

February 19, 2016

## **Alice Claim (aka Alice Lode) Amended Subdivision & Plat Amendment Applications**

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### **Project Description and Comparison to Previously Proposed Plans**

The Applicant, King Development Group, LLC, requests that the City Staff and Planning Commission review a modified development proposal for the Alice Claim property that has been coined the “Gully Plan.” In the December work session with Planning Commission, the Gully Plan illustrated how all the lots have been relocated to the bottom of the gully comprising the predominate landform of the Alice Claim.

The Gully Plan is for approval of a nine (9) residential lot Preliminary and Final Subdivision Plat on 8.65 acres and for a Plat Amendment on 0.38 acres, located at approximately the intersection of King Road and Sampson Avenue within the City’s Historic Residential Low Density (HRL), Historic Residential (HR-1) and Estate (E) Zone Districts. In addition, the Gully Plan proposes to amend the existing Ridge Avenue Subdivision to “square up” lot 1 (#123) of that subdivision and provide a land swap. The resulting land pattern is much more compatible with the pattern found throughout the historic districts in the City providing good cause for both subdivisions.

The Gully Plan proposes Lots 2-8 that are clustered within a very small portion of the HR-1 District area of the site, each 0.10 acres in size (reduced from 0.19 acres), and each restricted to a maximum 1,750 SF building footprint (reduced from 2,500 SF). Proposed Lot 1 in Alice Claim is within the Estate District, is 3 acres in size, will have a disturbance area of approximately 0.15 acres, has been moved down into the bottom of the gully, and is clustered closer to the other Lots 2-8 within the HR-1 District. The proposed location of the 9 home sites has resulted from input from City Staff and the Planning Commission over 11 years of discussion, nine work sessions, and five public hearings.

The Gully Plan preserves several existing large evergreen trees, moves home sites down into the bottom of the gully, clusters the home sites closely together, reduces the amount of disturbance within the 9 acres, maximizes the open space within the 9 acres, provides trail access, places the lots on less steep areas, and makes the lots compatible with the surrounding neighborhood.

Regarding the Estate Lot 1 building envelope, the applicant has relocated this to a lower, flatter location than shown in previous site plan submittals in response to feedback received from the Planning Staff and Planning Commission. The home site also has been shifted from the location shown at the December 2015 work session away from a large evergreen tree and more congruent with the Lots 2-8 in the HR-1 zone.

Each of the proposed home sites has been remediated with removal and capping of hazardous mine tailings that once polluted Alice Claim, including the City's parcel bisecting Alice Claim. That remediation project was a very successful public/private partnership between the Applicant and the City that cleaned up a heavily contaminated brownfield site for Park City. The City joined as co-applicant with King Development into the State Voluntary Cleanup Agreement, which was based on a nine home development plan consistent with the Gully Plan and had home sites located much farther up the hillside. In exchange, King Development funded 100% of the approximately \$1 million in cleanup costs for not only its land but the City's parcel as well, which had the highest levels of contamination. The joint cleanup has resulted in land that is now ready for the nine home residential development that will financially reimburse the cleanup effort. These Gully Plan home locations are within the area remediated by King Development.

Vehicular access to the property is via the existing platted King Road right of way, which provides legal access to the property. The access road then aligns onto the existing City property along the existing gravel road that then crosses an easement over Applicant's property to the water tank. This road is currently constructed at approximately 14% grade and will be improved within the subdivision with asphalt paving at the same gradient with a maximum of 14% slope. Access to all lots, and to re-platted lot 1 of the Ridge Avenue Subdivision, will be from this road. A 'hammerhead' turn-around designed for emergency vehicles is proposed across from lot 1 of Alice Claim. A modified Conditional Use Permit (CUP) has been requested for the access road retaining walls at the entrance of the property because the three walls are greater than 6' in height. The walls have been stepped back in increments of maximum 10' tall walls with extensive landscape planting proposed between each wall. The walls will be stone veneered as well. A technique using "soil nails" will be used to minimize construction impacts of the walls while also eliminating the need for an extensive footing.

The Applicant has offered to dedicate to the City the 0.38 acre of platted City lots (13 partial or full lots) within the HRL District that contains the existing King Road and potentially developable land. In addition, the Applicant has agreed to work with the City Engineer to make improvements to the existing intersection and potentially using Applicant's land for the same. The Applicant's traffic engineer has demonstrated that the addition of 9 homes in this area has negligible traffic impact. The City Engineer has confirmed this.

As part of the cleanup project, the drainage channel that runs through the site and carries seasonal run off was completely relocated and reconstructed as a rip rap channel. That channel will be piped and relocated beyond 50' from the lot 1 home.

Utility services are located near the entry point to the community and are easily extended onto the site. The Applicant's engineer has studied the projected water pressure to all home sites in the previous plans in

detail and found that all lots will have adequate pressure for domestic use and fire suppression. The newly proposed Gully Plan lowers the homes, some by as much as 70' in elevation, further improving water pressure to the homes. The Applicant's engineer continues to work with the City Engineer to assure utilities for the Alice Claim subdivision will not conflict with the new City water line in accordance with the City standards.

The site is currently used by recreation enthusiasts to access several recreational trails. Access to these trails will be allowed to continue across Alice Claim and enhanced with trail signage and trailhead markers. Additionally, large portions of the site will be platted as open space or no disturbance areas, and prohibited for development. Within the HR-1 zone district, 2.69 acres of land will be designated as no disturbance/open space; this represents 75.4% of the property's total 3.57 acres of HR-1 zone district land. Within the Estate zone district, 4.82 acres of land will be designated as no disturbance/open space; this represents 94.8% of the property's total 5.08 acres of Estate zone district land.

Please note that Lot 9 includes a triangle of land that is currently part of adjoining lot #123 of the Ridge Avenue subdivision. This triangle will be transferred into Alice Claim and become part of Lot 9. There is a corresponding triangle of land within Alice Claim that also is adjacent to lot #123 and will be transferred into lot #123. The owners of both parcels are affiliated companies and have agreed to these transfers, but the transfer will not be completed until after the subdivision plat has been approved by the City Council.

#### **Alice Claim Project Data**

- Existing Zoning: Historic Residential Low Density (HRL), Historic Residential (HR-1) and Estate (E) Zone Districts.
- Current Use of Property: Remediated brownfield mine scarred land ready for use as a residential single family home subdivision.
- Land has been previously platted, in part.
- 9.03 acres
- 9 Single family lots proposed; 8 within HR-1 Zone District and 1 within Estate Zone District
- Maximum Building Footprint of 1,750 SF in HR-1 Zone District
- Minimum 2 off-street parking spaces per lot
- Project Access via platted King Road ROW at intersection with Sampson Avenue
- Road within the community will be privately maintained by the HOA
- Utility services are currently available for the community
- Pedestrian trail access will be continued to be allowed and improved
- Proposed dedicated no disturbance/open space in HR1 zone is 2.69 acres, which is 75.4% of property's total HR1 land area.

- Proposed no disturbance/open space area of the Estate zone is 4.82 acres, which is 94.8% of the total 5.08 acre Estate zone.

Consistent with past correspondence on this matter, please be advised that in amending its applications with the Gully Plan and presenting it to City Staff and the Planning Commission, King Development is not waiving or otherwise relinquishing any of its rights, claims, causes of action, defenses, or privileges relating to its "Current Plan" that on August 12, 2015 received a negative recommendation from the Planning Commission. In this respect, King Development acknowledges receipt of the email dated October 20, 2015 from Polly Samuels McLean of the Park City Legal Department stating that the "City agrees that you may amend your application back to the [Current] Plan so long as the application is pending."

Thank you for your consideration.

Sincerely,



DHM Design Corporation  
Marc Diemer, Associate Principal

cc: King Development Group, LLC  
Bradley R. Cahoon, Esq.