conditioned, is Compatible in use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility;
8. The MPD provides amenities to the community so that there is no net loss of community amenities;
9. The MPD, as conditioned is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
10. The MPD, as conditioned, meets the provisions of the Sensitive Lands provisions of the Land Management Code. The project has been designed to place Development on the most Developable Land and least visually obtrusive portions of the Site:
11. The MPD, as conditioned promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and,
12. The MPD has been noticed and public hearings held in accordance with this Code.
13. The requirements necessary for the Planning Commission to grant additional building height within the MPD pursuant to the Land Management Code Section 15-6-5 have been met.

Conditions of Approval

1. A Conditional Use Permit is required prior to any development within the Village at Empire Pass MPD area. As per the Phasing Plan, only the nine large multi-family buildings require a CUP review by the Planning Commission. All other units are to be reviewed at a Staff level.

2. City Engineer approval of a utility and infrastructure plan is a condition precedent to the issuance of any building permits within the Village Master Planned Development area.
3. Utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
4. If and when the realigned Guardsman road is dedicated to the City, the Developer will execute an encroachment agreement, in a form acceptable to the City Attorney and City Engineer for the private improvements (ski bridges and/or tunnels) within the rights-of-way.
5. All essential municipal public utility buildings associated with the utility plan for the subdivision require a conditional use permit.
6. The proposed over-length cul de sac that ends in the six single family lots will have a secondary emergency access from the end of the road to Marsac Avenue. The emergency access will continue as a minimum 20-foot wide all-weather surface road.
7. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Conditional Use Permit.
8. A preliminary landscape plan, including provisions for water-efficient irrigation systems, shall be submitted with each CUP application.
9. All subsequent applications and approvals are subject to the Technical Reports as approved or amended,

Exhibits

- A – Master Plan Development Project Description (8 pages)
- B – Supplemental Project Description and Conditions (3 pages)
- C - Conceptual Plans (10 pages)
- D – Volumetric Analysis (3 pages)
- E – Volumetrics, Buildings 1-9 (19 pages)
- F – Visual Analysis (5 pages)
- G – Architectural Character (6 pages)
- H – Supplemental Plans

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EXHIBIT F

Planning Commission Meeting
Minutes of July 28, 2004
Page 10

Findings of Fact - Marsac Avenue & Chambers Street Right-of-Way

1. The property is located between platted Marsac Avenue at the Sandridge parking lots and the Guardsman Connection to Silver Lake.
2. The zoning along the road is HR-1 and ROS.
3. The City Council adopted Ordinance 99-20 on June 24, 1999, approving the annexation and development agreement for the 1,655-acre Flagstaff Mountain area.
4. The Flagstaff Annexation Development Agreement Section 2.10.2 stipulates certain road and intersection improvements, including widening the road, drainage improvements, a passing lane, and runaway truck ramp.

Conclusions of Law

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

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the Subdivision 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 Subdivision 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 and the plat will be void.

6. Empire Pass Master Planned Development

Planner Brooks Robinson commented on Pod A at Empire Pass and noted that the Planning Commission has discussed many details of his master planned development over several months. The public hearing was re-opened on July 14 and continued to this evening. The Staff has prepared findings of fact, conclusions of law, and conditions of approval for the master plan for Pod A. Pod B1 was previously approved. The Staff finds that this application complies with the Land Management Code and the Development Agreement, which are the controlling documents. There will be additional units and density left over from this approval, and Pod B2 will come in at a later date with its own master plan once the applicants are further along in planning development for that area. The applicant had prepared a number of exhibits and updates for the Commissioners' binders which will comprise this approval. These includes the project description and minor grammatical

error and language revisions. Planner Robinson outlined other updates distributed this evening. The Staff recommended that the Planning Commission re-open the public hearing, consider public input, and provide direction to the Staff and applicant.

Chair Barth referred to Pages 115-123 of the staff report, Summary of Compliance with the Technical Reports, and noted that he did not see in the draft findings any reference to incorporate those pages into a motion. Planner Robinson recalled that on July 14 Commissioner Erickson requested compliance with technical reports, and the decision was made to provide them as a separate document. He offered to add them as a finding.

Doug Clyde, representing the applicant, distributed to the Commissioners a visual simulation from King Road that was inadvertently left out of their package. He was uncertain which phasing plan is included in their packets and wanted to be sure the one they have shows the right units. He noted that town home units 16 and 17 and cluster home units 11 and 12 are in Phase I. He referred to page 6 of the recent handouts and corrected the number of Townhomes and PUD's from 28 to 23 units in the first phase.

Chair Barth re-opened the public hearing.

There was no comment.

Chair Barth closed the public hearing.

Commissioner Erickson read the conditions of approval relative to traffic circulation based on the development agreement and asked if they are part of the transportation mitigation plan and part of the 14 technical reports. Mr. Clyde replied that they are reflected in the existing construction mitigation plans currently on file with the City. Planner Robinson explained that every CUP that comes forward will need its own construction mitigation plan which will be reviewed by the Planning Commission.

The Planning Commission and Mr. Clyde discussed enforcement procedures for downhill traffic.

Planner Robinson revised Finding of Fact 10 by inserting a comma after A(Exhibit H)@ and adding Aand a compliance matrix with the technical reports (Exhibit I).@

Mr. Clyde referred to the density indicated on page 104 of the staff report and noted that 563 takes into account the additional 18 PUD units. This is not reflected in the table above, and he suggested adding the language Acounting the additional 18 PUD units noted below.@

MOTION: Commissioner Erickson moved to APPROVE the MPD in accordance with the findings of fact, conclusions of law, and conditions of approval with the following revisions:

- 1) The incorporation of the revised July 28, 2004, project description as presented by Staff.
2. The revision to Finding of Fact 10 incorporating the compliance report with the 14 technical reports, Exhibit I.
3. The revision to the phasing plan incorporating the town home Units 16 & 17 and the cluster home Units 11 & 12.
4. Correction to the staff report, page 104, with regard to the density incorporating the phrase that the 563.3 units includes the 18 unit equivalents referenced in Pod B1 below.
5. Incorporation of Condition of Approval 10 that they incorporate the technical report updates and clarifications as presented in the staff report

Mr. Clyde stated that the PUD's were originally intended to be 5,000 square feet each, but they had a problem with the Unit Equivalent calculation. He will return with a revised UE calculation which raises the number by 18 additional UE's. It will not change the plan, but it will make it correspond with the way they interpret UE's.

Planner Robinson referred to the density in the Pod B1 section on page 104 and noted that the last sentence should recognize that 90,000 square feet should be assigned to Lot B and not Lot C.

Commissioner Erickson incorporated the change to Page 104 as described by Planning Robinson into his motion. Commissioner Powers seconded the motion.

VOTE: The motion passed unanimously. Commissioner Thomas abstained from the vote, and Commissioner Zimney was not present for the vote.

Commissioner Volkman referred to the status of the technical reports regarding the mine soils hazard plan and the language which states, "A draft work plan for the clean up of Empire Canyon was approved by the EPA and reviewed by the Park City Municipal Corporation. Work will begin this summer." Mr. Clyde explained that the Empire Canyon work referred to is the clean up of the creek below the Deer Valley Day Lodge and the top of Daly Avenue. It has no relation to moving the mine dump.

Findings of Fact - Empire Pass

1. The Village at Empire Pass (Mountain Village) Master Planned Development is located in the RD-MPD and ROS-MPD Districts.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The

- Development agreement sets forth maximum project densities, location of densities, and developer-offered amenities.
3. The Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-use development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2 and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.
 4. The Development Agreement limits development in Pods A, B-1, B-2 to:
 - No more than 705 Unit Equivalents in no more than 470 residential units (including not more than 60 PUD-style units) and no more than 16 single-family home sites;
 - no more than 85,000 square feet of resort support commercial; and
 - a maximum 35,000 square foot day skier lodge in Pod B-2.
 5. The Development Agreement required City review and approval of fourteen (14) technical reports/studies. The reports include details on the following information:
 - Mine/Soil Hazard Mitigation
 - Architectural Design Guidelines
 - Transit
 - Parking
 - Open Space Management
 - Historic Preservation
 - Emergency Response
 - Trails
 - Private Road Access Limitations
 - Construction Phasing
 - Infrastructure and Public Improvement Design
 - Utilities
 - Wildlife Management
 - Affordable Housing
 6. The Planning Commission completed the review and approval process for the technical reports/studies on December 12, 2001.
 7. This Master Plan for Pod A consists of a total of 321.5 units and 435.6 unit equivalents, including the previously approved Paintbrush, Larkspur, and Building H; the Transit Hub, ski lift and ski trails, and the location of the Alpine Club.
 8. Over 65% of the residential units (minimum 306) are within Pod A and within walking distance of the Transit Hub as required by the Development Agreement.
 9. The 14 technical reports/studies along with the Land Management Code and the Development Agreement (99-30) for the standard which the subject Master Planned Development and Phase 1 preliminary/final plat are reviewed.
 10. The applicant has provided supplemental materials including Master Plan Development Project Description (dated July 2004, Exhibit A), Supplemental Project Description and Conditions (dated July 5, 2004, Exhibit B), Volumetric Analysis (dated July 5, 2004, Exhibits D and E), Visual Analysis dated July 4, 2004 (Exhibit F), Architectural Character dated March 19, 2004 (Exhibit G), Supplemental Plans

- including Building Height Diagram, Vegetative Buffer, Trails, and construction Sequencing (Exhibit H), and a Compliance Matrix with the Technical Reports (Exhibit I). Together with the Site Plans dated July 21, 2004, (Exhibit C), these Exhibits and this report comprise the Village at Empire Pass MPD.
11. The Village at Empire Pass MPD illustrates conceptual access and street layouts that have not been specifically approved by the City Engineer and the City Fire Marshall. Final road layout will be subject to individual Subdivisions and Conditional Use Permits.
 12. Conditional Use Permit approval is required prior to any development within the Village at Empire Pass MPD area.
 13. The proposed Village at Empire Pass Master Planned Development includes a maximum density assignment and conceptual site design for Thirty (30) detached single-family PUD-style units utilizing 85.4 Unit Equivalents.
 14. The proposed Village at Empire Pass Master Planned Development includes a maximum density assignment and conceptual site design for Fifty-One (51) Townhouse units utilizing 64 Unit Equivalents. Eight of these Townhouse units are in a duplex configuration and count toward the PUD limits of 60.
 15. The proposed Village at Empire Pass Master Planned Development includes a conceptual site design for six (6) single-family homes.
 16. Conservation Easements are proposed within platted lots. These Conservation Easement areas will not count toward the development acreage.
 17. The PUD-style cluster homes and the Townhomes are to be platted as condominiums and not as individual lots.
 18. Utility lines and ski trails will be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
 19. The Emergency Response Plan has been reviewed by the Chief Fire Marshall and the Planning Commission in order to allow fire access and safety at the end of the over-length cul-de-sac.
 20. The Planning Commission may decrease setbacks within an MPD. Setback variance is shown on Sheet 10 of 10 of Exhibit A, dated June 15, 2004.
 21. The Maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof).
 22. The Land Management Code, Section 15-6-5(E) allows the Planning Commission to consider increased building height based upon a site specific analysis and determination.
 23. The applicant has requested additional building height for the structures proposed as Buildings 109, inclusive. The proposed building volumetrics are detailed on Exhibit D dated June 14, 2004.
 24. The proposed increase in building height for Buildings 1-9 does not result in an increase in square footage or building volume over what could be allowed under the zone-required building height and density, including requirements for facade variation and design, but rather provides desired architectural variation.

25. Proposed Buildings 1-9 have been positioned to minimize visual impacts on adjacent structures. Potential problems on neighboring properties caused by shadows, loss of solar access, and loss of air circulation have been mitigated to the extent possible as defined by the Planning Commission.
26. The site plan for proposed Buildings 1-9 includes adequate landscaping and buffering from adjacent properties and uses.
27. The additional building height for proposed Buildings 1-9 has resulted in more minimum open space than required and has resulted in the open space being more usable.
28. An MPD for pod B-2 will be reviewed under a separate MPD application.

Conclusions of Law - Empire Pass

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, provides the highest value of open space as determined by the Planning Commission.
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
6. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
7. The MPD, as conditioned, is compatible in use, scale, and mass with adjacent properties and promotes neighborhood compatibility.
8. The MPD provides amenities to the community so that there is no net loss of community amenities.
9. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
10. The MPD, as conditioned, meets the provisions of the Sensitive Lands provisions of the Land Management Code. The project has been designed to place development on the most developable land and least visually obtrusive portions of the site.
11. The MPD, as conditioned, promotes the use of non-vehicular forms of transportation through design and by providing trail connections.
12. The MPD has been noticed and public hearings held in accordance with this Code.
13. The requirements necessary for the Planning Commission to grant additional building height within the MPD pursuant to the Land Management Code Section 15-6-5 have been met.

Conditions of Approval - Empire Pass

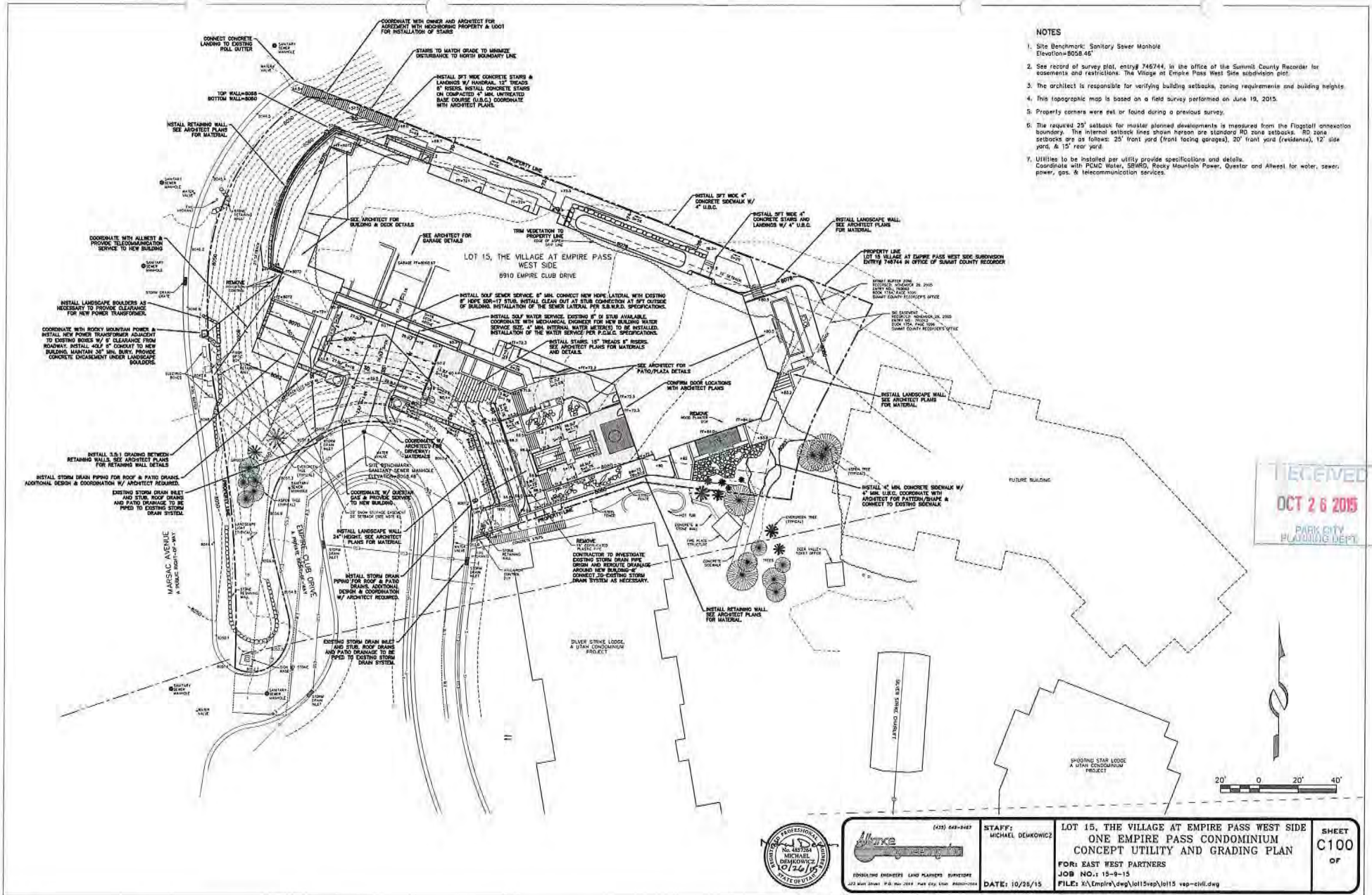
1. A Conditional Use Permit is required prior to any development within the Village at Empire Pass MPD area. As per the Phasing Plan, only the nine large multi-family

- buildings require a CUP review by the Planning Commission. All other units are to be reviewed at a Staff level.
2. City Engineer approval of a utility and infrastructure plan is a condition precedent to the issuance of any building permits within the Village Master Planned Development area.
 3. Utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
 4. If and when the realigned Guardsman Road is dedicated to the City, the Developer will execute an encroachment agreement in a form acceptable to the City Attorney and City Engineer for the private improvements (ski bridges and/or tunnels) within the rights-of-way.
 5. All essential municipal public utility buildings associated with the utility plan for the subdivision require a conditional use permit.
 6. The proposed over-length cul de sac that ends in the six single-family lots will have a secondary emergency access from the end of the road to Marsac Avenue. The emergency access will continue as a minimum 20-foot-wide all-weather surface road.
 7. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Conditional Use Permit.
 8. A preliminary landscape plan, including provisions for water-efficient irrigation systems, shall be submitted with each CUP application.
 9. All subsequent applications and approvals are subject to the Technical Reports as approved or amended.
 10. The technical report updates and clarifications as presented in the staff report shall be incorporated in this approval.
7. Red Cloud Subdivision

Planner Robinson noted that Red Cloud, commonly called Pod D, is the third and final Empire Pass application. Thirty single-family lots are proposed on the land owned and controlled by Talisker and the United Park City Mine Company. At the July 14 work session, the Planning Commission discussed the Enchanted Forest and how to apply the statement in the development agreement that no development should occur in the Enchanted Forest. Planner Robinson understood there to be general consensus from the Commission that having a ski easement/conservation easement across an area to be determined would constitute adequate protection. The language will prohibit snowmobiles but will allow skiing in the winter for people coming off the Red Cloud lift. The other issue discussed on July 14 was whether to amend the development agreement and Exhibit A of the development agreement which shows the pod boundaries to move the boundaries further south and west. This would not change the density or average lot size. The Staff analyzed that proposal for separation from ski runs and a visual analysis, and it is the Staff's opinion that the development agreement would have to be amended to allow that to

EXHIBIT H

EXHIBIT G



- NOTES**
1. Site Benchmark: Sanitary Sewer Manhole Elevation=8058.46'
 2. See record of survey plat, entry 746744, in the office of the Summit County Recorder for easements and restrictions. The Village at Empire Pass West Side subdivision plat.
 3. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
 4. This topographic map is based on a field survey performed on June 19, 2015.
 5. Property corners were set or found during a previous survey.
 6. The required 25' setback for master planned developments is measured from the Flagstaff annexation boundary. The internal setback lines shown herein are standard RD zone setbacks. RD zone setbacks are as follows: 25' front yard (from facing garage), 20' front yard (residence), 12' side yard, & 15' rear yard.
 7. Utilities to be installed per utility provide specifications and details. Coordinate with PUCM Water, SERMO, Rocky Mountain Power, Questar and Altwest for water, sewer, power, gas, & telecommunication services.

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PARK CITY PLANNING DEPT.

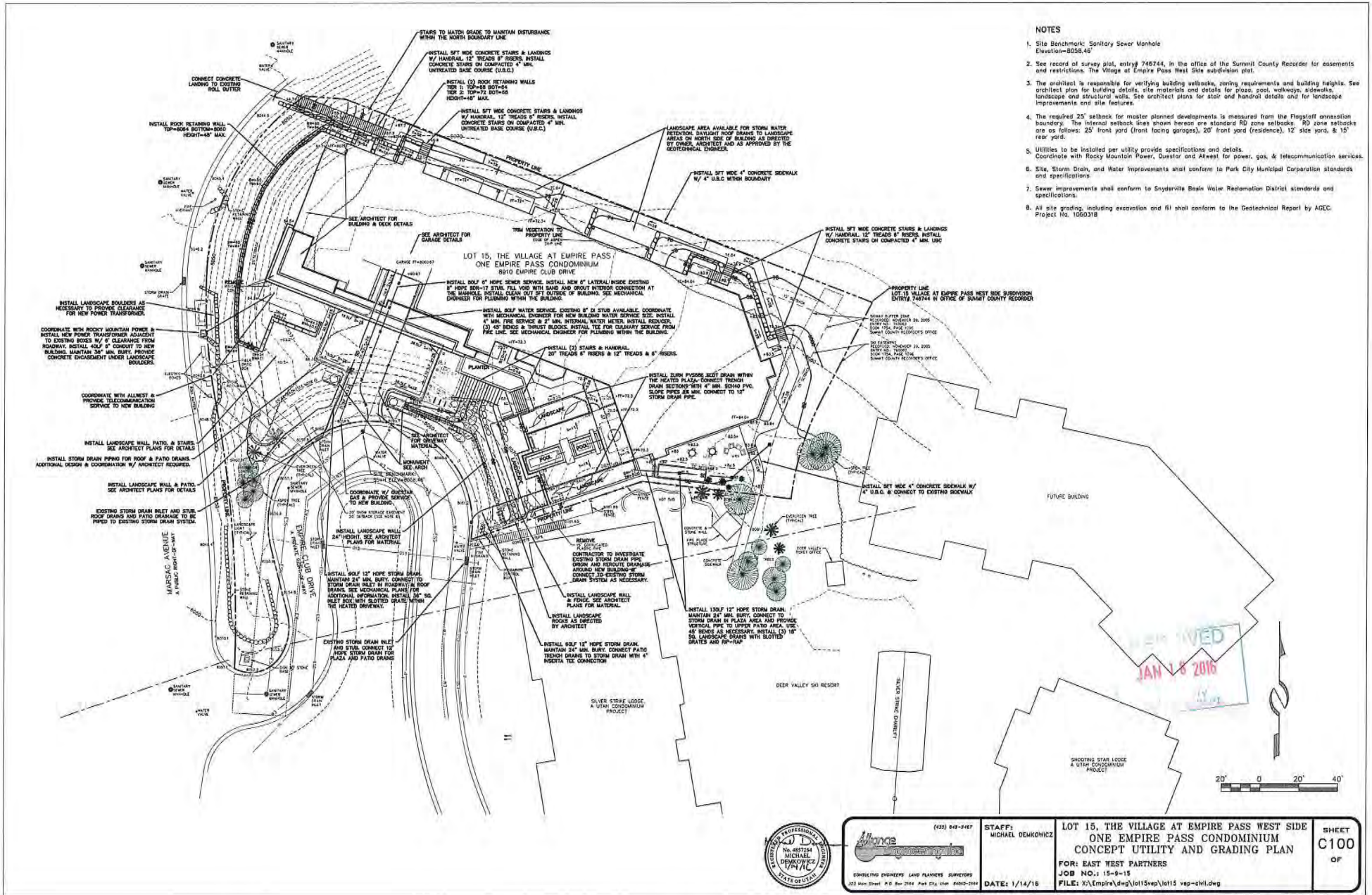


WORK
ENGINEERS LAND PLANNERS SURVEYORS
225 Main Street, P.O. Box 2044, Park City, Utah 84302-2044
(435) 649-9443

STAFF:
MICHAEL DEKOWICZ

**LOT 15, THE VILLAGE AT EMPIRE PASS WEST SIDE
ONE EMPIRE PASS CONDOMINIUM
CONCEPT UTILITY AND GRADING PLAN**
FOR: EAST WEST PARTNERS
JOB NO.: 15-9-15
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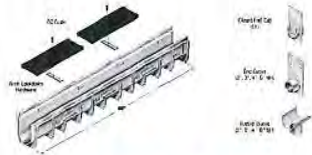


NOTES

1. Site Benchmark: Sanitary Sewer Manhole Elevation=8056.45'
2. See record of survey plat, entry 746744, in the office of the Summit County Recorder for assessments and restrictions. The slope of Empire Pass West Side subdivision plat.
3. The architect is responsible for verifying building setbacks, zoning requirements and building heights. See architect plan for building details, site materials and details for plaza, pool, walkways, sidewalks, landscape and structural walls. See architect plans for stair and handrail details and for landscape improvements and site features.
4. The required 25' setback for master planned developments is measured from the Flagstaff annexation boundary. The internal setback lines shown hereon are standard RD zone setbacks: RD zone setbacks are as follows: 25' front yard (front facing garages), 20' front yard (residence), 12' side yard, & 15' rear yard.
5. Utilities to be installed per utility provide specifications and details. Coordinate with Rocky Mountain Power, Qwest and Allnet for power, gas, & telecommunication services.
6. Site, Storm Drain, and Water Improvements shall conform to Park City Municipal Corporation standards and specifications.
7. Sewer Improvements shall conform to Snyderville Basin Water Reclamation District standards and specifications.
8. All site grading, including excavation and fill shall conform to the Geotechnical Report by AGECC, Project No. 1060318



<p>(435) 648-9487 15 WEST MICHAEL DEMKOWICZ P.E. STATE OF UTAH</p>	<p>STAFF: MICHAEL DEMKOWICZ</p>	<p>LOT 15, THE VILLAGE AT EMPIRE PASS WEST SIDE ONE EMPIRE PASS CONDOMINIUM CONCEPT UTILITY AND GRADING PLAN</p> <p>FOR: EAST WEST PARTNERS JOB NO.: 15-9-15 FILE: S:\Empire\dm\lot15\ep\lot15_vap-civil.dwg</p>	<p>SHEET C100 OF</p>
	<p>DATE: 1/14/16</p>		



Model	Grate Area	Frame Area	Grate Depth	Frame Depth
Z886	24" x 24"	24" x 24"	1 1/2"	2 1/2"
Z887	24" x 24"	24" x 24"	2"	3"
Z888	24" x 24"	24" x 24"	2 1/2"	3 1/2"
Z889	24" x 24"	24" x 24"	3"	4"
Z890	24" x 24"	24" x 24"	3 1/2"	4 1/2"
Z891	24" x 24"	24" x 24"	4"	5"
Z892	24" x 24"	24" x 24"	4 1/2"	5 1/2"
Z893	24" x 24"	24" x 24"	5"	6"
Z894	24" x 24"	24" x 24"	5 1/2"	6 1/2"
Z895	24" x 24"	24" x 24"	6"	7"
Z896	24" x 24"	24" x 24"	6 1/2"	7 1/2"
Z897	24" x 24"	24" x 24"	7"	8"
Z898	24" x 24"	24" x 24"	7 1/2"	8 1/2"
Z899	24" x 24"	24" x 24"	8"	9"
Z900	24" x 24"	24" x 24"	8 1/2"	9 1/2"
Z901	24" x 24"	24" x 24"	9"	10"
Z902	24" x 24"	24" x 24"	9 1/2"	10 1/2"
Z903	24" x 24"	24" x 24"	10"	11"
Z904	24" x 24"	24" x 24"	10 1/2"	11 1/2"
Z905	24" x 24"	24" x 24"	11"	12"
Z906	24" x 24"	24" x 24"	11 1/2"	12 1/2"
Z907	24" x 24"	24" x 24"	12"	13"
Z908	24" x 24"	24" x 24"	12 1/2"	13 1/2"
Z909	24" x 24"	24" x 24"	13"	14"
Z910	24" x 24"	24" x 24"	13 1/2"	14 1/2"

Z886 System Profile

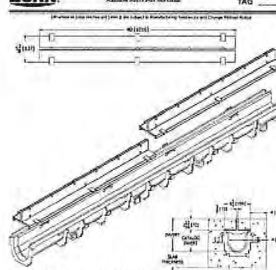
Z886 Installation Specification



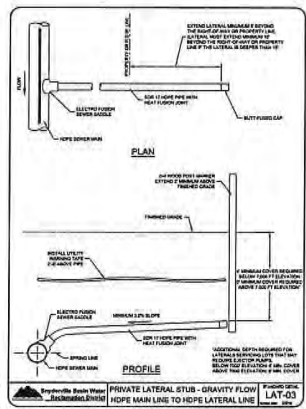
Z886 PVSS (Paver Base)

- 80" Modular Channel Sections with 20" and 40" Grates
- 70% Bank Slope - Handles Greater Flows, Uniform Slope
- Rakefused Bottoms - Better Flow Rate, Less Debris Build-up
- Smooth High Density Polyethylene Structural Composite Inlayor - Div Water Absorption
- Durable and Lightweight
- Sidewalk Extensions for Sloped Runs Greater Than 120 Feet
- Paver Slot Option
- Variety of Gratings (Refer to Page 4)
- Gate Options - ADA, IAA, II-20 (for more information, refer to www.zurn.com)
- Trench drain shall be Flo-Thru model Z886. For a complete engineering specification, visit www.zurn.com.

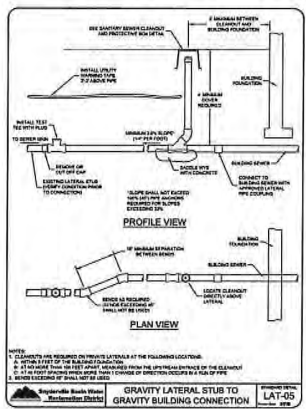
Z886-PVSS Specification Sheet



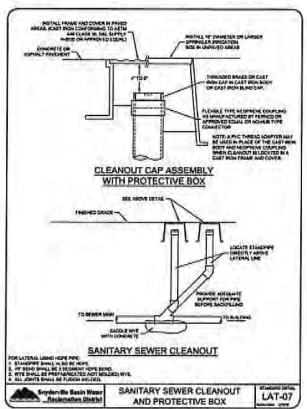
CHANNEL ENGINEERING INFORMATION: Z886-PVSS is a modular, composite material trench drain grate system designed for high flow, low maintenance applications. It features a smooth, rakefused bottom and a durable, lightweight structure. The grate is made of high density polyethylene structural composite inlayor, which is resistant to water absorption and provides excellent slip resistance. The frame is made of galvanized steel with a powder coat finish. The grate is available in 20" and 40" widths and is designed to fit into a 2" deep trench. The grate is supported by a 3/4" thick paver base. The grate is designed to handle flows up to 100 gpm and is suitable for use in residential and commercial applications. For more information, visit www.zurn.com.



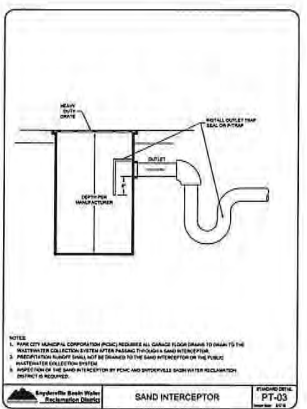
PRIVATE LATERAL STUB - GRAVITY FLOW HOPE MAIN LINES TO HOPE LATERAL LINE LAT-03



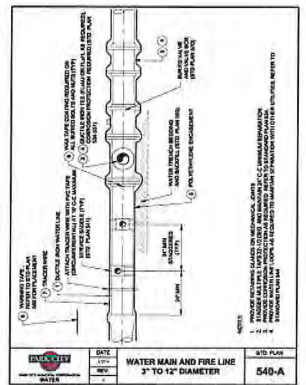
GRAVITY LATERAL STUB TO GRAVITY BUILDING CONNECTION LAT-05



SANITARY SEWER CLEANOUT AND PROTECTIVE BOX LAT-07



SAND INTERCEPTOR PT-03

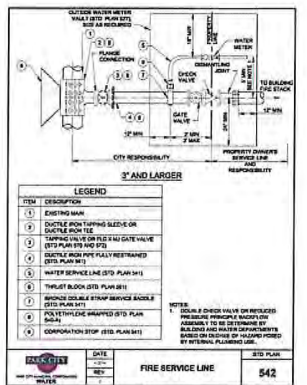


WATER MAIN AND FIRE LINE 3" TO 12" DIAMETER 540-A

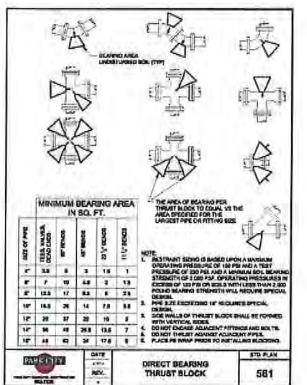
LEGEND AND APPROVED PARTS LIST

ITEM	DESCRIPTION	ACCEPTABLE MANUFACTURERS	MODEL
1	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE
2	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE
3	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE
4	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE
5	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE
6	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE	1/2" DIA. 10' TO 12' DIAMETER IRONPIPE
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WATER MAIN AND FIRE LINES 540 S



FIRE SERVICE LINE 542



DIRECT BEARING THRUST BLOCK 581

JAN 18 2016
PARK CITY PLANNING DEPT.

PLANNING COMMISSION OF THE STATE OF UTAH

4857264 MICHAEL DEMKOWICZ

1794 AC

CONSULTING ENGINEERS 5440 PLAINVIEW DRIVE SUITE 200 PARK CITY, UTAH 84302-1214

(435) 849-9487

STAFF: MICHAEL DEMKOWICZ

DATE: 1/14/16

LOT 15, THE VILLAGE AT EMPIRE PASS WEST SIDE ONE EMPIRE PASS CONDOMINIUM DETAILS

FOR: EAST WEST PARTNERS

JOB NO.: 15-09-15

FILE: X:\Empire\dwg\lot15\emp\lot15_vap-epl-dwg

SHEET C101 OF



CONSULTING ENGINEERS

LAND PLANNERS

SURVEYORS

12/10/15

Mr. Cassel
Park City Engineer
Po Box 1480
Park City Utah, 84060

RE: One Empire Pass storm water management

Dear Mr. Cassel:

As a follow up to our meeting on December 3, 2015, the purpose of this letter is to address the storm water management for the One Empire Pass lodge located on Lot 15, the Village at Empire Pass west side subdivision.

The master plan approval of Empire Pass and the subsequent infrastructure, including roads, utilities and a storm water detention pond occurred more or less between 2000 and 2007. The design for the detention pond located just south of the water tank in Empire Canyon (Daly Avenue) was to contain the increase runoff for the 100 year storm event due to the entire Empire Pass Development, which includes all of Village at Empire Pass, the development adjacent to the Northside chairlift at Deer Valley as well as the Montage and the Red Cloud Subdivision. The detention pond accounted for all hardscape areas of the development. The detention pond and the storm drain piping and inlets have been installed and the system is currently operating.

The proposed plan for One Empire Pass is to utilize the existing storm drain system for the driveway and south plaza area for storm water runoff as originally intended for the development. Portions of the building area, such as the north, east and west side of the building is proposed for on-site storm water detention and infiltration within the landscape areas outside of the building that is consistent with current Park City storm water management requirements.

The storm water management of One Empire Pass is consistent with the original and current Park City storm water management requirements and will utilize the storm drain and detention pond system as well as isolate areas of the new development for on-site detention and infiltration within the landscape areas.

Sincerely,

ALLIANCE ENGINEERING, INC.

Michael Demkowicz, PE

**EMPIRE PASS STORM WATER MANAGEMENT
LOT 15 VILLAGE AT EMPIRE PASS**

THIS EXHIBIT ILLUSTRATES THE STORM WATER MANAGEMENT SYSTEM FOR EMPIRE PASS (FORMERLY KNOWN AS FLAGSTAFF MOUNTAIN). THE EXISTING DETENTION POND IN EMPIRE CANYON, SOUTH OF DALY AVENUE, WAS DESIGNED TO ACCOMMODATE INCREASE IN STORM WATER FOR THE ENTIRE DEVELOPMENT. THE DETENTION POND WAS CONSTRUCTED IN THE MID 2000'S. THE POND RECEIVES STORM WATER RUNOFF FROM THE ROCK-LINED STREAM CHANNEL SOUTH OF THE DETENTION POND AS WELL AS A PIPING SYSTEM ALONG THE EXISTING DIRT ROAD FROM EMPIRE CANYON TO THE ONTARIO MINE.

THE PROPOSED STORM WATER PLAN FOR ONE EMPIRE PASS CONDOMINIUMS IS TO COLLECT ALL BUILDING ROOF AREA, HEATED DRIVEWAY AND PLAZA AREAS AND DRAIN TO THE EXISTING INLET LOCATED AT THE PROPOSED DRIVEWAY CONNECTION TO EMPIRE CLUB DRIVE. SOME PLAZA AND SIDEWALK AREAS ON THE NORTH & EAST SIDE OF THE BUILDING WILL RUNOFF TO LANDSCAPE AREAS FOR STORM WATER RETENTION.

EMPIRE CANYON
ROCK-LINED EPHEMERAL
STREAM CHANNEL

STORM DRAIN
INLET/MANHOLE
(TYPICAL)

STORM DRAIN PIPE
(TYPICAL)

SOUTH & WEST OF THE
DELINEATION LINE SHOWN, THE
STORM WATER MANAGEMENT IS A
COMBINATION OF SITE SPECIFIC
STORM WATER DETENTION
FEATURES, NATURAL DRAINAGE,
& STORM DRAIN PIPING THAT
DRAINS TO EMPIRE CANYON
ROCK-LINED EPHEMERAL STREAM

TO DALY AVENUE
DETENTION POND

EXISTING EPHEMERAL
STREAM CHANNELS

TO MARSAC AVENUE
DETENTION PONDS

EXISTING EPHEMERAL
STREAM CHANNELS

STORM DRAIN PIPE
(TYPICAL)

EMPIRE CANYON
DETENTION POND

EXISTING
WATER
TANK

PROPOSED ONE EMPIRE
CONDOMINIUMS AT LOT 15
VILLAGE AT EMPIRE PASS.

STORM DRAIN
INLET/MANHOLE
(TYPICAL)

EMPIRE PASS &
DEER VALLEY
SKI RESORT

DELINEATION LINE

NORTH & EAST OF THE
DELINEATION LINE, THE
STORM WATER MANAGEMENT
IS A COMBINATION OF
NATURAL DRAINAGE &
STORM DRAIN PIPING
THAT DRAINS TO THE
EMPIRE CANYON
DETENTION POND

SUMMIT COUNTY
WASATCH COUNTY

1000'

**EMPIRE PASS STORM WATER MANAGEMENT
LOT 15 VILLAGE AT EMPIRE PASS**

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EMPIRE CANYON
ROCK-LINED EPHEMERAL
STREAM CHANNEL

STORM DRAIN
INLET/MANHOLE
(TYPICAL)

STORM DRAIN PIPE
(TYPICAL)

SOUTH & WEST OF THE
DELINEATION LINE SHOWN, THE
STORM WATER MANAGEMENT IS A
COMBINATION OF SITE SPECIFIC
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EMPIRE CANYON
DETENTION POND

EXISTING
WATER
TANK

EXISTING EPHEMERAL
STREAM CHANNELS

TO DALY AVENUE
DETENTION POND

TO MARSAC AVENUE
DETENTION PONDS

EXISTING EPHEMERAL
STREAM CHANNELS

STORM DRAIN PIPE
(TYPICAL)

PROPOSED ONE EMPIRE
CONDOMINIUMS AT LOT 15
VILLAGE AT EMPIRE PASS.

STORM DRAIN
INLET/MANHOLE
(TYPICAL)

ONTARIO
MINE

EMPIRE PASS &
DEER VALLEY
SKI RESORT

DELINEATION LINE

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THAT DRAINS TO THE
EMPIRE CANYON
DETENTION POND

SUMMIT COUNTY
WASATCH COUNTY

(435) 649-9467-PHONE
(435) 649-9475-FAX

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 204 Park City, Utah 84060-2044
Page 143 of 306

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EXHIBIT I



Recorded at the request of and return
to: Park City Municipal Corp.
Attn: City Recorder
P.O. Box 1480, Park City, UT 84060

Recorded this ___ day of
_____, 2007
at Book # ___ Page # ___

ENTRY NO. 00806100

03/02/2007 02:42:51 PM B: 1850 P: 1897

Agreement PAGE 1 / 49

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE \$ 0.00 BY PARK CITY MUNICIPAL CORP



**AMENDED AND RESTATED DEVELOPMENT AGREEMENT
FOR FLAGSTAFF MOUNTAIN,
BONANZA FLATS, RICHARDSON FLATS,
THE 20-Acre QUINN'S JUNCTION PARCEL
AND IRON MOUNTAIN**

THIS AMENDED AND RESTATED DEVELOPMENT AGREEMENT ("Agreement") is entered into as of the 2nd day of March, 2007, by and between UNITED PARK CITY MINES COMPANY, ("UPCM" or "DEVELOPER"), DEER VALLEY RESORT COMPANY, ("DEER VALLEY"), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City") (collectively, the "Parties").

RECITALS

A. WHEREAS, DEVELOPER and DEER VALLEY own approximately: 1,600 of 1,750 acres of patented mining claims located in the unincorporated Flagstaff Mountain area of Summit County, more particularly described and depicted in Exhibit A attached hereto (hereafter, "Flagstaff Mountain"); approximately 106 acres of patented mining claims located on Iron Mountain within an unincorporated area of Summit County more particularly described and depicted in Exhibit B attached hereto (hereafter, "the Iron Mountain Parcels"); approximately 1,500 acres of patented mining claims, constituting all of UPCM's land located in the unincorporated Bonanza Flats area of Wasatch County more particularly described and depicted in Exhibit C attached hereto (hereafter, "Bonanza Flats"); all of UPCM's land east of U.S. 40 and south of S.R. 248 constituting approximately 650 acres of real property owned in fee simple located immediately east of U.S. 40 and south of S.R. 248 within an unincorporated area

of Summit County more particularly described and depicted in Exhibit D attached hereto (hereafter, "Richardson Flats"); and approximately 20-Acres of real property owned in fee simple located west of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit E attached hereto (hereafter, "the 20-Acre Quinn's Junction Parcel");

- B. WHEREAS, on May 17, 1994 DEVELOPER filed an application for annexation to Park City of Flagstaff Mountain, consisting of DEVELOPER's, DEER VALLEY's and Northside Neighborhood Property Owners' land, together totaling an area of approximately 1.750 acres;
- C. WHEREAS, on May 10, 1997 the Park City Council unanimously resolved by Resolution 10-97 to annex Flagstaff Mountain under certain Development Parameters;
- D. WHEREAS, on July 8, 1998 DEVELOPER requested reconsideration by the City of Resolution 10-97 and offered certain incentives for limiting development of the Bonanza Flats, Richardson Flats and the Iron Mountain Parcels;
- E. WHEREAS, on September 10, 1998 the Park City Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats and the Iron Mountain Parcels, as set forth in this Agreement;
- F. WHEREAS, in the intervening months since the City Council adopted the September 10, 1998 development parameters, the DEVELOPER further refined its proposal by offering to move 16 single family homes from the sensitive Prospect Ridge area to the Mountain Village and to constrain development in the Northside Neighborhood to reduce site disturbance and to facilitate sale to a conservation buyer for a time certain;
- G. WHEREAS, the Parties intended to enter into the original Agreement to establish new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels and to establish a time certain for annexation of Flagstaff Mountain (now referred to generally as Empire Pass) into the City;

- H. WHEREAS, the Parties in fact entered into the original Agreement on or about June 24, 1999; and
- I. WHEREAS, the Parties desire to amend and restate the original Agreement in connection with the development of a project known as the Montage Resort & Spa which is presently planned to include 192 hotel rooms and suites, with spa, restaurant and conference facilities, and a residential component that consists of resort condominiums.

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants hereafter set forth, the sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

SECTION I. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by the Park City Land Management Code (LMC) in effect on the date of a complete application or, if different, by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement.

- 1.1 **“Annexation Property”** means that approximately 1,750 acres of property known as Flagstaff Mountain, described and depicted on Exhibit A.
- 1.2 **“Bonanza Flats”** means that approximately 1,500 acres of UPCM property commonly referred to as Bonanza Flats, constituting all of UPCM’s holdings in Bonanza Flats and described and depicted on Exhibit C.
- 1.3 **“DEER VALLEY”** means the Deer Valley Resort Company, a Utah limited Partnership and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEER VALLEY shall cause its employees and agents to act in accordance with the terms of this Agreement.
- 1.4 **“DEVELOPER”** means United Park City Mines Company, a publicly traded Delaware corporation, and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEVELOPER shall cause its employees and agents to act in accordance

with the terms of this Agreement.

- 1.5 **"Inaction"** provisionally¹ means (a) DEVELOPER's failure to pursue a sequential permit (i.e. Small Scale MPD permit, conditional use permit, subdivision application, or building permit) by failing to submit a complete application for such a permit or by failing to respond to the City's written requests for information which the City deems is necessary to process the application; or (b) DEVELOPER's failure to sustain permitted construction such that the permit under which construction is allowed, expires or is otherwise suspended or revoked.
- 1.6 **"Meeting Accessory Uses"** provisionally² means uses normally associated and necessary to serve meeting and banquet space. Meeting Accessory Uses do not require the use of Unit Equivalents and include:
- 1.6.1 Administrative and Banquet Offices
 - 1.6.2 Banquet Storage Areas
 - 1.6.3 Banquet Prep Areas Storage Areas
 - 1.6.4 Common A/V Storage Areas
 - 1.6.5 Coat Check Areas
 - 1.6.6 Public Restrooms
 - 1.6.7 Public Telephone Areas
 - 1.6.8 Public Hallways
 - 1.6.9 Public Circulation Areas.
- 1.7 **"Mountain Village"** means that mixed-use portion of Flagstaff Mountain described and depicted as the Mountain Village in Exhibit A attached hereto and limited to a total of 87 acres, within three development Pods (A, B₁, and B₂) and maximum densities, unit equivalencies and configuration more fully described herein.

¹ This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

² This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

- 1.8 **“Northside Neighborhood”** means that 63-acre portion of Flagstaff Mountain described and depicted as the Northside Neighborhood in Exhibit A attached hereto and limited to the maximum density, unit equivalency, and configuration more fully described herein.
- 1.9 **“Northside Neighborhood Property Owners”** means, in addition to UPCM and DEER VALLEY, Park City Star Mining Company, Inc., a Utah corporation, Bransford Land Company, representing the interests of Anne Bransford Newhall, Mary Bransford Leader and Carolyn Bransford MacDonald, and Stichting Beheer Mayflower Project, a legal entity representing the interests of Stichting Mayflower Recreational Fonds and of Stichting Mayflower Mountain Fonds.
- 1.10 **“Pedestrian Village”** means an area configured within Pod A of the Mountain Village for the mixed use of residential, Residential Accessory, Resort Support Commercial, Resort Accessory, meeting and Meeting Accessory Uses within which at least fifty percent (50%) of the residential properties are clustered within walking distance (5 minutes) of a Transportation Hub for such residential properties, which can be directly accessed by pathways or sidewalks.
- 1.11 **“Planned Unit Development”** or **“PUD”** means a master planned development consisting of clustered, detached, single family or duplex units with common open space and coordinated architecture.
- 1.12 **“Pod Z”** means that area, depicted on Exhibit F that is limited for ski-related uses as further defined herein.
- 1.13 **“Project”** means the residential, recreational and commercial real estate development to be constructed within Flagstaff Mountain.
- 1.14 **“Residential Accessory Uses”** provisionally³ means uses that are for the benefit of the residents of a commercial residential use, such as a hotel or nightly rental condominium project. Residential Accessory Uses do not require the use of Unit Equivalents. Residential Accessory Uses include:

³ This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

- 1.14.1 Common Ski Lockers
- 1.14.2 Common Lobbies
- 1.14.3 Registration
- 1.14.4 Concierge
- 1.14.5 Bell Stand/Luggage Storage
- 1.14.6 Common Maintenance Areas
- 1.14.7 Mechanical Rooms
- 1.14.8 Common Laundry Facilities and Common Storage Areas
- 1.14.9 Employee Facilities
- 1.14.10 Common Pools, Saunas and Hot Tubs
- 1.14.11 Public Telephone Areas
- 1.14.12 Public Restrooms
- 1.14.13 Administrative Offices
- 1.14.14 Public Hallways and Circulation Areas

1.15 **“Resort Accessory Uses”** provisionally⁴ means uses that are clearly incidental to and customarily found in connection with the principal resort building or use and are operated for the convenience of the owners, occupants, employees, customers or visitors to the principal resort use. Resort Accessory Uses do not require the use of Unit Equivalents. They include such uses as:

- 1.15.1 Information
- 1.15.2 Lost and Found
- 1.15.3 Mountain Patrol
- 1.15.4 Mountain Administration
- 1.15.5 Mountain Maintenance and Storage Facilities
- 1.15.6 Mountain Patrol and Emergency Medical Facilities
- 1.15.7 Public Lockers
- 1.15.8 Public Restrooms
- 1.15.9 Employee Lockers
- 1.15.10 Ski School/Day Care

⁴ This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

1.15.11 Ticket Sales Areas

1.15.12 Ski Check Areas

1.15.13 Public Circulation Areas and Hallways

1.16 **“Richardson Flats”** means all of UPCM’s property at the southeast corner of U.S. 40 and S.R. 248, more fully described and depicted on Exhibit D.

1.17 **“Transportation Hub”** means the terminus of a public and/or private transportation system that is located at a convenient location within the Mountain Village.

1.18 **“Unit Equivalent,”** with respect to commercial structures and multifamily and PUD structures, has the meaning set forth in the LMC.⁵ Each single family residential structure (excluding PUDs) approved by the City pursuant to this Agreement for construction within the Project shall have a Unit Equivalent of 1.00, regardless of the size or the location of the single family residential structure. Each commercial structure or portion thereof (as such may be determined in applicable MPD approvals) shall consume 1 Unit Equivalent for each 1000 square feet. Each multifamily and PUD residential structure shall consume 1 Unit Equivalent for each 2000 square feet.

SECTION II. LARGE SCALE MPD—FLAGSTAFF MOUNTAIN

2.1. DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER’s responsibility, prior to or concurrent with the Small Scale MPD process, to submit and ultimately to obtain (upon modification, if necessary) City approval, of satisfactory plans detailed below:

⁵ Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

- 2.1.1. Mine/Soil Hazard Mitigation Plan--which plan shall include an inventory of all mine sites, potential sources of release of hazardous materials into the environment, and a plan and schedule for their remediation;
 - 2.1.2. Detailed Design Guidelines, with strong architectural themes, for the entire Flagstaff Mountain Project;
 - 2.1.3. Specific Transit Plan;
 - 2.1.4. Parking Management Plan;
 - 2.1.5. Detailed Open Space Management Plan;
 - 2.1.6. Historic Preservation Plan;
 - 2.1.7. Emergency Response Plan, including DEVELOPER's commitments to provide infrastructure necessary to serve the Project and Bonanza Flats and phasing therefor;
 - 2.1.8. Trails Master Plan setting forth trail locations, specifications, phasing and timing of public easements;
 - 2.1.9. Private Road Access Limitation Procedures;
 - 2.1.10. Construction Phasing Plan—including construction milestones for project amenities, including Richardson Flats development;
 - 2.1.11. General Infrastructure and Public Improvements Design and Phasing Plan, which calls for the efficient extension of services, concentrating initial infrastructure development in the Mountain Village, and secondarily in the Northside Neighborhood. Such plan shall allow for the construction of a variety of housing types in each phase;
 - 2.1.12. Utilities Master Plan—including the timing, alignment and service strategy for water and sewer service, as well as storm water management throughout the Project and Bonanza Flats;
 - 2.1.13. Wildlife Management Plan; and
 - 2.1.14. Affordable Housing Plan, including phasing.
- 2.2. **Maximum Development Parameters--Flagstaff Mountain.** Flagstaff Mountain is composed of the Mountain Village, the Northside

Neighborhood; various ski related improvements, and the Silver Mine Adventure. Upon annexation, Flagstaff Mountain will be zoned as shown on the zoning map attached hereto as Exhibit P. The following maximum development parameters apply to Flagstaff Mountain:

2.2.1 **Mountain Village:** The Mountain Village is constrained as follows:

- 2.2.1.1 **Small Scale MPD.** Site specific volumetrics and configuration will be established in the Small Scale MPD process.
- 2.2.1.2. **Maximum Development Area.** In the Small Scale MPD process, the entire Mountain Village development shall be constrained within a total of 87 acres.
- 2.2.1.3. **Maximum Density.** The maximum density within the Mountain Village is 785 Unit Equivalents configured in no more than 550 dwelling units.⁶ Such density shall be configured as multi-family, hotel, or PUD units, provided the PUD units do not exceed 60. PUD units consume Unit Equivalents in the same respect as multifamily units. Additionally, the Mountain Village may contain up to 16 detached single family home sites.
- 2.2.1.4. **Pedestrian Village.** At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A), and must be located within a five-minute walk of the Transportation Hub. All three development pods (Pods A, B₁, and B₂) within the Mountain Village must be linked by transit.
- 2.2.1.5. **Commercial.** The Mountain Village may additionally include up to 75,000-sq. ft. of Resort Support Commercial uses, which shall include Neighborhood

⁶ Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent. In the case of the Montage, the 192 Montage hotel rooms shall count as Unit Equivalents at the rate of 1 Unit Equivalent per 2,000 square feet of hotel rooms, but such hotel rooms shall not have kitchens and shall not count as dwelling units.

Convenience Commercial uses for residents and visitors such as groceries and sundries.

- 2.2.1.6. **Mine Site Reclamation.** To the greatest extent possible, DEVELOPER shall locate density in disturbed areas. This provision applies primarily to potential density at the Daly West site. Additionally, DEVELOPER shall reclaim⁷ all mining and mining overburden sites within Flagstaff Mountain, in accordance with state and federal regulatory agency review.
- 2.2.1.7. **Public Trails.** DEVELOPER shall construct and dedicate public trails designated on an accepted Trails Master Plan. Many trails will be constructed on land ultimately owned by DEER VALLEY. In those areas, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for public trail use. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.
- 2.2.1.8. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER and/or DEER VALLEY shall execute for the benefit of the City perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which, at a minimum, shall prevent the construction thereon of residential, commercial and retail structures but shall provide for ski-related uses consistent with paragraph 2.5 herein.
- 2.2.1.9. **Parking.** Each Small Scale MPD submittal shall include a parking management plan with respect to the portion of the property covered by such Small Scale MPD submittal.

⁷ Reclamation shall include, at a minimum, revegetation of exposed areas.

The goal of the plan is to design the Mountain Village in such a way as to reduce parking demand by 25%. DEVELOPER shall plan and encourage within the Mountain Village portion of the Project programs such as parking management, paid parking for commercial uses, shuttles and other programs designed to reduce the demand for private vehicles and parking. DEVELOPER shall provide for shared parking in all commercial, short-term residential and mixed-use buildings. Assigned or reserved spaces within commercial, short-term residential and mixed-use buildings are prohibited except that in the case of the Montage, one parking space may be assigned for each dwelling unit (excluding the 192 hotel rooms). The majority of the required parking areas will be fully enclosed and/or constructed underground.

2.3 **Prospect Ridge.** DEVELOPER considers the Prospect Ridge area depicted in Exhibit K to be a critical viewshed area for Old Town.

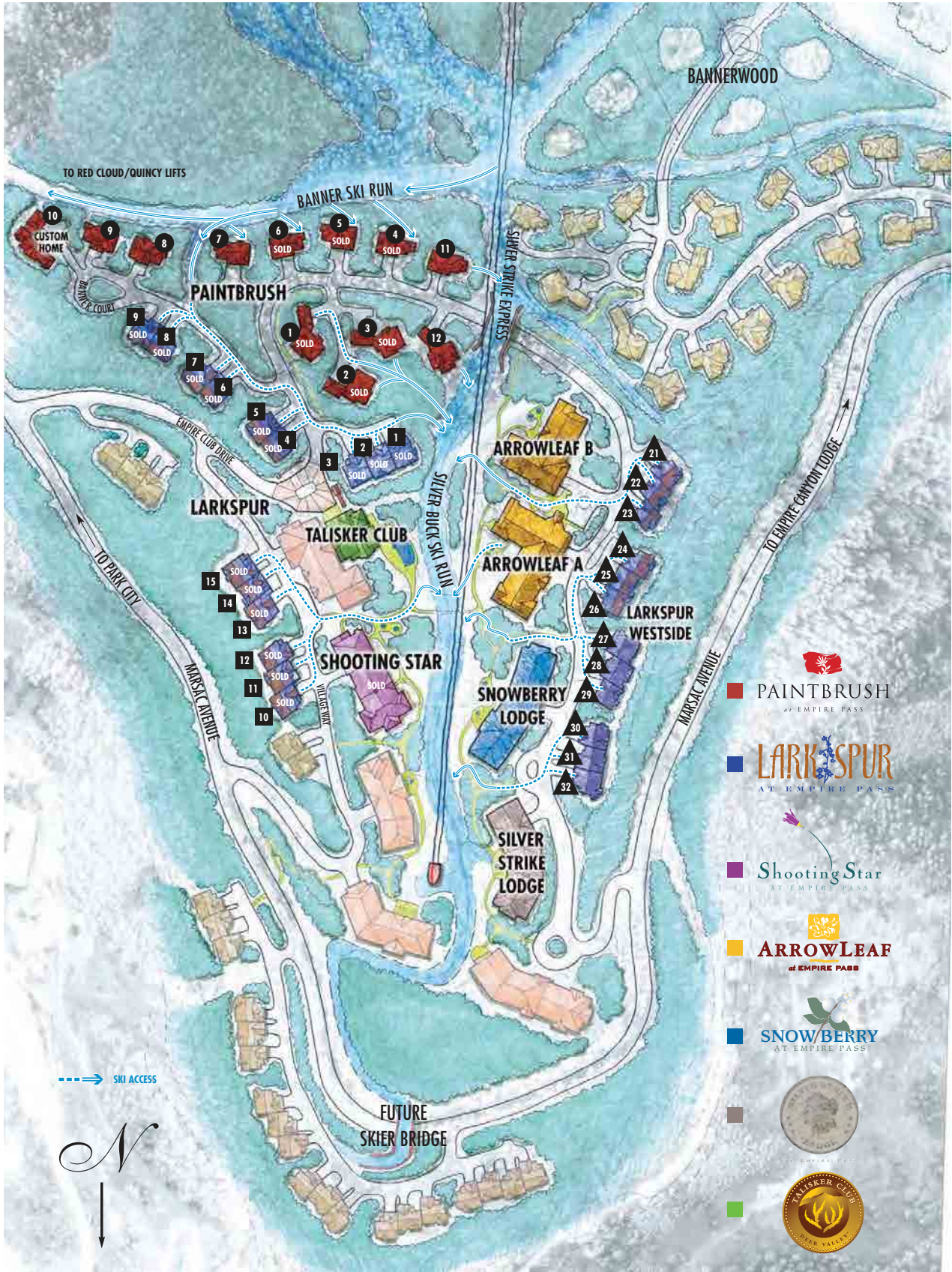
2.3.1 **Public Trails.** Consistent with the Trails Master Plan, DEVELOPER shall construct and dedicate to the City public trails designated within the Prospect Ridge area.

2.3.2 **Deed Restricted Open Space.** Within 30 days of issuance of the first Small Scale MPD, DEVELOPER shall cause to be recorded a document, approved by the City, which shall impose perpetual covenants and use restrictions for that portion of Prospect Ridge depicted as "Recreation Open Space Dedication" on Exhibit K which shall prevent the construction thereon of residential, commercial and/or retail structures, ski lifts, and developed alpine ski runs.

2.4. **Northside Neighborhood.** The Northside Neighborhood is composed of property owned by five separate Northside Neighborhood Property Owners and, upon their written acceptance of the terms of this Agreement,



THE VILLAGE AT EMPIRE PASS



This illustration is an artist's rendering based on East West Partners' current proposed development concepts, which continue to evolve and are subject to change without notice. No guarantee is made that the facilities and features depicted will be constructed or that the community will be developed. Access to and use of certain areas may be restricted and subject to the payment of additional fees and restrictions. The common areas and facilities shown may undergo continuing growth and development, and conditions within sight may change. This illustration does not show the legal boundaries of the community; please refer to the recorded plats. Because East West Partners does not own or control the land outside the boundary of the community, East West Partners does not guarantee the accuracy of any matters or conditions shown on this illustration outside the boundary of the community and/or the current or future uses of those properties.



Master Plan - Summer

May 6, 2006

HART HOWERTON
PLANNING ARCHITECTURE
 LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL DESIGN

THE VILLAGE AT EMPIRE PASS
 Park City, Utah

Empire Pass within Flagstaff Development Agreement Density Summary

12/22/15

1. Residential

Location Pod	Building or lot	Desc.	Average Sq Ft per Unit	Type	MF Total Net sq ft	MF Unit Equivalent total per proj	Total MF Units Lodge, PUD, TH	Total MF Units as PUDs	Total Single Family	Notes
PLATTED / COMPLETED / UNDER CONSTRUCTION/SOLD										
A	2	Shooting Star	1,719	Lodge	36,109	18.1	21	0	0	
A	5*	East West One Empire Pass (aka Snowberry)	2,427	Lodge	65,537	32.8	27	0	0	Plus 1 ADA unit plus 1 EHU (Employee Housing U
A	6	Silver Strike (Koson)	2,097	Lodge	71,305	35.7	34	0	0	Plus 1 ADA unit plus 2 EHU.
A	7	Flagstaff Lodge	1,987	Lodge	73,506	36.8	37	0	0	Plus 1 EHU.
A	8	Arrowleaf A	1,659	Lodge	46,458	23.3	28	0	0	Plus 3 EHU
A	9	Arrowleaf B	1,741	Lodge	48,746	24.4	28	0	0	Plus 2 ADA
A	H	Grand Lodge	2,420	Lodge	65,344	32.7	27	0	0	Plus 1 ADA unit
A	13-30	Belles (aka Friends of Bannerwood) PUD	5,294	PUD	90,000	45.0	17	17	0	Max SF per PSA. 17 homes platted.
A	1-12	Paintbrush PUD style	5,256	PUD	63,074	31.6	12	12	0	Includes garages over 600 sf
A	1-15	Larkspur East Townhouses	3,246	TH	48,696	24.4	15	6	0	Duplex TH use two PUDs.
A	21-32	Larkspur West Townhouses	3,439	TH	41,273	20.7	12	0	0	
A	SF	Bannerwood- Single Family	10,000	SF			0	0	0	6 1 SF = 1 UE
B1	Lot B	Nakoma (aka Spagot) PUD style	5,294	PUD	90,000	45.0	17	17	0	Max SF per PSA. 17 homes platted.
B1	Lot C	Ironwood Townhouses	3,223	TH	74,130	37.1	23	0	0	Plus 1 EHU. Platted as 24 units, but two combined.
B1		Northside Village- Single Family		SF			0	0	10	1 SF = 1 UE
Empire Village Subtotal (Pods A and B1)					814,178	407.6	298	52	16	
D		Red Cloud Subdivision all Single Family (not part of the MV)	10,000	SF					30	1 SF = 1 UE
All platted, 8 built/being built (6 COs)- double check										
B2	West	Montage Hotel 174 rooms	809		139,150	69.6		0	0	Counts as 1 CO
B2	West	Montage 81 Condos	2,812		227,800	113.9	81	0	0	As built stats from condo map.
B2 Subtotal					366,950	183.5	81	0	0	All built and platted
Mountain Village (Pods A, B1 and B2)					all MF	all MF	all MF	PUD MF	SF	
Totals	Density Platted or Sold (includes One Empire Pass)				1,181,128	591.1	379	52	16	
MV only	Development Agreement Limits				1,570,000	785.0	550	60	16	
	Remaining Density = 179 units				388,873	193.9	171	8	0	

Totals Certificates of Occupancy with One Empire Pass (without One Empire Pass) = 395 (368) MF= 346 SF= 22 Total Units Pods A, B1, B2, (minus 3 Belles, 4 Nakoma) Plus 6 CO issued in Pod D

Notes: 1. The remaining unplatted and/or unbuilt buildings are Empire Village Sites 1 (Tower Residence), 3, 4, and 5 (One Empire Pass); Nakoma (4 left); Belles (3 left); Marsac Horseshoe (TH); VEMP-1-1 and VEMP-1-2 (TH); and POD B2 East (MF). Larkspur "18-20" will not be built by EW as EW used density elsewhere and recorded no-build restriction on land. Ironwood was originally platted as 24 units but 2 were combined. Nakoma and Belles each platted as 17 units (45 UE).

2. Net Square Footage refers to the interior square footage of a condominium (that which is privately owned) and excludes exterior hallways, and other common and limited common space within the building.

3. Total UE (built/platted) in Pods A, B1 and B2 = 607.1 Total UE (built/platted) in Pod A (includes One Empire Pass) = 331.5 (>50%)

Planning Commission Staff Report



Application: PL-15-03003
Subject: One Empire Pass
Author: Kirsten Whetstone, AICP, Sr. Planner
Date: February 10, 2016
Type of Item: Legislative - Condominium Record of Survey Plat

Summary Recommendations

Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the One Empire Pass Condominiums record of survey plat. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Description

Applicant: Guardsman Lodge, LLC, represented by Bill Fiveash, managing partner
Location: 8910 Empire Club Drive- Pod A, Lot 15 Village at Empire Pass West Side Subdivision (Building 5)
Zoning: Residential Development (RD) District as part of the Flagstaff Annexation and Master Planned Development
Adjacent Land Uses: Deer Valley Resort, condominiums, townhouses, and other development parcels of the Village at Empire Pass Pod A

Background

On November 13, 2015, the Planning Department received an application for a Condominium Record of Survey plat (Exhibit A) for a twenty seven unit residential building to be located on Lot 15 of the Village at Empire Pass West Side Subdivision (Exhibit C). The building is identified as Building 5 on the Village at Empire Pass MPD. The application was deemed complete on November 20, 2015. An application for a CUP was submitted on October 26, 2015, and is being reviewed concurrent with the record of survey plat. An existing conditions survey, aerial photo, and photos of the site were also submitted with the application (Exhibits B and D). Substantial background information on this property was described in the January 13, 2016 Staff Report and is included in the findings in the Ordinance.

On January 13, 2016, the Planning Commission conducted a public hearing and discussed the proposed condominium plat. No public input was provided and the public hearing was closed. Staff explained a revised plat was submitted on January 11th after the packet had gone out. The revised plat increased the size of a unit on the upper floor. Staff initially thought that the change impacted the gross building square footage, total residential square footage and UE figure and at the meeting provided the new figures for these items. The applicant stated that the gross building square footage was correct, however the residential square footage and UE figures needed to be updated. The Commission continued the item to February 10, 2016 to allow Staff and the

applicant to get the correct figures, plat, and plans into the packet for the Commission to review.

Staff did have the correct overall gross building square footage (113,293 sf), as it was provided by the architects on Friday, January 8th before the final report was placed in the packet. An intermediate change to the plat made in December (that was not submitted to the City) increased the size of some of the some units bringing the total residential area to the 64,374 sf, which was the same number that Staff referred to in the January 13th report that was calculated from the revised architectural drawings that were submitted for the Conditional Use Permit application for this building.

The original November plat was included in the January 13th meeting packet, because the December plat was not submitted to the City. The November plat reflected the originally submitted total residential square footage of 62,668 sf. The intermediate plat reflected the total residential floor area as 64,374 sf (a 1,706 sf increase primarily to Unit 604, with minor changes to other units) that matched the architectural floor plans submitted by the architect. The revised plat (submitted January 11th) reflects the correct total residential floor area of 64,965 sf (32.48 UE), an increase of 591 square feet (primarily to Unit 603) from the 64,374 sf figure staff used in the January 13th report.

Staff incorrectly thought that the gross building area also increased, but the figure (113,293 sf), provided by the architects, and included in the January 13th report, was correct, already reflecting the changes made to the plat and to the volumetric exhibits submitted for the CUP. Staff has provided the correct residential square footage (64,965 sf) and UE (32.48 UE) throughout this report and in the findings of fact in the draft Ordinance.

Purpose

The purpose of the Residential Development (RD) Zoning 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.

Land Management Code (LMC) and Village MPD Analysis

The proposal complies with lot and site requirements of the RD Zoning District as described below:

	RD Zoning District and/or Village at Empire Pass MPD
Lot Size	No minimum lot size. Lot 15 is 1.17 acres (50,999 square feet)
Building Footprint- Floor Area Ratio (FAR)	Density is per the Flagstaff Annexation and Development Agreement and Village and Empire Pass MPD. Building 5 site was sold with up to 65,537 net residential square feet (32.8 UE). The proposed CUP is for 27 units (64,965 sf, utilizing 32.48 unit equivalents (UE). Density is based on 1 UE is equivalent to 2,000 sf of residential floor area. The Flagstaff Annexation and Development Agreement tracks both UEs (each 2,000 sf) as well as total number of units. The gross building is 113,293 sf, including the parking garage, mechanical, circulation, common areas, storage, and other common areas that do not use UE.
Front yard setbacks	25 feet to front facing garage, 20 feet to building. Minimum of 25 foot front setbacks are proposed.
Rear yard setbacks	15 feet. Minimum of 15 foot rear setbacks are proposed.
Side yard setbacks	12 feet. Minimum of 12 foot side setbacks are proposed.
Building Height	Per Village MPD Volumetric and Height Exception Diagrams (See CUP report) For Building 5, 20% of the building was permitted to reach 80' above existing grade, 55% of the building to reach 92' above existing grade, and 25% of the building to reach 74' above existing grade. The volumetric diagram allows Building 5 to be four to six stories. The building complies.
Parking	The Transit and Parking Management Plan requires a 25% reduction in parking from what would be normally required by the LMC. Based on unit sizes, fifty-five (55) spaces would be required for the 27 units based and one ADA unit. The 25% reduction is 42 spaces. The underground parking structure will have 38 spaces and 4-6 surface spaces will be provided near the front drop-off area. Parking complies.
Architectural Design	All construction is subject to Village at Empire Pass Design Review Board approval and LMC Chapter 15-5- Architectural Design Guidelines with final review conducted at the time of the Building Permit.

Residential Units	27 units ranging in size from 1,140 sf to 3,895 sf, one 900 sf affordable housing unit, and one 944 sf ADA unit.
Commercial space	No commercial space is proposed.
Support space	Common amenity areas are provided for the unit owners, including storage areas, locker rooms, fitness area, lounge and lobby areas, children's room, and small business center areas.
Density Summary	<p>The Mountain Village (Pods A, B1 and B2) was approved for a maximum of 785 UE of multi-family (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units.</p> <p>To date 352 multi-family units (558.3 UE) (of which 52 are PUD style units) and 16 single family units have been platted and/or built.</p> <p>Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. Still to be approved are Tower Residences (Building 1), Building 3, Building 4, and subject property One Empire Pass, aka Building 5.</p> <p>There is sufficient remaining density in the MPD (226.7 UE), or 198 multi-family units, to accommodate the density of Building 5 (32.48 UE) as 27 units in a lodge style building.</p>

This application meets the necessary subdivision requirements of Land Management Code (LMC) Section 15-7 of the Park City Municipal Code and is consistent with the CUP application for One Empire Pass Lodge. Parking is provided at 75% of the Code requirement consistent with the Development Agreement that requires a 25% reduction in parking.

The total residential square footage is 64,965 sf, utilizing 32.48 Unit Equivalent (UEs). In addition, an Employee Housing Unit (EHU) of 900 square feet (Unit #104) and one ADA accessible unit of 944 square feet (Unit #103) are provided. The applicant requests that the EHU unit be platted as private space so that the unit can be managed and rented out by the project owners/applicant rather than turn it over to the 27 members of the future HOA. The applicant has had good success leasing the affordable units in their other buildings, typically to a manager of the property or to someone employed in the Empire Pass area. A deed restriction for the EHU unit, acceptable to the City, is a Condition of Approval prior to plat recordation. The deed restriction should outline and resolve concerns that may have come up on other affordable units platted as private. The ADA unit is platted as Common Area.

Good Cause

Staff finds good cause for this record of survey as this condominium plat is consistent

with the development pattern envisioned in the MPD and the 14 Technical Reports and identifies the specific square footage for residential units, affordable unit, ADA unit and common area.

Department Review

This application has gone through an interdepartmental review. Issues raised at the review have been addressed with revisions to the application and conditions of approval.

Notice

The property was posted and notices were mailed to property owners within 300 feet on December 23, 2015. A legal notice was published in the Park Record on December 26, 2015. No public input has been received at the time of this report.

Alternatives

1. The Planning Commission may forward a positive recommendation to City Council to approve the Condominium Record of Survey plat for One Empire Pass Condominiums, as conditioned or amended, or
2. The Planning Commission may forward a negative recommendation to deny the Condominium Record of Survey plat and direct staff to make Findings for this decision, or
3. The Planning Commission may continue the discussion on the Condominium Record of Survey plat One Empire Pass Condominiums to a date certain and provide Staff and the applicant with direction regarding additional information needed in order to make a recommendation to City Council.

Significant Impacts

There are no significant fiscal or environmental impacts from this application that have not been mitigated with the Flagstaff Agreement and Master Planned Development conditions and recommended conditions of approval.

Consequences of not taking the Suggested Recommendation

The units could not be separately sold.

Recommendation

Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding the One Empire Pass Condominiums record of survey plat. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Exhibits

Ordinance

Exhibit A – Proposed record of survey plat

Exhibit B – Existing Conditions

Exhibit C – Subdivision plat

Exhibit D – Photos of the Site

Ordinance 16-XX

AN ORDINANCE APPROVING THE ONE EMPIRE PASS CONDOMINIUMS RECORD OF SURVEY PLAT LOCATED AT 8910 EMPIRE CLUB DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the One Empire Pass, located at 8910 Empire Club Drive, Lot 15 of the Village at Empire Pass West Side Subdivision, have petitioned the City Council for approval of the One Empire Pass Condominiums record of survey; and

WHEREAS, the property was noticed on December 26, 2015 and posted on December 23, 2015, according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners on December 23, 2015; and

WHEREAS, the Planning Commission held a public hearing on January 13th, 2016, to receive input on the One Empire Pass Condominiums record of survey;

WHEREAS, the Planning Commission, on February 10, 2016, forwarded a recommendation to the City Council; and,

WHEREAS, on February 25th, 2016, the City Council held a public hearing on the One Empire Pass Condominiums record of survey; and

WHEREAS, it is in the best interest of Park City, Utah to approve the One Empire Pass Condominiums record of survey.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The One Empire Pass Condominiums record of survey as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The One Empire Pass Condominiums are proposed on Lot 15 of the Village at Empire Pass West Side Subdivision, within Pod A of the Village at Empire Pass Master Planned Development.
2. The property is located at 8910 Empire Club Drive.
3. The property is in the Residential Development (RD) Zoning District.
4. The property is subject to the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24, 1999 as amended on March 2, 2007.

5. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (Village MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area. The MPD (known as Mountain Village) was amended to include Pod B2 (Montage).
6. The Mountain Village (Pods A, B1 and B2) was approved for a maximum of 785 UE of multi-family (550 multi-family units) and 16 single-family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units.
7. To date, 352 multi-family units (558.3 UE) (of which 52 are PUD style units) and 16 single-family units have been platted and/or built within the Mountain Village.
8. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. Condominium record of survey plats have been approved and recorded for these buildings.
9. Still to be approved as Conditional Use Permits are Tower Residences (Building 1), Building 3, Building 4, and subject property One Empire Pass, as Building 5.
10. A Conditional Use Permit application for One Empire Pass, aka Building 5 was received on October 26, 2015 and is being reviewed concurrently with this application.
11. There is sufficient remaining density (226.7 UE), or 198 units, to accommodate the density of Building 5 (32.48 UE) as 27 units in a lodge style building.
12. Approximately 368 certificates of occupancy for the entire Flagstaff Annexation and Development area (Pods A, B1, B2, and D) have been issued. According to the Annexation and Development Agreement, the affordable housing obligations come due for each 150 certificates of occupancy. The next housing obligation trigger point is 450 certificates of occupancy. The 27 certificates of occupancy for One Empire Pass would bring the total to 395 certificates of occupancy.
13. On November 13, 2015, the Planning Department received an application for a Condominium Record of Survey plat for the 27 unit residential building to be located on Lot 15 of the Village at Empire Pass West Side Subdivision.
14. The application was deemed complete on November 20, 2015.
15. The Village at Empire Pass West Side Subdivision was approved by Council in 2005 and recorded at Summit County on August 12, 2005. Lot 15 consists of 50,999 square feet of lot area and is currently undeveloped.
16. The property is subject to subdivision plat notes that require compliance with RD District zone setbacks, approval of a Conditional Use Permit for each building prior to issuance of a building permit, a declaration of condominium and a record of survey plat prior to individual sale of units, membership in the Empire Pass Master HOA, identifies Empire Club Drive as a private street, plats a 20' snow storage easement along the street frontages, requires water efficient landscape, and includes other utility and maintenance provisions.
17. The proposed One Empire Pass Lodge building is a multi-story building with 27 residential units ranging in size from 1,140 sf to 3,895 sf, one 900 sf affordable housing unit, and one 944 sf ADA unit. The ADA unit is platted as Common Area. The affordable unit is platted as Private Area and a deed restriction acceptable to the City will be recorded prior to recordation of the plat.

18. The proposed gross building area, including parking and all common areas is approximately 113,293 square feet. The total residential area subject to Unit Equivalents is 64,965 square feet utilizing 32.48 Unit Equivalents. All saleable residential area platted as private area within the Units is counted into the Unit Equivalent figure and one UE is 2,000 square feet of residential area. Common amenities areas (exercise and recreation rooms, ski lockers, locker rooms, etc. for the use of unit owners and guests) are proposed at the south end of levels one and two. No commercial uses are proposed.
19. The Transit and Parking Management Plan requires a 25% reduction in parking from what would be normally required by the LMC. Based on unit sizes, 55 spaces would be required for the 27 units based and one ADA unit. The 25% reduction is 42 spaces. The underground parking structure will have 38 spaces and 4-5 surface spaces will be provided near the front drop-off area.
20. The elevation and climate of Flagstaff creates a harsh environment for utilities and their maintenance.
21. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). A height exception was approved with the Village Master Plan Development. Specific volumetric diagrams were approved for each Building Site. For Building 5, 20% of the building was permitted to reach 80' above existing grade, 55% of the building to reach 92' above existing grade, and 25% of the building to reach 74' above existing grade. The volumetric diagram allows Building 5 to be four to six stories.
22. The proposed building complies with the granted height exceptions and volumetric in terms of percentage at certain heights, number of stories, and required vertical and horizontal articulation. The proposed building is 11.5' to 15' lower than the 80' allowance (20% of the building), approximately 9'-8" below the 92' allowance (55% of the building), and approximately 5' lower than the 74' allowance (25% of the building).
23. The building complies with all RD District zone setbacks maintaining a 25' front setback, 12' side setbacks, and 15' rear setbacks.
24. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of building permits for buildings within the Mountain Village. This property is also subject to these documents, in addition to any declaration of condominium and CCRs recorded with the condominium plat.
25. The proposed record of survey plat for the condominium building and development is consistent with the development pattern envisioned in the MPD and the 14 Technical Reports.

Conclusions of Law:

1. There is good cause for this record of survey.
2. The record of survey 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 record of survey.
4. Approval of the record of survey, subject to the conditions stated below, does not

adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the record of survey 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 record of survey 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 written request for an extension is submitted to the City prior to the expiration date and the City Council grants an extension.
3. The record of survey plat will note that all conditions of approval of the Village at Empire Pass Master Planned Development, the Village at Empire Pass West Side subdivision plat, and the One Empire Pass Conditional Use Permit shall continue to apply.
4. A deed restriction for the Employee Housing Unit acceptable to the City is required prior to plat recordation. The plat will note that the EHU is subject to a deed restriction. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees.
5. The plat will note the Employee Housing Unit and the ADA accessible unit.
6. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on Lot 15.

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

PASSED AND ADOPTED this _____ day of February, 2016.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, Mayor

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

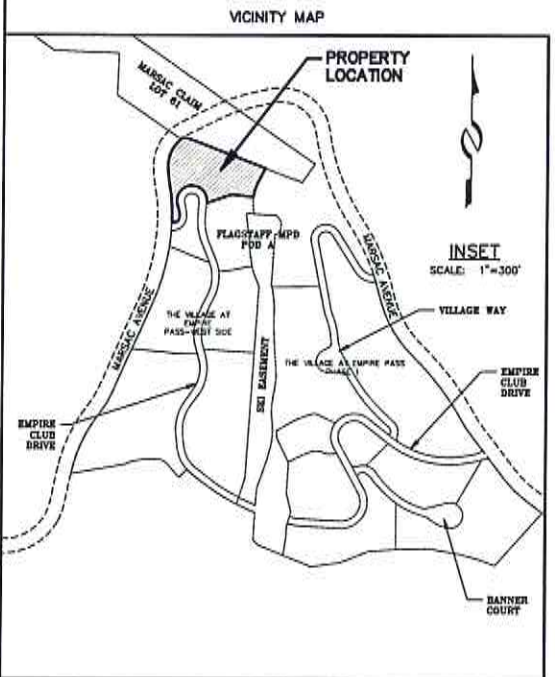
Exhibits

Exhibit A – Proposed record of survey plat

1-10-16 SUBMITTAL

SETBACK NOTE
 (as approved by Park City Municipal Corporation Empire Pass Village Master Plan, July 21, 2004.)

- The required 25' setback for master planned developments is measured from the Flagstaff annexation boundary. The internal setback lines shown hereon are standard RD zone setbacks. RD zone setbacks are as follows: 25' front yard (front facing garages), 20' front yard (residence), 12' side yard, & 15' rear yard.

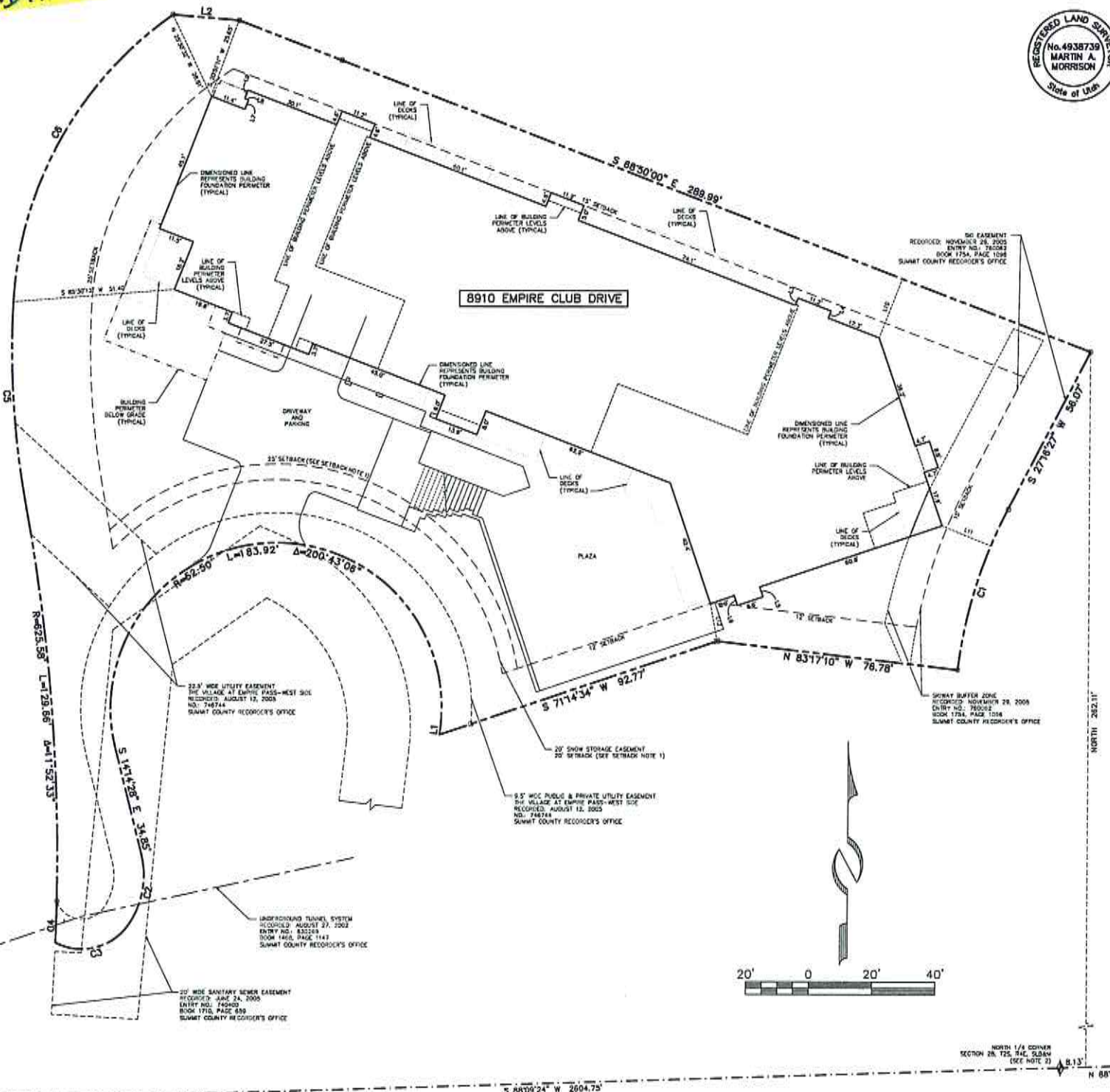


LINE TABLE

LINE	BEARING	DISTANCE
L1	N 08°28'37" E	2.45
L2	S 85°20'00" E	21.17
L3	N 20°37'00" E	2.40
L4	S 23°20'00" E	2.25
L5	S 18°14'34" W	1.77
L6	N 10°13'00" E	1.29
L7	N 21°12'00" E	1.18
L8	N 88°50'00" W	1.31
L9	N 31°30'00" E	1.81
L10	N 21°00'00" E	1.70
L11	S 87°40'00" E	16.84
L12	S 10°28'00" E	18.18

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	150.00	53.83	20°33'37"
C2	27.50	23.32	48°34'52"
C3	18.00	26.19	83°22'24"
C4	775.00	10.16	0°45'05"
C5	275.00	84.62	13°27'50"
C6	118.83	107.81	52°04'13"



SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners, I have prepared this Record of Survey map of ONE EMPIRE PASS CONDOMINIUMS has been prepared under my direction and that the same has been or will be monumented on the ground as shown on this plot. I further certify that the information on this plot is accurate.

LEGAL DESCRIPTION

All of Lot 15, THE VILLAGE AT EMPIRE PASS WEST SIDE, according to the official plat thereof recorded in the office of the Summit County Recorder August 12, 2005 as Entry No. 746744, Summit County, Utah

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT One Empire Pass, LLC, a Delaware limited liability company, the owner of the tract of land described herein as One Empire Pass Condominiums, a Utah condominium project, located on said tract of land, hereby certifies that it has caused this survey to be made and this Condominium Plat consisting of ten (10) sheets to be prepared, and does hereby consent to the recording of this Condominium Plat and submit this property to the Utah Condominium Ownership Act.

The owner certifies that the buildings shown on this plot, but not under construction at the time the plot was recorded, will, when completed, be substantially as shown on the plot.

In witness whereof, the undersigned has executed this certificate and dedication this ____ day of _____, 2016.

ONE EMPIRE PASS, LLC, a Delaware limited liability company
 By: HF Holding Corp. III, a Colorado corporation

 Manager
 Title

ACKNOWLEDGMENT

State of _____)
 County of _____)

On this ____ day of _____, 2016, _____ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, _____ acknowledged to me that One Empire Pass, LLC is the owner of the herein tract of land and that he/she, as the Authorized Signatory of HF Holdings Corp. III, the Manager of One Empire Pass, LLC, is authorized to sign the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

NOTE

- The dimensions of the private spaces and square footage calculations are based on drawings supplied by DB Group. The square footages shown on this plot are calculated in accordance with the Utah Condominium Act and the Declaration of Condominium for One Empire Pass, a Utah Condominium Project. Such calculations typically differs somewhat from the square footage determined by the architect or others using different methods of determining unit size. It is the intent that the private ownership area of the units will be as constructed.
- All common structural elements are designated as Common Areas and Facilities, as described in the Declaration of Condominium.
- Building ties on this sheet are from the property line to the building foundation as shown.
- All Common Area and Facilities is dedicated as non-exclusive easement to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Service District, and Summit County for the purpose of providing access for utility and drainage installation, use, maintenance, and eventual replacement.
- Access to the units is by private roads and is not warranted by Park City.
- The units of the One Empire Pass Condominium Development are served by a Common Private Lateral Wastewater Line. The Empire Pass Master Owners Association, Inc. (the "Master Association") shall be responsible for the maintenance and replacement of said Private Lateral Wastewater Line serving One Empire Pass. The cost of such maintenance and replacement shall be paid by the One Empire Pass Owners Association, Inc. as part of the common expenses.
- The property corners at Empire Club Drive are set at the intersection of the 9.5' wide public and private utility easement and the lot line as shown hereon.
- Unit 104; Deed Restricted Employee/Affordable Housing Unit (EHU)
- All conditions of approval of the Village at Empire Pass (Pad A) Master Planned Development, the Village at Empire Pass West Side Subdivision Plat, the One Empire Pass Conditional Use Permit, and Park City Ordinance _____ shall continue to apply.
- At the time of resurfacing of Empire Club Drive, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District Standards.
- The Ski Easement and Skiway Buffer Zone shown on this plot identifies certain portion of the Common Area that may be used for summer and winter recreation in Utah, all rules, and other adjacent recreation areas. The Ski Easement and Skiway Buffer Zone may be used by all owners of the Village at Empire Pass development, and as otherwise permitted in the Declaration of Condominium for One Empire Pass.

JAN 11 2016

PARK CITY PLANNING DEPT.

CONDOMINIUM PLAT FOR
ONE EMPIRE PASS CONDOMINIUMS

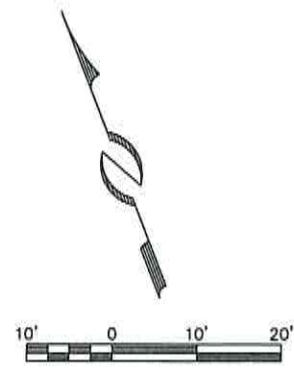
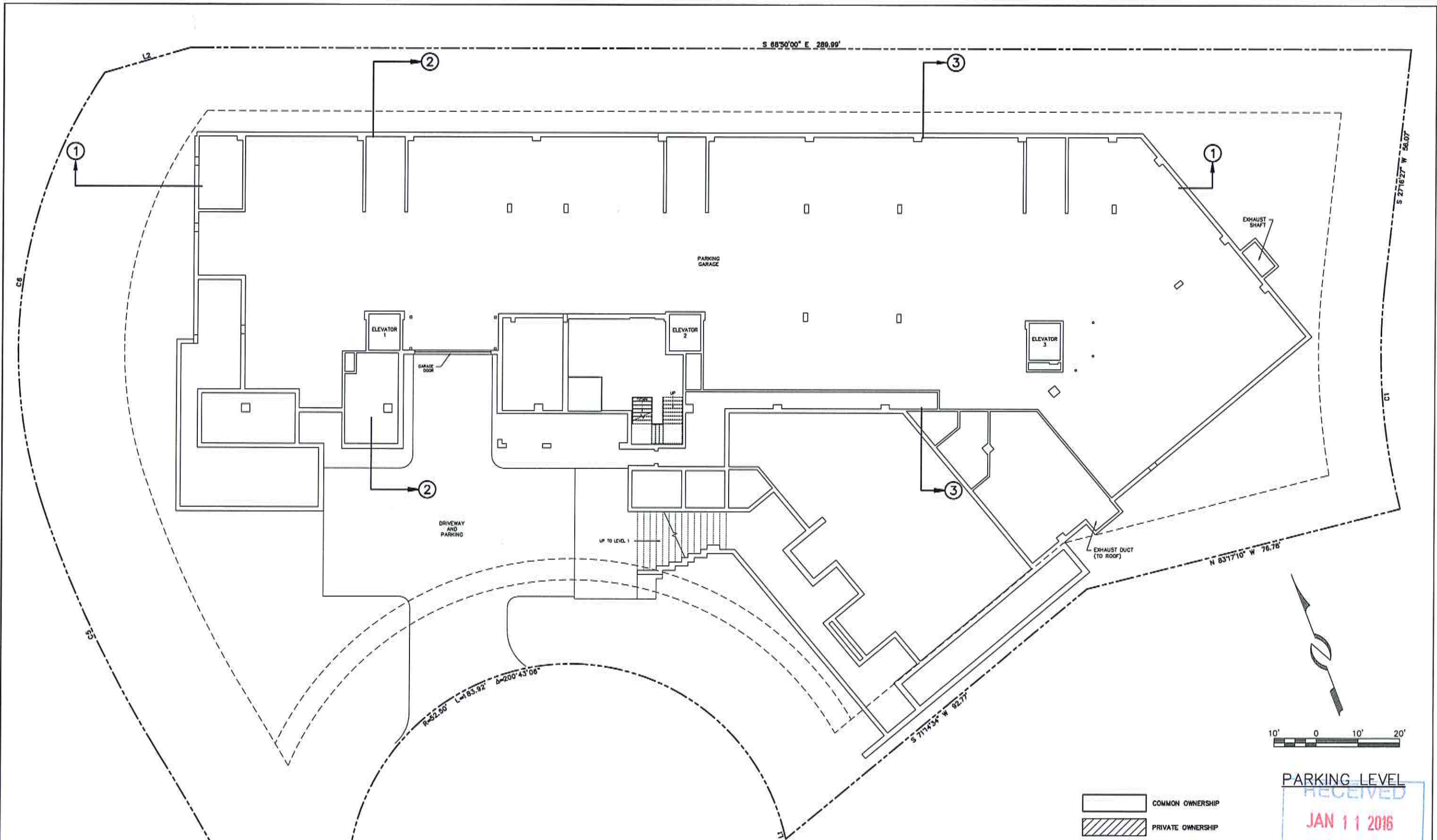
A UTAH CONDOMINIUM PROJECT




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

Recorded concurrently herewith is the Declaration of Condominium for Flagstaff.

LEGEND
 □ Set nail and washer, AE 154491
 ○ Set 5/8" rebar w/cap, ALLIANCE ENGR/LS 154491

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 113 MAIN STREET, SUITE 200, PARK CITY, UTAH 84301 (435) 849-9487	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2016 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2016 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2016 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2016 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2016 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2016 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDED _____
	SHEET 1 OF 10 JOB NO.: 15-9-15 FILE: X:\Empire\dwg\ar\plat2015\150915.dwg 1/7/16						



-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP

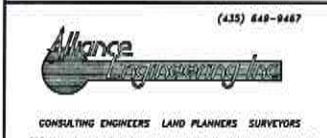
PARKING LEVEL
 RECEIVED
 JAN 11 2016
 PARK CITY
 PLANNING DEPT.

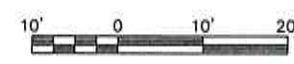
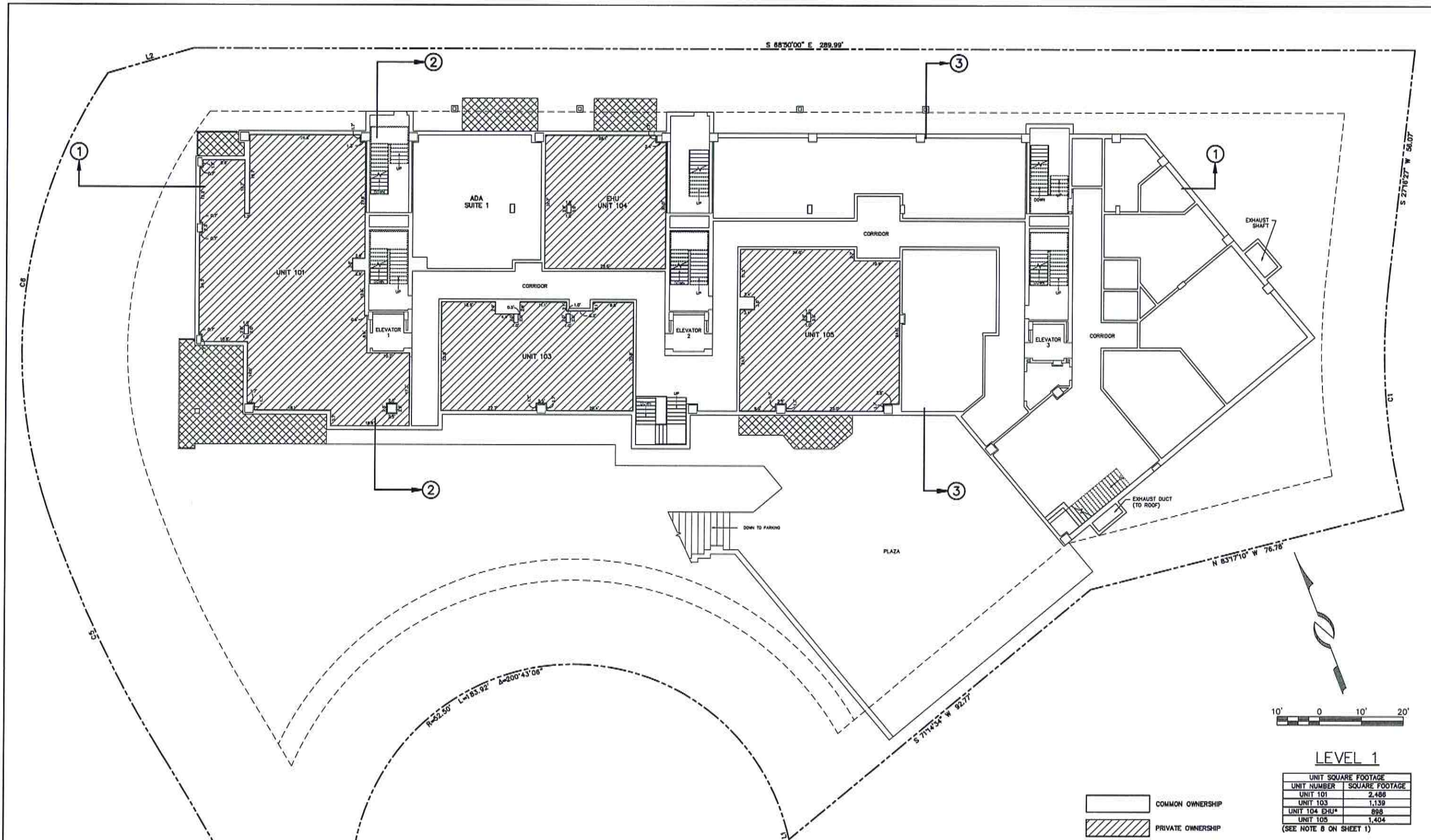
CONDOMINIUM PLAT ONE EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE SOUTH HALF OF SECTION 21
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH


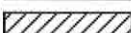

SHEET 2 OF 10

JOB NO.: 15-9-15 FILE: X:\Empire\dwg\svr\plat2015\150915.dwg	
RECORDED	
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED	
AT THE REQUEST OF _____	
DATE _____	TIME _____ ENTRY NO. _____
FEE _____	RECORDED _____





LEVEL 1

-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP

UNIT SQUARE FOOTAGE	
UNIT NUMBER	SQUARE FOOTAGE
UNIT 101	2,486
UNIT 103	1,139
UNIT 104 EHU*	898
UNIT 105	1,404

(SEE NOTE 8 ON SHEET 1)

CONDOMINIUM PLAT
ONE EMPIRE PASS CONDOMINIUMS

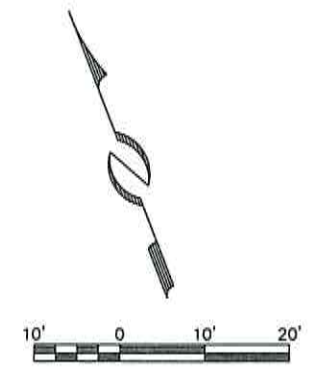
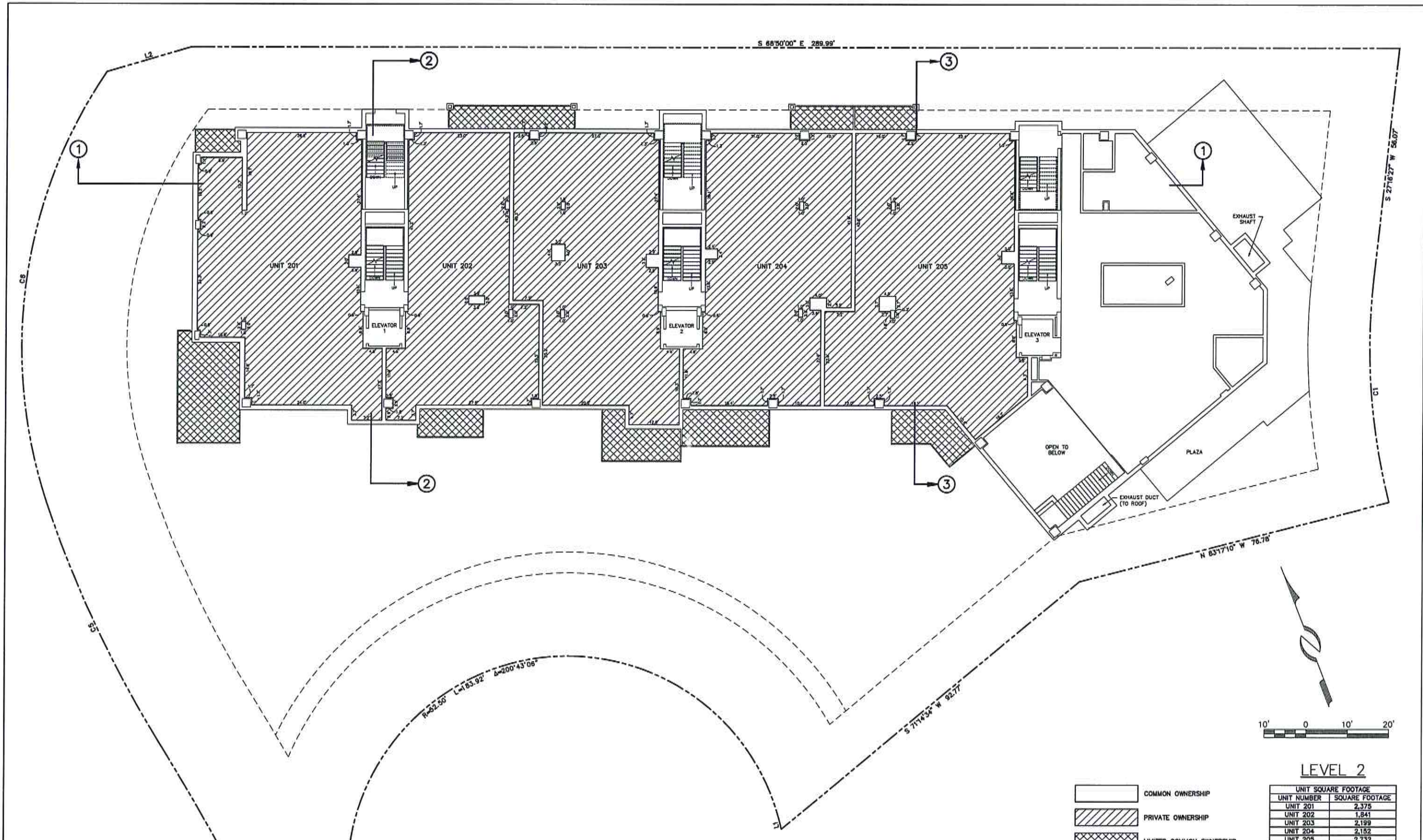
A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE SOUTH HALF OF SECTION 21
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH






SHEET 3 OF 10

1/7/16 JOB NO.: 15-9-15 FILE: X:\Empire\dwg\arr\plat2015\150915.dwg

RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
 AT THE REQUEST OF _____
 DATE **JAN 11 2016** TIME _____ ENTRY NO. _____
 PARK CITY PLANNING DEPT.
 FEE _____ RECORDED Page 170 of 306



-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP

LEVEL 2

UNIT NUMBER	SQUARE FOOTAGE
UNIT 201	2,375
UNIT 202	1,841
UNIT 203	2,199
UNIT 204	2,152
UNIT 205	2,732

CONDOMINIUM PLAT
ONE EMPIRE PASS CONDOMINIUMS

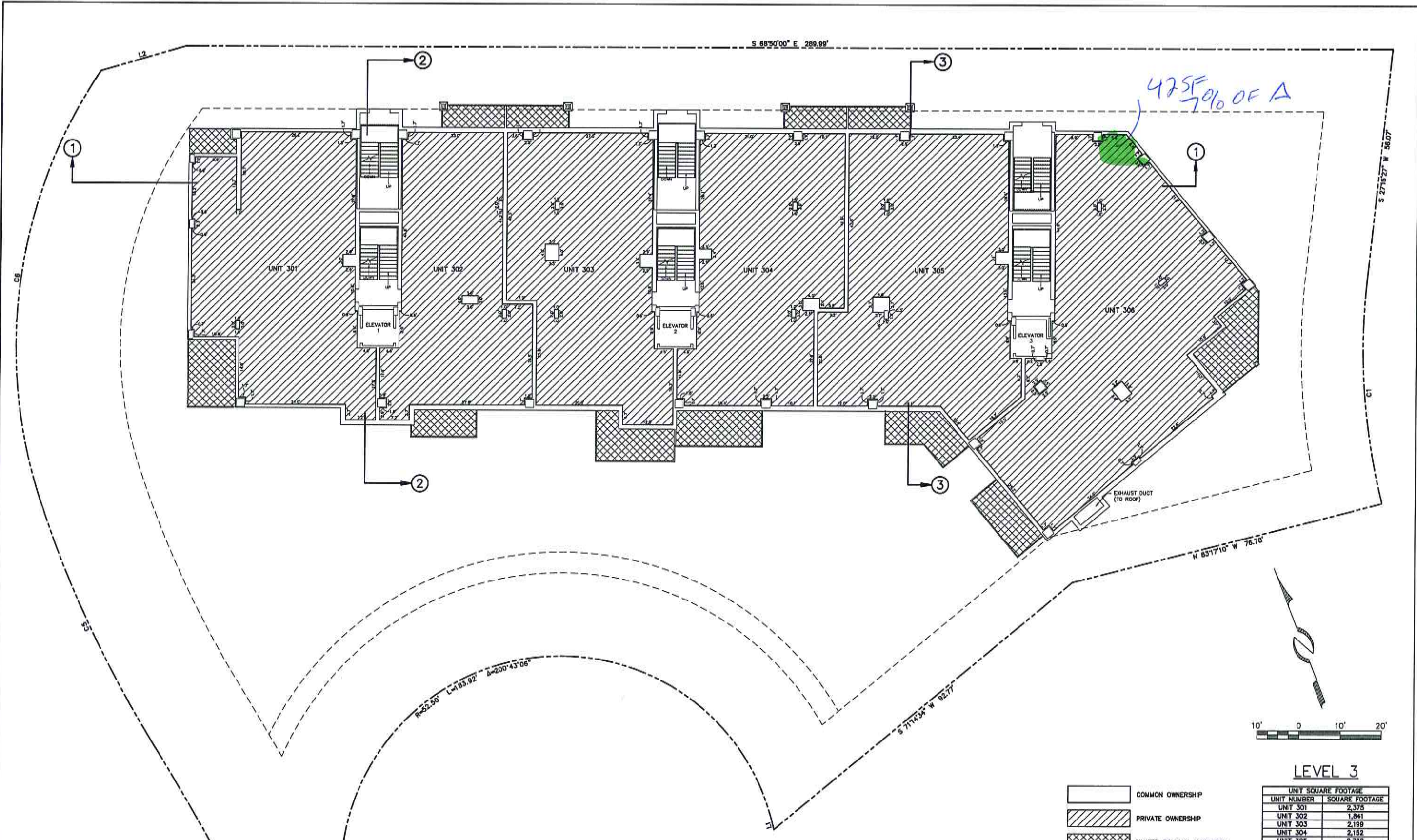
A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE SOUTH HALF OF SECTION 21
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

1/7/16 JOB NO.: 15-9-15 FILE: X:\Empire\dwg\ar\plot2015\150915.dwg SHEET 4 OF 10

June 11 2016
 PARK CITY
 PLANNING DEPT

RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
 AT THE REQUEST OF _____
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 FEE _____ REC'D Page 171 of 306








475 SF
70% OF A



LEVEL 3

-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP

UNIT NUMBER	SQUARE FOOTAGE
UNIT 301	2,375
UNIT 302	1,841
UNIT 303	2,199
UNIT 304	2,152
UNIT 305	2,732
UNIT 306	3,211

CONDOMINIUM PLAT
ONE EMPIRE PASS CONDOMINIUMS

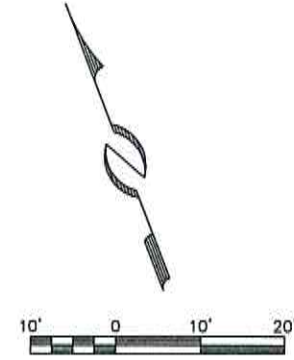
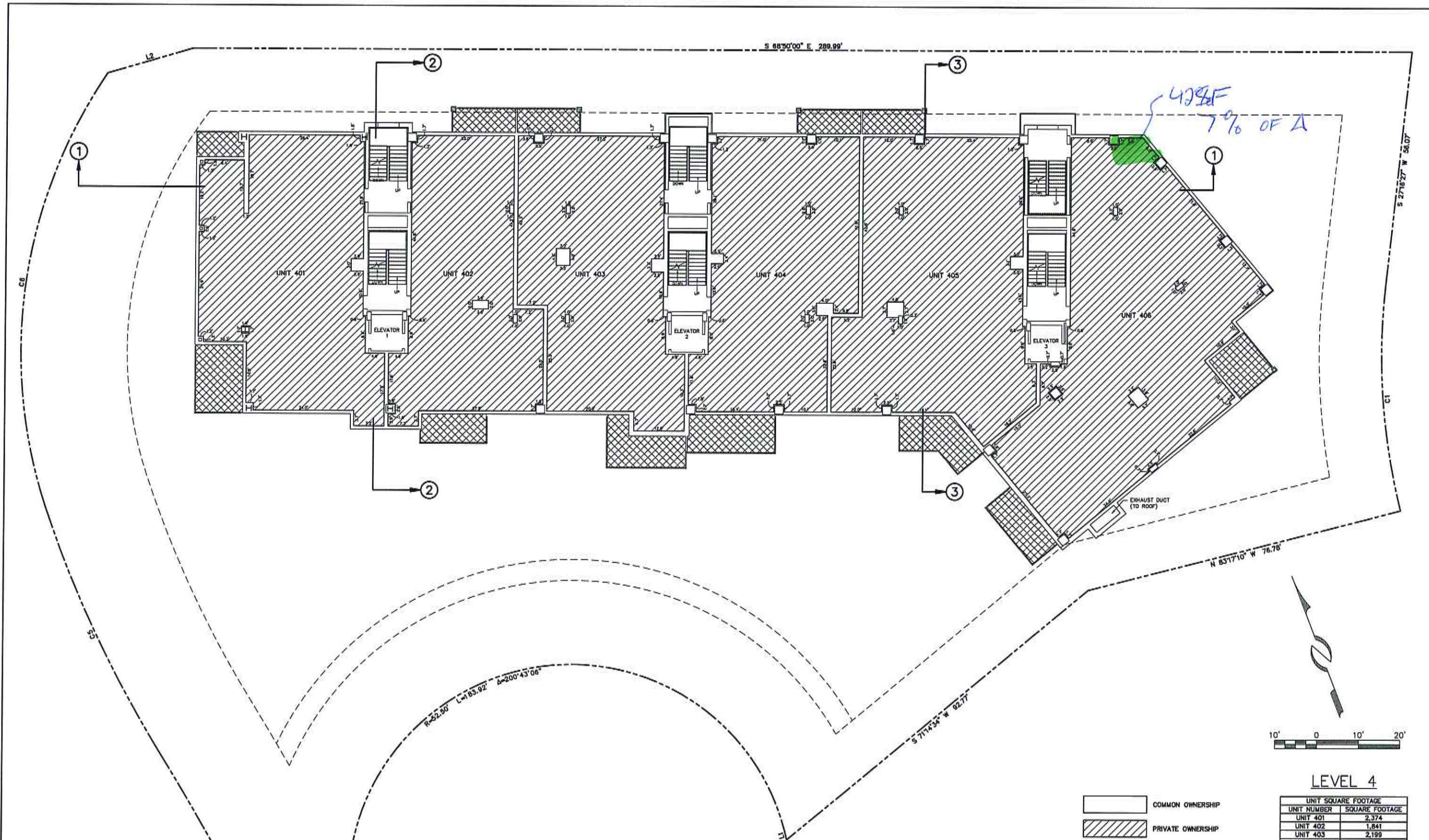
A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH






SHEET 5 OF 10

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





-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP

LEVEL 4

UNIT NUMBER	SQUARE FOOTAGE
UNIT 401	2,374
UNIT 402	1,841
UNIT 403	2,199
UNIT 404	2,152
UNIT 405	2,732
UNIT 406	3,211

CONDOMINIUM PLAT
ONE EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE SOUTH HALF OF SECTION 21
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

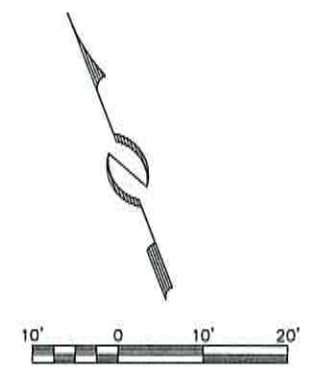
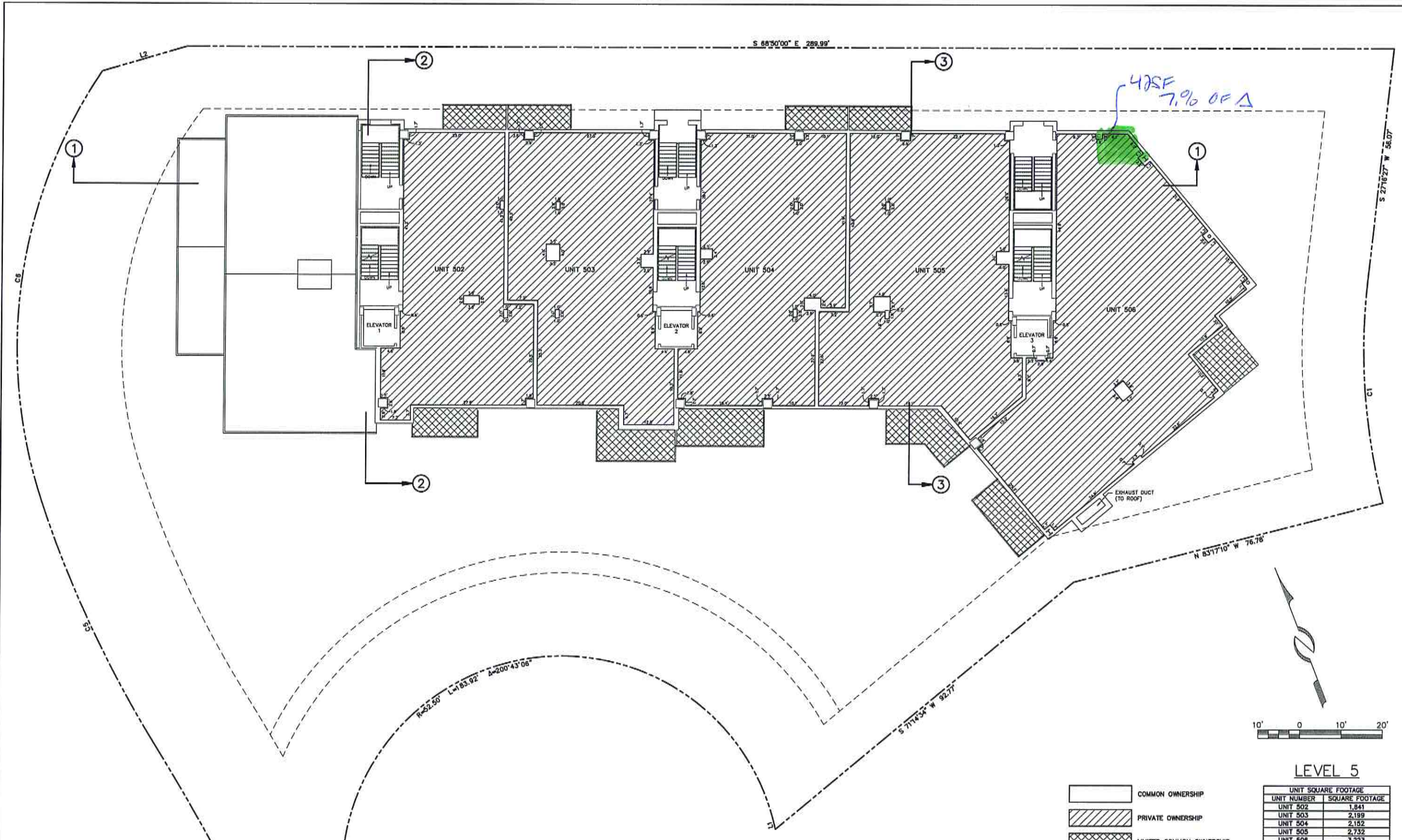
SHEET 6 OF 10
 1/7/16 JOB NO.: 15-9-15 FILE: X:\Empire\dwg\ar\plat2015\150915.dwg




JAN 11 2016

PARK CITY
PLANNING DEPT

RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
 AT THE REQUEST OF _____
 DATE _____ TIME _____ ENTRY NO. _____
 FEE _____ RECORDED PAGE 173 OF 306





-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP

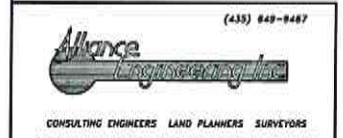
LEVEL 5

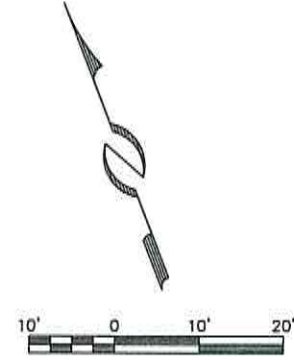
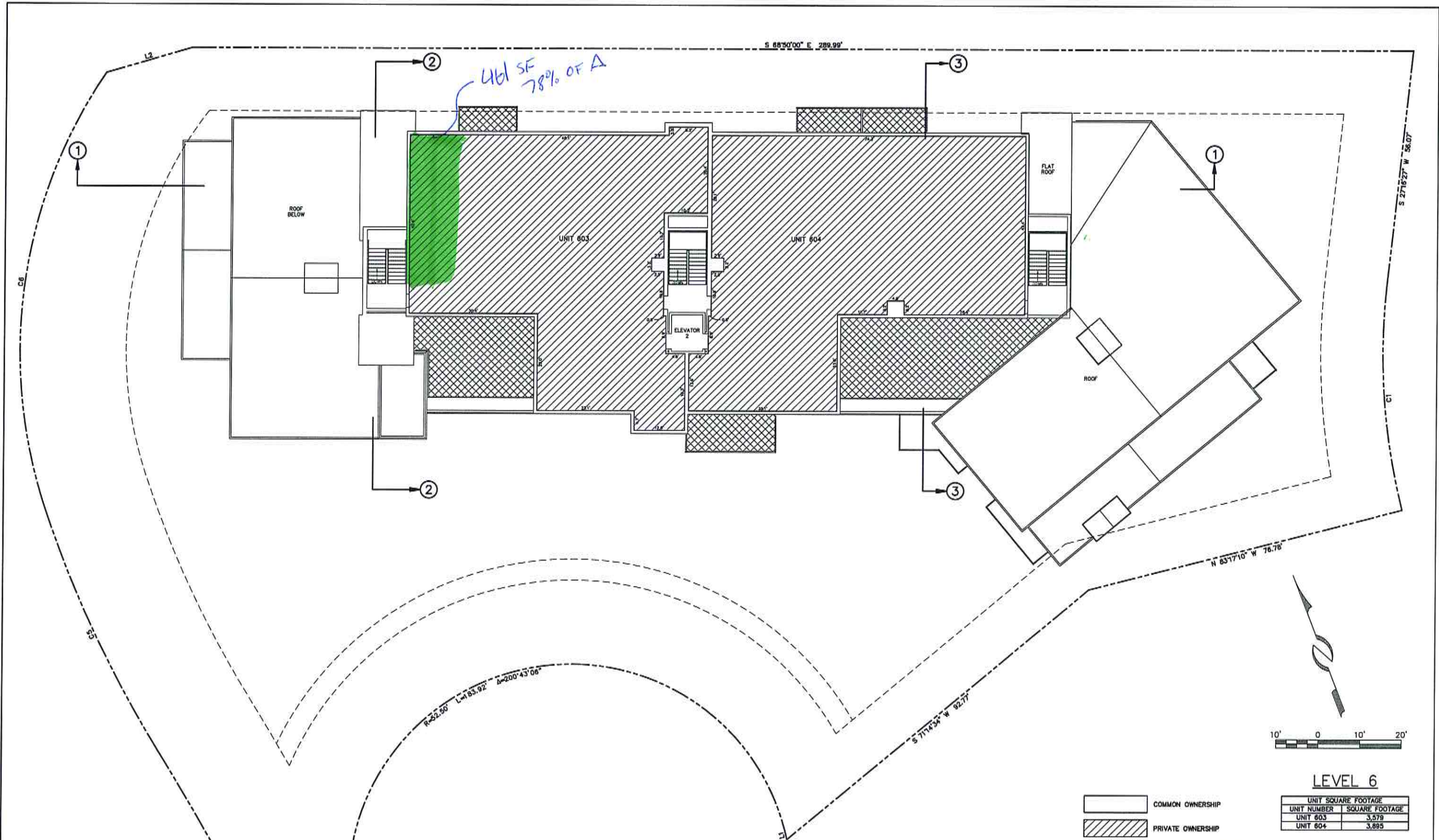
UNIT NUMBER	SQUARE FOOTAGE
UNIT 502	1,841
UNIT 503	2,199
UNIT 504	2,152
UNIT 505	2,732
UNIT 506	3,223

CONDOMINIUM PLAT
ONE EMPIRE PASS CONDOMINIUMS
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE SOUTH HALF OF SECTION 21
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

SHEET 7 OF 10
 1/7/16 JOB NO.: 15-9-15 FILE: X:\Empire\dwg\arv\plat2015\150915.dwg
RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
 AT THE REQUEST OF _____
 DATE _____ TIME _____ ENTRY NO. _____
 FEE _____ RECD _____
 Page 174 of 306

JAN 11 2016
 PARK CITY
 PLANNING & ZONING DEPARTMENT





LEVEL 6

UNIT NUMBER	SQUARE FOOTAGE
UNIT 603	3,579
UNIT 604	3,695

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

CONDOMINIUM PLAT
ONE EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE SOUTH HALF OF SECTION 21
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH



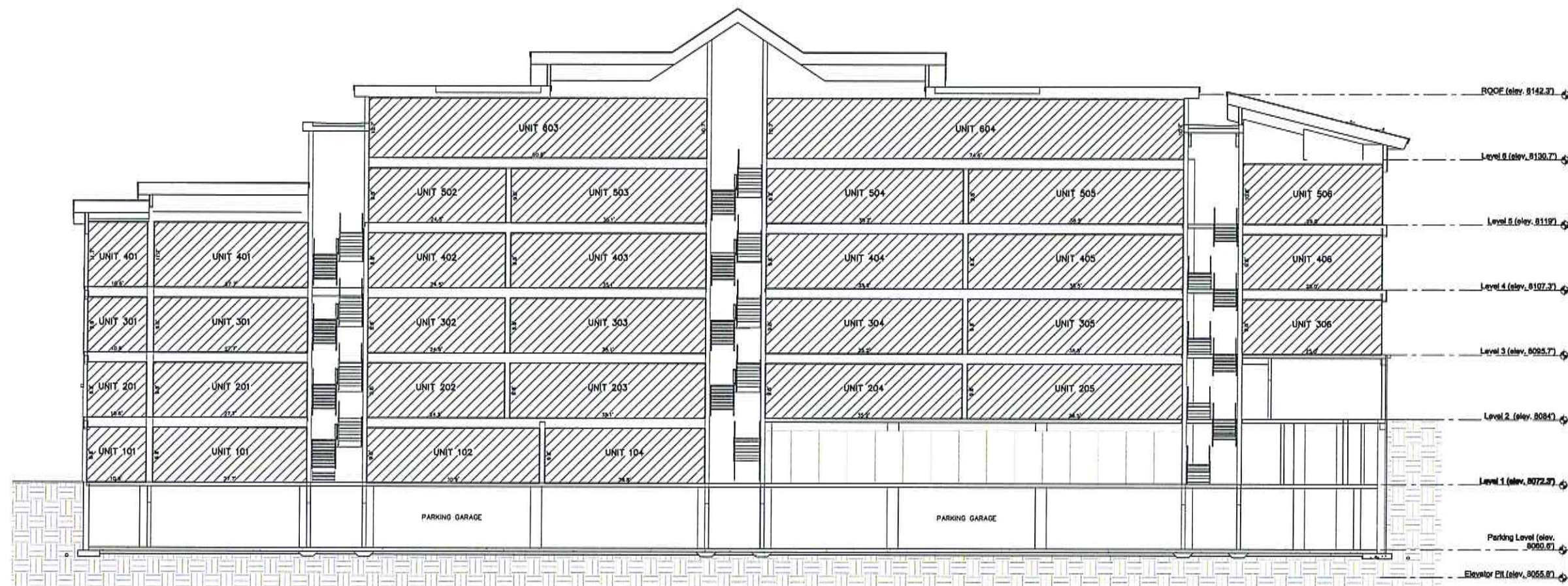
Planning Commission Packet February 10, 2016



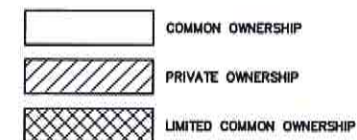
SHEET 8 OF 10

1/7/16 JOB NO.: 15-9-15 FILE: X:\Empire\dwg\sr\plat2015\150915.dwg

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



1 SECTION
SCALE: 1"=10'



CONDOMINIUM PLAT
ONE EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

1/7/16 JOB NO.: 15-9-15 FILE: X:\Empire\dwg\sv\plot2015\150915.dwg

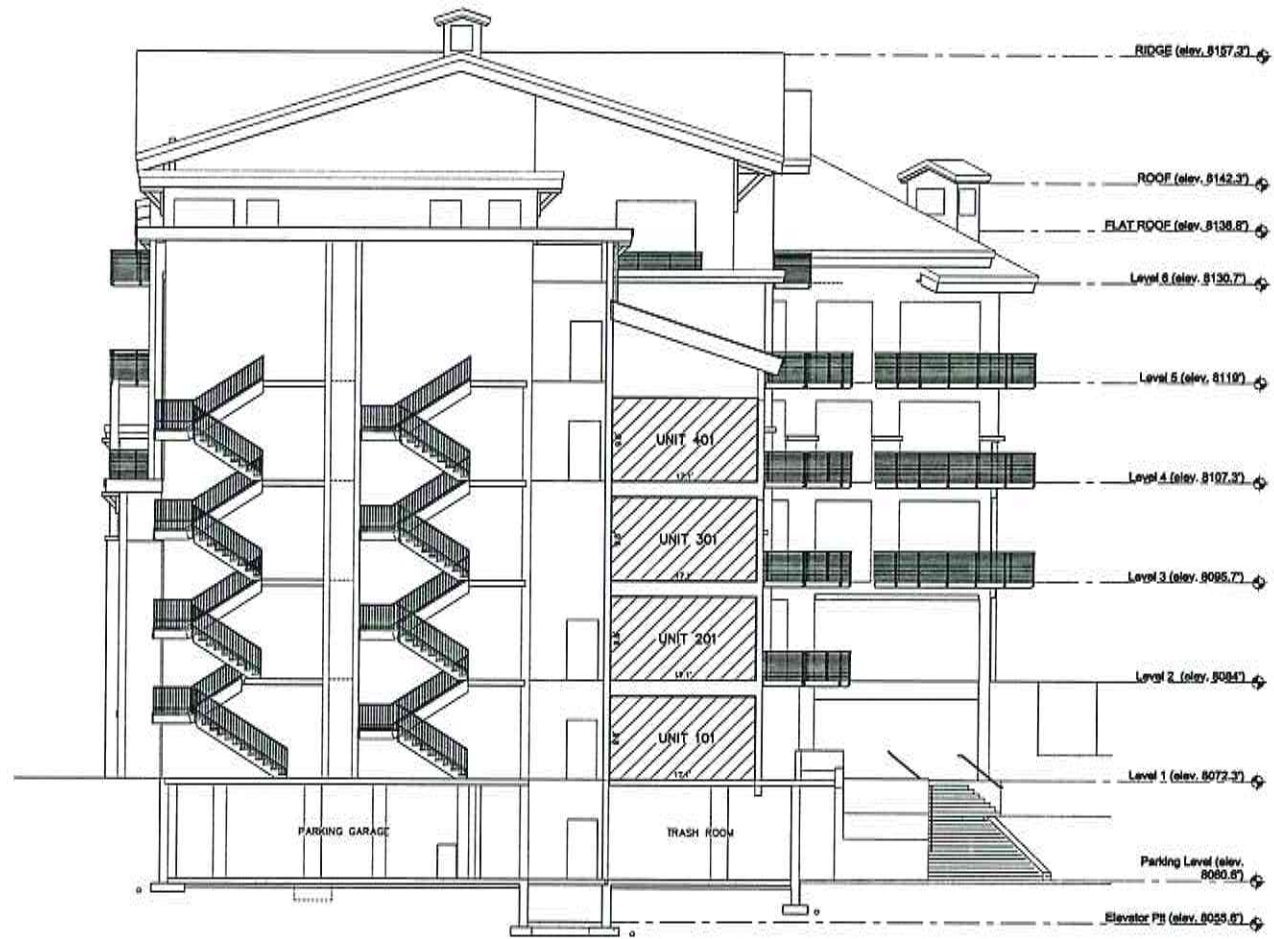
SHEET 9 OF 10



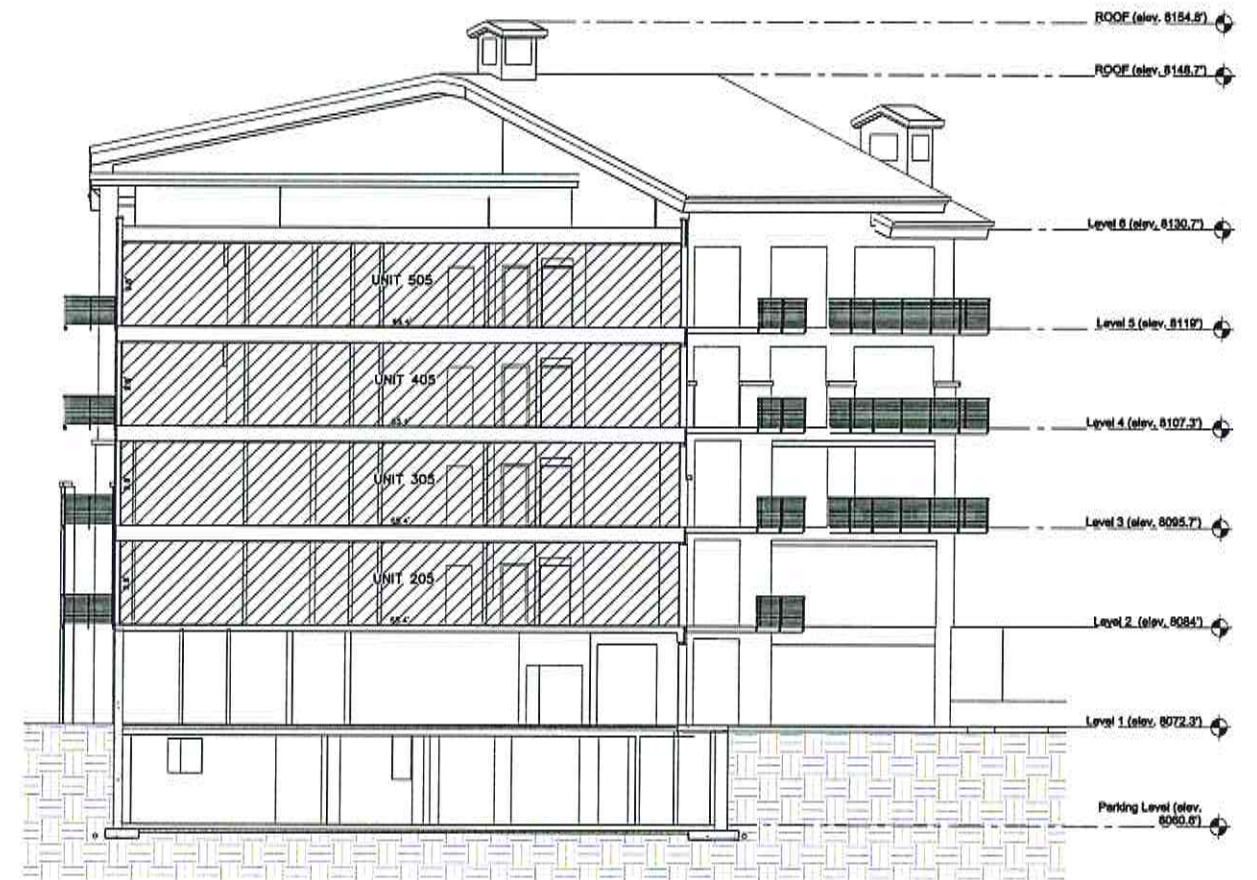
JAN 11 2016






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



② SECTION
SCALE: 1"=10'



③ SECTION
SCALE: 1"=10'

-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP
-  LIMITED COMMON OWNERSHIP



CONDOMINIUM PLAT ONE EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 10 OF 10

RECORDED
JAN 11 2016
PARK CITY ANTIMONY DISTRICT

JOB NO.: 15-9-15 FILE: X:\Empire\dwg\svr\plot2015\150915.dwg

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

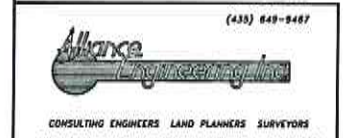


EXHIBIT B

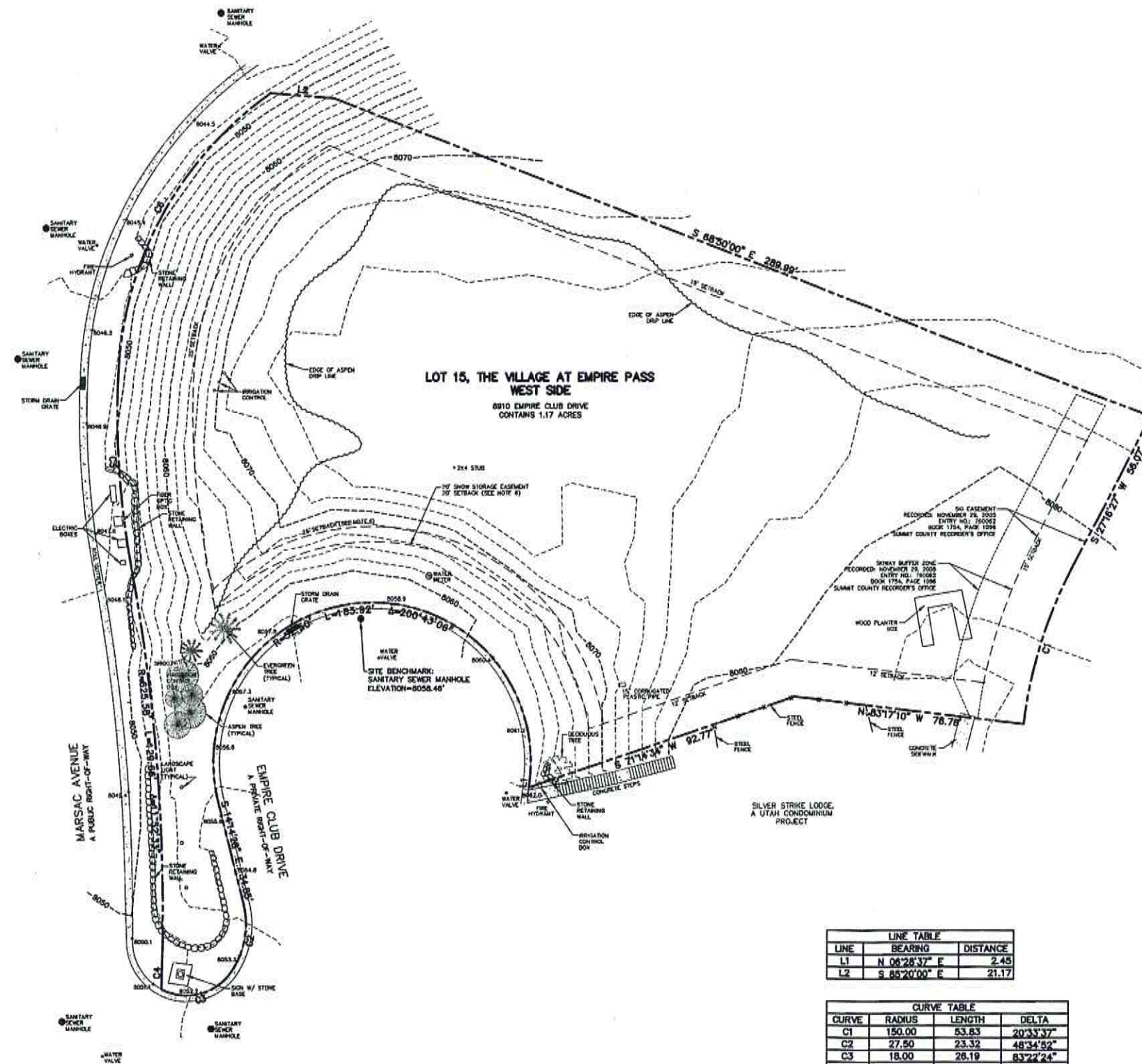
SURVEYOR'S CERTIFICATE



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

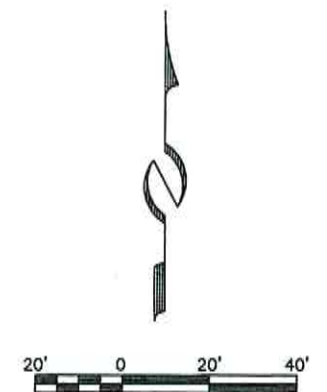
NOTES

1. Site Benchmark: Sanitary Sewer Manhole Elevation=8058.46'
2. See record of survey plot for easements and restrictions.
3. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
4. This topographic map is based on a field survey performed on June 19, 2015.
5. Property corners were set or found during a previous survey.
6. The required 25' setback for master planned developments is measured from the Flagstaff annexation boundary. The internal setback lines shown hereon are standard RD zone setbacks. RD zone setbacks are as follows: 25' front yard (front facing garages), 20' front yard (residence), 12' side yard, & 15' rear yard.



LINE	BEARING	DISTANCE
L1	N 06°28'37" E	2.45
L2	S 85°20'00" E	21.17

CURVE	RADIUS	LENGTH	DELTA
C1	150.00	53.63	20°33'37"
C2	27.50	23.32	48°34'52"
C3	18.00	26.19	83°22'24"
C4	775.00	10.18	0°45'06"
C5	275.00	64.62	13°27'50"
C6	118.63	107.61	52°04'13"



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NOV 13 2015
PARK CITY
PLANNING DEPT.

<p>(435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p>	<p>STAFF: MARSHALL KING MARTY MORRISON HARRISON HOLLEY</p>	<p>EXISTING CONDITIONS & TOPOGRAPHIC MAP LOT 15, THE VILLAGE AT EMPIRE PASS WEST SIDE, 8910 EMPIRE CLUB DRIVE</p>	<p>SHEET 1 OF 1</p>
	<p>FOR: EAST WEST PARTNERS JOB NO.: 7-2-15 DATE: 6/28/15</p>	<p>FILE: X:\Empire\dwg\sr\topo2015\070215.dwg</p>	



SUBJECT PROPERTY

1-3-2015

60' 0 60' 120'

	<p>(435) 849-8487 STAFF: MICHAEL DEMKOWICZ MARSHALL KING</p>	<p>ONE EMPIRE PASS CONDOMINIUM AERIAL PHOTOGRAPH 8910 EMPIRE CLUB DRIVE</p>	<p>SHEET 1</p>
<p>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 123 Main Street, P.O. Box 2064 Park City, Utah 84099-2064</p>	<p>DATE: 11/13/15</p>	<p>FOR: EAST WEST PARTNERS JOB NO.: 15-0-15 FILE: x:\empire\dwg\er\plat2015\150915.dwg</p>	

JURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed under the laws of the State of Utah. I further certify that by the authority of the owners I have made a survey of the tract of land shown on this plat and described herein and subdivided said tract of land into lots, private rights-of-way, and easements to be hereafter known as THE VILLAGE AT EMPIRE PASS, WEST SIDE and that the same has been or will be correctly located on the ground as shown on this plat. I further certify this plat accurately represents the surveyed property.

John Demkowicz
6/15/05
Date



BOUNDARY DESCRIPTION

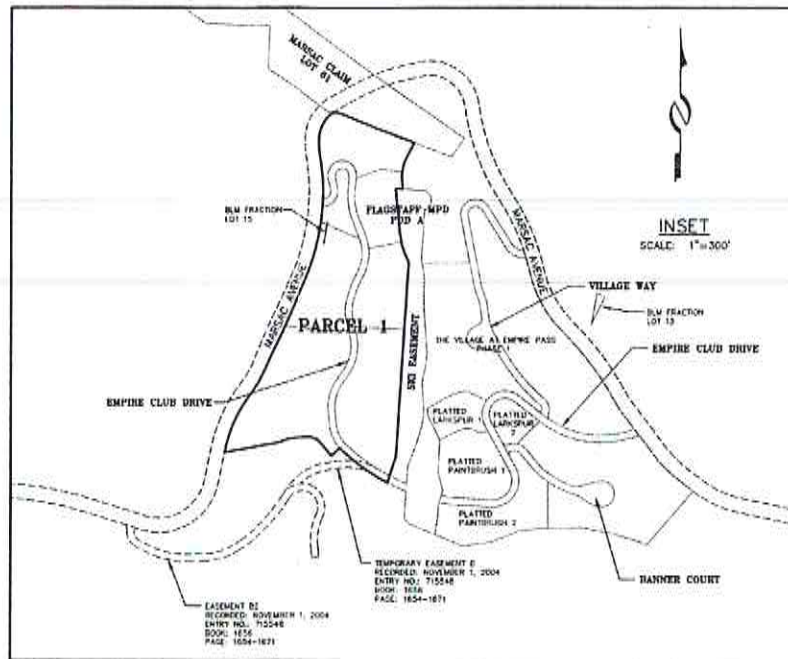
PARCEL 1

A parcel of land located in the south half of Section 21 and the northwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point that is North 88°09'24" East 8.13 feet along section line and North 262.11 feet from the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 27°16'27" West 58.07 feet to a point on a curve to the left having a radius of 150.00 feet, of which the radius point bears South 62°43'33" East; thence along the arc of said curve 75.83 feet through a central angle of 28°57'57" to a point of compound curve to the left having a radius of 300.00 feet, of which the radius point bears North 88°18'30" East; thence southerly along the arc of said curve 20.22 feet through a central angle of 03°51'42"; thence South 05°33'11" East 17.15 feet; thence North 86°16'45" West 25.33 feet; thence South 05°33'11" East 157.74 feet to a point on a curve to the left having a radius of 250.00 feet, of which the radius point bears North 84°26'49" East; thence along the arc of said curve 92.29 feet through a central angle of 21°09'04" to a point of reverse curve to the right having a radius of 79.77 feet, of which the radius point bears South 63°17'44" West; thence southeasterly along the arc of said curve 11.44 feet through a central angle of 08°13'06"; thence South 03°43'15" West 675.52 feet to a point on a non tangent curve to the left having a radius of 1025.00 feet, of which the radius point bears South 70°22'23" East; thence southerly along the arc of said curve 38.87 feet through a central angle of 02°10'21"; thence South 17°27'15" West 31.90 feet to a point on the northerly right-of-way of Empire Club Drive as shown and dedicated on The Village at Empire Pass, Phase 1, recorded November 24, 2004, as #718034, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; thence South 17°27'15" West 25.38 feet to a point on the southerly right-of-way of Empire Club Drive, said point also being on a non tangent curve to the right having a radius of 812.50 feet, of which the radius point bears North 27°15'53" East; thence northwesterly along the arc of said curve 199.71 feet through a central angle of 14°05'00" to a point of compound curve to the right having a radius of 137.50 feet, of which the radius point bears North 41°20'53" East; thence northwesterly along the arc of said curve 12.52 feet through a central angle of 05°13'06"; thence South 46°33'59" West 40.09 feet; thence North 41°37'40" West 65.38 feet to a point on a curve to the left having a radius of 50.00 feet, of which the radius point bears South 48°22'20" West; thence along the arc of said curve 44.97 feet through a central angle of 51°32'04"; thence South 86°50'16" West 44.62 feet to a point on a curve to the left having a radius of 137.50 feet, of which the radius point bears South 03°09'44" East; thence along the arc of said curve 60.72 feet through a central angle of 25°18'01"; thence South 79°50'46" West 195.15 feet to a point on a non tangent curve to the right having a radius of 509.74 feet, of which the radius point bears South 78°16'48" East, said point also being on the easterly boundary of Marsoc Avenue Right-of-Way, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah, recorded #62345; thence along the easterly boundary of Marsoc Avenue Right-of-Way the following seven (7) courses: 1) northeasterly along the arc of said curve 234.19 feet through a central angle of 26°19'27" to a point of reverse curve to the left having a radius of 375.00 feet, of which the radius point bears North 51°26'21" West; thence 2) northeasterly along the arc of said curve 93.78 feet through a central angle of 14°19'44"; thence 3) North 23°43'55" East 337.98 feet to a point on a curve to the left having a radius of 775.00 feet, of which the radius point bears North 66°16'05" West; thence 4) along the arc of said curve 304.84 feet through a central angle of 22°32'40" to a point of compound curve to the left having a radius of 625.58 feet, of which the radius point bears North 88°48'45" West; thence 5) northerly along the arc of said curve 129.66 feet through a central angle of 11°52'33" to a point of reverse curve to the right having a radius of 275.00 feet, of which the radius point bears North 79°18'42" East; thence 6) northerly along the arc of said curve 64.62 feet through a central angle of 13°27'50" to a point of compound curve to the right having a radius of 118.63 feet, of which the radius point bears South 87°13'28" East; thence 7) northeasterly along the arc of said curve 107.81 feet through a central angle of 62°04'13" to a point on the northerly sideline of the Little Mc mining claim, Lot 53A in the Union Mining District; thence along the northerly sideline of the Little Mc mining claim the following two (2) courses: 1) South 85°20'00" East 21.17 feet; thence 2) South 68°50'00" East 289.99 feet to the point of beginning.

Description contains 10.52 acres, more or less.

VICINITY MAP



NOTES:

- 1. All building setbacks from property lines are to be the residential development zone (RD) minimums unless approved otherwise by the Village of Empire Pass Master Plan Development.
2. Conditional use permit approval will be required prior to construction on each of the development lots shown hereon.
3. A declaration of condominium and a record of survey of condominium will be required for the purpose of the sale of individual units within the development lots shown hereon.
4. All utility and trail easements adjacent to or traversing across the lots, as shown hereon, are for public use. No improvements may be made to these public ways that would hinder passage, endanger the users, or interfere with existing utilities.
5. The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass ("Master Declaration") requires the membership of each lot owner. Members are subject to the terms of its articles of incorporation, its bylaws, and the rules and regulations that may be established from time to time by the master association, including assessments and transfer fees as provided therein.
6. The operation and maintenance responsibilities for the public sidewalk, and existing trails that may be established across the lots shown hereon are set forth in the Master Declaration.
7. Public safety access and public utility easements are hereby dedicated for all public and private roadways, emergency access roads, and private driveways.
8. The property is located within a water source protection zone. All sewer construction must comply with the State of Utah drinking water regulations.
9. A 20' snow storage easement is hereby dedicated along the frontage of all lots.
10. A line extension agreement (LEA) will be required to be filed with Snyderville Basin Water Reclamation District (SDWRD) with the development of each lot.
11. Empire Club Drive is a private road to be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration. Empire Club Drive is not a public road or right-of-way. This Record of Survey Map shall not be deemed to grant any rights in the public to use Empire Club Drive or create any obligations on the part of Park City Municipal Corporation to maintain or repair Empire Club Drive. All such use and maintenance shall be governed by the terms and provisions of the Master Declaration and the Maintenance Agreement dated March 17, 2004 (and as amended from time to time) between Park City Municipal Corporation, United Park City Mines Company, Blue Ledge Corporation and the Master Association.
12. At the time of any re-surfacing of Empire Club Drive, the Master Association is responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District Standards. Maintenance adjustment of manholes within private roadways included as part of specific developments shall be the responsibility of the homeowners association for such development.
13. The Master Association shall be responsible for the maintenance and replacement of all sanitary sewer laterals situated within Empire Club Drive or the SDWRD easement shown hereon. The Master Association shall have the right to assess the cost of such maintenance and repair to parcel(s), unit(s), or condominium associations served by such laterals, in accordance with the Master Declaration.
14. The easement in favor of the Jordanian Special Service District is for a water drain tunnel situated approximately 900 feet below the surface of the property.
15. All property corners to be set along Empire Club Drive will be set at the intersection of the 9.5' wide public and private utility easement and the lot line or up shown hereon.
16. Any landscaping shall utilize either no irrigation or water efficient irrigation, limited turf, and limited disturbance.
17. The maintenance of the water system is the private responsibility of the Empire Pass Master Homeowners Association.
18. The units of The Village at Empire Pass West Side are served by a Common Private Lateral Wastewater Line. The Empire Pass Master Association shall be responsible for ownership, operation and maintenance of all Common Private Lateral Wastewater Lines.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT EMPIRE MOUNTAIN VILLAGE, LLC, a Delaware limited liability company, the owner of a portion of the tract of land described herein as THE VILLAGE AT EMPIRE PASS, WEST SIDE, including a 25 foot wide Public & Private Utility Easement & Private Road Right-of-Way to be known as EMPIRE CLUB DRIVE, hereby certifies that it has caused this Subdivision Plat consisting of two (2) sheets to be prepared, does hereby consent to the recordation of this Subdivision Plat, and does hereby dedicate as a public and private utility easement the 9.5 foot wide parcel of property situated on either side of Empire Club Drive as shown hereon.

In witness whereof the undersigned has executed this certificate and dedication this 16th day of June, 2005.

EMPIRE MOUNTAIN VILLAGE, LLC, A Delaware limited liability company
By: HF HOLDING CORP. III, A Colorado corporation, its Manager
Title: Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit
This instrument was acknowledged before me this 16th day of June, 2005 by Tim A. H., the Vice President of HF HOLDING CORP. III, a Colorado corporation, Manager of EMPIRE MOUNTAIN VILLAGE, LLC, a Delaware limited liability company.
Notary Public commissioned in Utah
Kerry S. Haggan
Printed Name
Residing in: Ashley, Utah
My commission expires: 10/16/07

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT UNITED PARK CITY MINES COMPANY, a Delaware corporation, the owner of a portion of the tract of land described herein as THE VILLAGE AT EMPIRE PASS, WEST SIDE, including a 25 foot wide Public & Private Utility Easement & Private Road Right-of-Way to be known as EMPIRE CLUB DRIVE, hereby certifies that it has caused this Subdivision Plat consisting of two (2) sheets to be prepared, does hereby consent to the recordation of this Subdivision Plat, and does hereby dedicate as a public and private utility easement the 9.5 foot wide parcel of property situated on either side of Empire Club Drive as shown hereon.

In witness whereof the undersigned has executed this certificate and dedication this 16th day of June, 2005.

UNITED PARK CITY MINES COMPANY
A Delaware corporation
By: Tim A. Haggan
Title: Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit
This instrument was acknowledged before me this 16th day of June, 2005 by Tim A. Haggan, the Vice President of UNITED PARK CITY MINES COMPANY, a Delaware corporation.
Notary Public commissioned in Utah
Kerry S. Haggan
Printed Name
Residing in: Ashley, Utah
My commission expires: 10/16/07

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT MOUNTAIN DEVELOPMENTS I, INC., a Delaware corporation, the owner of a portion of the tract of land described herein as THE VILLAGE AT EMPIRE PASS, WEST SIDE, including a 25 foot wide Public & Private Utility Easement & Private Road Right-of-Way to be known as EMPIRE CLUB DRIVE, hereby certifies that it has caused this Subdivision Plat consisting of two (2) sheets to be prepared, does hereby consent to the recordation of this Subdivision Plat, and does hereby dedicate as a public and private utility easement the 9.5 foot wide parcel of property situated on either side of Empire Club Drive as shown hereon.

In witness whereof the undersigned has executed this certificate and dedication this 16th day of June, 2005.

MOUNTAIN DEVELOPMENTS I, INC.
A Delaware corporation
By: Mark R. Stearns
Title: Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit
This instrument was acknowledged before me this 16th day of June, 2005 by Mark R. Stearns, the Vice President of MOUNTAIN DEVELOPMENTS I, INC., a Delaware corporation.
Notary Public commissioned in Utah
Kerry S. Haggan
Printed Name
Residing in: Ashley, Utah
My commission expires: 10/16/07

SUBDIVISION PLAT
THE VILLAGE AT EMPIRE PASS
WEST SIDE

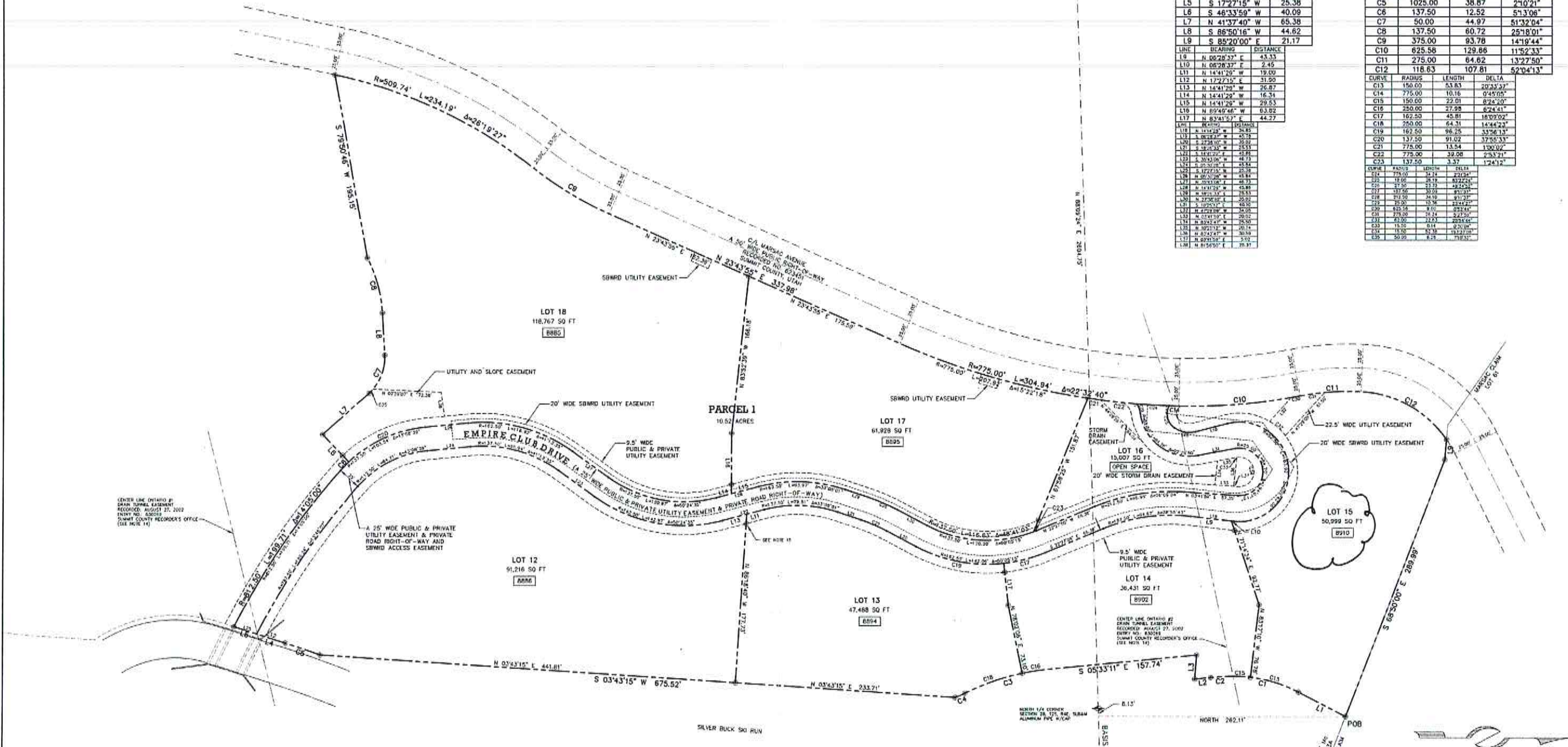
LOCATED IN SECTIONS 21 AND 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

Table with 8 columns: SNYDERVILLE BASIN WATER RECLAMATION DISTRICT, PLANNING COMMISSION, ENGINEER'S CERTIFICATE, APPROVAL AS TO FORM, CERTIFICATE OF ATTEST, COUNCIL APPROVAL AND ACCEPTANCE, JOB NO., and RECORDED. Includes signatures and dates for various approvals.

NW CORNER SECTION 28 T2S R4E S18M ALABAMA PIPE W/CCP

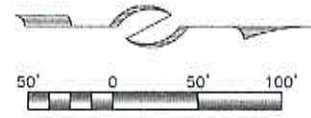
LINE	BEARING	DISTANCE
L1	S 27°16'27" W	56.07
L2	S 05°33'11" E	17.15
L3	N 88°16'45" W	25.33
L4	S 17°27'15" W	31.90
L5	S 17°27'15" W	25.38
L6	S 48°33'59" W	40.09
L7	N 41°37'40" W	68.38
L8	S 88°50'16" W	44.62
L9	S 85°20'00" E	21.17
L10	N 06°28'37" E	45.33
L11	N 14°41'26" W	19.00
L12	N 12°27'15" E	31.90
L13	N 14°41'26" W	26.87
L14	N 14°41'26" W	16.34
L15	N 14°41'26" W	29.53
L16	N 89°49'46" W	63.02
L17	N 89°49'46" W	44.27
L18	N 14°41'26" W	26.87
L19	N 14°41'26" W	16.34
L20	N 14°41'26" W	29.53
L21	N 89°49'46" W	63.02
L22	N 89°49'46" W	44.27
L23	N 14°41'26" W	26.87
L24	N 14°41'26" W	16.34
L25	N 14°41'26" W	29.53
L26	N 89°49'46" W	63.02
L27	N 89°49'46" W	44.27
L28	N 14°41'26" W	26.87
L29	N 14°41'26" W	16.34
L30	N 14°41'26" W	29.53
L31	N 89°49'46" W	63.02
L32	N 89°49'46" W	44.27
L33	N 14°41'26" W	26.87
L34	N 14°41'26" W	16.34
L35	N 14°41'26" W	29.53
L36	N 89°49'46" W	63.02
L37	N 89°49'46" W	44.27
L38	N 14°41'26" W	26.87
L39	N 14°41'26" W	16.34
L40	N 14°41'26" W	29.53
L41	N 89°49'46" W	63.02
L42	N 89°49'46" W	44.27
L43	N 14°41'26" W	26.87
L44	N 14°41'26" W	16.34
L45	N 14°41'26" W	29.53
L46	N 89°49'46" W	63.02
L47	N 89°49'46" W	44.27
L48	N 14°41'26" W	26.87
L49	N 14°41'26" W	16.34
L50	N 14°41'26" W	29.53
L51	N 89°49'46" W	63.02
L52	N 89°49'46" W	44.27
L53	N 14°41'26" W	26.87
L54	N 14°41'26" W	16.34
L55	N 14°41'26" W	29.53
L56	N 89°49'46" W	63.02
L57	N 89°49'46" W	44.27
L58	N 14°41'26" W	26.87
L59	N 14°41'26" W	16.34
L60	N 14°41'26" W	29.53
L61	N 89°49'46" W	63.02
L62	N 89°49'46" W	44.27
L63	N 14°41'26" W	26.87
L64	N 14°41'26" W	16.34
L65	N 14°41'26" W	29.53
L66	N 89°49'46" W	63.02
L67	N 89°49'46" W	44.27
L68	N 14°41'26" W	26.87
L69	N 14°41'26" W	16.34
L70	N 14°41'26" W	29.53
L71	N 89°49'46" W	63.02
L72	N 89°49'46" W	44.27
L73	N 14°41'26" W	26.87
L74	N 14°41'26" W	16.34
L75	N 14°41'26" W	29.53
L76	N 89°49'46" W	63.02
L77	N 89°49'46" W	44.27
L78	N 14°41'26" W	26.87
L79	N 14°41'26" W	16.34
L80	N 14°41'26" W	29.53
L81	N 89°49'46" W	63.02
L82	N 89°49'46" W	44.27
L83	N 14°41'26" W	26.87
L84	N 14°41'26" W	16.34
L85	N 14°41'26" W	29.53
L86	N 89°49'46" W	63.02
L87	N 89°49'46" W	44.27
L88	N 14°41'26" W	26.87
L89	N 14°41'26" W	16.34
L90	N 14°41'26" W	29.53
L91	N 89°49'46" W	63.02
L92	N 89°49'46" W	44.27
L93	N 14°41'26" W	26.87
L94	N 14°41'26" W	16.34
L95	N 14°41'26" W	29.53
L96	N 89°49'46" W	63.02
L97	N 89°49'46" W	44.27
L98	N 14°41'26" W	26.87
L99	N 14°41'26" W	16.34
L100	N 14°41'26" W	29.53

CURVE	RADIUS	LENGTH	DELTA
C1	150.00	75.83	28°57'57"
C2	300.00	20.22	3°51'42"
C3	290.00	92.28	21°09'04"
C4	79.77	11.44	8°13'06"
C5	1025.00	38.87	2°10'21"
C6	137.50	12.52	5°13'08"
C7	50.00	44.97	51°32'04"
C8	137.50	60.72	25°18'01"
C9	375.00	93.78	14°19'44"
C10	625.58	129.86	11°52'33"
C11	275.00	64.62	13°27'50"
C12	118.83	107.81	52°04'13"
C13	150.00	53.83	20°33'37"
C14	775.00	10.16	0°45'05"
C15	150.00	22.01	8°24'20"
C16	220.00	27.98	6°24'41"
C17	162.50	45.81	18°02'02"
C18	290.00	64.31	14°44'24"
C19	162.50	96.25	33°56'13"
C20	137.50	91.02	37°55'33"
C21	775.00	13.54	1°00'02"
C22	775.00	39.00	2°53'21"
C23	137.50	3.37	1°24'12"
C24	775.00	14.34	2°14'34"
C25	775.00	21.15	3°22'25"
C26	775.00	21.15	3°22'25"
C27	775.00	21.15	3°22'25"
C28	775.00	21.15	3°22'25"
C29	775.00	21.15	3°22'25"
C30	775.00	21.15	3°22'25"
C31	775.00	21.15	3°22'25"
C32	775.00	21.15	3°22'25"
C33	775.00	21.15	3°22'25"
C34	775.00	21.15	3°22'25"
C35	775.00	21.15	3°22'25"



SUBDIVISION PLAT THE VILLAGE AT EMPIRE PASS WEST SIDE

LOCATED IN SECTIONS 21 AND 28,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



LEGEND
 8895 Street address on Empire Club Drive
 * Property corner to be set

SHEET 2 OF 2

6/15/05 JOB NO.: 1-1-01 FILE: S:\open\proj\summit\title\sheet 2.dwg
446744 RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
 AT THE REQUEST OF Bank City Title
 DATE 6-12-05 TIME 4:02 pm BOOK PAGE
 \$67.00
 RECORDER



The Village at Empire Pass – West Side, Lot 15 looking northerly



The Village at Empire Pass – West Side, Lot 15 looking southeasterly



The Village at Empire Pass – West Side, Lot 15 looking easterly



The Village at Empire Pass – West Side, Lot 15 looking westerly

