



Planning Commission Staff Report

Application#: PL-16-03155
Subject: Twelfth Amended Deer Valley Master Planned Development (MPD)
Author: Kirsten A Whetstone, MS, AICP – Senior Planner
Date: September 28, 2016
Type of Item: Administrative – Master Planned Development Amendment

Summary Recommendations

Staff recommends the Planning Commission conduct a public hearing; consider public input; and review the draft findings of fact, conclusions of law, and conditions of approval. Staff recommends the Commission provide input to Staff and the applicant and continue final action to October 26, 2016.

Description

Applicant: Steve Issowits, representing Deer Valley Resort
Location: Deer Valley- Silver Lake Village Lots D, F, G, and H
Zoning: Residential Development (RD-MPD) subject to the Deer Valley Master Planned Development
Adjacent Land Uses: Residential Condominiums, Fire Station, Commercial, Deer Valley Resort
Reason for Review: Master Planned Development Amendments require Planning Commission review and approval.

Proposal

This is a request to amend the Large Scale Master Planned Development Permit for Deer Valley (aka Deer Valley MPD) to combine Silver Lake Village Lots F, G, and H of the Silver Lake Community into one MPD parcel to be called Silver Lake Village Lot I and to transfer 843 square feet of residential density from Silver Lake Village Lot D to proposed Lot I. The amendment parcels, Lots D, F, G, and H are addressed as 7570, 7520, 7530, and 7540 Royal Street East respectively. No changes to the overall density or allowable building height of these parcels are proposed. The proposal will amend Exhibits 1, 2 and 3 of the MPD document (Exhibit A).

Background

On April 15, 2016, the City received an application from Deer Valley Resort requesting an amendment to the 11th Amended and Restated Large Scale Master Planned Development Permit for Deer Valley (aka Deer Valley MPD). See Exhibit C for the 11th Amended MPD (which is the current controlling document for Deer Valley

MPD). The application was considered complete on July 18, 2016, upon final review of utility issues associated with these parcels. This request, being the 12th amendment to the Deer Valley MPD, is being reviewed in conjunction with a Conditional Use Permit and an amended subdivision plat (amending the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision) for the Goldener Hirsh Inn and Residences expansion onto the subject Lots.

The property is located within the Silver Lake Community of the Deer Valley Neighborhood. Deer Valley MPD Silver Lake Community parcels known as Silver Lake Village Lots D, F, G and H are also lots of record platted with the Silver Lake Village No. 1 Subdivision recorded June 21, 1989 and the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision recorded November 8, 2011 (Exhibits C and D). Silver Lake Village Lot I is proposed to be created by combining Lots F, G, and H of the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision with the concurrently submitted plat amendment application (see associated staff report and exhibits for the plat amendment).

Analysis

The applicant requests a 12th amendment to the Deer Valley MPD to combine Silver Lake Village Lots F, G, and H into one Lot I and to transfer 843 square feet of residential density (0.4215 unit equivalents (UE)) from the existing Goldener Hirsh Inn to Lot I in order to accommodate access and circulation between the Goldener Hirsch Inn and the future Goldener Hirsch Residences proposed on Lot I. Density allocation for Lot D would decrease from 6 to 5.5785 UE.

Exhibits 1 and 2 to the Deer Valley MPD document show in table form the density allocated for Deer Valley MPD parcels (Exhibit A). The requested amendment pertains only to the Silver Lake Community parcels (Lots D, F, G, and H). There are currently a total of 40 UEs of density allocated to these four parcels (see below). Upon approval of the amendment there will be a total of 40 UEs of density allocated to two parcels, Lots D and I.

Goldener Hirsh Inn is in compliance with the current allowed 6 UE of permitted density, based on a review of the recorded Golden Deer Phase 1 condominium plat. There are 20 residential hotel rooms with a total of 11,104 square feet of residential area (5.55 UE). The plat also identifies a total of 3,221 sf of commercial space (restaurant, bar, kitchen area). The DV MPD allocates 2,062 square feet of commercial, per the MPD Exhibit 1, to Lot D for the existing restaurant, bar, and kitchen. Staff will do further research into this issue and provide analysis as to the history of this additional commercial space and return with this at the October meeting. There is allowed support commercial based on the DV MPD in effect at the time of approval of the Goldener Hirsch which allowed a maximum of 5% of the total floor area (not including the parking garage).

Upon approval of development on Lot I, the 843 square feet of existing residential space (2 existing Goldener Hirsch hotel rooms) will be demolished and the area will

be converted to common area for circulation and the number of developed units on Lot D would decrease by two.

EXISTING MPD	UE (residential)	UNITS	Height	ACRES
Silver Lake Village Lot D- Existing Goldener Hirsch Inn and restaurant	6 (plus 2,062 sf commercial)	20	59 (A)	0.35
Silver Lake Village Lot F- Vacant	11	0	59 (A)	0.35
Silver Lake Village Lot G- Vacant	11	0	59 (A)	0.38
Silver Lake Village Lot H- Vacant	12	0	59 (A)	0.44
Total existing Lots D, F, G, H	40	0	59 (A)	1.52
PROPOSED AMENDED MPD				
Silver Lake Village Lot I – Goldener Hirsch Residences - proposed	34.4215	68	59 (A)	1.17
Silver Lake Village Lot D – Goldener Hirsch Inn and restaurant- existing	5.5785 (plus 2,062 sf commercial)	18	59 (A)	0.35
Total proposed Lots D and I	40	96	59 (A)	1.52

Note- (A) Lots in the Silver Lake Village Subdivision have a development height limitation tied to a base elevation of 8122' with peak of roof not to exceed elevation 8186'. (59' plus 5' = 64' provided peak of roof does not exceed elevation 8186')

Staff reviewed this proposal for compliance with the Master Planned Development Section 15-6 of the Land Management Code as follows:

15-6-5. MPD REQUIREMENTS.

The Planning Commission must review the proposed MPD amendment for compliance with the following criteria:

(A) DENSITY. **Complies.** The proposed amendment does not change the assigned density within the Deer Valley MPD or within the Silver Lake Community. Density is being consolidated and/or transferred to a new Parcel I from Parcels D, F, G, and H. The combined density of these four parcels remains at 40 UE.

(B) MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED DEVELOPMENTS WITHIN THE HR-1 DISTRICT.

Not Applicable as the zoning is RD-MPD.

(C) SETBACKS. **Complies as conditioned.** Setbacks for the Lots are identified on the subdivision plat as follows: 25' along Royal Street, 15' along Sterling Court private access drive, 12' along the side property line adjacent to Stein Eriksen Lodge, and 15' along the south property line adjacent to Mount Cervin Condominiums. The applicant is not requesting changes to these perimeter setbacks to the north, south, east and west property lines. Combining the lots removes the interior setback requirement between Lots F and G and between G and H and allows a common parking garage with a single access onto Sterling Court to be proposed.

Staff recommends a condition of approval that if a single building is proposed on combined Lot I, the building shall be designed to be broken into a minimum of three

volumetric masses above final grade, exhibiting both horizontal and vertical articulation. This shall be included as a note on Exhibit 1 of the MPD document. A common underground parking garage is encouraged.

(D) OPEN SPACE. **Complies.** The Deer Valley MPD maintains Transfer of Development Right (TDR) open space in excess of the 60% required for Master Planned Developments. There is no additional open space requirement identified for individual parcels provided that they use the Land Management Code (LMC) unit equivalent formula for density calculations. The applicant is not requesting changes to the open space requirements of the overall MPD.

(E) OFF-STREET PARKING. **Complies.** No exceptions to the parking ratios are requested. Parking for the residential units will be calculated for the specific unit sizes as part of the Conditional Use Permit review for compliance with the current LMC parking requirements per the Deer Valley MPD.

(F) BUILDING HEIGHT. **Complies.** No changes are requested to the allowable building heights. Building height allowed for these parcels is 64 feet (59 feet with 5' for the peak of the roof), as further described in Note A which states "Lots in Silver Lake Village Subdivision have a development height limitation tied to the base elevation of 8122' with the peak of the roof not to exceed elevation 8186 feet".

(G) SITE PLANNING. **Complies.** The applicant submitted a site plan with the proposed Conditional Use Permit showing the layout of proposed buildings, setbacks, pedestrian circulation, access, emergency egress, plaza areas, etc. The proposed layout does not create additional density, building footprint or volume as compared to three separate buildings constructed to the setbacks and allowable building height. The building has a minimum of three volumetric masses and includes horizontal and vertical articulation. Common underground parking, a single access drive, consolidated utilities and emergency egress and fire protection, as well as interior pedestrian connections to the common plaza areas at Silver Lake Village, are beneficial site plan attributes made possible with the MPD amendment.

(H) LANDSCAPE AND STREETScape. **Complies.** The parcels contain no significant vegetation as they are either currently paved for temporary parking or consist of grasses and low shrubs. No significant vegetation will be removed by the combination of the parcels. No additional disturbance will result from the combination of parcels. There are no significant impacts on the streetscape along Royal Street as a result of the combination of parcels, as the proposed building on Parcel I is similar to what could be proposed on Parcel H, as the building height and setbacks are the same.

(I) SENSITIVE LANDS COMPLIANCE. **Complies.** The proposed MPD changes do not impact the Sensitive Lands overlay as there are no sensitive lands on this site.

(J) EMPLOYEE/AFFORDABLE HOUSING. **Complies.** The transfer of residential UE requires no additional affordable units because the affordable housing obligation was based on the total number of units of the Deer Valley MPD which is unchanged.

(K) CHILD CARE. **Complies.** Staff finds no additional need for childcare facilities based on the resort character of the expansion of the Goldener Hirsch Inn. Childcare facilities are located within the MPD at Snow Park Lodge.

(L) MINE HAZARDS. **Complies as conditioned.** There are no known Mine Hazards located on the subject parcels, per investigation by the applicant, however Staff recommends a condition of approval that prior to issuance of a building permit on Lot I, the Property owner shall submit to the City a Physical Mine Hazards report and mitigation plan for mitigating any found Physical Mine Hazards. This shall be noted on Exhibit 1 of the Deer Valley MPD document.

(M) HISTORIC MINE WASTE MITIGATION. **Complies as conditioned.** Staff recommends a condition of approval that prior to issuance of a building permit on Lot I, the Property owner shall submit an Historic Mine Waste report and, if Historic Mine Waste is located on the site, a mitigation plan shall also be submitted compliant with the Park City Soils Boundary Ordinance requirements and regulations as described in the Park City Municipal Code. This shall be noted on Exhibit 1 of the Deer Valley MPD document.

Utilities

Public Utilities, Engineering Department, Snyderville Basin Water Reclamation District, Rocky Mountain Power, Questar, and the Park City Fire District have worked closely with the applicant on a revised utility plan to address existing and proposed water lines, sewer service, storm water, and dry utilities locations. A final utility plan was submitted with the subdivision plat amendment taking into consideration the utility coordination effort that has occurred over the past several months. Existing water and sewer lines will have to be relocated for the development; however this is the case whether the lots are combined into one lot or kept as separate lots. The associate plat amendment will provide new easements for existing and proposed utilities.

There is no increase in the overall density of the site and the build-out of the Deer Valley MPD was taken into consideration with the City's water utility master plan. These amendments do not create any additional UEs within the Master Planned Development. Normal utility fees are collected for any new units prior to building permit issuance.

Previous Amendments.

The first page of the proposed 12th Amended and Restated Large Scale Master Planned Development Permit outlines the origin of this Master Planned Development from the original September 27, 1977 Special Exception Permit to the last approved

11th Amended and Restated Large Scale Planned Development Permit or Deer Valley Master Planned Development (Deer Valley MPD) as is currently referred to.

Most recently, on June 28, 2006, the 9th Amended Deer Valley MPD was approved to transfer 1.75 UE from Snow Park to Silver Lake and 7 UE from Courcheval to the Lodges in the Snow Park vicinity. The Planning Commission ratified this approval on September 12, 2007. At that time, Deer Valley agreed not to transfer any more units from Snow Park up to the higher mountain areas. The current proposal is not a request to transfer density from lower Deer Valley at Snow Park to the upper Deer Valley Silver Lake Community parcels, but to transfer and combine units within the Silver Lake Community parcels under common ownership.

On August 12, 2009, the 10th Amended Deer Valley MPD was approved by the Planning Commission. The 10th amendment transferred commercial density from the undeveloped allocation for Silver Lake Community to the developed Royal Plaza condominiums (also located within the Silver Lake Community) to accommodate conversion of common and limited common area to private area for three of the units and to accurately reflect the approved plat and as- built density.

The most recent amendment to the Deer Valley MPD (the 11th Amendment) was approved by the Planning Commission on March 23, 2011, to align the as-built density (allowed unit equivalents (UEs)) of the Silver Baron Lodge with the density permitted by the MPD. The request transferred one (1.0) UE of residential density (2,000 sf) from undeveloped Snow Park Village to the existing Silver Baron Lodge located directly across Deer Valley Drive East from the future Snow Park Village site.

Proposed Amendments.

If approved, Exhibit 1 of the MPD will be amended to reflect the current request to combine Silver Lake Village Lots F, G, and H into a new Silver Lake Village Lot I and to transfer 0.4215 UE (843 sf) of residential density from Lot D to Lot I with no net change in total density allocated to Lots D, F, G, and H. Staff recommends footnotes should be added Exhibit 1 memorializing recommended conditions of approval of these amendments.

Exhibit 2 of the MPD will be amended to reflect the 12th Amended MPD in the title. Additional amendments to the text of the Deer Valley MPD reflect the change from the 11th Amendment to the 12th Amendment (see Exhibit A) and to include the revised dates.

Process

Approval of the MPD application by the Planning Commission constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review

This project has gone through an interdepartmental review. No further issues have been identified that are not discussed above or included in the conditions of approval.

Public Notice

On September 14, 2016, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record and Utah Public Notice website on September 10, 2016.

Alternatives

- The Planning Commission may approve the MPD amendment as presented or as amended; or
- The Planning Commission may deny the MPD amendment and direct staff to make findings of fact to support this decision; or
- The Planning Commission may continue the discussion to a date certain or uncertain and request additional information on specific items.

Significant Impacts

The proposed MPD amendments do not create negative fiscal impacts on the City. No environmental impacts result from the MPD amendments. The proposed amendments are administrative and there are no substantive changes to overall density or building height.

Consequences of not taking the Suggested Recommendation

The parcels can be developed individually with the density, heights, and setbacks as assigned per the DV MPD and subdivision plat.

Recommendation

Staff recommends the Planning Commission conduct a public hearing; consider public input; and review the draft findings of fact, conclusions of law, and conditions of approval. Staff recommends the Commission provide input to Staff and the applicant and continue final action to October 26, 2016.

Findings of Fact

1. The Deer Valley Master Planned Development was last amended by the Planning Commission on March 23, 2011, as the 11th Amended and Restated Large Scale Master Planned Development for Deer Valley (aka Deer Valley MPD).
2. On April 15, 2016, the City received an application requesting an amendment to the 11th Amended and Restated Large Scale Master Planned Development Permit for Deer Valley (aka Deer Valley MPD). The application was considered complete on July 18, 2016, upon final review of the utility issues associated with the MPD Lots D, F, G, and H addressed as 7570, 7520, 7530, and 7540 Royal Street East respectively.
3. Deer Valley MPD Silver Lake Community parcels known as Silver Lake Village Lots D, F, G and H are also lots of record platted with the Silver Lake Village No. 1 Subdivision recorded June 21, 1989 and the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision recorded

November 8, 2011.

4. This request, being the 12th amendment to the Deer Valley MPD, is being reviewed in conjunction with a Conditional Use Permit and an amended subdivision plat for the Goldener Hirsh Inn and Residences expansion onto the subject MPD Lots.
5. These MPD Lots are located within the Silver Lake Community of the Deer Valley Neighborhood.
6. The applicant requests a 12th amendment to the Deer Valley MPD to combine the Deer Valley MPD Silver Lake Village vacant Lots F, G, and H into one Lot I and to transfer 843 square feet of residential density (0.4215 unit equivalents (UE)) from Silver Lake Village Lot D (existing Goldener Hirsh Inn) to the new Deer Valley MPD Silver Lake Village Lot I, to accommodate access and circulation between the Goldener Hirsch Inn and the future Goldener Hirsch Residences proposed Parcel I.
7. Exhibits 1, 2 and 3 to the Deer Valley MPD show in table form the residential and commercial density allocated for the various Deer Valley parcels, as well as other MPD project components.
8. The requested amendments pertain only to the Silver Lake Community- Silver Lake Village Lots D, F, G, and H shown in Exhibit 1 to the Deer Valley MPD document. There are also administrative changes to page 1 and to Exhibits 2 and 3 to correct titles and dates to reflect the "Twelfth Amended and Restated Large Scale Master Planned Development Permit".
9. The requested amendment pertains only to the Silver Lake Community parcels (Lots D, F, G, and H). There are currently a total of 40 UEs of density allocated to these four parcels and the total density allocated to these parcels will not increase or decrease as a result of these amendments.
10. Goldener Hirsh Inn is in compliance with the allowed 6 UE of permitted density, based on a review of the approved building permit plans. There are 20 residential hotel units with a total of 11,104 square feet of residential area (5.55 UE).
11. The transfer of density from Lot D to proposed Lot I is within the Silver Lake Community and does not transfer density from lower Deer Valley to upper Deer Valley.
12. Common underground parking, a single access drive, consolidated utilities and emergency egress and fire protection, as well as interior pedestrian connections to the common plaza areas at Silver Lake Village, are beneficial site plan attributes made possible with this proposed MPD amendment.

Conclusions of Law

1. The 12th Amended Deer Valley MPD document and Exhibits comply with previous approvals and actions.
2. The 12th Amended Deer Valley MPD complies with all requirements of the Land Management Code regarding Master Planned Developments in Chapter 6.
3. The MPD, as amended, is consistent with the Park City General Plan. Development of resort residential properties with underground parking,

located at the base of the Deer Valley Resort is consistent with the purposes, goals and objectives of the Upper Deer Valley Resort Neighborhood.

4. The MPD, as amended, does not impact the provision of the highest value of open space, as determined by the Planning Commission. There are no changes to the amount of open space provided by the Deer Valley MPD.
5. The MPD, as amended, strengthens and enhances the resort character of Park City.
6. The MPD, as amended, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible. There are no changes to existing natural features and no existing significant vegetation on the subject development parcels.
7. The MPD, as amended, is Compatible in use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility. There are no changes to allowed density, exterior building setbacks, or building height. Surrounding buildings are of similar use, scale and mass.
8. The MPD provides amenities to the community and there is no net loss of community amenities with the proposed amendment.
9. The MPD, as amended, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed and no additional housing is required as the density is not increased.
10. The MPD, as amended, meets the provisions of the Sensitive Lands provisions of the Land Management Code. The Deer Valley MPD has been designed to place Development on the most Developable Land and least visually obtrusive portions of the Site. No Sensitive Lands are located on the subject property.
11. The MPD, as amended, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections. Shuttle service is provided by various hotels and inns within the MPD. Future development of Lot I will provide pedestrian circulation to the Silver Lake plaza and may also provide shuttle service for guests. The City transit system has a stop at the turn out in front of the Goldener Hirsh.
12. The MPD amendment was noticed and public hearings held in accordance with this Code.
13. The MPD amendment provides opportunities for incorporation of best planning practices for sustainable development, water conservation, and energy efficient design by allowing a common parking structure, internal circulation between building masses, consolidated utilities, pedestrian access to common plazas, and utilization of shuttle services and energy efficient building design and construction.
14. The MPD amendment as conditioned addresses Physical Mine Hazards and Historic Mine Waste mitigation in compliance with the Park City Soils Boundary Ordinance.

Conditions of Approval

1. Prior to issuance of a building permit on Silver Lake Village I, the property owner shall submit to the City a Physical Mine Hazards and Historic Mine

Waste report. If historic mine waste is located on the site, a mine waste mitigation plan shall also be submitted in compliance with the Park City Soils Boundary Ordinance requirements and regulations as described in the Park City Municipal Code. This shall be noted on Exhibit 1 of the final executed 12th Amended Deer Valley MPD document as a footnote for Lot I.

2. If a single building is proposed on combined Lot I, the building shall be designed to be broken into a minimum of three volumetric masses above final grade, exhibiting both horizontal and vertical articulation. Common underground parking is permitted. This shall be noted on Exhibit 1 of the final executed 12th Amended Deer Valley MPD document as a footnote for Lot I.
3. The final executed MPD document shall be recorded at Summit County within one year of the Planning Commission approval of the amendment or the approval shall be void unless a written request for an extension is submitted prior to expiration date and approved by the Planning Director.

Exhibits

Exhibit A- 12th Amended and Restated Large Scale Master Planned Development Permit (aka Deer Valley MPD), including Exhibits 1, 2, and 3 redlined per proposed amendments

Exhibit B- Applicant's letter

Exhibit C- 11th Amended and Restated Large Scale MPD and Exhibits

Exhibit D- Existing and proposed lot conditions

(See also related CUP and plat amendment reports for additional exhibits.)

**ELEVENTH-TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
March 23, 2011September 28, 2016**

WHEREAS, Royal Street Land Company, a Utah corporation ("Royal Street") heretofore submitted to the Planning Commission of Park City ("Commission") certain items with relation to a residential, commercial, and recreational development project known as Deer Valley / Lake Flat Area Development ("Project") which items were listed in the original Permit granted for the Project by Commission and are incorporated herein by reference; and

WHEREAS, Commission found that such items submitted by Royal Street complied with and satisfied all applicable requirements of the Park City Land Management Code as then in force, to permit the construction of the Project as a planned unit development pursuant to the planned unit development exception then contained in the Park City Land Management Code; and

WHEREAS, Commission heretofore issued to Royal Street a Special Exception Permit dated September 27, 1977, with relation to the Project, which Special Exception Permit was amended by an Amended Special Exception Permit dated June 27, 1979 issued to Royal Street and by a Second Amended and Restated Special Exception Permit dated January 27, 1982, a Third Amendment to Special Exception Permit dated May 17, 1984, a Fourth Amendment to Special Exception Permit dated February 21, 1985, a Fifth Amended and Restated Special Exception Permit dated December 23, 1986, a First Amendment to Fifth Amended and Restated Special Exception Permit dated November 29, 1989, a Second Amendment to Fifth Amended and Restated Special Exception Permit dated April 11, 1990, a Sixth Amended and Restated Special Exception Permit dated October 10, 1990, a Seventh Amended and Restated Large Scale Master Planned Development Permit dated April 14, 1993, an Eighth Amended and Restated Large Scale Master Planned Development Permit dated April 25, 2001, a Ninth Amended and Restated Large Scale Master Planned Development Permit dated June 28, 2006, ~~and a Tenth Amended and Restated Large Scale Master Planned Development Permit dated August 12, 2009,~~ and an Eleventh Amended and Restated Large Scale Master Planned Development Permit dated March 23, 2011, which were issued to Deer Valley Resort Company ("Permittee"), as assignee and successor to the rights of Royal Street under the Special Exception Permit; and

WHEREAS, Permittee and Commission desire to further amend and restate the Large Scale Master Planned Development Permit to reflect actions approved by the Commission with respect to the combination of vacant Deer Valley MPD Silver Lake Village Lots F, G, and H into one Lot I and to transfer 843 square feet of existing residential density (0.4215 unit equivalents (UE)) from Deer Valley MPD Silver Lake Village Lot D (existing Goldener Hirsh Inn) to the new Deer Valley MPD Silver Lake Village Lot I, to accommodate connection, access and circulation between the Goldener Hirsch Inn on Parcel D and the future Goldener Hirsch Residences proposed on Parcel I. transfer of one Residential Unit Equivalent from Snow Park Village Parcel covered by the Permit amendment to the Silver Baron Lodge parcel covered by the Permit (Silver Baron Lodge being a portion of the original Northeast Multi-Family site covered by the Permit) to bring said Silver Baron Lodge into compliance with the Permit.

WHEREAS, Permittee has requested modification to the Large Scale Master Planned Development Permit and Commission is willing to grant said modifications as herein set forth; and

WHEREAS, Commission finds that it is in the best interest of Park City and its citizens that Permittee be granted the right to construct and develop the Project as a Master Planned Development in accordance with the Park City Land Management Code passed and adopted December 22, 1983, effective January 1, 1984 as the same has been amended by Ordinance to the date hereof (herein designated the "Code") and in accordance with the Large Scale Master Planned Development Permit as amended and restated hereby.

NOW THEREFORE, the Large Scale Master Planned Development Permit is hereby amended and restated to authorize and grant the right, and Permittee is hereby authorized and granted the right, to develop and construct the Project, subject to Planning Commission approval of any required Conditional Use Permits for site specific development and City Council approval and recordation of any required subdivision plats, as outlined and detailed in this: (A) Eleventh-Twelfth Amended and Restated Large Scale Master Planned Development Permit ("Permit") including the Exhibits hereto and those documents and items submitted by Permittee as aforesaid, as a Master Planned Development pursuant to the Master Planned Development provisions contained in the Code; and, (B) the Agreement dated July 12, 1978, between Park City, as "City", and Royal Street, as "Royal Street", as amended by an Amendment to Agreement dated May 29, 1978, a Second Amendment to Agreement dated April 3, 1980, a Third Amendment to Agreement dated August 21, 1980, as amended and restated in its entirety by a Fourth Amendment and Restatement of Agreement, a Fifth Amendment to Agreement dated May 17, 1984, and a Sixth Amendment to Agreement dated February 21, 1985, and all subsequent amendments, which are all incorporated herein by reference and which Agreement as so amended is herein referred to as the "Agreement", and as such Agreement may hereafter be further amended from time to time. Park City is hereinafter referred to in this Permit as "City".

A. Densities. For purposes of determining densities in the Project:

(1) Insofar as the following portions of the Project are concerned, the authorized densities shall be as follows:

<u>Parcel Designation</u>	<u>Units</u>	<u>Authorized Dwelling</u>
Northwest Multi-Family (Fawn grove)		80
North Entrance Multi-Family (Pinnacle)		40
North Hillside Multi-Family (Pinnacle)		46
Southwest Multi-Family (Aspenwood)		30
Southwest Multi-Family (Courchevel)		13.5
Northwest Hillside Multi-Family (Daystar)		24
South Entrance Multi-Family (Stonebridge)		50
South Multi-Family (Lakeside)		60
West Multi-Family (Pine Inn and Trails End)		40
	Total	383.5

For purposes of determining densities on the parcels designated in this Subparagraph (1), a single family home or an apartment containing two bedrooms or more constituted a dwelling Unit, a one-bedroom apartment constituted one-half of a dwelling Unit, and a hotel room or lodge room constituted one-half of a dwelling Unit. The parcels in this subparagraph have all been developed as of the date hereof.

(2) Insofar as all portions of the Project other than the nine parcels containing 383.5 dwelling Units identified in Subparagraph A. (1) above are concerned, an apartment Unit containing one bedroom or more shall constitute a dwelling Unit and a hotel room or lodge room shall constitute one-half of a dwelling Unit.

(3) If approved in advance by Commission and Permittee, the owner of any development parcel in the Project shall have the right to have the densities permitted on said development parcel calculated in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) or in accordance with the Unit Equivalent formula contained in Section 10.12 of the Code, as said Unit Equivalent formula may from time to time be amended or modified. In the event of election of an owner to utilize said Unit Equivalent formula and approval thereof by Commission and Permittee, the maximum number of Unit Equivalents which may be contained in the structures built upon said development parcel shall not exceed the permitted number of dwelling Units to be constructed thereon determined in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) and the number of Unit Equivalents as constructed on said development parcel shall for all purposes hereof be deemed the number of units constructed thereon. Approval of use of the Unit Equivalent formula by Commission and Permittee shall not, and cannot, alter or release any private land use covenants between the owner and Deer Valley, or others, concerning development of the property or the density permitted thereon.

(4) Insofar as the following portions of the Project are concerned, the authorized densities, permitted on the development parcels are required to be calculated in accordance with the Unit Equivalent Formula contained in Section 10.12 of the Code as said Unit Equivalent formula may from time to time be amended or modified:

Residential Unit <u>Parcel Designation</u>	Authorized Number	of
	<u>Equivalents</u>	
Snow Park Village	209.75	
Total	209.75	

B. Unit Size. Except for units with relation to which the owner elected or elects to or is required to utilize the Unit Equivalent formula, there shall be no size limitation for Units constructed on any parcel provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations.

C. Development Parcel Designations. Development parcel designations, prescribed densities, parcel sizes, building height limitations (the height limitation for each parcel will be determined by reference to the Code in effect at time of application for approval of the development of the parcel) and the status of development of the parcels as of the date hereof are reflected on Exhibit 1. Permittee shall have the right to develop a total of 2,110 residential Units (exclusive of employee housing Units) within the Project. Permittee shall have the right to develop 209.75 Unit Equivalents within the Snow Park Village, subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the following:

(1) **Conditional Use Review.** Prior to the sale by Permittee of the Snow Park Village, Permittee shall submit a site-specific plan with relation to such parcel to the Commission requesting approval for construction on the parcel. In addition, the Permittee shall request the establishment of building site conditions with relation to the parcel. Accordingly, Permittee or persons acting on its behalf shall file with the Community Development Department of City a completed application form supported by the information set forth in Section 15-6 of the Code, as the same may be amended from time to time. The procedure for the approval or disapproval of any site-specific plan shall be based upon the provisions of this Permit and the conditional use criteria of the Code in effect on the date of application. Components of the Project, other than land development parcels, are listed on Exhibits 2 and 3.

D. Subdivision of Development Parcels. Prior to the sale of any individual lots on any parcel listed on Exhibit 1 developed for residential use as a "subdivision" as defined by the City subdivision ordinance and state statute, the party electing to establish a subdivision on said parcel shall comply with all applicable provisions of the City subdivision ordinance in effect at the time of application. The procedure for the approval or disapproval of any subdivision application shall be based upon the procedure provided in the City subdivision ordinance in effect at the time of application.

Prior to the filing of a record of survey map and declaration of condominium to establish a condominium on any parcel listed on Exhibit 1, the party electing to establish a condominium shall comply with all applicable provisions of any City condominium ordinance in effect at the time of application. The procedure for the approval or disapproval of any condominium shall be based upon the Utah Code and any City condominium ordinance in effect at the time of application.

E. Applicability of Sensitive Area Overlay Zone. For projects within the Deer Valley Large Scale Master Planned Development, the density limitations of the Sensitive Area Overlay Zone do not apply because Master Planned Developments approved prior to the adoption of the Sensitive Area Overlay Zone are vested in terms of density. Site planning standards can be applied only to the extent that they do not unequivocally reduce vested density. Limits of disturbance, vegetation protection, and building design standards do apply.

F. Relationship to National Standards. The provisions of the Code and any other applicable zoning and development ordinances including national standards with respect to engineering or building requirements as adopted by City, in effect in City on the date hereof, shall govern the development within the Project, except as otherwise provided herein.

G. Off-Street Parking. Parking required with relation to each portion of the Project shall be based upon Code as in effect at the time application for a building permit for such portion of

the Project as is filed with City. For purposes of calculating required parking, the Project shall be deemed to be zoned Residential Development District (RD) Master Planned Developments (MPD). Parking for each separate development parcel in the Project shall be determined in accordance with the Code at the time of application for Conditional Use approval. Any additional parking shall not encroach into zoned open space.

If the capacity of the surface parking lots in the Snow Park Community is exceeded on 10% or more of the days during any single ski season the need for constructing additional parking in said area shall be reviewed by the Commission.

H. Commercial Space, Support Commercial, and Meeting Space. Exhibit 2 hereto lists commercial and support space allotted to the Project. The General Snow Park Commercial category is restricted in utilization within the Project to the following parcels in the Snow Park area:

- Pine Inn Multi-Family Parcel
- Snow Park Lodge Multi-Family Parcel (Black Diamond Lodge)
- Snow Park Village (Combination of Snow Park Hotel Parcel and Snow Park Parking Area Parcel)
- Snow Park Day Center Parcel

Utilization of portions of the General Snow Park Commercial category within any of the above listed parcels is subject to the specific approval of both Permittee and Commission.

In addition to the Exhibit 2 Commercial Space permitted in the Project, Support Commercial shall be permitted and used as defined in the Code, as amended, at the time of application.

I. Employee Housing. Permittee has been required to cause the development of 112 employee (affordable) housing units pursuant to prior editions of this Permit. Prior to the date of this Permit, Permittee has developed or caused to be developed units qualifying under the low and moderate income housing exception of the Code as follows:

<u>Project Location</u>	<u>Number of Qualifying Units</u>
A. Units in Deer Valley:	
Little Belle Manager Unit	1
Stag Lodge Manager Unit	1
Sterlingwood Manager Unit	1
Bald Eagle Caretaker Units	2
Mt. Cervin Manager Unit	1
Deer Valley Club Manager Unit	1
B. Units Other Than in Deer Valley:	
Parkside Apartments	42
Fireside Apartments / Condos	42
Washington Mill Apts.	8
Peace House	3
Aspen Villas / Silver Meadows (Participation)	9

Fawn grove Employee Unit

1

Total

112

Deer Valley shall be obligated to comply with all applicable ordinances of City relating to the creation and construction of employee housing, including ordinances that are adopted after the date of this Permit. Deer Valley will be given credit for the previously developed units identified above when computing the employee housing obligation under applicable ordinances. The City acknowledges full satisfaction of Deer Valley's current obligation in the Employee Housing Agreement dated October 6, 1995 executed in conjunction with Deer Valley's contribution to the Silver Meadows project. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing employee / affordable housing units built by Deer Valley or persons acting on its behalf exceeds the number of units required by the new ordinance, credit shall be given against the ordinance imposed obligation, but in no event shall City be obligated to reimburse Deer Valley for any excess, or to permit the assignment of the excess to other parties with a similar employee housing requirement. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing units built by Deer Valley or those acting on its behalf falls short of the newly imposed ratio of employee units to conventional units, Deer Valley agrees to be bound by the provisions of the newly adopted ordinance; provided, however, that the new ordinance shall apply only to those Units on which site specific approval is granted after the adoption of the employee / affordable housing ordinance.

J. Technical Reports. Permittee shall submit updated technical reports with regard to traffic monitoring, water systems, and sewer systems for review by Commission as significant changes occur in those systems and as needed for specific project review as required by the Community Development Director and Public Works Director prior to density approval.

K. Public Use of Ski Facilities. Use of all ski facilities shall be open to the general public and shall not be restricted to owners of property located in Deer Valley or to members of any private club. Furthermore, all charges, fees and costs paid by the general public for the use of such facilities shall not exceed the charges, fees and costs paid by owners of property located in Deer Valley.

L. Trails. There are 4 types of trails in Deer Valley:

- (1) Bicycle paths located within street rights-of-way;
- (2) Pedestrian paths connecting parcels together within a community;
- (3) Connecting paths connecting communities together; and
- (4) Hiking trails to provide access to the mountain.

Bicycle paths shall be located within street rights-of-way dedicated to City and shall be operated and maintained by City as shown on the Deer Valley Trails Master Plan and the City Trails Master Plan.

Pedestrian paths shall be hard surfaced, a minimum of five feet wide, a maximum of six feet wide and built to public sidewalk specifications. These paths shall connect development

parcels together and connect development parcels to commercial nodes. At the time of conditional use approval of a particular development parcel, the developer of said parcel shall provide a pedestrian path across said parcel connecting to the paths on the adjoining parcels. The location of these paths shall be determined by the parcel developer and by City staff with the Deer Valley Trails Master Plan used as a guide. The locations shall be modified as necessary to take into consideration topography and existing trails, and shall tie into the bus system which serves Deer Valley. These paths shall form a year-round system. Maintenance shall be the responsibility of the parcel owner. A 10 to 15 foot wide easement (easement size shall be determined at the time of site specific conditional use approval) for each pedestrian path shall be dedicated to City and is required to be shown on the recorded plat for the applicable development parcel.

It is recognized by the parties that the property within the Deer Valley Resort is private property. Public access to ski runs is at the discretion of Permittee. Summer public access and non-destructive summer use which includes casual hiking on ski runs shall be allowed by Permittee subject to reasonable rules and regulations.

In the event that City in its sole discretion determines that City should hold any easements for hiking, City shall make a request that an easement be granted for any or all of the hiking trails that City desires to hold within or adjacent to ski runs shown on the Trails Master Plan. In the event that City obtains a formal agreement, City agrees to maintain such hiking trails, and Permittee will provide legal descriptions, signage and grant to City an easement (minimum of 10 feet to maximum of 15 feet wide) to maintain such hiking trails without hard surface and without winter maintenance. If City desires to upgrade the hiking trails beyond that which currently exists, City agrees to bear the cost of those improvements. The Trails Master Plan shall serve as a general guide in determining the final location of said hiking trails. In the event City obtains and holds formal easements for hiking trails, City shall indemnify and hold Permittee and its successors and assigns harmless from and against any loss, damage, injury or responsibility with relation to any such trail and any claims, demands or causes of action from any person resulting from injuries sustained while utilizing any hiking trails for which City has obtained and holds easements. Said public easement shall also be subject to such additional reasonable rules and regulations as Permittee deems appropriate to eliminate possible interference with the operation and maintenance of the ski resort, or in the interest of safety or security.

M. Open Space. With the exception of those parcels identified on Exhibit 1 and those areas and items listed on Exhibit 2 as "commercial and support space", all remaining property in the Project is hereby designated "landscaped open space" as that term is defined in the Code as presently in effect and shall remain substantially free from structures, roads and parking lots except as otherwise approved by City or permitted by the Code as presently in effect. The "landscaped open space" shall be maintained and operated by Permittee at Permittee's sole cost and expense.

N. Fire Considerations. All buildings or structures located within the Bald Eagle, Silver Lake, and North Silver Lake Communities shall be fire sprinkled in accordance with UBC 38-1-82.

O. Water Improvements .Permittee agrees that, as a condition of and concurrently with issuance to Permittee of a building permit for the construction of any buildings or structures comprising a portion of the Project, Permittee shall be obligated to agree in writing to construct

and convey to City storage facilities, pumping facilities, and transmission lines, as agreed upon and approved by the Public Works Director and City Engineer at the time of issuance of said building permit, to the extent necessary to store and transmit culinary water, irrigation water, and water for fire flows to the buildings and structures covered by the building permit and to connect the same to the water system of City, and shall evidence to the satisfaction of City the ability of Permittee to comply with such agreements.

Permittee agrees that completion of the action required by this Section O with relation to any building or structure included in the Project shall be deemed a condition precedent to the right to occupy and utilize the building or structure. Commission and Permittee agree that the general level of water facilities construction for the Project required by this Section O has been heretofore accomplished by Permittee.

The existing agreement relating to water rights and water facilities for Deer Valley development entered into November 17, 1988 between Permittee as "DVRC", Royal Street as "Royal Street", and City as "Park City" and the Deer Valley Water Facilities Improvement Agreement dated March 31, 1994 between City, Royal Street and Permittee (as "DVRC") and the Amendment to the 1994 Deer Valley Water Facilities Improvement Agreement dated May 12, 2006 between City as "Park City", Royal Street and Permittee (as "DVRC") are made a part of this Permit by reference.

P. Sewer Considerations .Although City has no responsibility for sewer approvals; the Snyderville Basin Sewer Improvement District has indicated the following with respect to sewerage in Deer Valley: Projected flow calculations are based on average wastewater flow from residential units and make no distinction regarding size. In other words, the Sewer District does not follow the "unit equivalent" concept as does City.

The Sewer District has previously reviewed both the Upper and Lower Deer Valley sewer systems and made the following comments: Upper System (American Flag / Silver Lake Community) - There are two sections of sewer within the American Flag Subdivision that limit upstream, new growth to approximately 325 additional residential units. There are several sections with only slightly greater capacity. This concern or limitation was eliminated by construction of a new sewer trunk line from Royal Street through the Westview Parcel in 1988. Lower System (Solamere, Queen Esther, Fawn grove) - A portion of the trunk sewer serving this area was replaced in 1985 to provide greater capacity for Hanover and Park Con projects as well as Deer Valley's. These three developers executed an agreement with the District which identified their anticipated development and the percentage of the cost they would fund to "reserve" capacity in the sewer system. Of the present sewer capacity of approximately 1385 units, Deer Valley has approximately 200 units available for future development. However, there are downstream sections of sewer that have less capacity than the new Deer Valley North Road sewer. This problem will be pursued with the developers as necessary.

Q. Separability. If any provision or provisions of this Permit shall be held or deemed to be, or shall, in fact, be illegal, inoperative, or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent, whatsoever.

R. Term of Permit. The term of this Permit is governed by the Twenty-Ninth Edition of the Land Management Code of Park City as revised as of April 1, 1993.

| Approved this ~~23-28~~ day of ~~September~~ ~~March~~, ~~2011~~ ~~2016~~.

PARK CITY PLANNING COMMISSION

By _____

Chairman

**DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS**

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
DEER VALLEY COMMUNITY					
Stonebridge & Boulder Creek Multi-Family	50	54	1	28	10.23
Aspenwood Multi-Family	30	30		28	9.21
Pine Inn & Trails End Multi-Family	40	45	1	35	8.52
In The Trees (South Multi-Family) Multi-Family	14	14		28-45	2.87
Black Diamond Lodge (Snow Park Lodge Multi-Family)	29	27		28-75	5.70
Courcheval Multi-Family	13.5	27	1	35	1.82
Daystar Multi-Family	24	24		28	9.84
Fawngrove Multi-Family	50	50		28	12.05
Chateaux Fawngrove Multi-Family	10.5	11	2	28	Incl
Bristlecone Multi-Family	20	20		28	Incl
Lakeside Multi-Family	60	60		28	6.49
Solamere Single Family (includes Oaks, Royal Oaks & Hidden Oaks)	274	274		28	237.81
Pinnacle Multi-Family	86	86		28	36.80
Comstock Lodge (East Bench Multi-Family)	10.5	21	1	35	3.50
Red Stag Lodge	8.5	11	1	35	Incl
Powder Run Multi-Family	25	33	1	35	3.20
Wildflower (Deer Valley North Lot 1 Multi-Family)	11	14	1	28	1.04
Glenfiddich (Deer Valley North Lot 2 Multi-Family)	12	12		28	1.45
Chapparal (Deer Valley North Lot 3 Multi-Family)	15	20	1	28	1.44
Northeast Multi-Family:					12.65
Lodges @ Deer Valley	73.25	85	3	28-35	
Silver Baron Lodge	42.75	50	12	28-35	
Snow Park Village (Snow Park Hotel & Parking Sites)	209.75	0	4	28-45	14.93
Total Deer Valley Community	1108.75				
AMERICAN FLAG COMMUNITY					
American Flag Single Family	93	93		28	83.04
LaMaconnerie Multi-Family	15	15		28	6.19
Total American Flag Community	108				
NORTH SILVER LAKE COMMUNITY					
Westview Single Family	15	1		28	40.69
Evergreen Single Family	36	36		28	27.60
NSL Homesite Parcel #1	1	1		35	1.90
Belleterre Single Family	10	10		28	11.42
Bellevue Townhomes (NSL Subdivision Lot 1)	24	14	10	28	4.62
Belmont Townhomes (NSL Subdivision Lots 2A and 2A-1)	18	12	10	28	3.75
NSL Subdivision Lot 2B	54	0		45	5.96
BelleArbor Townhomes (NSL Subdivision Lot 2C)	43	21	10	28-35	8.25
NSL Subdivision Lot 2D Open Space Lot	0	0	5	0	4.03
Total North Silver Lake Community	201				
SILVER LAKE COMMUNITY					
Stag Lodge Multi-Family	50	52	6	28-35	7.34
Cache Multi-Family	12	12		28	1.77
Sterlingwood Multi-Family	18	18		28-35	2.48
Deer Valley Club	20	30	1	28-45	1.53
Double Eagle (SL East Parcel 2 Multi-Family)	18	18		28-35	2.26
Stein Eriksen Lodge Multi-Family	66.75	65	11	28-35	10.86
Little Belle Multi-Family	20	20		28	3.66
Chateaux At Silver Lake Lot 23 Deer Valley Club Estates Subdivision)	65	78	1	28-45	3.24
Sterling Lodge (Lot 2 Silver Lake East Subdivision)	14	14		28-45	0.61
Royal Plaza Multi-Family (Silver Lake Village Lot A)	7.6215	13	1	59 (A)	0.48
Mt. Cervin Plaza Multi-Family (Silver Lake Village Lot B)	7.5	7		59 (A)	0.54
Inn at Silver Lake (Silver Lake Village Lot C)	10	8		59 (A)	0.50
Goldener Hirsch Inn (Silver Lake Village Lot D)	5.5785	20	1	59 (A)	0.35
Mt Cervin Multi-Family (Silver Lake Village Lot E)	18	15		59 (A)	0.53
Silver Lake Village Lot F	0	0		59 (A)	0.35
Silver Lake Village Lot G	0	0		59 (A)	0.38
Silver Lake Village Lot H	0	0		59 (A)	0.44
Silver Lake Village Lot I (combination of Silver Lake Village lots F, G, H)	34.4215	0	13,14,15	59 (A)	1.17
SL Knoll Condominiums	4	4		35	0.76
Knoll Estates Single Family	21	21		35	9.90
Black Bear Lodge (Lot 22 Deer Valley Club Estates Subdivision)	51	51		35	1.39
Knollheim Single Family	20	5	7	35	1.84
Alpen Rose Single Family	2	2		35	0.66
Silverbird Multi-Family	6	6		35	0.80
Ridge Multi-Family	24	24		35	2.34
Enclave Multi-Family	17	17		28-35	1.79
Planning Commission Cottages Single Family	8	8		28-35	Page
	11	11		28	7.06

**DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS**

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
Alta Vista Subdivision	7	7		35	6.02
Woods Multi-Family	16	7	8	28-35	2.41
Trailside Multi-Family	9	9		28-35	1.46
Aspen Hollow Multi-Family	16	16		28-35	3.18
Ridgepoint Multi-Family	38	38		28-35	5.60
Total Silver Lake Community	614.8715				
BALD EAGLE COMMUNITY					
Bald Eagle Single Family	78	58	9	28	35.65
Total Bald Eagle Community	78				
TOTAL CONVENTIONAL UNITS					
	2110.6215				
EMPLOYEE HOUSING UNITS					
Little Belle	1				
Stag Lodge	1				
Sterlingwood	1				
Bald Eagle	2				
Mt. Cervin	1				
Deer Valley Club	1				
TOTAL EMPLOYEE HOUSING UNITS	7				

NOTES:

1. These projects have been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density than base permitted density.
2. One small unit was separately permitted in this project using .5 unit of density.
3. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (85) than base permitted density (73.25).
4. This parcel is required to use the Unit Equivalent Formula contained in Section 10.12 of the Code.
5. This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B.
6. Two additional units were permitted in this project on land that was not a part of the Deer Valley MPD.
7. This parcel was originally permitted as 20 MF units but subsequently developed as 5 single family homesites.
8. This parcel was permitted as 16 units. Subsequently 9 of the unit development rights were acquired by the homeowners and dedicated as open space.
9. This parcel was originally permitted as a combination of single family and multi-family. The multi-family uses were converted to single family with a density reduction from 78 to 58 units.
10. The development density on these parcels is less than the original permitted density at the election of the developer.
11. The transfer of 1.75 Unit Equivalents to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on June 28, 2006.
12. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (50) than base permitted density (42.75). The transfer of 1 Unit Equivalent to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on March 23, 2011.
13. Prior to issuance of a building permit on Lot I, the Property owner shall submit an Historic Mine Waste report.
If Historic Mine Waste is located on the site, a mitigation plan shall also be submitted compliant with the Park City Soils Boundary Ordinance.
14. Building on Lot I shall be designed to be broken into a minimum of three volumetric masses above final grade, exhibiting both horizontal and vertical articulation. Common underground parking is permitted.
15. The transfer of 0.4215 UE from Lot D to Lot I was approved by Planning Commission on Sept 28, 2016.

A. Lots in the Silver Lake Village Subdivision have a development height limitation tied to a base elevation of 8122' with peak of roof not to exceed elevation 8188'.

DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
 LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
 EXHIBIT 2
 COMMERCIAL AND SUPPORT SPACE

LOCATION	RETAIL	RESTAURANT (3)	COMM'L OFFICES	ADMIN., SUPPORT & OTHER	TOTAL	TRANSFER TO	
						RESIDENTIAL DEVELOPED	REMAINING
SNOW PARK LODGE	13807	26958		85578	126343	126343	0
SNOW PARK TICKET SALES BUILDING				5112	5112	5112	0
SNOW PARK PLAZA BUILDING	3100		16000	4180	23280	23280	0
GENERAL SNOW PARK COMMERCIAL (1)	21890				21890	0	21890
SILVER LAKE LODGE	1200	29180		15790	46150	46150	0
EMPIRE LODGE (4)		22456		12544	35000	30453	4547
SILVER LAKE COMMUNITY (2)	27962		4265	12938	45165	1243	31954
NORTH SILVER LAKE COMMUNITY	8000			6525	14525	0	14525
MAINTENANCE, WHSE, & SHOPS				31724	31724	31724	0
TOTAL	75959	78574	20265	174391	349189	295016	52930

NOTES:

(1) General Snow Park Commercial may only be utilized on certain parcels with approval of Commission and Permittee. 18110 square feet of General Snow Park Commercial has previously been allocated to and is included in totals for Snow Park Lodge.

(2) 10125 square feet of Silver Lake Community commercial has previously been allocated to and is included in totals for Silver Lake Lodge (1994 Silver Lake Lodge expansion 6990 sf and 1998 Silver Lake Lodge expansion 3135 sf).

Remainder of Silver Lake Community commercial consists of:

Developed Space:

Royal Plaza	14312
Mt. Cervin Plaza	8080
Goldener Hirsch Inn	2062
Chateaux at Silver Lake	7500
Total	31954

Transferred to Royal Plaza Residential

	1243
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Allocated but Undeveloped Space:

Silver Lake Village Lot C	7000
Remainder Unallocated	4968
Total	45165

(3) Includes kitchen, receiving and storage.

(4) Maximum size of Empire Lodge is 35000 sf of which 30453 sf has been developed.

DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 3
OTHER PROJECT COMPONENTS

ITEM	WITHIN PARK CITY	OUTSIDE PARK CITY
SKI AREA (1)		
CHAIRLIFTS	15	5
GONDOLA		1
SKI TRAILS AND BOWLS	63	34
SNOWMAKING	X	X
SKI PATROL / UTILITY STATIONS:		
BALD EAGLE MTN.	X	
BALD MTN.	X	
FLAGSTAFF MTN.	X	
LITTLE BALDY		X
JORDANELLE BASE		X
EMPIRE CANYON	X	
AMENITIES		
SNOW PARK LAKES & MEADOWS	X	
SNOW PARK PARKING LOTS	X	
PEDESTRIAN TRAIL SYSTEM	X	X
MOUNTAIN BIKING TRAILS SYSTEM	X	X
SOLAMERE SWIM & TENNIS FACILITY	X	
SNOWSHOE TOMMYS CABIN	X	
CUSHINGS CABIN	X	
BIRDSEYE CABIN	X	
JORDANELLE BASE		X
SNOW PARK CONCERT AMPHITHEATRE	X	

(1) ADDITIONAL SKI AREA FACILITIES AS DEMAND DICTATES, SUBJECT TO PROVISIONS OF PARK CITY LAND MANAGEMENT CODE AND OTHER APPLICABLE JURISDICTIONS.

April 15, 2016

Kirsten Whetstone
 Senior Planner
 445 Marsac Avenue
 Park City Municipal Corporation
 Park City, UT 84060

Kirsten,

Please accept this schedule illustrating Deer Valley's MPD application to combine Lot F,G and H, and density transfer of 843 sq ft from Lot D illustrated in the Eleventh Amended and Restated Deer Valley Master Planned Development Permit Exhibit 1.

Please refer to our CUP application PL-15-02966 and PL-15-02967 for any additional details.

We are requesting to change Page 1 of Exhibit 1 of the Amended and Restated Deer Valley Master Planned Development Permit dated March 23, 2011 language on Line 56, 57 and 58

FROM;
SILVER LAKE COMMUNITY

.....

Goldener Hirsch Inn (Silver Lake Village Lot D)	6	20	59(A)	.35
Silver Lake Village Lot F	11	0	59(A)	.35
Silver Lake Village Lot G	11	0	59(A)	.38
Silver Lake Village Lot H	12	0	59(A)	.44
Total Existing	40			

TO;
SILVER LAKE COMMUNITY

.....

Silver Lake Village Lot I	34.4215	68	59(A)	1.17
Goldener Hirsch Inn (Silver Lake Village Lot D)	5.5785	18	59(A)	.351
Total Proposed	40			

Respectfully Yours,



Christopher M. Conabee
 Principal, Utah Development and Construction



cc: C. Hope Eccles, Manager, EccKids, LLC; Steven J. Issowits, Director of Real Estate and Resort Planning

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until a Project Planner has reviewed the application and has notified me that it has been deemed complete.

I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review three days prior to any public hearings or public meetings. This report will be on file and available at the Planning Department in the Marsac Building.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant: *Steve Issowitz*

Name of Applicant: Steve Issowitz

Mailing Address: Deer Valley Resort, PO Box 1000, Park City UT 84060

Phone: (435) 645-2630 Fax: _____

Email: steve@deervalley.com

Type of Application: BVR-MPD Amendment, as prepared by Utah Development and Construction

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action. I further affirm that I am aware of the City policy that no application will be accepted nor work performed for properties that are tax delinquent.

Name of Owner: Deer Valley c/o Steve Issowitz

Mailing Address: PO Box 1000
Park City, UT 84060

Street Address/ Legal Description of Subject Property:
7520, 7530, 7540 and 7570 Royal Street

Signature: *Steve Issowitz* Date: April 26, 2016

Steven Issowitz, For Deer Valley Resort Company

1. If you are not the fee owner attach a copy of your authorization to pursue this action provided by the fee owner.
2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership
4. If a Home Owner's Association is the applicant than the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CCRs.

Please note that this affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to Final Action.

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.



**ELEVENTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
MARCH 23, 2011**

WHEREAS, Royal Street Land Company, a Utah corporation ("Royal Street") heretofore submitted to the Planning Commission of Park City ("Commission") certain items with relation to a residential, commercial, and recreational development project known as Deer Valley / Lake Flat Area Development ("Project") which items were listed in the original Permit granted for the Project by Commission and are incorporated herein by reference; and

WHEREAS, Commission found that such items submitted by Royal Street complied with and satisfied all applicable requirements of the Park City Land Management Code as then in force, to permit the construction of the Project as a planned unit development pursuant to the planned unit development exception then contained in the Park City Land Management Code; and

WHEREAS, Commission heretofore issued to Royal Street a Special Exception Permit dated September 27, 1977, with relation to the Project, which Special Exception Permit was amended by an Amended Special Exception Permit dated June 27, 1979 issued to Royal Street and by a Second Amended and Restated Special Exception Permit dated January 27, 1982, a Third Amendment to Special Exception Permit dated May 17, 1984, a Fourth Amendment to Special Exception Permit dated February 21, 1985, a Fifth Amended and Restated Special Exception Permit dated December 23, 1986, a First Amendment to Fifth Amended and Restated Special Exception Permit dated November 29, 1989, a Second Amendment to Fifth Amended and Restated Special Exception Permit dated April 11, 1990, a Sixth Amended and Restated Special Exception Permit dated October 10, 1990, a Seventh Amended and Restated Large Scale Master Planned Development Permit dated April 14, 1993, an Eighth Amended and Restated Large Scale Master Planned Development Permit dated April 25, 2001, a Ninth Amended and Restated Large Scale Master Planned Development Permit dated June 28, 2006, and a Tenth Amended and Restated Large Scale Master Planned Development Permit dated August 12, 2009, which were issued to Deer Valley Resort Company ("Permittee"), as assignee and successor to the rights of Royal Street under the Special Exception Permit; and

WHEREAS, Permittee and Commission desire to further amend and restate the Large Scale Master Planned Development Permit to reflect actions approved by the Commission with respect to the transfer of one Residential Unit Equivalent from the Snow Park Village Parcel covered by the Permit amendment to the Silver Baron Lodge parcel covered by the Permit (Silver Baron Lodge being a portion of the original Northeast Multi-Family site covered by the Permit) to bring said Silver Baron Lodge into compliance with the Permit.

WHEREAS, Permittee has requested modification to the Large Scale Master Planned Development Permit and Commission is willing to grant said modification as herein set forth; and

WHEREAS, Commission finds that it is in the best interest of Park City and its citizens that Permittee be granted the right to construct and develop the Project as a Master Planned Development in accordance with the Park City Land Management Code passed and adopted December 22, 1983, effective January 1, 1984 as the same has been amended by Ordinance to the date hereof (herein designated the "Code") and in accordance with the Large Scale Master Planned Development Permit as amended and restated hereby.

NOW THEREFORE, the Large Scale Master Planned Development Permit is hereby amended and restated to authorize and grant the right, and Permittee is hereby authorized and granted the right, to develop and construct the Project as outlined and detailed in this: (A) Eleventh Amended and Restated Large Scale Master Planned Development Permit ("Permit") including the Exhibits hereto and those documents and items submitted by Permittee as aforesaid, as a Master Planned Development pursuant to the Master Planned Development provisions contained in the Code; and, (B) the Agreement dated July 12, 1978 between Park City, as "City", and Royal Street, as "Royal Street", as

amended by an Amendment to Agreement dated May 29, 1978, a Second Amendment to Agreement dated April 3, 1980, a Third Amendment to Agreement dated August 21, 1980, as amended and restated in its entirety by a Fourth Amendment and Restatement of Agreement, a Fifth Amendment to Agreement dated May 17, 1984, and a Sixth Amendment to Agreement dated February 21, 1985, which are all incorporated herein by reference and which Agreement as so amended is herein referred to as the "Agreement", and as such Agreement may hereafter be further amended from time to time. Park City is hereinafter referred to in this Permit as "City".

A. Densities. For purposes of determining densities in the Project:

(1) Insofar as the following portions of the Project are concerned, the authorized densities shall be as follows:

<u>Parcel Designation</u>	Units	Authorized Dwelling
Northwest Multi-Family (Fawn grove)		80
North Entrance Multi-Family (Pinnacle)		40
North Hillside Multi-Family (Pinnacle)		46
Southwest Multi-Family (Aspenwood)		30
Southwest Multi-Family (Courchevel)		13.5
Northwest Hillside Multi-Family (Daystar)		24
South Entrance Multi-Family (Stonebridge)		50
South Multi-Family (Lakeside)		60
West Multi-Family (Pine Inn and Trails End)		40
Total		383.5

For purposes of determining densities on the parcels designated in this Subparagraph (1), a single family home or an apartment containing two bedrooms or more constituted a dwelling Unit, a one-bedroom apartment constituted one-half of a dwelling Unit, and a hotel room or lodge room constituted one-half of a dwelling Unit. The parcels in this subparagraph have all been developed as of the date hereof.

(2) Insofar as all portions of the Project other than the nine parcels containing 383.5 dwelling Units identified in Subparagraph A. (1) above are concerned, an apartment Unit containing one bedroom or more shall constitute a dwelling Unit and a hotel room or lodge room shall constitute one-half of a dwelling Unit.

(3) If approved in advance by Commission and Permittee, the owner of any development parcel in the Project shall have the right to have the densities permitted on said development parcel calculated in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) or in accordance with the Unit Equivalent formula contained in Section 10.12 of the Code, as said Unit Equivalent formula may from time to time be amended or modified. In the event of election of an owner to utilize said Unit Equivalent formula and approval thereof by Commission and Permittee, the maximum number of Unit Equivalents which may be contained in the structures built upon said development parcel shall not exceed the permitted number of dwelling Units to be constructed thereon determined in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) and the number of Unit Equivalents as constructed on said development parcel shall for all purposes hereof be deemed the number of units constructed thereon. Approval of use of the Unit Equivalent formula by

Commission and Permittee shall not, and cannot, alter or release any private land use covenants between the owner and Deer Valley, or others, concerning development of the property or the density permitted thereon.

(4) Insofar as the following portions of the Project are concerned, the authorized densities permitted on the development parcels are required to be calculated in accordance with the Unit Equivalent Formula contained in Section 10.12 of the Code as said Unit Equivalent formula may from time to time be amended or modified:

<u>Parcel Designation</u>	<u>Authorized Number of Residential Unit Equivalents</u>
Snow Park Village	209.75
Total	209.75

B. Unit Size. Except for units with relation to which the owner elected or elects to or is required to utilize the Unit Equivalent formula, there shall be no size limitation for Units constructed on any parcel provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations.

C. Development Parcel Designations. Development parcel designations, prescribed densities, parcel sizes, building height limitations (the height limitation for each parcel will be determined by reference to the Code in effect at time of application for approval of the development of the parcel) and the status of development of the parcels as of the date hereof are reflected on Exhibit 1. Permittee shall have the right to develop a total of 2,110 residential Units (exclusive of employee housing Units) within the Project. Permittee shall have the right to develop 209.75 Unit Equivalents within the Snow Park Village, subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the following:

(1) **Conditional Use Review.** Prior to the sale by Permittee of the Snow Park Village, Permittee shall submit a site-specific plan with relation to such parcel to the Commission requesting approval for construction on the parcel. In addition, the Permittee shall request the establishment of building site conditions with relation to the parcel. Accordingly, Permittee or persons acting on its behalf shall file with the Community Development Department of City a completed application form supported by the information set forth in Section 15-6 of the Code, as the same may be amended from time to time. The procedure for the approval or disapproval of any site-specific plan shall be based upon the provisions of this Permit and the conditional use criteria of the Code in effect on the date of application. Components of the Project, other than land development parcels, are listed on Exhibits 2 and 3.

D. Subdivision of Development Parcels. Prior to the sale of any individual lots on any parcel listed on Exhibit 1 developed for residential use as a "subdivision" as defined by the City subdivision ordinance and state statute, the party electing to establish a subdivision on said parcel shall comply with all applicable provisions of the City subdivision ordinance in effect at the time of application. The procedure for the approval or disapproval of any subdivision application shall be based upon the procedure provided in the City subdivision ordinance in effect at the time of application.

Prior to the filing of a record of survey map and declaration of condominium to establish a condominium on any parcel listed on Exhibit 1, the party electing to establish a condominium shall comply with all applicable provisions of any City condominium ordinance in effect at the time of application. The procedure for the approval or disapproval of any condominium shall be based upon the Utah Code and any City condominium ordinance in effect at the time of application.

E. Applicability of Sensitive Area Overlay Zone. For projects within the Deer Valley Large Scale Master Planned Development, the density limitations of the Sensitive Area Overlay Zone do not apply because Master Planned Developments approved prior to the adoption of the Sensitive Area Overlay Zone are vested in terms of density. Site planning standards can be applied only to the extent that they do not unequivocally reduce vested density. Limits of disturbance, vegetation protection, and building design standards do apply.

F. Relationship to National Standards. The provisions of the Code and any other applicable zoning and development ordinances including national standards with respect to engineering or building requirements as adopted by City, in effect in City on the date hereof, shall govern the development within the Project, except as otherwise provided herein.

G. Off-Street Parking. Parking required with relation to each portion of the Project shall be based upon Code as in effect at the time application for a building permit for such portion of the Project as is filed with City. For purposes of calculating required parking, the Project shall be deemed to be zoned Residential Development District (RD) Master Planned Developments (MPD). Parking for each separate development parcel in the Project shall be determined in accordance with the Code at the time of application for Conditional Use approval. Any additional parking shall not encroach into zoned open space.

If the capacity of the surface parking lots in the Snow Park Community is exceeded on 10% or more of the days during any single ski season the need for constructing additional parking in said area shall be reviewed by the Commission.

H. Commercial Space, Support Commercial, and Meeting Space. Exhibit 2 hereto lists commercial and support space allotted to the Project. The General Snow Park Commercial category is restricted in utilization within the Project to the following parcels in the Snow Park area:

- Pine Inn Multi-Family Parcel
- Snow Park Lodge Multi-Family Parcel (Black Diamond Lodge)
- Snow Park Village (Combination of Snow Park Hotel Parcel and Snow Park Parking Area Parcel)
- Snow Park Day Center Parcel

Utilization of portions of the General Snow Park Commercial category within any of the above listed parcels is subject to the specific approval of both Permittee and Commission.

In addition to the Exhibit 2 Commercial Space permitted in the Project, Support Commercial shall be permitted and used as defined in the Code, as amended, at the time of application.

I. Employee Housing. Permittee has been required to cause the development of 112 employee (affordable) housing units pursuant to prior editions of this Permit. Prior to the date of this Permit, Permittee has developed or caused to be developed units qualifying under the low and moderate income housing exception of the Code as follows:

<u>Project Location</u>	Number of Qualifying Units
A. Units in Deer Valley:	
Little Belle Manager Unit	1
Stag Lodge Manager Unit	1
Sterlingwood Manager Unit	1
Bald Eagle Caretaker Units	2
Mt. Cervin Manager Unit	1
Deer Valley Club Manager Unit	1

B. Units Other Than in Deer Valley:

Parkside Apartments	42
Fireside Apartments / Condos	42
Washington Mill Apts.	8
Peace House	3
Aspen Villas / Silver Meadows (Participation)	9
Fawn grove Employee Unit	1
Total	112

Deer Valley shall be obligated to comply with all applicable ordinances of City relating to the creation and construction of employee housing, including ordinances that are adopted after the date of this Permit. Deer Valley will be given credit for the previously developed units identified above when computing the employee housing obligation under applicable ordinances. The City acknowledges full satisfaction of Deer Valley's current obligation in the Employee Housing Agreement dated October 6, 1995 executed in conjunction with Deer Valley's contribution to the Silver Meadows project. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing employee / affordable housing units built by Deer Valley or persons acting on its behalf exceeds the number of units required by the new ordinance, credit shall be given against the ordinance imposed obligation, but in no event shall City be obligated to reimburse Deer Valley for any excess, or to permit the assignment of the excess to other parties with a similar employee housing requirement. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing units built by Deer Valley or those acting on its behalf falls short of the newly imposed ratio of employee units to conventional units, Deer Valley agrees to be bound by the provisions of the newly adopted ordinance; provided, however, that the new ordinance shall apply only to those Units on which site specific approval is granted after the adoption of the employee / affordable housing ordinance.

J. **Technical Reports.** Permittee shall submit updated technical reports with regard to traffic monitoring, water systems, and sewer systems for review by Commission as significant changes occur in those systems and as needed for specific project review as required by the Community Development Director and Public Works Director prior to density approval.

K. **Public Use of Ski Facilities.** Use of all ski facilities shall be open to the general public and shall not be restricted to owners of property located in Deer Valley or to members of any private club. Furthermore, all charges, fees and costs paid by the general public for the use of such facilities shall not exceed the charges, fees and costs paid by owners of property located in Deer Valley.

L. **Trails.** There are 4 types of trails in Deer Valley:

- (1) Bicycle paths located within street rights-of-way;
- (2) Pedestrian paths connecting parcels together within a community;
- (3) Connecting paths connecting communities together; and
- (4) Hiking trails to provide access to the mountain.

Bicycle paths shall be located within street rights-of-way dedicated to City and shall be operated and maintained by City as shown on the Deer Valley Trails Master Plan and the City Trails Master Plan.

Pedestrian paths shall be hard surfaced, a minimum of five feet wide, a maximum of six feet wide and built to public sidewalk specifications. These paths shall connect development parcels together and connect development parcels to commercial nodes. At the time of conditional use approval of a particular development parcel, the developer of said parcel shall provide a pedestrian

path across said parcel connecting to the paths on the adjoining parcels. The location of these paths shall be determined by the parcel developer and by City staff with the Deer Valley Trails Master Plan used as a guide. The locations shall be modified as necessary to take into consideration topography and existing trails, and shall tie into the bus system which serves Deer Valley. These paths shall form a year-round system. Maintenance shall be the responsibility of the parcel owner. A 10 to 15 foot wide easement (easement size shall be determined at the time of site specific conditional use approval) for each pedestrian path shall be dedicated to City and is required to be shown on the recorded plat for the applicable development parcel.

It is recognized by the parties that the property within the Deer Valley Resort is private property. Public access to ski runs is at the discretion of Permittee. Summer public access and non-destructive summer use which includes casual hiking on ski runs shall be allowed by Permittee subject to reasonable rules and regulations.

In the event that City in its sole discretion determines that City should hold any easements for hiking, City shall make a request that an easement be granted for any or all of the hiking trails that City desires to hold within or adjacent to ski runs shown on the Trails Master Plan. In the event that City obtains a formal agreement, City agrees to maintain such hiking trails, and Permittee will provide legal descriptions, signage and grant to City an easement (minimum of 10 feet to maximum of 15 feet wide) to maintain such hiking trails without hard surface and without winter maintenance. If City desires to upgrade the hiking trails beyond that which currently exists, City agrees to bear the cost of those improvements. The Trails Master Plan shall serve as a general guide in determining the final location of said hiking trails. In the event City obtains and holds formal easements for hiking trails, City shall indemnify and hold Permittee and its successors and assigns harmless from and against any loss, damage, injury or responsibility with relation to any such trail and any claims, demands or causes of action from any person resulting from injuries sustained while utilizing any hiking trails for which City has obtained and holds easements. Said public easement shall also be subject to such additional reasonable rules and regulations as Permittee deems appropriate to eliminate possible interference with the operation and maintenance of the ski resort, or in the interest of safety or security.

M. Open Space. With the exception of those parcels identified on Exhibit 1 and those areas and items listed on Exhibit 2 as "commercial and support space", all remaining property in the Project is hereby designated "landscaped open space" as that term is defined in the Code as presently in effect and shall remain substantially free from structures, roads and parking lots except as otherwise approved by City or permitted by the Code as presently in effect. The "landscaped open space" shall be maintained and operated by Permittee at Permittee's sole cost and expense.

N. Fire Considerations. All buildings or structures located within the Bald Eagle, Silver Lake, and North Silver Lake Communities shall be fire sprinkled in accordance with UBC 38-182.

O. Water Improvements .Permittee agrees that, as a condition of and concurrently with issuance to Permittee of a building permit for the construction of any buildings or structures comprising a portion of the Project, Permittee shall be obligated to agree in writing to construct and convey to City storage facilities, pumping facilities, and transmission lines, as agreed upon and approved by the Public Works Director and City Engineer at the time of issuance of said building permit, to the extent necessary to store and transmit culinary water, irrigation water, and water for fire flows to the buildings and structures covered by the building permit and to connect the same to the water system of City, and shall evidence to the satisfaction of City the ability of Permittee to comply with such agreements.

Permittee agrees that completion of the action required by this Section O with relation to any building or structure included in the Project shall be deemed a condition precedent to the right to occupy and utilize the building or structure. Commission and Permittee agree that the general level of water facilities construction for the Project required by this Section O has been heretofore accomplished by Permittee.

The existing agreement relating to water rights and water facilities for Deer Valley development entered into November 17, 1988 between Permittee as "DVRC", Royal Street as "Royal Street", and City as "Park City" and the Deer Valley Water Facilities Improvement Agreement dated March 31, 1994 between City, Royal Street and Permittee (as "DVRC") and the Amendment to the 1994 Deer Valley Water Facilities Improvement Agreement dated May 12, 2006 between City as "Park City", Royal Street and Permittee (as "DVRC") are made a part of this Permit by reference.

P. Sewer Considerations .Although City has no responsibility for sewer approvals; the Snyderville Basin Sewer Improvement District has indicated the following with respect to sewerage in Deer Valley: Projected flow calculations are based on average wastewater flow from residential units and make no distinction regarding size. In other words, the Sewer District does not follow the "unit equivalent" concept as does City.

The Sewer District has previously reviewed both the Upper and Lower Deer Valley sewer systems and made the following comments: Upper System (American Flag / Silver Lake Community) - There are two sections of sewer within the American Flag Subdivision that limit upstream, new growth to approximately 325 additional residential units. There are several sections with only slightly greater capacity. This concern or limitation was eliminated by construction of a new sewer trunk line from Royal Street through the Westview Parcel in 1988. Lower System (Solamere, Queen Esther, Fawn grove) - A portion of the trunk sewer serving this area was replaced in 1985 to provide greater capacity for Hanover and Park Con projects as well as Deer Valley's. These three developers executed an agreement with the District which identified their anticipated development and the percentage of the cost they would fund to "reserve" capacity in the sewer system. Of the present sewer capacity of approximately 1385 units, Deer Valley has approximately 200 units available for future development. However, there are downstream sections of sewer that have less capacity than the new Deer Valley North Road sewer. This problem will be pursued with the developers as necessary.

Q. Separability. If any provision or provisions of this Permit shall be held or deemed to be, or shall, in fact, be illegal, inoperative, or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent, whatsoever.

R. Term of Permit. The term of this Permit is governed by the Twenty-Ninth Edition of the Land Management Code of Park City as revised as of April 1, 1993.

Approved this 23 day of March, 2011____.

PARK CITY PLANNING COMMISSION

By



Chairman

**DEER VALLEY RESORT
ELEVENTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS**

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
DEER VALLEY COMMUNITY					
Stonebridge & Boulder Creek Multi-Family	50	54	1	28	10.23
Aspenwood Multi-Family	30	30		28	9.21
Pine Inn & Trails End Multi-Family	40	45	1	35	8.52
In The Trees (South Multi-Family) Multi-Family	14	14		28-45	2.87
Black Diamond Lodge (Snow Park Lodge Multi-Family)	29	27		28-75	5.70
Courcheval Multi-Family	13.5	27	1	35	1.82
Daystar Multi-Family	24	24		28	9.84
Fawngrove Multi-Family	50	50		28	12.05
Chateaux Fawngrove Multi-Family	10.5	11	2	28	Incl
Bristlecone Multi-Family	20	20		28	Incl
Lakeside Multi-Family	60	60		28	6.49
Solamere Single Family (includes Oaks, Royal Oaks & Hidden Oaks)	274	274		28	237.81
Pinnacle Multi-Family	86	86		28	36.80
Comstock Lodge (East Bench Multi-Family)	10.5	21	1	35	3.50
Red Stag Lodge	8.5	11	1	35	Incl
Powder Run Multi-Family	25	33	1	35	3.20
Wildflower (Deer Valley North Lot 1 Multi-Family)	11	14	1	28	1.04
Glenfiddich (Deer Valley North Lot 2 Multi-Family)	12	12		28	1.45
Chapparal (Deer Valley North Lot 3 Multi-Family)	15	20	1	28	1.44
Northeast Multi-Family:					12.65
Lodges @ Deer Valley	73.25	85	3	28-35	
Silver Baron Lodge	42.75	50	12	28-35	
Snow Park Village (Snow Park Hotel & Parking Sites)	209.75	0	4	28-45	14.93
Total Deer Valley Community	1108.75				
AMERICAN FLAG COMMUNITY					
American Flag Single Family	93	93		28	83.04
LaMaconnerie Multi-Family	15	15		28	6.19
Total American Flag Community	108				
NORTH SILVER LAKE COMMUNITY					
Westview Single Family	15	1		28	40.69
Evergreen Single Family	36	36		28	27.60
NSL Homesite Parcel #1	1	1		35	1.90
Belletierre Single Family	10	10		28	11.42
Bellevue Townhomes (NSL Subdivision Lot 1)	24	14	10	28	4.62
Bellemont Townhomes (NSL Subdivision Lots 2A and 2A-1)	18	12	10	28	3.75
NSL Subdivision Lot 2B	54	0		45	5.96
BelleArbor Townhomes (NSL Subdivision Lot 2C)	43	21	10	28-35	8.25
NSL Subdivision Lot 2D Open Space Lot	0	0	5	0	4.03
Total North Silver Lake Community	201				
SILVER LAKE COMMUNITY					
Stag Lodge Multi-Family	50	52	6	28-35	7.34
Cache Multi-Family	12	12		28	1.77
Sterlingwood Multi-Family	18	18		28-35	2.48
Deer Valley Club	20	30	1	28-45	1.53
Double Eagle (SL East Parcel 2 Multi-Family)	18	18		28-35	2.26
Stein Eriksen Lodge Multi-Family	66.75	65	11	28-35	10.86
Little Belle Multi-Family	20	20		28	3.66
Chateaux At Silver Lake Lot 23 Deer Valley Club Estates Subdivision)	65	78	1	28-45	3.24
Sterling Lodge (Lot 2 Silver Lake East Subdivision)	14	14		28-45	0.61
Royal Plaza Multi-Family (Silver Lake Village Lot A)	7.6215	13	1	59 (A)	0.48
Mt. Cervin Plaza Multi-Family (Silver Lake Village Lot B)	7.5	7		59 (A)	0.54
Inn at Silver Lake (Silver Lake Village Lot C)	10	8		59 (A)	0.50
Goldener Hirsch Inn (Silver Lake Village Lot D)	6	20	1	59 (A)	0.35
Mt Cervin Multi-Family (Silver Lake Village Lot E)	16	15		59 (A)	0.53
Silver Lake Village Lot F	11	0		59 (A)	0.35
Silver Lake Village Lot G	11	0		59 (A)	0.38
Silver Lake Village Lot H	12	0		59 (A)	0.44
SL Knoll Condominiums	4	4		35	0.76
Knoll Estates Single Family	21	21		35	9.90
Black Bear Lodge (Lot 22 Deer Valley Club Estates Subdivision)	51	51		35	1.39
Knollheim Single Family	20	5	7	35	1.84
Alpen Rose Single Family	2	2		35	0.66
Silverbird Multi-Family	6	6		35	0.80
Ridge Multi-Family	24	24		35	2.34
Enclave Multi-Family	17	17		28-35	1.79
Twin Pines Multi-Family	8	8		28-35	1.33
Unlabeled Single Family	11	11		28	

**DEER VALLEY RESORT
ELEVENTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS**

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
Alta Vista Subdivision	7	7		35	6.02
Woods Multi-Family	16	7	8	28-35	2.41
Trailside Multi-Family	9	9		28-35	1.46
Aspen Hollow Multi-Family	16	16		28-35	3.18
Ridgepoint Multi-Family	38	38		28-35	5.60
Total Silver Lake Community	614.8715				
BALD EAGLE COMMUNITY					
Bald Eagle Single Family	78	58	9	28	35.65
Total Bald Eagle Community	78				
TOTAL CONVENTIONAL UNITS	2110.6215				
EMPLOYEE HOUSING UNITS					
Little Belle	1				
Stag Lodge	1				
Sterlingwood	1				
Bald Eagle	2				
Mt. Cervin	1				
Deer Valley Club	1				
TOTAL EMPLOYEE HOUSING UNITS	7				

NOTES:

1. These projects have been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density than base permitted density.
 2. One small unit was separately permitted in this project using .5 unit of density.
 3. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (85) than base permitted density (73.25).
 4. This parcel is required to use the Unit Equivalent Formula contained in Section 10.12 of the Code.
 5. This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B.
 6. Two additional units were permitted in this project on land that was not a part of the Deer Valley MPD.
 7. This parcel was originally permitted as 20 MF units but subsequently developed as 5 single family homesites.
 8. This parcel was permitted as 16 units. Subsequently 9 of the unit development rights were acquired by the homeowners and dedicated as open space.
 9. This parcel was originally permitted as a combination of single family and multi-family. The multi-family uses were converted to single family with a density reduction from 78 to 58 units.
 10. The development density on these parcels is less than the original permitted density at the election of the developer.
 11. The transfer of 1.75 Unit Equivalents to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on June 28, 2006.
 12. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (50) than base permitted density (42.75). The transfer of 1 Unit Equivalent to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on March 23, 2011.
- A. Lots in the Silver Lake Village Subdivision have a development height limitation tied to a base elevation of 8122' with peak of roof not to exceed elevation 8186'.

DEER VALLEY RESORT
ELEVENTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 2
COMMERCIAL AND SUPPORT SPACE

LOCATION	RETAIL	RESTAURANT (3)	COMM'L OFFICES	ADMIN., SUPPORT & OTHER	TOTAL	TRANSFER TO RESIDENTIAL DEVELOPED	REMAINING
SNOW PARK LODGE	13807	26958		85578	126343	126343	0
SNOW PARK TICKET SALES BUILDING				5112	5112	5112	0
SNOW PARK PLAZA BUILDING	3100		16000	4180	23280	23280	0
GENERAL SNOW PARK COMMERCIAL (1)	21890				21890	0	21890
SILVER LAKE LODGE	1200	29160		15790	46150	46150	0
EMPIRE LODGE (4)		22456		12544	35000	30453	4547
SILVER LAKE COMMUNITY (2)	27962		4265	12938	45165	1243	31954
NORTH SILVER LAKE COMMUNITY	8000			6525	14525	0	14525
MAINTENANCE, WHSE, & SHOPS				31724	31724	31724	0
TOTAL	75959	78574	20265	174391	349189	295016	52930

NOTES:

(1) General Snow Park Commercial may only be utilized on certain parcels with approval of Commission and Permittee. 18110 square feet of General Snow Park Commercial has previously been allocated to and is included in totals for Snow Park Lodge.

(2) 10125 square feet of Silver Lake Community commercial has previously been allocated to and is included in totals for Silver Lake Lodge (1994 Silver Lake Lodge expansion 6990 sf and 1998 Silver Lake Lodge expansion 3135 sf). Remainder of Silver Lake Community commercial consists of:

Developed Space:

Royal Plaza	14312
Mt. Cervin Plaza	8080
Goldener Hirsch Inn	2062
Chateaux at Silver Lake	7500
Total	31954
Transferred to Royal Plaza Residential	1243
Allocated but Undeveloped Space:	
Silver Lake Village Lot C	7000
Remainder Unallocated	4968
Total	45168

(3) Includes kitchen, receiving and storage.

(4) Maximum size of Empire Lodge is 35000 sf of which 30453 sf has been developed.

DEER VALLEY RESORT
 ELEVENTH AMENDED AND RESTATED
 LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
 EXHIBIT 3
 OTHER PROJECT COMPONENTS

ITEM	WITHIN PARK CITY	OUTSIDE PARK CITY
SKI AREA (1)		
CHAIRLIFTS	15	5
GONDOLA		1
SKI TRAILS AND BOWLS	63	34
SNOWMAKING	X	X
SKI PATROL / UTILITY STATIONS:		
BALD EAGLE MTN.	X	
BALD MTN.	X	
FLAGSTAFF MTN.	X	
LITTLE BALDY		X
JORDANELLE BASE		X
EMPIRE CANYON	X	
AMENITIES		
SNOW PARK LAKES & MEADOWS	X	
SNOW PARK PARKING LOTS	X	
PEDESTRIAN TRAIL SYSTEM	X	X
MOUNTAIN BIKING TRAILS SYSTEM	X	X
SOLAMERE SWIM & TENNIS FACILITY	X	
SNOWSHOE TOMMYS CABIN	X	
CUSHINGS CABIN	X	
BIRDSEYE CABIN	X	
JORDANELLE BASE		X
SNOW PARK CONCERT AMPHITHEATRE	X	

(1) ADDITIONAL SKI AREA FACILITIES AS DEMAND DICTATES, SUBJECT TO PROVISIONS OF PARK CITY LAND MANAGEMENT CODE AND OTHER APPLICABLE JURISDICTIONS.

SILVER LAKE VILLAGE

PROPOSED LOT & EASEMENT

	BUILDABLE AREA	EASEMENT (SLV-SKI-H,G,F)	TOTAL
LOT H	8,089	10,956	19,045
LOT G	10,706	5,975	16,681
LOT F	9,202	5,857	15,059
LOT D	9,333	5,873	15,206
TOTAL	37,330	28,661	65,991

EXISTING LOT & EASEMENT

	PAD	EASEMENT (SLV-SKI-H,G,F)	TOTAL
LOT H	7,870	11,175	19,045
LOT G	7,764	8,917	16,681
LOT F	8,765	6,294	15,059
LOT D	10,082	5,124	15,206
TOTAL	34,481	31,510	65,991

TOTAL DIFFERENCE

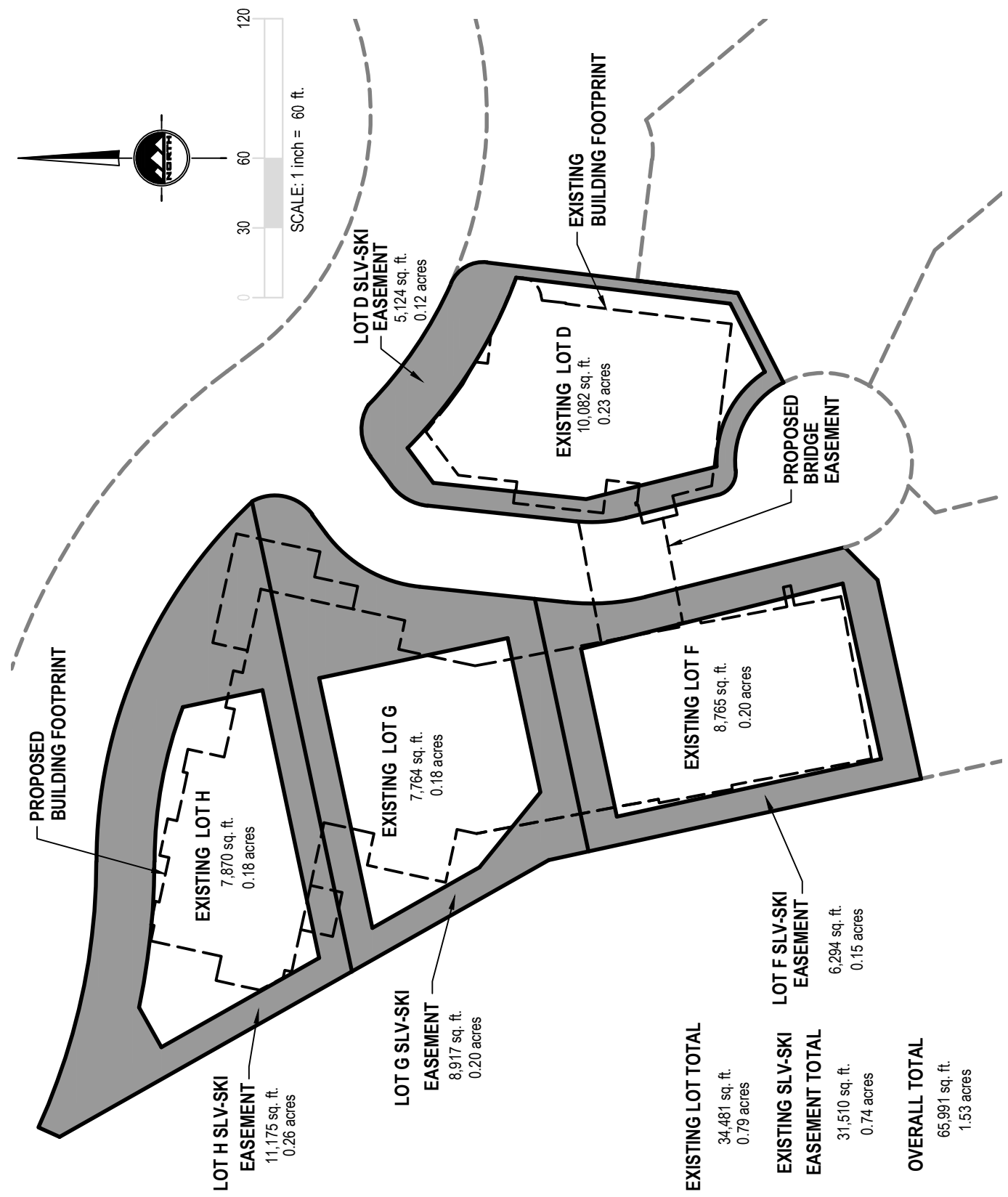
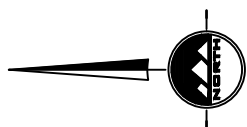
	BLDG/PAD	EASEMENT
LOTS H,G,F, D	+2,849	-2,849
LESS DECK AREA	1,297	

* Includes deck space of 1552 sq. feet


all units are in square feet

PROPOSED BRIDGE EASEMENT

Affecting portions of Sterling Court ROW & SKI-SLV Easement	1,832
TOTAL	1,832



EXISTING LOT TOTAL	34,481 sq. ft. 0.79 acres
EXISTING SLV-SKI EASEMENT TOTAL	31,510 sq. ft. 0.74 acres
OVERALL TOTAL	65,991 sq. ft. 1.53 acres

PROJECT # 6772	DATE 5/31/2016	SILVER LAKE VILLAGE AREA CALCULATIONS EXHIBIT EXISTING CONDITIONS	FOR: ECCCKIDS, LLC	45 W. 10000 S. Ste 500 Sandy, UT 84070 Phone: 801.255.0529 Fax: 801.255.4449 www.ensigneng.com
FILE:				

Planning Commission Staff Report



Application: PL-15-02966
Subject: 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision – Goldener Hirsch
Author: Kirsten Whetstone, MS, AICP- Senior Planner
Date: September 28, 2016
Type of Item: Legislative- Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision for Lots D, F, G, and H, located at 7520-7570 Royal Street East, consider public input, and review the draft findings of fact, conclusions of law, and conditions of approval found in the draft ordinance. Staff recommends the Commission provide input to Staff and the applicant and continue final action on the plat amendment to October 26, 2016.

Description

Applicant: EccKids LLC, owner, represented by Christopher M. Conabee and Silver Lake Village HOA
Location: 7520-7570 Royal Street East, Deer Valley Resort, Silver Lake Village Lots D, F, G and H
Zoning: Residential Development (RD) District subject to the Deer Valley MPD, as amended.
Adjacent Land Uses: Deer Valley Resort, Park City Fire District Station, and residential and commercial condominiums such as Royal Plaza, Mount Cervin, the Inn at Silver Lake, Stein Ericksen Lodge, Chateaux at Silver Lake, and Black Bear Lodge.
Reason for Review: Plat Amendments require Planning Commission review and City Council review and action

Proposal

The applicants request to amend the Re-subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision plat to:

- 1) combine Lots F, G and H into one (1) development lot- Lot I,
 - 2) amend Lot D to reflect the as-built conditions of the existing Goldener Hirsch Inn, and
 - 3) provide a bridge easement for the proposed bridge connecting the existing Inn with the proposed multi-unit residential building on Lot I.
- (See Exhibit A proposed plat).

A Deer Valley MPD amendment to combine these same MPD parcels, and to transfer 0.4215 UE of density from Lot D to Lot I, was submitted for concurrent review (see Deer

Valley MPD Amendment Staff Report in this packet).

A Conditional Use Permit application for a multi-story residential building with a total of 68,843 sf (34.4215 UE) of residential uses was also submitted for concurrent review (See Staff Report in this packet).

Background

The property is located on Lots D, F, G and H of the Re-Subdivision of Lots No. 1 and No. 2 of Silver Lake Village No. 1 Subdivision plat. The Silver Lake Village No. 1 subdivision plat was approved on April 20, 1989 and recorded June 21, 1989 (Exhibit B) and the re-subdivision was approved on October 5, 1989, and recorded on November 11, 1989 (Exhibit C). The re-subdivision plat created Lots F, G and H from Lot No. 2. Lot D was created with the Silver Lake Village No. 1 Subdivision plat from a portion of Lot 1.

The property is subject to the Deer Valley MPD originally approved on September 27, 1977 and most recently amended on March 23, 2011 as the 11th Amended and Restated Large Scale Master Planned Development Permit (Deer Valley MPD). Deer Valley MPD assigned densities for property, parcels, and lots within the MPD Area. Within the Silver Lake Community, Silver Lake Village Lot F is allowed 11 units or Unit Equivalents (UE), Lot G is allowed 11 units or UE and Lot H is allowed 12 units or UE for a total of 34 units or UE. Lot D, the location of the existing Goldener Hirsch Inn, is allowed 6 units or UE.

The Deer Valley MPD allows these Lots to be developed according to the number of units assigned, with no maximum size provided that setbacks, building height, and open space requirements are met, or using the UE formula where each UE is equivalent to 2,000 sf of residential floor area developed as a mix of unit sizes without restriction as to the number of units.

Lots F, G and H are currently vacant, utilized as a temporary parking lot (Exhibits D, E, and F- existing conditions). The Goldener Hirsch Inn was constructed with a total of 11,104 sf of residential floor area as 20 units, in addition to a total of 3,221 sf of commercial and support commercial floor area and a small (approximately 500 sf) conference room on the second floor. Silver Lake Village No. 1 Subdivision identifies 10,000 sf of commercial uses for Lot D and the Deer Valley MPD identifies 2,062 sf of commercial are “developed space”. The plat is to be consistent with the as-built conditions and the Deer Valley MPD, in terms of the allowable commercial area. The applicant will provide more information on this for the October meeting.

On January 13, 2016, the Planning Commission held a public hearing and discussed the Conditional Use Permit and plat amendment (see Minutes in Staff Report for the proposed Conditional Use Permit).

Public input was provided by a representative of Deer Valley Resort, who is also Board member of the Silver Lake Village Plaza Association. The representative stated support of the project, mentioning that the final architecture and building height were items that

are important to neighboring properties. The Commission discussed 1) parking, including the provision of additional parking over what the project requires as compensation to Deer Valley for loss of some of popular surface parking, 2) building height, and whether the plans comply with restrictions of the MPD given that portions of the upper roof have flat roof elements, 3) combination of lots into one lot, 4) general architectural character and design elements, 5) traffic reduction options that could be requested and implemented, 6) and setback changes from those on the current plat. The Commission also reviewed a physical model of the proposal and voted to continue the item to the February 24, 2016 meeting.

On February 24, 2016, the Commission voted to continue the item to a date uncertain to allow the applicant additional time to resolve an ownership and utility issues, and to review the Deer Valley MPD for any necessary amendments.

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.

Analysis

The proposed plat amendment creates one (1) lot to be known as Lot I, from three platted lots, namely Lots F, G, and H. Lots F, G, and H are currently vacant, undeveloped lots. The applicant desires to construct a multi-family building on Lot I, consistent with the Deer Valley MPD and subject to an approved Conditional Use Permit.

These Lots are currently utilized as temporary parking for Silver Lake Village and Deer Valley Resort. The parking is not paved or striped and depending on the level of parking management can accommodate 50 to 100 vehicles.

Lot D consists of 10,018.8 sf (0.23 acres) of fee simple lot area and 5,227.2 sf (0.12 acres) of pedestrian and skier circulation and easement area. Lot F consists of 8,712 sf of fee (0.20 acres) simple area and 6,534 sf (0.15 acres) of pedestrian and skier circulation and easement area. Lot G consists of 7,840.8 sf (0.18 acres) of fee simple area and 8,712 sf (0.20 acres) of pedestrian and skier circulation and easement area. Lot H consists of 7,840.8 sf (0.18 acres) of fee simple area and 11,325.6 sf (0.26 acres) of pedestrian and skier circulation and easement area.

Lot I will result from the combination of Lots F, G, and H and will consist of 50,965.2 sf (1.17 acres).

The fee simple areas of Lots F, G, and H are owned by the applicant. Transfer of ownership to the applicant (owners of the fee simple areas) of the easement areas around Lots F, G, and H was approved by the Silver Lake Village Owner’s Association on June 3, 2016. Easement area around Lot D will continue to be owned by the Silver Lake Village Owner’s Association.

Prior to recordation of this plat amendment, the applicant will identify and transfer ownership to the Silver Lake Village Owner’s Association, the easement areas around Lot I. This area will be determined upon review of the Goldener Hirsch CUP building footprint area. The remaining area around the building will be identified as pedestrian and skier circulation and easement area.

The following table shows applicable development parameters for this property in the Residential Development (RD) District (Land Management Code Section 15-2.13) and per the Deer Valley MPD:

	RD Zoning District and DV MPD
Lot Size	No minimum lot size. DV MPD Amendment and a plat amendment were submitted for concurrent review to combined Lots F, G, and H into Lot I to create one lot of record that is 1.66 acres, including skier easements.
Building Footprint- Floor Area Ratio (FAR) Density	<p>No FAR required.</p> <p>Density is per the Deer Valley MPD:</p> <p>Lot F- 11 UE (0.35 acres) Lot G- 11 UE (0.38 acres) Lot H- 12 UE (0.44 acres) Total - 34 UE (1.17 acres)</p> <p>Lot D- 6 UE</p> <p>Proposed- 12th Amended DV MPD combines Lots F, G, and H into Lot I and transfers 0. 4215 UE of residential density from Lot D to Lot I for a total of 34.4215 UE (68,843 sf of residential) leaving Lot D with 18 units and 5.5785 UE (11,157 sf of residential). Lot I (34.4215 UE) on 1.17 acres.</p>

Front yard setbacks	<p>LMC- minimum of 25 feet, to front garage, 20 feet to building.</p> <p>Silver Lake Village plat- 25 feet along Royal Street and 15 feet along Sterling Court (private drive).</p> <p>Proposed- Minimum of 25' along Royal Street and requesting 15' along Sterling Court (requesting 12' for upper stories in specific area at the curve in the street north of the bridge). Staff requests discussion. See Exhibit I.</p>
Rear yard setbacks	<p>LMC- minimum of 15 feet.</p> <p>Silver Lake Village plat- 15 feet.</p> <p>Proposed- Minimum of 15 foot rear setbacks are proposed along south property line.</p>
Side yard setbacks	<p>LMC- 12 feet.</p> <p>Silver Lake Village plat- 12 feet.</p> <p>Proposed- Minimum of 12 foot side setbacks are proposed along west property line.</p>
Building Height	<p>Per Deer Valley MPD Exhibit 1 footnote The Deer Valley MPD states that the development height limitation is tied to a base elevation of 8122' with peak of roof not to exceed 8186' (USGS topographic elevations). Allows a height of 59' with a 5' allowance for the peak of the roof to 64'.</p> <p>Proposed- No changes to building height allowances are proposed.</p>

Utility easements will be reviewed by the City Engineer and service providers consistent with the final approved utility plan. All required public utility and access easements shall be shown on the final plat prior to recordation.

The final mylar plat is required to be signed by the Snyderville Basin Water Reclamation District (SBWRD) to ensure that requirements of the District are addressed prior to plat recordation.

A ten foot wide public snow storage easement is required along Royal Street.

Good Cause

Planning Staff finds that there is good cause for this plat amendment to combine the lots consistent with a proposed amendment to the Deer Valley MPD and consistent with the proposed Goldener Hirsch Inn Conditional Use Permit proposal for a single multi-unit residential building with one underground parking structure. No remnant parcels are created. The plat amendment will not cause undo harm to adjacent property owners and all requirements of the Deer Valley MPD and LMC for any future development can be met. There are no encroachments to be resolved with this plat and the exterior property

lines remain the same. Interior lots lines are removed and utility and skier access easements are amended with this plat amendment. Plat recordation and compliance with all plat notes are required prior to issuance of a building permit.

Process

Approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in Land Management Code § 1-18.

Department Review

This project has gone through an interdepartmental review. Issues raised regarding relocation of utilities and easements have been resolved through several utility coordination meetings between staff, the applicant, and service providers. Other issues have been addressed with conditions of approval.

Notice

On September 14, 2016, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on September 10, 2016, according to requirements of the Land Management Code.

Public Input

No public input has been received on the plat amendment at this time.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision plat amendment located at 7520-7570 Royal Street East, as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the plat amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on this item.

Consequences of not taking the Planning Department's Recommendation

The platted lots would remain as they are and the proposed building could not be constructed as designed. Three separate buildings could be built to the parameters on the existing platted lots.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision plat amendment located at 7520-7570 Royal Street East, consider any public input, and review the draft findings of fact, conclusions of law, and conditions of approval. Staff recommends the Commission provide input to Staff and the applicant

and continue final action on the plat amendment to October 26, 2016.

Exhibits

Ordinance

Exhibit A – Proposed Plat Amendment

Exhibit B – Silver Lake Village No. 1 Subdivision

Exhibit C – Re-Subdivision of Lots No.1 and No. 2 Silver Lake Village Subdivision

Exhibit D – Existing site aerial photo

Exhibit E – Existing conditions survey

Exhibit F – Existing conditions topographic survey

Exhibit G – Proposed utility plan

Exhibit H – Letter from SBWRD

Exhibit I – Applicant's letters and emails

Ordinance No. 16-XX

AN ORDINANCE APPROVING A 2ND AMENDMENT TO THE RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION PLAT, AMENDING LOTS D, F, G, AND H, LOCATED AT 7520-7570 ROYAL STREET EAST, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 7520-7570 Royal Street East has petitioned the City Council for approval of a plat amendment; and

WHEREAS, on September 10, 2016, the property was properly noticed according to the requirements of the Land Management Code and legal notice was published in the Park Record; and

WHEREAS, on September 14, 2016, the property was posted and notice was sent to property owners within 300 feet; and

WHEREAS, the Planning Commission held a work session on January 13, 2016, and public hearings on September 28, 2016 and October 26, 2016, to receive input on the plat amendment; and

WHEREAS, the Planning Commission, on October 26, 2016, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on December 1, 2016, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision plat amendment, Amending Lots D, F, G, and H located at 7520-7570 Royal Street East, as shown on Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 7520, 7530, 7540, and 7570 Royal Street East.
2. The property is in the Residential Development (RD) Zoning District and is subject to the Deer Valley Master Planned Development, as amended.
3. The subject property consists of platted Lots D, F, G, and H of the Re-Subdivision of Lots No.1 and No. 2 Silver Lake Village No. 1 Subdivision.

4. This plat amendment creates one (1) lot of record, to be known as Lot I, from three platted lots, namely Lots F, G, and H.
5. Lots F, G, and H are currently vacant, undeveloped lots. The applicant desires to construct a multi-family building on Lot I, consistent with the Deer Valley MPD and subject to an approved Conditional Use Permit.
6. These Lots are currently utilized as temporary parking for Silver Lake Village and Deer Valley Resort. The parking is not paved or striped and depending on the level of parking management can accommodate 60 to 100 vehicles.
7. Lot D consists of 10,018.8 sf (0.23 acres) of fee simple lot area and 5,227.2 sf (0.12 acres) of pedestrian and skier circulation and easement area. Lot D is not changing in size. An easement for the bridge connection is proposed on a portion of Lot D.
8. Lot F consists of 8,712 sf of fee (0.20 acres) simple area and 6,534 sf (0.15 acres) of pedestrian and skier circulation and easement area.
9. Lot G consists of 7,840.8 sf (0.18 acres) of fee simple area and 8,712 sf (0.20 acres) of pedestrian and skier circulation and easement area.
10. Lot H consists of 7,840.8 sf (0.18 acres) of fee simple area and 11,325.6 sf (0.26 acres) of pedestrian and skier circulation and easement area.
11. The fee simple areas of Lots F, G, and H are owned by the applicant. Transfer of ownership of the easement areas around Lots F, G, and H was approved by the Silver Lake Village Owner's Association on June 3, 2016. Easement area around Lot D will continue to be owned by the Silver Lake Village Owner's Association.
12. Prior to recordation of this plat amendment, the applicant will identify and transfer ownership to the Silver Lake Village Owner's Association, the easement areas around Lot I. This area will be determined upon approval of the Goldener Hirsch CUP building footprint area. The remaining area around the building will be identified as pedestrian and skier circulation and easement area.
13. A condominium plat, known as Mount Cervin Villas, was recorded on Lot F, as Phase 2 of the existing Mount Cervin Condominiums, which were constructed on Lot E. Lot E, is not part of this plat amendment and the Mount Cervin Condominiums are not owned by this applicant.
14. The applicant will vacate the Mount Cervin Villas condominium plat (which they also have title to) with recordation of this plat amendment or with recordation of a new condominium plat for the Goldener Hirsch Inn CUP units.
15. A condominium plat for the multi-unit residential building proposed on Lot I, subject to the Goldener Hirsch Inn CUP, is required prior to individual sale of any units.
16. A condominium plat, known as Golden Deer Condominiums, was recorded on Lot D, as the existing Goldener Hirsch Inn. An amended Golden Deer Condominium plat will be submitted for review and approval to memorialize amendments proposed with the Goldener Hirsch Inn Conditional Use Permit, including converting two existing residential units (843 sf) into common area to accommodate the proposed bridge connection to the multi-unit residential building proposed on Lots F, G, and H from the existing Inn.
17. The plat amendment combines Lots F, G, and H, and the associated pedestrian and skier circulation easement areas, into one (1) 1.17 acre (50,965.2 sf) lot of

record, to be known as Lot I and associated skier and pedestrian circulation easement areas.

18. The plat amendment provides a bridge easement for the proposed bridge connecting Lot D to proposed Lot I.
19. There are no minimum or maximum lot sizes in the RD District.
20. Silver Lake Village No. 1 Subdivision was approved by City Council on April 20, 1989 and recorded at Summit County on June 21, 1989.
21. Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision was approved by City Council on October 5, 1989 and recorded at Summit County on November 8, 1989.
22. During review of the Goldener Hirsch Inn CUP, setbacks and building footprint will be identified and shown on this plat amendment prior to final action on the plat. The area outside of the building footprint will be identified on the plat as "skier and pedestrian circulation easement area".
23. Multi-family buildings are allowed in the RD District, subject to requirements of the Deer Valley MPD, as amended.
24. Access to the property is from Royal Street East, a public street, and Sterling Court, a private street.
25. Public utility and access easements, as required by the City Engineer and other service providers, consistent with the final utility plan for the Goldener Hirsch Inn Conditional Use Permit shall be shown on the plat prior to recordation.
26. The final mylar plat is required to be signed by the Snyderville Basin Water Reclamation District to ensure that requirements of the District are addressed prior to plat recordation.
27. Snow storage area is required along Royal Street East due to the possibility of large amounts of snowfall in this location.
28. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If the plat is not recorded within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date of December 1, 2017 and an extension is

- granted by the City Council.
3. All new construction shall comply with the building footprint and setback requirements as identified on the plat.
 4. A ten foot (10') wide public snow storage easement is required along the Royal Street East frontage of the property and shall be shown on the plat prior to recordation.
 5. Easements, as required by the City Engineer and other service providers, and consistent with the final approved utility plan for the Goldener Hirsch Inn Conditional Use Permit, shall be shown on the plat prior to recordation.
 6. Modified 13-D sprinklers are required per the Chief Building Official and shall be noted on the plat.
 7. All requirements of the Snyderville Basin Water Reclamation District shall be satisfied prior to recordation of the plat and/or noted on the plat. Setbacks and building footprint will be identified and shown on the plat. The area outside of the building footprint will be identified on the plat as "skier and pedestrian circulation easement area".
 8. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the Lot or within easement areas on the property.
 9. The final utility plan must address storm water detention on the Lot, or within the easement areas.

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

PASSED AND ADOPTED this 1st day of December, 2016.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

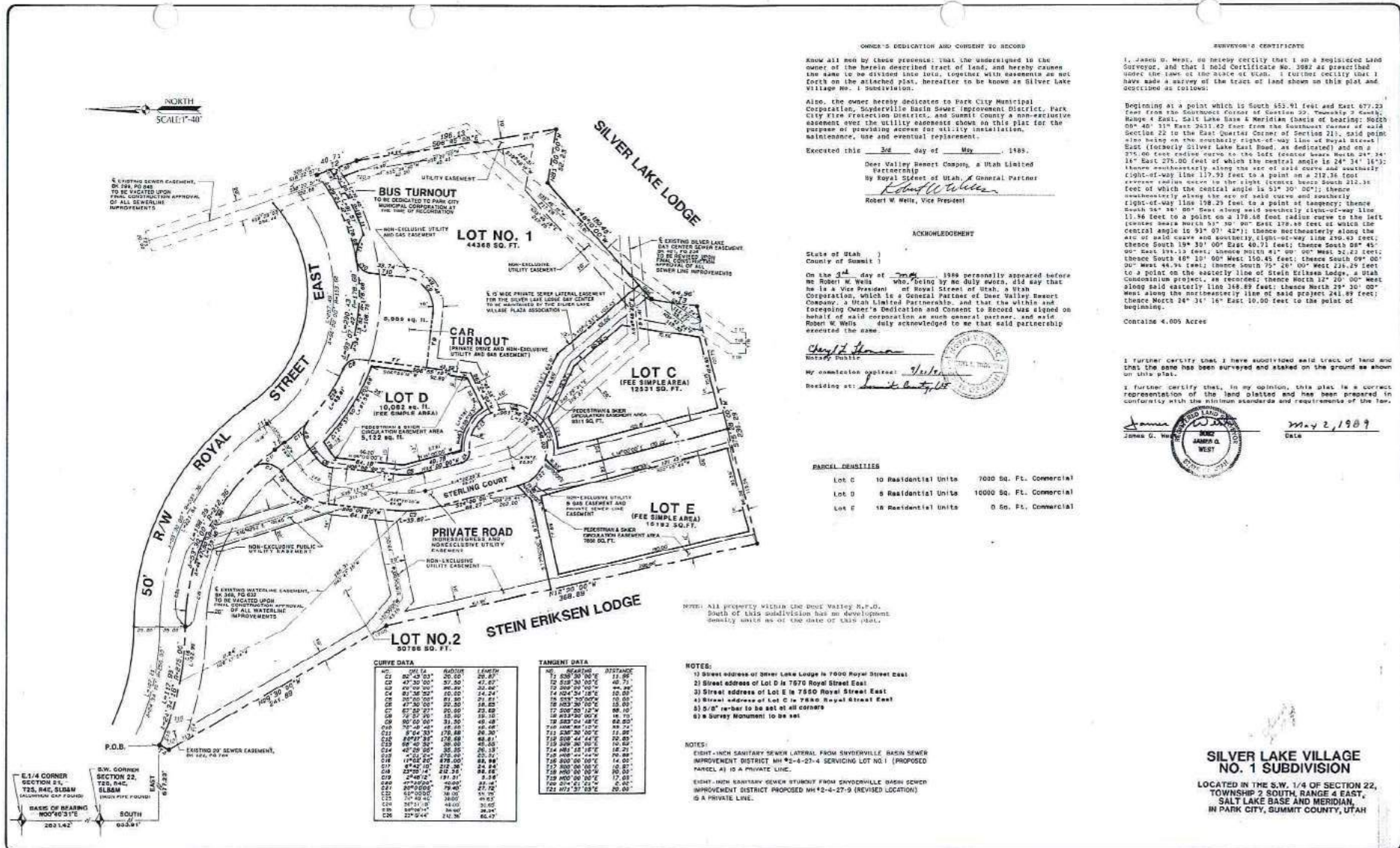
ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibit A- Proposed plat



OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that the undersigned is the owner of the herein described tract of land, and hereby covenants the same to be divided into lots, together with easements as set forth on the attached plat, hereafter to be known as Silver Lake Village No. 1 Subdivision.

Also, the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for all utility installation, maintenance, use and essential replacement.

Executed this 2nd day of May 1989.

Deer Valley Homez Company, a Utah Limited Partnership
By Royal Street of Utah, a General Partner
Robert W. Wells
Robert W. Wells, Vice President

ACKNOWLEDGMENT

State of Utah }
County of Summit }

On the 2nd day of May, 1989 personally appeared before me Robert W. Wells who, being by me duly sworn, did say that he is a Vice President of Royal Street of Utah, a Utah Corporation, which is a General Partner of Deer Valley Homez Company, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said corporation as such general partner, and said Robert W. Wells duly acknowledged to me that said partnership executed the same.

Charles H. Thomas
Notary Public

My commission expires: 7/1/89
Residing at: *1000 N. 2000 E.*

PARCEL DETAILS

Lot C	10 Residential Units	7000 Sq. Ft. Commercial
Lot D	8 Residential Units	10000 Sq. Ft. Commercial
Lot E	18 Residential Units	0 Sq. Ft. Commercial

NOTES:

- 1) Street address of Silver Lake Lodge is 7000 Royal Street East
- 2) Street address of Lot D is 7670 Royal Street East
- 3) Street address of Lot E is 7860 Royal Street East
- 4) Street address of Lot C is 7860 Royal Street East
- 5) 8" x 8" re-bar to be set at all corners
- 6) Survey Monument to be set

NOTES:

EIGHT-INCH SANITARY SEWER LATERAL FROM SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT MH #2-4-23-4 SERVING LOT #1 (PROPOSED PARCEL A) IS A PRIVATE LINE.

EIGHT-INCH SANITARY SEWER TURNOUT FROM SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT MH #2-4-27-9 (REVISED LOCATION) IS A PRIVATE LINE.

SUBDIVISION CERTIFICATE

I, James W. Meek, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 3882 as provided under the laws of the State of Utah. I further certify that I have made a survey of the tract of land shown on this plat and described as follows:

Beginning at a point which is South 553.91 feet and East 677.23 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian (hence of bearing: North 08° 40' 31" East 2611.42 feet from the Southwest Corner of said Section 22 to the East Quarter Corner of Section 21), said point also being on the northerly right-of-way line of Royal Street East (formerly Silver Lake East Road, as dedicated) and on a 275.00 foot radius curve to the left (center bears North 28° 34' 16" East 275.00 feet) of which the central angle is 24° 34' 16"; thence southeasterly along the arc of said curve and westerly right-of-way line 117.99 feet to a point on a 212.26 foot radius curve to the right (center bears South 212.36 feet of which the central angle is 53° 30' 00"); thence westerly along the arc of said curve and southerly right-of-way line 128.23 feet to a point of tangency; thence South 54° 00' West along said southerly right-of-way line 11.96 feet to a point on a 178.58 foot radius curve to the left (center bears North 53° 30' 00" East 275.00 feet) of which the central angle is 91° 07' 42"; thence northeasterly along the arc of said curve and southerly right-of-way line 270.43 feet; thence South 18° 30' 00" East 40.71 feet; thence South 08° 40' 31" East 174.13 feet; thence North 81° 00' 00" West 36.23 feet; thence South 18° 30' 00" West 150.45 feet; thence South 09° 00' 00" West 44.94 feet; thence South 75° 28' 00" West 236.29 feet to a point on the westerly line of Stein Erikson Lodge, a Utah Condominium project, as recorded; thence North 17° 30' 00" West along said westerly line 149.89 feet; thence North 29° 30' 00" West along the northeasterly line of said project 241.89 feet; thence North 24° 31' 16" East 10.00 feet to the point of beginning.

Contains 4,605 Acres

I further certify that I have surveyed said tract of land and that the same has been surveyed and staked on the ground as shown on this plat.

I further certify that, in my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of the law.

James W. Meek
James W. Meek
Notary Public
Summit County, Utah
May 2, 1989
Date

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF Park CITY COUNCIL THIS 22nd DAY OF May A.D. 1989, AT WHICH TIME THE RECORD OF SURVEY WAS APPROVED

Don East
MAYOR Pro Tem
Don East
DEPUTY CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE CITY ENGINEER DEPARTMENT ON THIS 22nd DAY OF May A.D. 1989

Eric W. DeHaven
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS 22nd DAY OF May A.D. 1989

Ronald R. Waddy
CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 22nd DAY OF May A.D. 1989

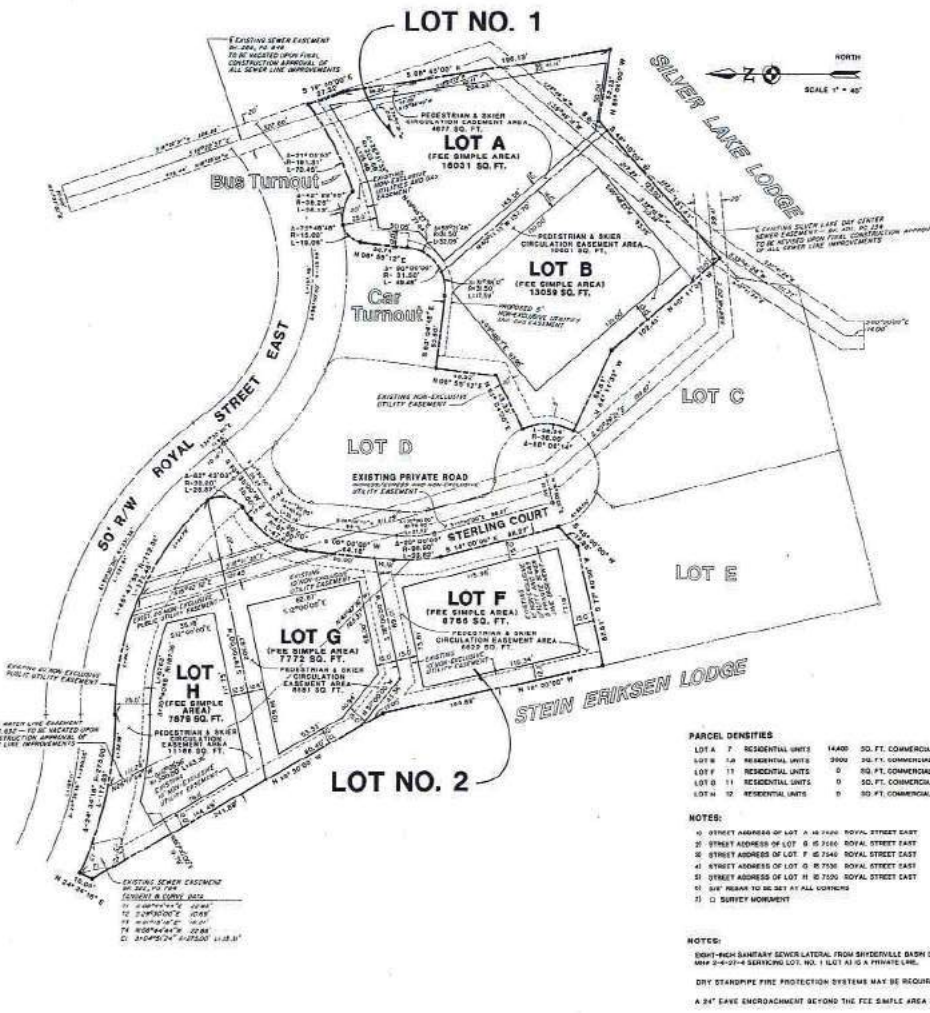
Don East
CITY ATTORNEY

RECORDED

BY 3085234
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF:
Deer Valley Homez
FEE \$20.00 COUNTY RECORDER

THE SEAR-BROWN GROUP
FULL-SERVICE DESIGN PROFESSIONALS

1301 West 2000 South, Suite 200, Park City, Utah 84302
(801) 532-1247 FAX (801) 532-7025



SURVEYOR'S CERTIFICATE

I, James G. West, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 2002 as provided under the laws of the State of Utah. I further certify that I have made a survey of the tract of land shown on this plat and described as follows:

A re-subdivision of Lots No. 1 and No. 2 of Silver Lake Village No. 1 subdivision recorded as Entry No. 309534 on June 21, 1989, in the Office of the Recorder, County of Summit, State of Utah.

I further certify that I have subdivided said lots into 8 lots, designated A, B, C, D, E, F, G and H, all inclusive, and the said lots have been surveyed and staked on the ground as shown on this plat.

I further certify that, in my opinion, this plat is a correct representation of the land planned and has been recorded in conformity with the minimum standards and requirements of law.

James G. West
Date: Oct 23, 1991



OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into lots, together with assessment as set forth on the attached plat, hereafter to be known as a subdivision of Lots No. 1 and No. 2, Silver Lake Village No. 1 Subdivision.

Also, the owner hereby dedicates to Park City Municipal Corporation, Cauderhill Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

Witnessed this 23 day of October, 1991.

Robert M. Wells, Vice President

ACKNOWLEDGMENT

State of Utah)
County of Summit)

On the 23 day of October, 1991 personally appeared before me Robert M. Wells who, being by me duly sworn, did say that he is a Vice President of Royal Street of Utah, a Utah Corporation, which is a General Partner of Deer Valley Resort Company, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and consent to record was signed on behalf of said corporation as such general partner, and said Robert M. Wells duly acknowledged to me that said partnership executed the same.

Robert M. Wells
Notary Public

My commission expires: 01/27/91
Residing at: Park City, UT



PARCEL DENSITIES

LOT A	7	RESIDENTIAL UNITS	14000	SQ. FT. COMMERCIAL
LOT B	1A	RESIDENTIAL UNITS	9000	SQ. FT. COMMERCIAL
LOT F	11	RESIDENTIAL UNITS	0	SQ. FT. COMMERCIAL
LOT G	11	RESIDENTIAL UNITS	0	SQ. FT. COMMERCIAL
LOT H	12	RESIDENTIAL UNITS	0	SQ. FT. COMMERCIAL

- NOTES:**
- 1) OTHER ADDRESS OF LOT A: 48740 ROYAL STREET EAST
 - 2) STREET ADDRESS OF LOT B: 48740 ROYAL STREET EAST
 - 3) STREET ADDRESS OF LOT F: 48736 ROYAL STREET EAST
 - 4) STREET ADDRESS OF LOT G: 48736 ROYAL STREET EAST
 - 5) STREET ADDRESS OF LOT H: 48730 ROYAL STREET EAST
 - 6) 84' PERMANENT 48' PERMANENT AT ALL CORNERS
 - 7) 1' SURVEY MARGINS
- NOTES:**
- 1) 84" HIGH SANITARY SEWER LATERAL FROM CAUDERHILL BASIN SEWER IMPROVEMENT DISTRICT WITH 2'-0" DIA. 4' STERLING LOT NO. 1 LOT A IS A PRIVATE LANE.
 - 2) DRY STANDPIPE FIRE PROTECTION SYSTEMS MAY BE REQUIRED FOR EACH PARCEL DEVELOPMENT
 - 3) A 24" EAVE EMBROUCHMENT BEYOND THE TREE SIMPLE AREA IS ALLOWED.

**A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2
SILVER LAKE VILLAGE NO. 1 SUBDIVISION**

A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2
SILVER LAKE VILLAGE NO. 1 SUBDIVISION
RECORDED AS ENTRY NO. 309534 JUNE 21, 1989
LOCATED IN THE S.W. 1/4 OF SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS 23rd DAY OF OCTOBER A.D. 1991, AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED AND ACCEPTED BY THE CITY ENGINEER ON THIS 23rd DAY OF OCTOBER A.D. 1991.

James G. West
CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE CITY ENGINEER ON THIS 23rd DAY OF OCTOBER A.D. 1991.

Eric W. DeHann
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION THIS 31st DAY OF OCTOBER A.D. 1991.

David R. White
CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 27th DAY OF NOVEMBER A.D. 1991.

James G. West
CITY ATTORNEY

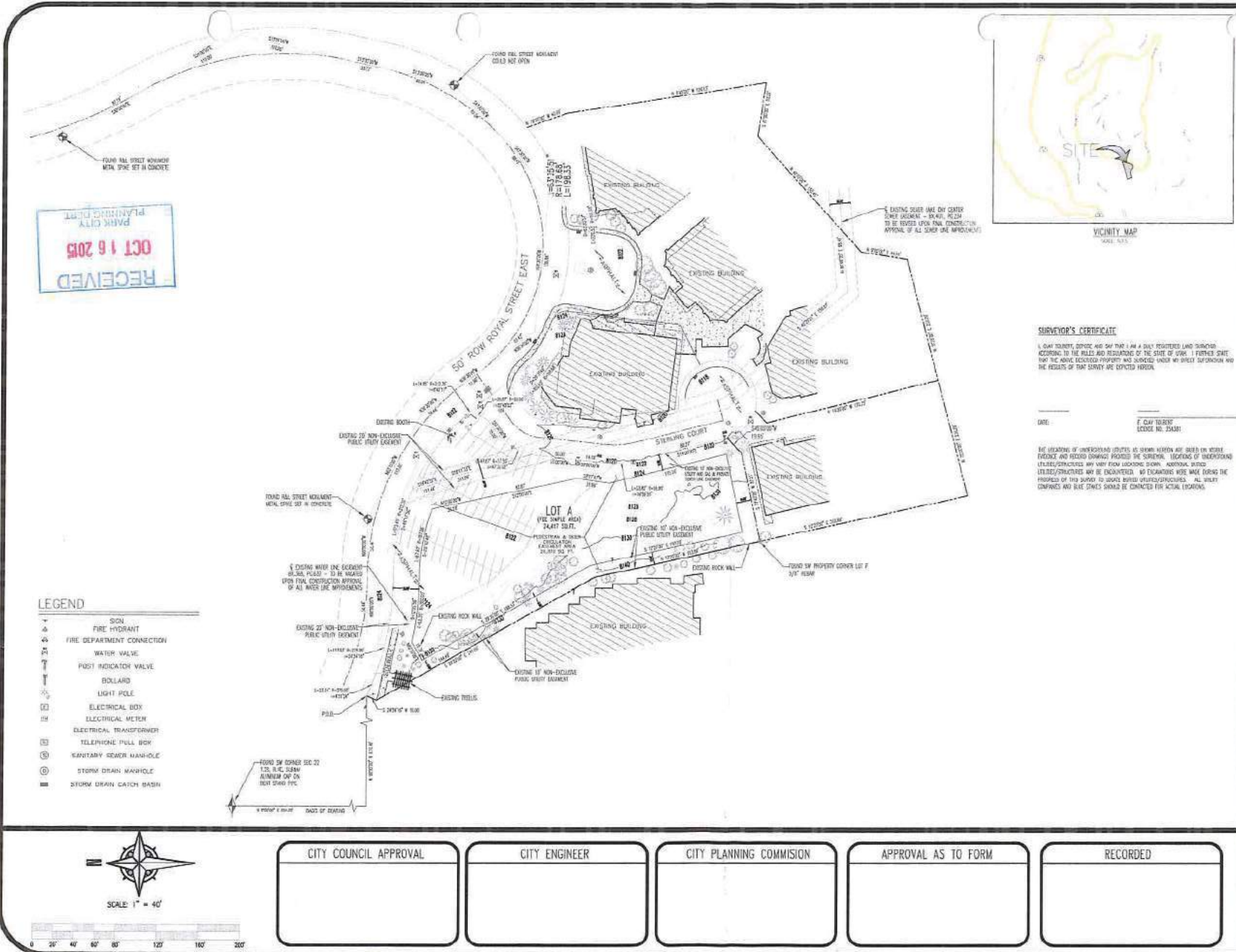
109-59
2400m RECORDED AS 309534

NO. 309534
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF
James G. West
CITY RECORDER





EXHIBIT E



SURVEYOR'S CERTIFICATE
 I, GAY TORRENT, SURVEYOR, DO HEREBY CERTIFY THAT I AM A duly registered land surveyor according to the rules and regulations of the State of Utah. I FURTHER CERTIFY THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THE RESULTS OF THAT SURVEY ARE SET FORTH HEREIN.

DATE: _____
 G. GAY TORRENT
 LICENSE NO. 254381

BEFORE SIGNING THIS CERTIFICATE I HAVE REVIEWED ALL RECORDS AND BEEN ADVISED BY THE RECORDS OFFICER THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THE RESULTS OF THAT SURVEY ARE SET FORTH HEREIN.

- LEGEND**
- SION
 - ▲ FIRE HYDRANT
 - FIRE DEPARTMENT CONNECTION
 - WATER VALVE
 - FORT INDICATOR VALVE
 - BOLLARD
 - LIGHT POLE
 - ELECTRICAL BOX
 - ELECTRICAL METER
 - ELECTRICAL TRANSFORMER
 - TELEPHONE PULL BOX
 - SEWERY RESEWER MAN-HOLE
 - STORM DRAIN MANHOLE
 - STORM DRAIN CATCH BASIN

Project Information

GOLDENER HIRSCH INN
 7570 ROYAL ST, PARK CITY, UT 84060
 RE-SUBDIVISION SURVEY

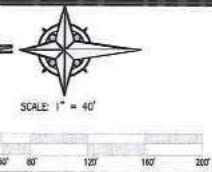
No.	Revision/Issue	Date

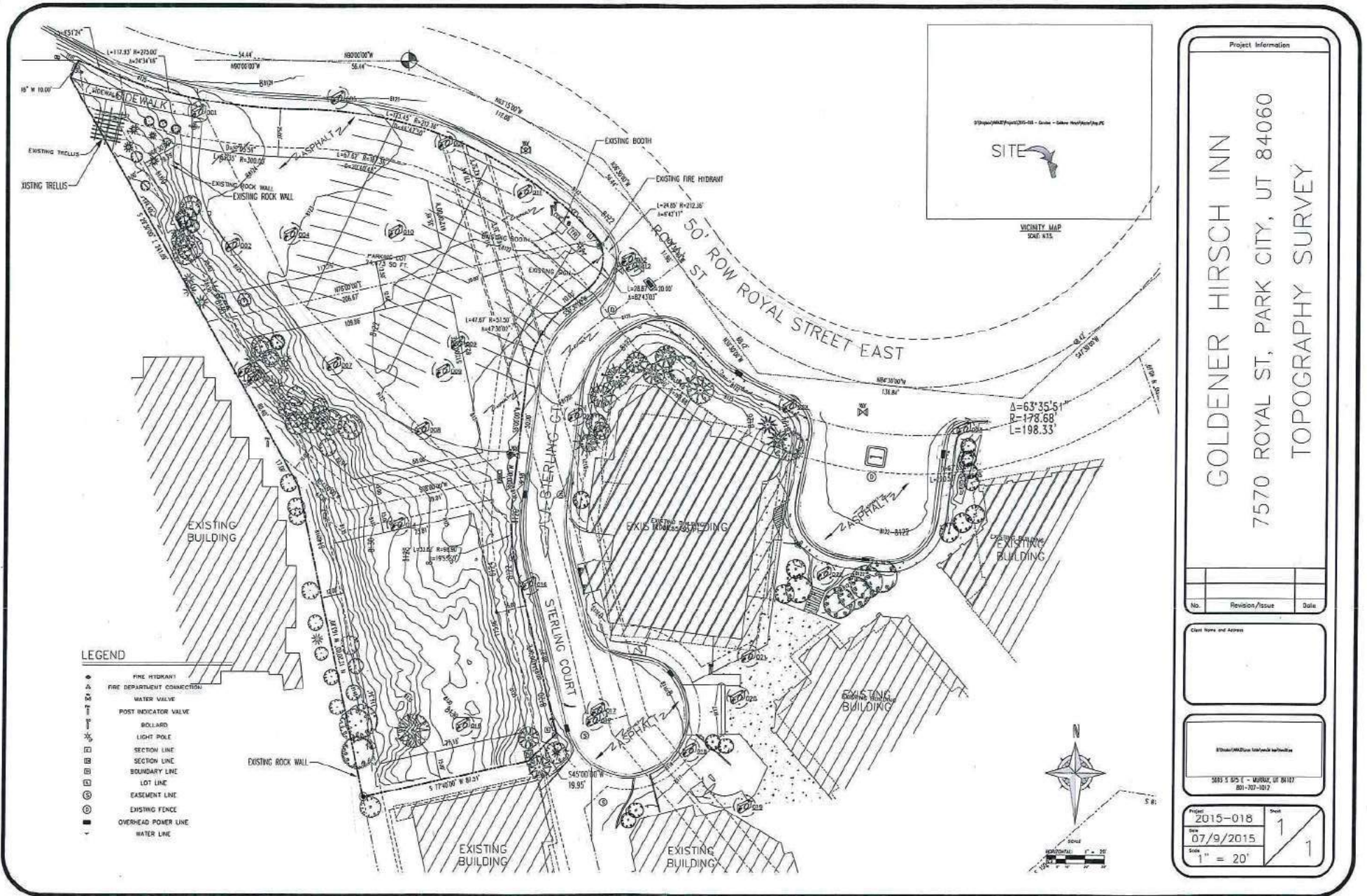
Client Name and Address



2015-018
 10/13/2015
 1" = 40'

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	RECORDED







SNYDERVILLE BASIN

WATER RECLAMATION DISTRICT

2800 HOMESTEAD RD, PARK CITY, UT 84098

WWW.SBWRD.ORG

T 435-649-7993

F 435-649-8040

July 20, 2016

Christopher Conabee
Utah Development & Construction, LLC
1106 Abilene Way
Park City, UT 84098

RE: Goldener Hirsch Inn
Line Extension Agreement Acceptance

Dear Mr. Conabee:

The Line Extension Agreement (LEA) for the above referenced project was accepted by the Board of Trustees at their July 18, 2016 meeting. With this acceptance you are now authorized to begin the design of the wastewater facilities for the project.

Please contact Kevin Berkley with any questions.

Sincerely,

Bryan D. Atwood, P.E.
District Engineer

cc: C. Hope Eccles, ECCKIDS, LLC
Riley Ford, Ensign Engineering
Bob Elder, Ensign Engineering
Project File

October 15, 2015

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

RE: REQUEST FOR CONDITIONAL USE PERMIT (CUP) to partner in Site Planning, Programming, and Architectural Design for the Goldener Hirsch Hotel and Residences

Utah Development and Construction is pleased to submit an application to PCMC to partner in Planning, Programming, and Architectural Design for the Goldener Hirsch Hotel and Residences in Silver Lake Village, Deer Valley, Utah.

INTRODUCTION

The Goldener Hirsch Hotel proposes to build additional hotel rooms, amenities and residences on a parcel of property located next to the existing hotel on Royal Street. Designers will assist the Client with the vision of competing more effectively and efficiently in delivering world class hospitality to it's growing customer base. The new facility will promote the growth of existing demand for new real estate and will allow the Goldener Hirsch to continue to grow room rental revenue in a highly competitive environment.

In order to facilitate the proposed building it will be necessary to seek the combination of Lots F, G, and H and issuing a new record of survey for Lot D.

Feel free to contact me at (801) 935-0254 if further information is required.

Respectfully,



Christopher M. Conabee
Principal
Utah Development and Construction
cconabee@gmail.com



Kirsten Whetstone

From: Steve Issowits <sisowits@deervalley.com>
Sent: Thursday, April 28, 2016 8:18 AM
To: Christopher M. Conabee
Cc: Paul Schlachter; John Shirley; Hope Eccles; Kirsten Whetstone; Bryan Atwood; steve@deervalley.com; Benjamin Hanel; Mike Herbst; Pat Harris
Subject: Re: Silver Lake Subdivision MPD Lots D, F, G and H

Excellent! Thanks so much Chris, and for all your time discussing and meeting this week.

Steve

On Apr 28, 2016 8:02 AM, "Christopher Conabee" <cconabee@gmail.com> wrote:
Steve,

MPD

Please find a copy of the submitted MPD application for your files. I will have a draft of the plat next week for your review and will be coordinating w SBWRD and PCMC next week as well. I will not be adding anything to the MPD file without your review.

SLVPA Property Transfer

I sent a letter to Barry Sartin Monday and I am told his letter will be forthcoming. Hope has coordinated with the Inn and has the same to report. Ensign will have updated Exhibits for the SLVPA letter prepared by Friday. I will forward you the letter with your edits then. These will also serve as the primary exhibits for the Purchase and Sale and Bridge Easement Agreements. I spoke w Craig Terry yesterday and he will be ready to receive your edits next week.

Deer Valley Design Review

Our architects are working on the design submittal with solutions to your previous comments and we can have that available once we are finished with the aforementioned.

Thanks Steve,
-cmc:)

Kirsten Whetstone

From: Christopher Conabee <cconabee@gmail.com>
Sent: Tuesday, September 20, 2016 6:38 AM
To: Kirsten Whetstone
Subject: Fwd: Silver Lake Village Plaza Association - Notice of Meeting of the Board
Attachments: GOLDENER HIRSCH BRIDGE 2016.06.01.pdf; Sidewalk Exhibit.pdf; Goldener Hirsch Traffic Letter_053116.pdf; Goldener Hirsch SLVPA Exchange.pdf; Goldener Hirsch SLVPA Exchange Table.pdf

Kirsten,

Please find the attached documents that were prepared for the SLVPA Board meeting. During its June meeting the Board voted to approve connection of lots F,G and H by providing the project easement grounds between parcels. The Board weigh discussions on bridge size, location and distance, in addition to project massing design and safety concerns addressed by a single member of a single building. Please find the attached documents and traffic study they reviewed in making the decision. The vote passed unanimously.

-cmc:)

message -----

From: Christopher Conabee <cconabee@gmail.com>
Date: Wed, Jun 1, 2016 at 11:53 AM
Subject: Re: Silver Lake Village Plaza Association - Notice of Meeting of the Board
To: Steve Issowits <sissowits@deervalley.com>
Cc: Amos <madan@ivf.us>, Ruth Drapkin <ruthdrapkin@gmail.com>, Michael Ferro <ferro@iproperties.com>, Scott Sandlin <ssandlin@deervalley.com>, Kim McClelland <kmcclelland@deervalley.com>, Tim McFadden Sr <timmcfadden@guidedalliance.com>, Barry Sartin <bsartin1@aol.com>, Hope Eccles <heccl@ccckids.com>, Gary Crocker <gcrocker@merrimack.com>, Bill Natbony <wnatbony@tigris.com>, Bill Riley <bill@elevatedparkcity.com>

In follow up to the Inn at Silver Lake Board call last week and in preparation for the SLVPA Board meeting next week, please find the following seven (7) pages of documents in no specific order representing:

- 1) Bridge Study
- 2) Sidewalk plan
- 3) Traffic Study
- 4) Hirsch/SLVPA Proposed and Existing Property Map and Table

I look forward to speaking with each of you on Friday or before. Please feel free to contact me with any additional information you might need.

Warm Regards,
-cmc:)

On Wed, May 25, 2016 at 7:32 AM, Steve Issowits <sissowits@deervalley.com> wrote:

Dear SLVPA Board and Members: This message is in follow up to my prior email dated May 13th, and following the conference call scheduled by the SLVPA Board. The Board decided at this past Monday's meeting to give a bit more time to this topic since the Inn at Silver Lake requested some time for additional research and presented concerns of theirs regarding the proposed development. Representing the Inn at Silver Lake on the conference call was their HOA Board President, Tim McFadden.

At Monday's Board Meeting we agreed to hold a continuance of the meeting on Friday June 3, 2016. This meeting will be held on June 3rd at 2pm Mountain Time at Snow Park Lodge, in the 3rd Floor Conference Room. An agenda for the meeting is attached.

For anyone wanting to listen in or provide comments to the Board during the discussion period, please use the call-in number: [435-645-2695](tel:435-645-2695), and pass code: 92630#

Sincerely,

Steve

Steven J. Issowits

Director - Real Estate and Resort Planning

steve@deervalley.com

[435-645-2630](tel:435-645-2630) direct

[435-645-6538](tel:435-645-6538) fax

Deer Valley Resort

PO Box 1000

Park City, UT 84060

1-800-424-3337

www.deervalley.com

Deer Valley Resort is honored to be ranked #1 in the categories of Access, Guest Service, Dining, On-mountain Food and Lodging by the readers of SKI Magazine for 2016.

On Fri, May 13, 2016 at 3:03 PM, Steve Issowits <sissowits@deervalley.com> wrote:

Good Day Everyone - I hope you are enjoying Spring. This message is to simply let you know that the members of the Board of Silver Lake Village Plaza Association will be meeting on Monday May 23, 2016 at 3pm Mountain Time. The meeting will be held at Snow Park Lodge, in the 3rd Floor Conference Room. An agenda for the meeting is attached.

As a reminder, your current Board Members are: Steve Issowits (President); Amos Madanes (Vice President); and Michael Ferro (Secretary/Treasurer). The Association last held its annual meeting on September 18, 2015 and will be scheduling this year's annual meeting in the near future after financials are finalized from year-end and next year's budgets are reviewed.

Sincerely,

Steve

September 22, 2016

Kirsten Whetstone
Senior Planner
Park City Municipal Corporation
Planning Department
P.O. Box 1480
Park City, Utah 84060

Kirsten,

Thank you for your assistance in moving forward for discussion and subsequent possible approval of the 2nd Amendment to a Re-Subdivision of Lots No.1 and No.2 Silver Lake Village No. 1 Subdivision.

As you are aware we have an agreement from the Silver Lake Village Plaza Association (SLVPA) to combine Lots F,G and H into a single new lot named Lot I. This amendment will also involve the creation of a bridge easement across the private road known as Sterling Court. Lastly, we examined the transfer of .4215 UE's from lot D to Lot I in order to allow for space for the connection of the bridge into the existing Goldener Hirsch Inn.

During the July meeting of the SLVPA the Board examined objections from two neighbors on separate issues regarding the bridge location and height, and a north facing view corridor from effected properties at Mt Cervin. The vote to transfer property resulting in a combination of lots and creation of a bridge easement was passed unanimously.

We look forward to discussing our progress and a presentation of our facts and findings on the 28th of this month.

Respectfully,



Christopher M. Conabee
Principal, Utah Development and Construction

cc: C. Hope Eccles, Manager, EccKids, LLC,
Steven Issowits, SLVPA President

Planning Commission Staff Report



Application: PL-15-02967
Subject: Goldener Hirsch Inn CUP
Author: Kirsten Whetstone, MS, AICP- Senior Planner
Date: September 28, 2016
Type of Item: Administrative- Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the Goldener Hirsch Inn Conditional Use Permit application, conduct a public hearing, consider public input, and review the draft findings of fact, conclusions of law, and conditions of approval. Staff recommends the Commission provide input to Staff and the applicant and continue final action on the Conditional Use Permit to October 26, 2016.

Description

Applicant: EccKids LLC, owner, represented by Christopher M. Conabee
Location: 7520-7570 Royal Street East, Deer Valley Resort, Silver Lake Village Lots D, F, G and H
Zoning: Residential Development (RD) District subject to the 11th Amended and Restated Large Scale Master Planned Development Permit (Deer Valley MPD).
Adjacent Land Uses: Deer Valley Resort, Park City Fire District Station, and residential and commercial condominiums such as Royal Plaza, Mount Cervin, the Inn at Silver Lake, Stein Ericksen Lodge, Chateaux at Silver Lake, and Black Bear Lodge.
Reasons for Review: Conditional Use Permits require a public hearing and Planning Commission review and final action.

Proposal

The proposal, known as the Goldener Hirsch Inn CUP, consists of 1) amendments to the existing Goldener Hirsch Inn located at 7570 Royal Street on Silver Lake Village Subdivision Lot D and 2) construction of 38 residential condominium units within a multi-story building on proposed Silver Lake Village Lot I, currently known as Silver Lake Village Lots F, G and H (See Exhibits A, B, and C for Applicant's letter, proposed plans, and existing conditions).

A Deer Valley MPD amendment to combine Silver Lake Village Lots F, G and H into a new Lot I and to transfer 0.4215 UE of density from Lot D to Lot I, was submitted for concurrent review by the Planning Commission (See Exhibit D).

A plat amendment application was also submitted for concurrent review by the Planning Commission. The plat amendment combines Lots F, G and H into one 1.17 acre lot to

be known as Lot I (See Exhibit E).

The CUP application proposes a total of 68,843 sf (34.4215 UE) of residential uses, for 38 residential units ranging in size (area) from 576 sf to 2,350 sf. The total residential floor area includes the 843 sf (0.4215 UE) transferred from the existing Inn (on Lot D) and the 68,000 sf (34 UE) entitled with the Deer Valley MPD for Lots F, G, and H (See Exhibits B and C for plans, existing conditions, and photographs).

Background

The property is located on Lot 2 of the Silver Lake Village No. 1 subdivision plat. This subdivision plat was recorded June 21, 1989 and a re-subdivision, known as the Re-Subdivision of Lots No. 1 and No. 2 of Silver Lake Village No. 1 was approved in October 1989 and recorded in November 1989. The re-subdivision plat created Lots F, G and H from Lot No. 2 (Exhibits G and H).

The property is subject to the Deer Valley MPD originally approved on September 27, 1977 and most recently amended on March 23, 2011 as the 11th Amended and Restated Large Scale Master Planned Development Permit (Deer Valley MPD). The Deer Valley MPD assigned densities for the lots within the Silver Lake Village subdivision. (See Exhibit 1 of the MPD document in the associated MPD Amendment Staff Report). Lot F is allowed 11 Units, Lot G is allowed 11 Units and Lot H is allowed 12 Units for a total of 34 Units. Lot D, the location of the existing Goldener Hirsch Inn is allowed 6 Units.

Deer Valley MPD allows these residential units to be constructed as “Deer Valley Units” without a size limitation, or as Unit Equivalents (UE), using the Land Management Code formula and definition of Unit Equivalents (1 UE is equivalent to 2,000 square feet of residential floor area) that can be broken up into various sized units without a limit on the number of units, but with the total square footage not to exceed 2,000 sf multiplied by the number of UEs. For this proposal, the applicant has chosen the use of the UE formula. Properties developed as “Deer Valley Units” are required to maintain 60% open space. Units developed with the UE formula are not so stipulated. The Silver Lake Village Subdivision plat provides 65% open space for the total area of Lots A – H.

A total of 68,843 sf of residential units utilizing the 34.4215 UEs are requested with this CUP application for a nightly rental condominium hotel. An additional 5% (3,400 sf) is allowed for support commercial uses and another 5% is allowed for support meeting uses.

The existing Goldener Hirsch Inn, located on Lot D is allowed 6 UE (12,000 sf) of residential area. The Hirsch currently has a total of 11,104 sf of residential floor area (20 units), in addition to a total of 3,221 sf of commercial floor area and a small (approximately 500 sf) conference room (support meeting space) on the second floor (see Exhibit F). Staff will further research the commercial allocation for the October meeting.

The Deer Valley MPD also approved a height exception for these lots as described in footnote "A" of the Exhibit 1 of the Deer Valley MPD. The MPD states that the development height limitation is tied to a base elevation of 8122' with peak of roof not to exceed elevation 8186' (USGS topographic elevation). This allows a height of 59' with a 5' allowance for the peak of the roof to 64', provided that the peak of roof does not exceed USGS elevation 8186'.

On January 13, 2016, the Planning Commission held a public hearing and discussed the Conditional Use Permit and plat amendment (Exhibit I). Public input was provided by a representative of Deer Valley Resort, who is also Board member of the Silver Lake Village Plaza Association. The representative stated support of the project, mentioning that the final architecture and building height were items that are important to neighboring properties. The Commission discussed 1) parking, including the provision of additional parking over what the project requires as compensation to Deer Valley for popular surface parking being replaced by the buildings, 2) building height, and whether the plans comply with restrictions of the MPD given that portions of the upper roof have flat roof elements, 3) combination of lots into one lot, 4) general architectural character and design elements, 5) traffic reduction options that could be requested and implemented, 6) and setback changes from those on the current plat. The Commission also reviewed a physical model of the proposal.

The Commission voted to continue the item to the February 24, 2016 meeting. On February 24, 2016, the Commission voted to continue the item to a date certain to allow the applicant additional time to resolve an ownership issue that had come up with the proposed subdivision plat, to review the Deer Valley MPD and proposed possible amendments to the governing document to combine the MPD parcels and memorialize the density transfer from Lot D, and to resolve issues with existing and proposed utilities and fire protection necessary for the development.

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.

Analysis

The proposal includes removing 2 existing residential units, 843.48 sf total (0.4215 UE), from the Goldener Hirsch Inn to accommodate circulation and a “bridge” connection over Sterling Court (private access driveway) to the Goldener Hirsch Residences as well as to the Silver Lake Village plaza area and Deer Valley Resort. This 843 sf (0.4215 UE) of residential space is proposed to be transferred from the Goldener Hirsch Inn (Lot D) to the proposed Goldener Hirsch Residences (Lot I).

A total of 68,843 sf (34.4215 UE) of residential uses, for 38 residential units ranging in size from 570 sf to 2,379 sf, are proposed with this CUP. The total residential floor area includes the 843 sf transferred from the existing hotel and the 68,000 sf entitled with the 34 UE. A 2,162 sf ADA unit is also proposed on Level One to be platted as common area and only available to be leased along with another unit.

The Deer Valley MPD and the LMC allows up to 5% of the residential floor area, or 3,442 sf for support commercial uses and another 5% for support meeting space. Approximately 3,400 sf of meeting space is proposed for the new building, along with residential accessory uses, such as recreation amenities and changing rooms, lobby area, ski lockers, etc. for the exclusive use of guests and owners. No support commercial uses are proposed within the new building with this permit.

Lots F, G, and H are undeveloped; however, they are currently utilized as non-formal surface parking lots at Silver Lake primarily for Deer Valley Resort. Two levels of underground parking, with a total of 109 spaces, are proposed. A single driveway off of Sterling Court provides access to the underground parking garage serving the entire building. Sterling Court is a private street that also provides access to the existing Goldener Hirsch Inn garage and to garages for adjacent condominium properties of Mount Cervin, Royal Plaza, and the Inn at Silver Lake.

The porte-cochere area for the new building provides 3 to 4 additional surface parking spaces and an area for guest and owner arrival off of Sterling Court. The LMC requires a minimum of sixty-eight (68) spaces for the proposed building, based on the mix of unit sizes. The applicants meet the minimum and are providing forty-one (41) additional spaces in the garage. This is at the request of the Deer Valley Resort. The applicant indicates that 18 spaces will be vacated by the existing Goldener Hirsch Inn due to improvements within the existing garage, thus reducing the number of extra spaces for the entire Inn property to 26 spaces. The Goldener Hirsch Inn will continue to meet the parking requirements for the remaining residential units. Parking garages for the Inn and the proposed building will not be connected.

Site and Lot Requirements of the LMC and Deer Valley MPD

Staff reviewed the proposal for compliance with the lot and site requirements of the RD Zoning District and the Deer Valley MPD as described below.

	RD Zoning District and DV MPD
Lot Size	No minimum lot size. DV MPD Amendment and a plat amendment were submitted for concurrent review to combined Lots F, G, and H into Lot I to create one lot of record that is 1.17 acres, including skier easements.
Building Footprint- Floor Area Ratio (FAR) Density	No FAR required. Density is per the Deer Valley MPD: Lot F- 11 UE Lot G- 11 UE Lot H- 12 UE Total is 34 UE Lot D- 6 UE Proposed- 12 th Amended DV MPD combines Lots F, G, and H into Lot I and transfers 0. 4215 UE of residential density from Lot D to Lot I for a total of 34.4215 UE (68,843 sf of residential) leaving Lot D with 18 units and 5.5785 UE (11,157 sf of residential).
Front yard setbacks	LMC- minimum of 25 feet, to front garage, 20 feet to building. Silver Lake Village plat- 25 feet along Royal Street and 15 feet along Sterling Court (private drive). Proposed- Minimum of 25' along Royal Street and requesting 10 feet along Sterling Court for upper stories, 15' for main level, as part of the plat amendment.
Rear yard setbacks	LMC- minimum of 15 feet. Silver Lake Village plat- 15 feet. Proposed- Minimum of 15 foot rear setbacks are proposed along south property line.
Side yard setbacks	LMC- 12 feet. Silver Lake Village plat- 12 feet. Proposed- Minimum of 12 foot side setbacks are proposed along west property line.

Building Height	<p>Per Deer Valley MPD Exhibit 1 footnote The Deer Valley MPD states that the development height limitation is tied to a base elevation of 8122' with peak of roof not to exceed 8186' (USGS topographic elevations). Allows a height of 59' with a 5' allowance for the peak of the roof to 64'.</p> <p>Proposed- Building does not exceed elevation 8186. All building heights will be verified at the time of Building Permit review to ensure compliance with the CUP and DV MPD.</p>
Parking	<p>Proposed- Based on unit sizes, sixty-eight (68) parking spaces are required for the 38 units (some units require 1 space, others 1.5 spaces, and others 2 spaces). Plus two spaces for ADA unit.</p> <p>Two levels of parking provide 109 parking spaces plus 3-4 surface space for a total of 112 spaces. Providing 44 extra parking spaces (for general parking at Silver Lake and Deer Valley Resort), a reduction by 56 of the approximately 100 "extra" surface spaces that currently exist on the vacant lot.</p>
Architectural Design	<p>All construction is subject to the Deer Valley Architectural Design Review Board. The plans have been reviewed by the Board and a final determination as to compliance with the Deer Valley Design Guidelines will be made following Planning Commission review. Staff will verify that plans submitted for building permit approval are in compliance with the final approved CUP plans.</p>
Residential Units	<p>Proposed- 38 units ranging in size from 570 sf to 2,379 sf and one 2,162 sf ADA unit (as common area) Total of 68,834 sf of residential floor area allowed.</p>
Commercial space	<p>Proposed- No commercial space is proposed.</p>

Support space- 5% of residential floor area is permitted for meeting space and another 5% is permitted for support commercial space (3,442 sf).	Proposed- 3,398 sf of support meeting space is proposed. No support commercial space is proposed.
Residential accessory space (circulation, storage, back of house, recreation amenities, etc. does not require use of UE)	8,220 sf of residential accessory space is proposed

Conditional Use Permit Review

Individual development sites within the Deer Valley MPD are reviewed as a Conditional Use Permit based on criteria in Land Management Code Section 15-1-10 as follows:

(1) Size and location of the Site.

No unmitigated impacts. The site is located west of the existing Goldener Hirsch Inn and east of the existing Stein Eriksen Lodge on Royal Street. The site consists of Lots F, G and H of the Silver Lake Village Subdivision. Combined, the lots consist of approximately 1.17 acres including platted skier easements. The CUP application is for a multi-story building with 38 residential units ranging in size from 570 sf to 2,379 sf. and one 2,162 sf ADA unit to be held as common area, leasable only with another unit.

Excluding the ADA unit, the total residential floor area is approximately 68,843 square feet, utilizing 34.4215 unit equivalents (UE), consistent with the amended Deer Valley MPD. The site slopes down slightly from Royal Street along Sterling Court (private) and the design proposes two levels of underground parking structure with up to five stories of residential units above the parking level on the north and south building masses along with a center building mass of six stories built into the hill on the west side of the lot.

The garage entrance is at grade with Sterling Court and built into the slope of the lot so that the back of the garage is underground. The building pad is relatively level and undeveloped, though utilized as surface parking for Silver Lake area and Deer Valley Resort.

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

No unmitigated impacts identified. The site is served by Royal Street, a public road that connects to Marsac Avenue. Access to the building is proposed off Sterling Court. The proposed density has been anticipated since approval of the Deer Valley MPD in 1997 and there is planned capacity on existing Streets for this development.

A Construction Mitigation Plan will be required at the time of Building Permit issuance to describe construction traffic, including how excavated materials will leave the site. The

Chief Building Official and City Engineer recommend a condition that downhill truck traffic will use Marsac Avenue as part of the CMP.

The current use of the site is as a parking lot for 50 to 100 vehicles, depending on the season and level of parking assistance provided. The applicant is proposing a total of 109 stalls in a single garage to allow parking for the project as well as provide parking for Deer Valley Resort. Parking at the existing Goldener Hirsch Inn will decrease by 18 spaces due to improvements within the existing garage, thus reducing the number of extra spaces for the entire Inn property to 26 spaces. The Goldener Hirsch will continue to meet the parking requirements for the remaining residential units. Garages for the Inn and proposed building will not be connected.

Traffic may decrease as the availability of parking for daily skiers is reduced and owners of the units are within walking distance of the resort. Bus service is provided to this area. At this time the applicants are not certain whether the project will have a private shuttle service. With the informal parking situation today, the lot is accessed from Royal Street, though there are no curbs and some is accessed off Sterling Court. Once the garage is built all parking for the CUP will access from Sterling Court, as do the other four condominium projects in the Village.

(3) Utility capacity.

No unmitigated impacts identified. The applicant has worked with utility providers, including the City, SBWRD, the Fire District (regarding hydrants and access), and dry utilities to relocate existing lines that cross the property. A revised utility plan was submitted for review by the City Engineer. Relocation also addresses platting of easements for existing utilities in Sterling Court. A final approved utility and grading plan is required prior to issuance of a building permit. Adequate sewer, electric, gas, and phone capacity are available for this development.

Storm water detention and dry utility locations will need to be shown on the plans to ensure that the areas are sufficient and that they can be adequately accessed and screened/landscaped. Staff recommends a condition of approval regarding this.

A revised fire protection and utility plan was submitted on July 29, 2016, indicating coordination with the property owner to the west (Stein's). A final utility plan will be provided with the building permit plans for final approval by the City Engineer, SBWRD, and the Fire District.

(4) Emergency vehicle access.

No unmitigated impacts identified. Primary emergency access is from Royal Street with two access points into the area. The applicant is proposing a bridge and coordinated heights of 14 ft minimum with PCFD in order to allow appropriate and code required access into Sterling Court and the existing fire district approved turn around. Sterling Court meets the minimum width of 20' for emergency access, provided that no parking is permitted on the Court. Enhanced fire protection and emergency access for the west side of the property was coordinated with the adjacent property (Stein's) and

will be reflected on the final utility and fire protection plans submitted with the building permit plans with a final sign off on the fire protection plan prior to Certificate of Occupancy for the addition.

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

No unmitigated impacts identified. Parking is based on the number and size of residential units. Sixty-eight (68) off-street parking spaces are required for the 38 units and the ADA unit, based on the current numbers and sizes of the units. The proposed underground parking structure will have approximately 109 spaces and 2-3 surface spaces are provided near the guest arrival area. Approximately 44 extra parking spaces are provided for the Silver Lake area of Deer Valley Resort. The applicant indicates that 18 spaces will be vacated by the existing Goldener Hirsch Inn due to improvements within the existing garage, thus reducing the number of extra spaces for the entire Inn property to 26 spaces. The Goldener Hirsch will continue to meet the parking requirements for the remaining residential units.

(6) Internal vehicular and pedestrian circulation system.

No unmitigated impacts identified. Access to the Hotel and Residences is from Sterling Court, a private street off Royal Street. A small service area is accessed off Royal Street. The main guest arrival and drop-off area is located on the east side of the building and a bus stop is located nearby on Royal Street. A pedestrian path and sidewalk system is proposed consistent with the MPD with extension of the existing sidewalks and pathways, including a sky bridge linking the Residences to the Goldener Hirsch Inn (and restaurant) to the main Silver Lake Village common area, shops, and mid-station base of Deer Valley Resort. Sidewalks will be provided along Sterling Court.

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

No unmitigated impacts identified. The revised landscape plan provides a buffer and screening between buildings and uses on adjacent properties. Landscaping and irrigation is proposed to be water efficient, utilizing drought tolerant plantings, limited turf area, and drip irrigation. Fencing is not necessary. Staff recommends a condition of approval that a final landscape plan shall be submitted with the building permit.

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

No unmitigated impacts identified. The proposed building is oriented towards Sterling Court and generally has a north/south axis. The site is broken into three masses in order to match the scale of the surrounding buildings. The north building contains sixteen units ranging from 2,180 to 2,265 sf. and an ADA unit on the ground floor. The center building contains six units of approximately 2,000 to 2,379 sf and includes the lobby and amenities. The south building contains sixteen units comprised of eight 570-588 sf hotel rooms and eight units of approximately 1,808 sf to 2,205 sf

Setbacks to Royal Street are a minimum of 25'. The west side setbacks of 12' are consistent with the setbacks for adjacent buildings (such as Mount Cervin condos to the south). The south side has a 15' rear setback. The applicant is requesting the setback

along Sterling Court, a private driveway, be reduced from 15' to 10' for the upper stories, while maintaining 15' for the main level. The applicant has requested this as part of the plat amendment.

The building has five floors of residential units with two levels of parking structure under the building. Thirty eight (38) units are proposed with a total of 68,843 residential square feet, not including the 2,162 square foot deed restricted ADA unit. To the south there are two existing buildings of a similar size, height, and volumetric, (Mount Cervin and The Inn at Silver Lake). To the North, there is one building with larger size and volumetric (The Chateaux). To the East is a single building with smaller volume and size (The existing Goldener Hirsch Inn). To the west is a building(s) with larger volumetric and height than the proposed project (The Stein Ericksen Lodge). Proposed building heights comply with the Deer Valley MPD and do not exceed elevation 8186' as stipulated by the MPD (64' above the base elevation of 8122').

(9) Usable Open Space

No unmitigated impacts identified. Both passive and active Open Space is provided in the Deer Valley Master Plan. The individual lots were not required to provide open space, if they utilized the Unit Equivalent formula. The site plan includes plaza areas and a bridge connecting the new building to the existing Silver Lake plaza provides useable area for circulation and outdoor activities.

(10) Signs and lighting

No unmitigated impacts identified. All exterior lights and signs must comply with the applicable Park City ordinances and code. Exterior lights must be identified on the building permit plans and shall be down-directed and shielded. No additional signs are proposed with this permit. Approval of a sign permit is required prior to installation of any new regulated signs.

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

No unmitigated impacts identified. The proposed building is similar in physical design, mass, and scale to surrounding buildings and while different than surrounding structures in terms of architectural style, design, and character, the proposed building has elements that provide a continuity and compatibility of design for the Silver Lake Village. By incorporating similar design elements and materials, as required by the Deer Valley Design Review Board, the applicant has worked to make the building more compatible with surrounding structures in terms of style, design, and detailing. By reducing the amount of glazing, reworking the balcony design, and provided additional building articulation, particularly along Royal Street, the revised building is more compatible with the general architectural theme of the Village while providing a more updated and fresh style to the area. The proposed design does not detract from the overall architectural character of the area. The applicant will present a materials board for Planning Commission discussion.

In the immediate area there are four existing similarly sized multi-story residential condominium buildings (The Goldener Hirsch Inn, Mount Cervin, The Inn at Silver Lake and The Chateaux) that are architectural compatible, though different in terms of design and architectural detailing. Adjacent to the west is the Stein Eriksen Lodge, a large, multi-story residential condominium project located on a 10.86 acre lot. The Lodge consists of 197,858 sf of residential floor area, as well as support commercial and meeting space, with a total floor area of approximately 350,000 sf. The Lodge is the largest project on the largest lot in the Silver Lake area.

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

No unmitigated impacts identified. There are no expected unmitigated impacts on people or Property Off-Site, from vibration, odors, steam or other mechanical factors as a result of the proposed residential building. Staff will recommend conditions of approval related to screening of mechanical equipment to mitigate for any mechanical factors that might affect people and property off-site. The outdoor pool on the upper roof may create additional noise that can be mitigated by design of screen walls as well as management of pool hours and common courtesy and etiquette.

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

No unmitigated impacts identified. Service and delivery will be minimal as there is no commercial component in the building. It is anticipated that laundry/maid service will be needed on a weekly basis and will be accommodated by existing services already used by the Goldener Hirsch Inn. Trash pickup area will be moved from the existing location on Sterling Court and relocated to a fully enclosed and screened location at the northwest corner of the site, with a maintenance drive off of Royal Street.

(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.

No unmitigated impacts identified. The project will be platted as condominiums to enable individual units to be owned. Nightly rental is a permitted use within the RD zoning district. These units will be primarily second homes and managed by the existing Goldener Hirsch Inn. It is unlikely that many will be full-time, permanent residents although this possibility is not precluded. The project has a total of 31 lockouts associated with the 38 units to facilitate the viability of existing hotel operations. The lockout unit floor area is included in the total unit area.

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

No unmitigated impacts identified. The Deer Valley MPD is not subject to the requirements of the Sensitive Lands Overlay. There are no Environmentally Sensitive Lands within or adjoining the site. The building is located on relatively level ground along Royal Street with gradually sloping topography. The site is currently a vacant lot

consisting of native grasses and shrubs on the south end and an unpaved parking lot with little significant vegetation on the north end. The parking area was used during construction of Stein Ericksen Residences, The Inn at Silver Lake, The Chateaux and the Black Bear Lodge.

A final landscape plan shall be submitted with the building permit application. The landscape plan shall comply with the City's adopted Wildland Interface Ordinance.

Process

Approval of a Conditional Use Permit application constitutes Final Action that may be appealed to the City Council following appeal procedures outlined in LMC Section 15-1-18. A plat amendment to combine Lots F, G, and H into one lot for the building is required prior to issuance of a building permit. The plat shall be consistent with approval of a 12th amendment to the Deer Valley MPD. A condominium record of survey plat is required prior to selling individual units. Staff review of a Building Permit is not publicly noticed nor subject to review by the Planning Commission unless appealed.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up that have not been addressed or conditioned. Staff and the applicant have been working with utility providers and the Park City Fire District since the January meeting to address utility issues that came up at the interdepartmental review, as well as to an issue related to ownership of the lots and parcels. The utility issues have been worked out and a revised utility plan was submitted on September 9, 2016 to the City Engineer. Ownership issues have also been resolved between the applicant/owner of the Lots and Silver Lake HOA who owned easements around the Lots and a revised plat has been submitted. Silver Lake HOA voted in favor of the plat amendment.

Public Notice

The property was re-posted and notices mailed to property owners within 300 feet on September 14, 2016. A legal notice was published in the Park Record and the Utah Public Notice Website on September 9, 2016.

Public Input

The applicants held two open house meetings, one on November 18, 2015 and a second on December 2, 2015. Presentations were also held for Silver Lake Village, Stein Ericksen Lodge, Mount Cervin, The Chateaux and Black Bear Lodge HOA members. A public hearing was held by the Planning Commission on January 13, 2016 (see Exhibit I).

On May 6, 2016, Staff received an email and letter from a neighbor outlining safety concerns due to the proposed access on Sterling Court, increased pedestrian circulation on Sterling Court and possible conflicts with emergency and other service vehicles, and additional concerns with the proposed bridge crossing (see Exhibit K) due to the extra height required for emergency vehicle access and the views that will be blocked as a result.

The applicant informed staff that they had met with the neighbor (a resident in a neighboring property to the south) and clarified what information they could provide to address these concerns.

Due to on-going utility coordination from April to August and pending revisions to the plans, staff informed the neighbor that once the revised plans have been approved by the Fire District and submitted to the City, he would be contacted by Staff and provided the revisions. Staff and the Applicant have been in contact with the neighbor and will provide copies of the plans and report prior to the meeting.

On September 20, 2016, the applicant provided a traffic and safety analysis (Exhibit L) of the project for inclusion in the Planning Commission packet. Staff corresponded with the neighbor by conference call to go over revised plans.

Alternatives

- The Planning Commission may approve the Goldener Hirsch Inn and Residences CUP, as conditioned or amended; or
- The Planning Commission may deny the Goldener Hirsch Inn and Residences CUP and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Goldener Hirsch Inn and Residences CUP and request specific additional information necessary to make a decision regarding compliance with the review criteria.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

A building permit for the development cannot be issued until a Conditional Use Permit is approved. The applicant could modify the application to address concerns raised or appeal the decision to the City Council.

Summary Recommendations

Staff recommends the Planning Commission review the Goldener Hirsch Inn Conditional Use Permit application, conduct a public hearing, consider public input, and review the draft findings of fact, conclusions of law, and conditions of approval. Staff recommends the Commission provide input to Staff and the applicant and continue final action on the Conditional Use Permit to October 26, 2016.

Findings of Fact:

1. The property is located at 7520-7570 Royal Street East with access proposed off of Sterling Court, a private street.
2. The property is zoned Residential Development subject to the Eleventh Amended and Restated Large Scale Master Planned Development, aka Deer Valley MPD, as amended.
3. On October 16, 2015, the applicant submitted a request for a Conditional Use Permit

for an expansion of the existing Goldener Hirsch Inn located at 7520-7570 Royal Street East.

4. This Conditional Use Permit is subject to approval of the proposed 12th Amended and Restated Large Scale Deer Valley Master Planned Development Permit, submitted on April 27, 2016, for concurrent review. The MPD amendment application requests to combine Silver Lake Village Lots F, G and H into one Lot I and to transfer 843 sf of residential uses (0.4215 UE) from Lot D to Lot I. Lot D would be reduced to 5.5785 UE of residential uses.
5. This Conditional Use Permit is subject to approval of the Second Amended Re-Subdivision of Lots No.1 and No. 2 Silver Lake No. 1 Subdivision plat amendment, submitted on October 16, 2016, for concurrent review. The plat amendment application requests combination of Silver Lake Village Lots F, G, and H into one lot, Lot I. The plat amendment also reduces the minimum setback along Sterling Court from 15' to 10'.
6. The 1.17 acre Lot I, including skier easement areas, is currently vacant undeveloped land that has been used as a temporary parking lot for Silver Lake Village and Deer Valley Resort for thirty years or more. This property provides 70- 100 temporary parking spaces (depending on the level of parking management) on a non-paved surface.
7. The Deer Valley MPD assigns a total of 34 UE to Silver Lake Village Lots F, G and H and 6 UE to Silver Lake Village Lot D.
8. Lot D is the location of the existing Goldener Hirsch Inn. The Hirsch currently has a total of 11,104 sf of residential floor area (20 separate units), in addition to a total of 3,221 sf of commercial floor area and a small (approximately 500 sf) conference room (support meeting space) on the second floor. (Staff will do additional research prior to the October 26 meeting to understand these commercial numbers.)
9. No Commercial Unit Equivalents are assigned to the Lots F, G and H. Lot D is assigned 2,062 square feet of commercial area by the Deer Valley MPD.
10. Using the 5% formula, based on the total residential floor area, a total of 3,442 square feet of support commercial uses and 3,442 square feet of support meeting space are allowed on Lots within the Deer Valley MPD.
11. On October 16, 2015, the Planning Department received a complete application for a Conditional Use Permit (CUP) requesting approval for a total of 68,843 sf (34.4215 UE) of residential uses, for 38 residential units ranging in size (area) from 570 to 2,379 square feet. The total residential floor area includes the 843 sf (0.4215 UE) transferred from the existing Inn (on Lot D) and the 68,000 sf (34 UE) entitled with the Deer Valley MPD for Lots F, G, and H, per the proposed 12th Amended Deer Valley MPD.
12. The project has a total of 31 lockouts associated with the 38 units to facilitate the viability of existing hotel operations. The lockout unit floor area is included in the total unit area.
13. The proposed building is oriented towards Sterling Court and generally has a north/south axis. The site is broken into three masses in order to match the scale of the surrounding buildings. The north building contains sixteen units ranging from 2,180 to 2,265 sf. and an ADA unit on the ground floor. The center building contains six units of approximately 2,000 to 2,379 sf and includes the lobby and amenities.

The south building contains sixteen units comprised of eight 570- 588 sf hotel rooms and eight units of approximately 1,808 sf to 2,205 sf

14. The total proposed building area is 154,578 square feet. Included in the total area, in addition to the 68,843 square feet of residential units, are approximately 8,220 square feet of residential accessory uses (recreation amenities, business center, workout area, etc.); 22,878 square feet of circulation, back of house, restrooms, etc.), 3,398 square feet of support meeting space, a 2,162 square foot required ADA unit as common area, and 49,077 sf of parking garage (in addition to the 68,843 square feet of residential units). This area is exclusive of any unenclosed porches, decks, and patios.
15. No UE are required for residential accessory uses, support meeting space, back of house area, or the parking garage. No support commercial uses are proposed with this Conditional Use Permit.
16. The Deer Valley MPD does not require open space on this parcel as the unit equivalent formula is used for density calculations.
17. Building Height allowed per the Deer Valley MPD is 59' (plus 5' to 64'), provided that the peak of the roof does not exceed USGS elevation 8186'. The base elevation is identified as USGS elevation 8122'. The proposed building does not exceed USGS elevation 8186' to the highest part of the roof.
18. Setbacks per the plat are 25' along Royal Street, 12' along the sides, and 15' along the rear (south). The subdivision plat calls out a 15' setback along Sterling Ct. The applicants are requesting a reduction in the setback along Sterling Ct. to 10' for the upper levels, and maintaining 15' for the main level.
19. The proposed building is similar in physical design, mass, and scale to surrounding buildings and while different than surrounding structures in terms of architectural style, design, and character, the proposed building has elements that provide a continuity and compatibility of design for the Silver Lake Village. By incorporating similar design elements and materials, as required by the Deer Valley Design Review Board, the applicant has worked to make the building compatible with surrounding structures in terms of style, design, and detailing. By reducing the amount of glazing, reworking the balcony design, and provided additional building articulation, particularly along Royal Street, the revised building is more compatible with the general architectural theme of the Village while providing a more updated and fresh style to the area. The proposed design does not detract from the overall architectural character of the area.
20. Final design approval by the Deer Valley Architectural Review Board is a requirement of the Deer Valley MPD.
21. Parking requirements are based on the size and number of residential units. A minimum of 68 spaces are required for the number and sizes of proposed units. A total of 109 parking spaces are proposed within an underground parking garage.
22. Parking at the existing Goldener Hirsch Inn will decrease by 18 spaces due to improvements within the existing garage, thus reducing the number of extra spaces for the entire Inn property to 26 spaces. The Goldener Hirsch will continue to meet the parking requirements for the remaining residential units.
23. A final utility plan, including location and details for storm water facilities and dry utilities, to be located on the property, in addition to all other utilities, will be provided

with the building permit plans for final approval by the City Engineer, SBWRD, and the Fire District.

24. Sterling Court provides access, including emergency access, to the project from Royal Street East. There is a fire code compliant turn around area at the southern end of the Court. Enhanced fire protection and emergency access for the west side of the property were coordinated with the adjacent property owner (Stein's) and will be reflected on the final utility and fire protection plans to be submitted with the building permit plans.
25. Enhanced pedestrian pathways along the eastern property line are proposed, as well as pedestrian pathways and outdoor plazas between the spa pool area and the recreation area and ski locker rooms.
26. Natural vegetation on the southern portion of the site includes native grasses and shrubs.
27. Four existing buildings in the Silver Lake Village area with access off of Sterling Court (Goldener Hirsch, Royal Plaza, The Inn, and Mt Cervin) generally have a north-south orientation and are similar in height and scale to the proposed building as designed with vertical and horizontal articulation and massing broken into three main components.
28. Required setbacks are 25' along Royal Street, 12' along the west property line, and 15' along the south property line. The applicant is requesting a 10' minimum setback along Sterling Court from the current platted requirement of 15' for the upper stories and a 15' setback for the main level. The Planning Commission may alter interior setbacks within the Deer Valley MPD at the time of review of the associated plat amendment.
29. All exterior lights and signs must comply with the applicable Park City ordinances and code. Exterior lights must be identified on the building permit plans and shall be down-directed and shielded. No additional signs are proposed with this permit. Approval of a sign permit is required prior to installation of any new regulated signs.
30. A condominium plat and condominium declaration to identify private, common, and limited common areas shall be recorded prior to sale of any unit.
31. The Deer Valley MPD is not subject to the requirements of the Sensitive Lands Overlay.
32. The site is within the area subject to the City's Urban Wildland Interface Ordinance for fire prevention.
33. On January 13, 2016 the Planning Commission discussed the proposal, conducted a public hearing, and continued the item to February 24, 2016.
34. On February 24, 2016 the public hearing was continued to a date uncertain. There was no public input provided at the hearings on January 13th or February 24th, 2016.
35. Staff received public input from a neighboring property owner in May expressing safety concerns with the driveway access onto Sterling Court; the height of the proposed sky bridge blocking views; and potential pedestrian conflicts with service vehicles, cars, and emergency vehicles if access is permitted on Sterling Court instead of Royal Street East.
36. The project was on hold until August 2016 for the applicant to resolve ownership and utility issues.

37. Staff maintained contact with the property owner and upon receipt of revised plans and contacted this neighbor to set up a meeting to discuss the above mentioned safety concerns.
38. The applicant provided a traffic and safety analysis of the project on September 20, 2016 for inclusion in the Planning Commission packet.
39. Legal notice was published in the Park Record and on the Utah Public Notice Website on September 9, 2016 and the property was re-posted on September 14, 2016 for the September 28, 2016 hearing. Courtesy mailing was provided to the property owners within 300' of the property.
40. The applicant stipulates to the conditions of approval.

Conclusions of Law:

1. The CUP is consistent with the Deer Valley Master Planned Development, as amended and the Park City Land Management Code.
2. The CUP is consistent Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. The plans and application for a Building Permit must be in substantial compliance with the plans reviewed by the Planning Commission on October 26, 2016.
2. This Conditional Use Permit is subject to approval of the proposed 12th Amended and Restated Large Scale Master Planned Development Permit and the Re-Subdivision of Lots No.1 and No. 2 Silver Lake No. 1 Subdivision plat.
3. Prior to building permit issuance an amended subdivision plat for Silver Lake Village to combine Lots F, G, and H into one lot of record, shall be approved and recorded at Summit County. The plat shall identify the required setbacks along Sterling Court.
4. Prior to building permit issuance a final landscape plan shall be reviewed and approved by the Planning and Building Departments.
5. Prior to building permit issuance the plans shall be approved by the Deer Valley Architectural Review Board.
6. The final landscape plan shall comply with the City's Wildland Urban Interface Ordinance for defensible space and fire prevention. Drought tolerant landscaping and water conservation measures shall be used per requirements in the LMC.
7. All conditions of approval of the Deer Valley Master Planned Development, as amended, apply to this project.
8. A Construction Mitigation Plan shall be submitted at the time of Building Permit application. The Plan shall include a regulation for construction traffic, including how excavated materials will leave the site. Downhill truck traffic is required to use Marsac Avenue as part of the CMP, unless otherwise authorized by the Chief Building Official.
9. All exterior lights and signs must comply with applicable Park City ordinances and codes.

10. Exterior lighting must be identified on the building permit plans and shall be down-directed and shielded. Any existing, non-conforming exterior lighting shall be brought into compliance with the current LMC requirements.
11. Approval of a sign permit is required prior to installation of any regulated signs.
12. A final utility plan shall be provided with the building permit application for final approval by the City Engineer, SBWRD, and the Fire District prior to building permit issuance.
13. A final fire protection plan must be submitted to and approved by the Chief Building Official and Fire District prior to Certificate of Occupancy.
14. Sterling Court meets the minimum width of 20' for emergency access. No parking is permitted along the Court and curbs shall be painted and/or signed to clearly mark the 20' fire lane.
15. As common area, the required ADA unit may not be sold. A residential unit must be rented in conjunction with the ADA unit unless the ADA unit is included in the total residential UE.
16. All exterior mechanical vents and extrusions shall be painted to match the exterior siding materials.
17. Exterior mechanical equipment shall be screened to mitigate for any mechanical factors that might affect people and property off-site.
18. Standard Project Conditions of Approval apply to this project.
19. Storm water system must retain the first flush of a storm as defined by the State of Utah. Storm water system shall be shown on the final utility plan.
20. Above ground dry utility facilities such as transformers shall be located on the property.

Exhibits

- Exhibit A – Applicants Letter
- Exhibit B – Proposed plans (site plan, floor plans, elevations, perspectives, etc)
- Exhibit C – Existing conditions survey and photos
- Exhibit D – Proposed Twelfth Amended and Restated Large Scale MPD redlines
- Exhibit E – Proposed 2nd Amendment to the Re-subdivision of Lots No. 1 and No. 2 plat
- Exhibit F – Existing Golden Deer Condo Plat and Hirsch floor area calculations
- Exhibit G – Silver Lake Village No. 1 Subdivision plat
- Exhibit H – Re-Subdivision of Lots No. 1 and No. 2 Silver Lake No. 1 Subdivision plat
- Exhibit I – Planning Commission minutes from January 13, 2016
- Exhibit J – Standard Project conditions of approval
- Exhibit K – Public input
- Exhibit L – Applicant's Traffic and Safety analysis

APPLICATION FOR CONDITIONAL USE PERMIT



Planning, Programming, and Architectural Design Partnership for the Goldener Hirsch Hotel and Residences



October 15, 2015

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

RE: REQUEST FOR CONDITIONAL USE PERMIT (CUP) to partner in Site Planning, Programming, and Architectural Design for the Goldener Hirsch Hotel and Residences

Utah Development and Construction is pleased to submit an application to PCMC to partner in Planning, Programming, and Architectural Design for the Goldener Hirsch Hotel and Residences in Silver Lake Village, Deer Valley, Utah.

INTRODUCTION

The Goldener Hirsch Hotel proposes to build additional hotel rooms, amenities and residences on a parcel of property located next to the existing hotel on Royal Street. Designers will assist the Client with the vision of competing more effectively and efficiently in delivering world class hospitality to it's growing customer base. The new facility will promote the growth of existing demand for new real estate and will allow the Goldener Hirsch to continue to grow room rental revenue in a highly competitive environment.

The current entitlement allows for 34 UE's spread across three adjacent lots. The new premises will have an estimated build of 72,198 square feet of hotel and residence space and 3,400 square feet of commercial space and 3,400 square feet of meeting space on approximately 1.17 acres. Total square footage above entitlement (4,198) is requested potentially available from existing and unused density from Parcel D. The Client wishes construction to be completed end of 2018.

Feel free to contact me at (801) 935-0254 if further information is required.

Respectfully,



Christopher M. Conabee



Principal
Utah Development and Construction
cconabee@gmail.com



SILVER LAKE VILLAGE

LOTS F, G AND H
DEVELOPMENT PROPOSAL



CONFIDENTIAL

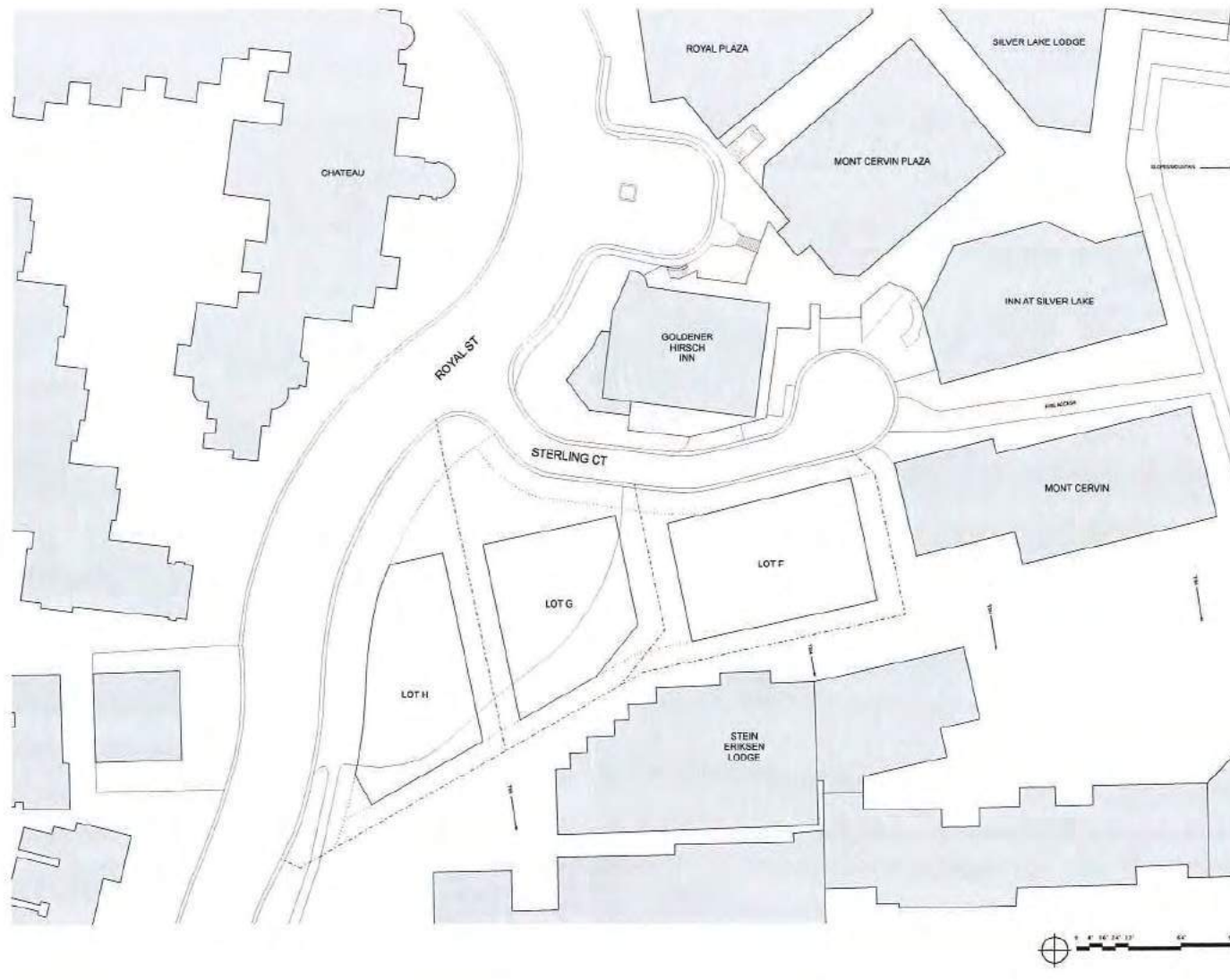


DEER VALLEY RESORT

11TH AMENDED LARGE MASTER PLAN DEVELOPMENT LOTS F, G AND H

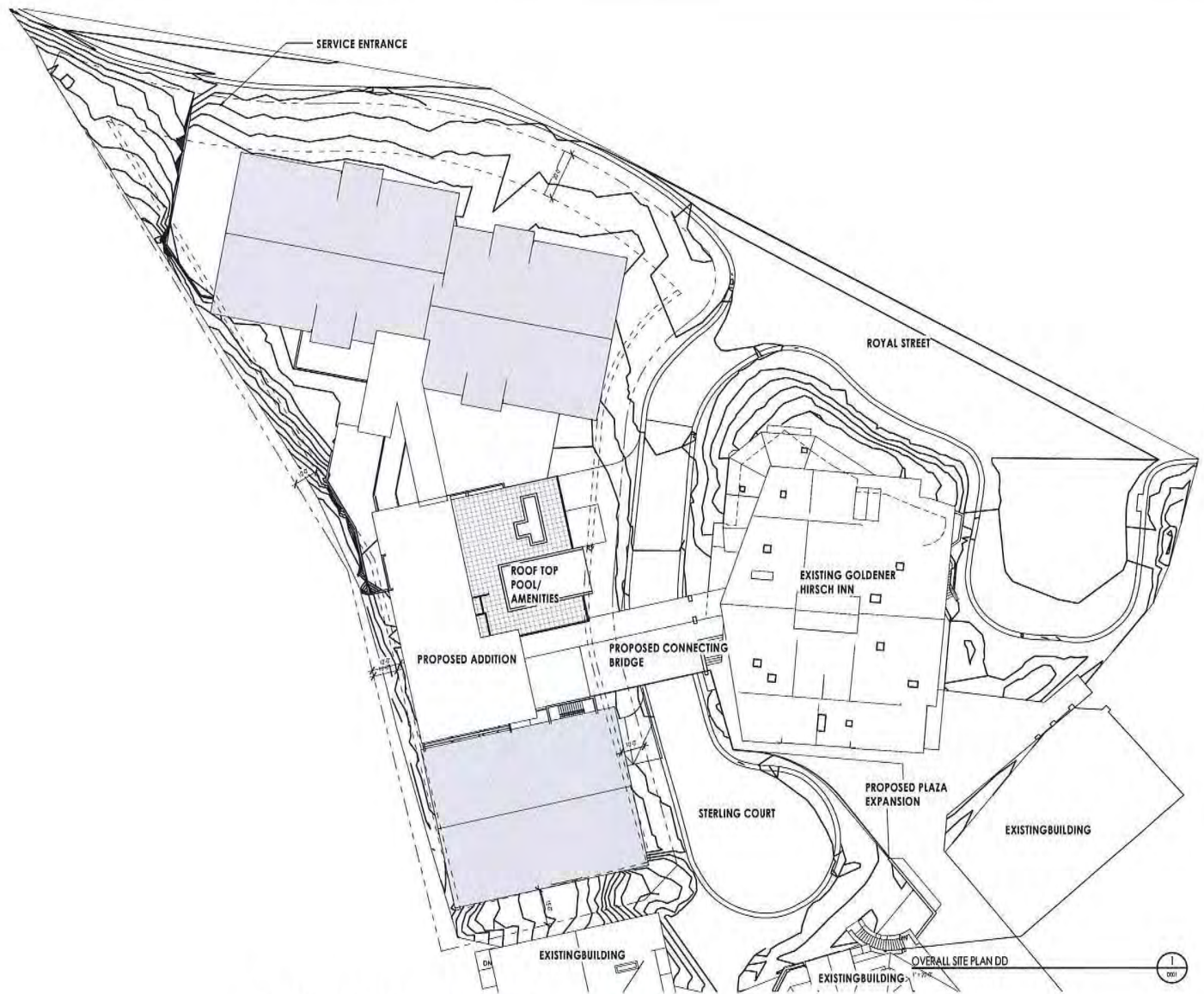
SILVER LAKE COMMUNITY					
Stag Lodge Multi-Family	50	52	6	28-35	7.34
Cache Multi-Family	12	12		28	1.77
Sterlingwood Multi-Family	18	18		28-35	2.48
Deer Valley Club	20	30	1	28-45	1.53
Double Eagle (SL East Parcel 2 Multi-Family)	18	18		28-35	2.26
Stein Eriksen Lodge Multi-Family	66.75	65	11	28-35	10.86
Little Belle Multi-Family	20	20		28	3.66
Chateaux At Silver Lake Lot 23 Deer Valley Club Estates Subdivision)	65	78	1	28-45	3.24
Sterling Lodge (Lot 2 Silver Lake East Subdivision)	14	14		28-45	0.61
Royal Plaza Multi-Family (Silver Lake Village Lot A)	7.6215	13	1	59 (A)	0.48
Mt. Cervin Plaza Multi-Family (Silver Lake Village Lot B)	7.5	7		59 (A)	0.54
Inn at Silver Lake (Silver Lake Village Lot C)	10	8		59 (A)	0.50
Goldener Hirsch Inn (Silver Lake Village Lot D)	6	20	1	59 (A)	0.35
Mt Cervin Multi-Family (Silver Lake Village Lot E)	16	15		59 (A)	0.53
Silver Lake Village Lot F	11	0		59 (A)	0.35
Silver Lake Village Lot G	11	0		59 (A)	0.38
Silver Lake Village Lot H	12	0		59 (A)	0.44
SL Knoll Condominiums	4	4		35	0.76
Knoll Estates Single Family	21	21		35	9.90
Black Bear Lodge (Lot 22 Deer Valley Club Estates Subdivision)	51	51		35	1.39
Knollheim Single Family	20	5	7	35	1.84
Alpen Rose Single Family	2	2		35	0.66
Silverbird Multi-Family	6	6		35	0.80
Ridge Multi-Family	24	24		35	2.34
Enclave Multi-Family	17	17		28-35	1.79
Twin Pines Multi-Family	8	8		28-35	1.33
Cottages Single Family	11	11		28	7.06

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OCT 16 2015
PARK CITY
PLANNING DEPARTMENT



RECEIVED
OCT 16 2015
PARK CITY
PLANNING DEPT.

CURRENT SITE PLAN



GOLDENER HIRSCH

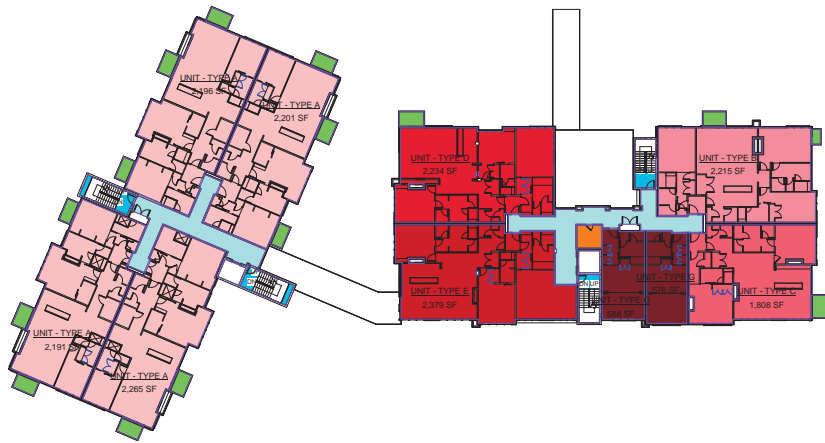
DEER VALLEY, UTAH



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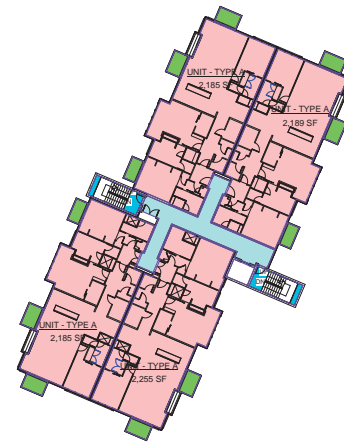
2016.01.04

- | | | | |
|---------------------|------------------------|-----------------|---------------|
| AMMENITY | CIRCULATION - VERTICAL | UNIT - TYPE A | UNIT - TYPE E |
| AMMENITY DECK/PATIO | CONFERENCE | UNIT - TYPE ADA | UNIT - TYPE F |
| BACK OF HOUSE | PARKING GARAGE | UNIT - TYPE B | UNIT - TYPE G |
| BUSINESS CENTER | RESTROOMS | UNIT - TYPE C | UNIT DECK |
| CIRCULATION | SPA | UNIT - TYPE D | UNIT PATIO |



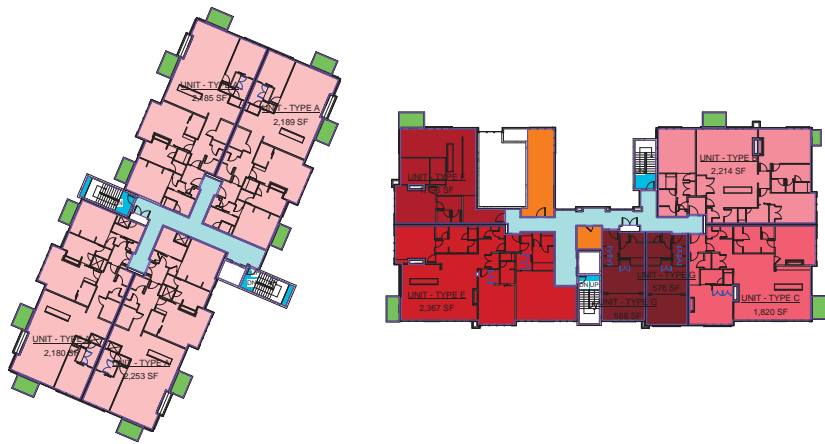
RENTABLE AREA PLAN LEVEL 3
1"=20'

4
G08



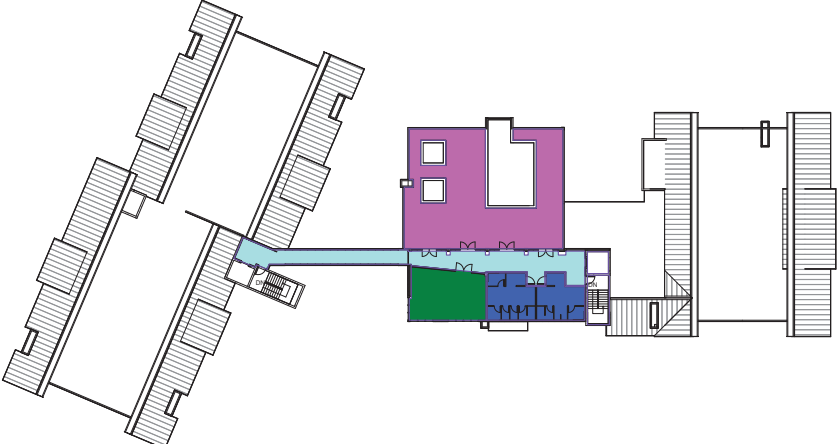
RENTABLE AREA PLAN LEVEL 4
1"=20'

1
G08



RENTABLE AREA PLAN LEVEL 5
1"=20'

2
G08



RENTABLE AREA PLAN LEVEL 6
1"=20'

3
G08



Architecture
Interior Design
Landscape Architecture
Land Planning
Construction Management

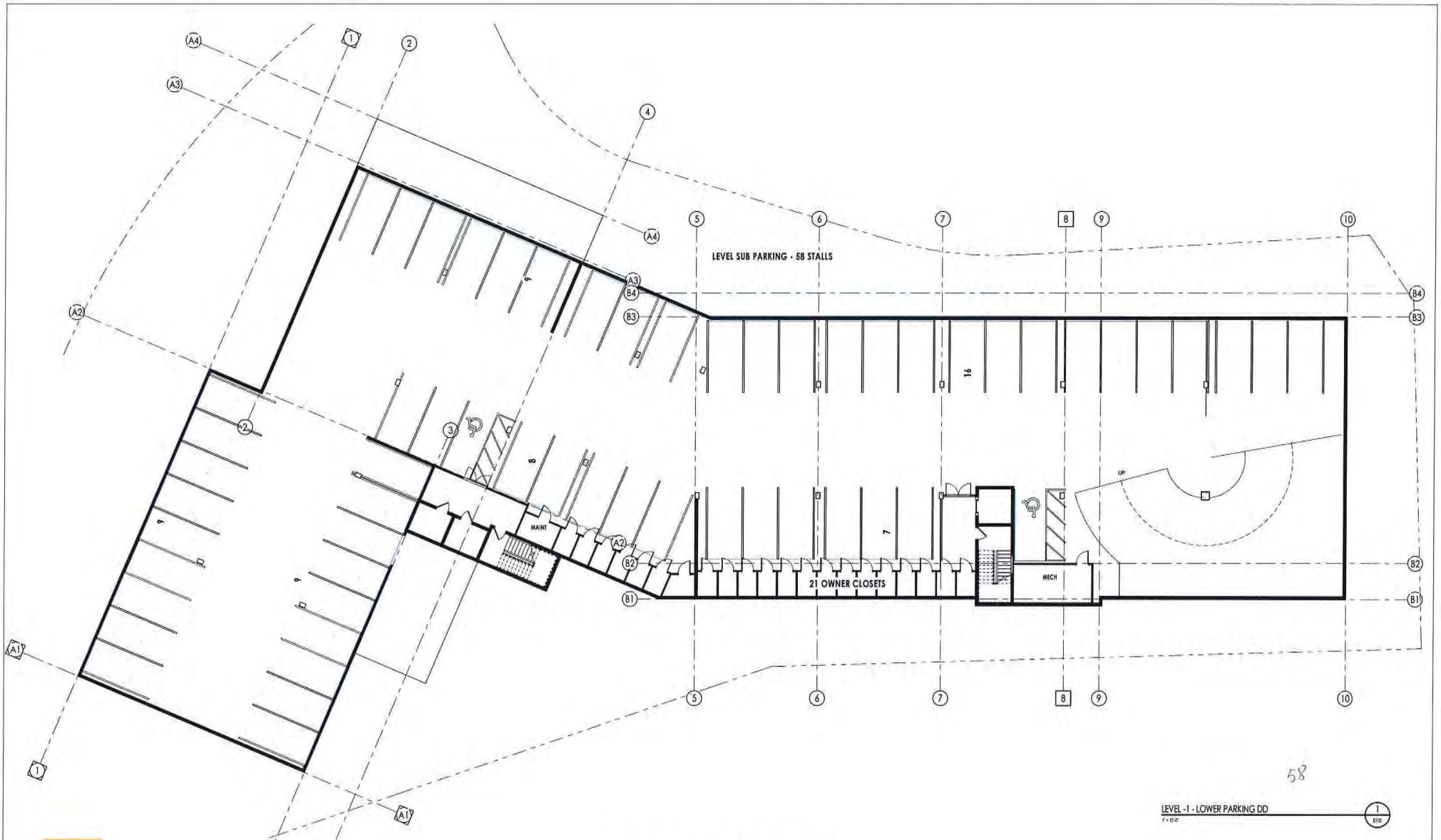
1915 South 900 East, Suite 200
Salt Lake City, UT 84117
Tel: 801.348.0800
Fax: 801.348.1425
www.thinkarc.com

This design is the intellectual property of Think Architecture. It is intended for the specific project and site conditions. It is not to be used for any other project without the written consent of Think Architecture, Inc. This design is provided for information only and is not intended to be used for construction. Construction documents, permits, and other documents are required for construction.

GOLDENER HIRSCH
7540 ROYAL STREET
PARK CITY, UTAH 84040

PROJECT NO.: 15089
DATE: 2016.08.24
REVISIONS:

DESIGN REVIEW PACKAGE: 2016.08.03
SHEET TITLE:
BUILDING AREA ANALYSIS
SHEET NUMBER:
G008



GOLDENER HIRSCH

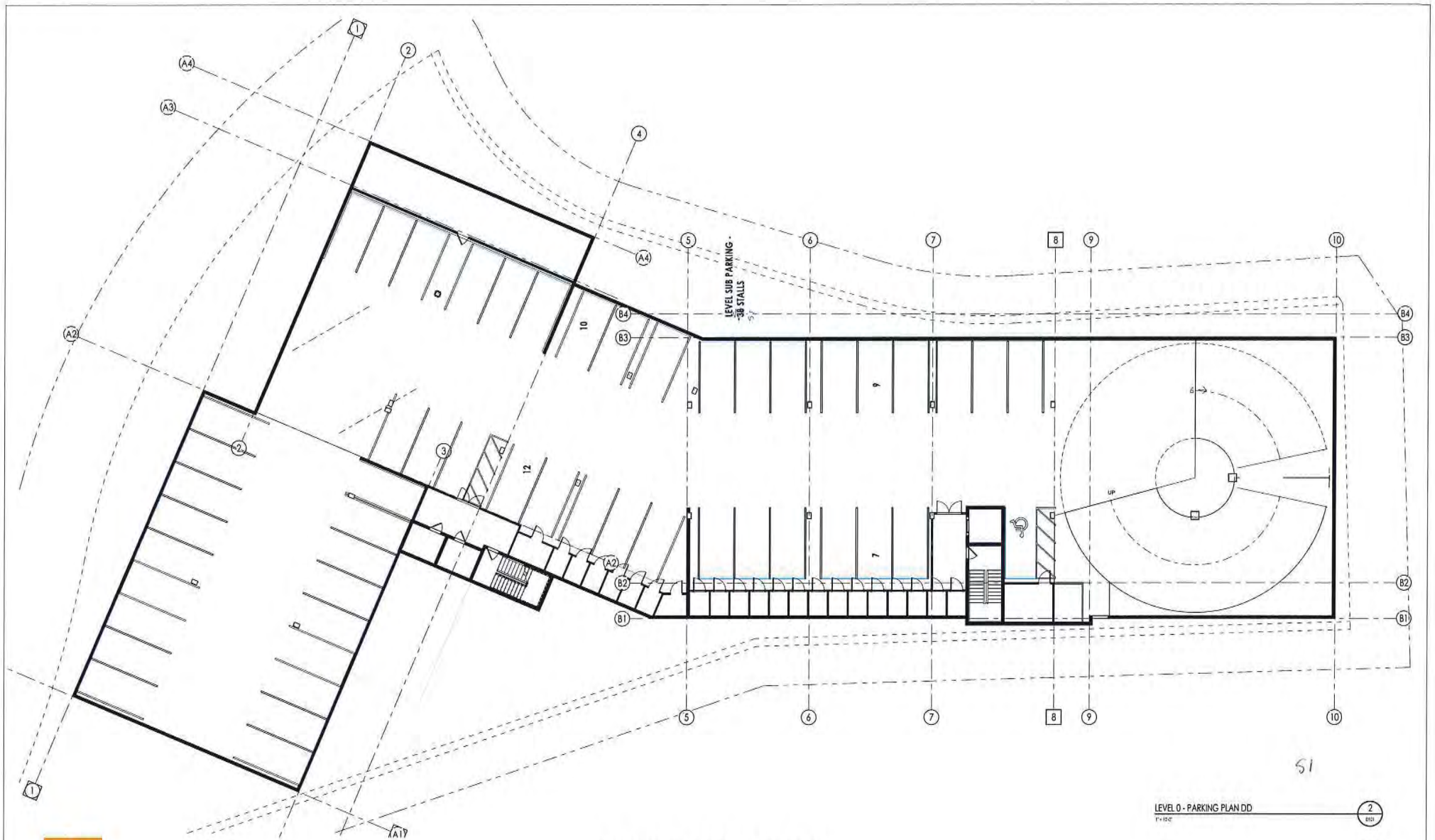
DEER VALLEY, UTAH



LEVEL -1 - LOWER PARKING DD



2016.01.04



GOLDENER HIRSCH

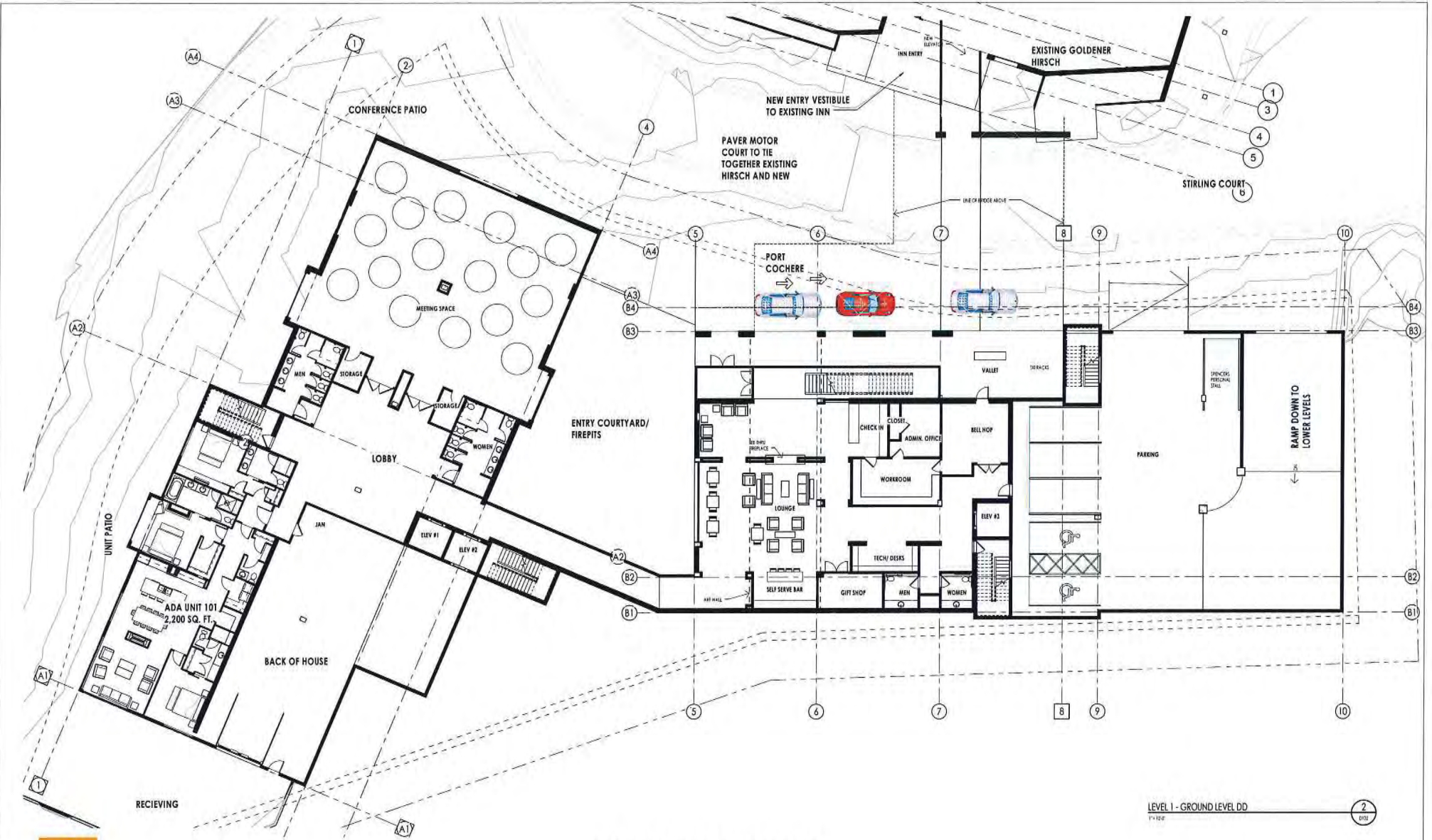
DEER VALLEY, UTAH

LEVEL 0 - PARKING PLAN DD

2
01



2016.01.04

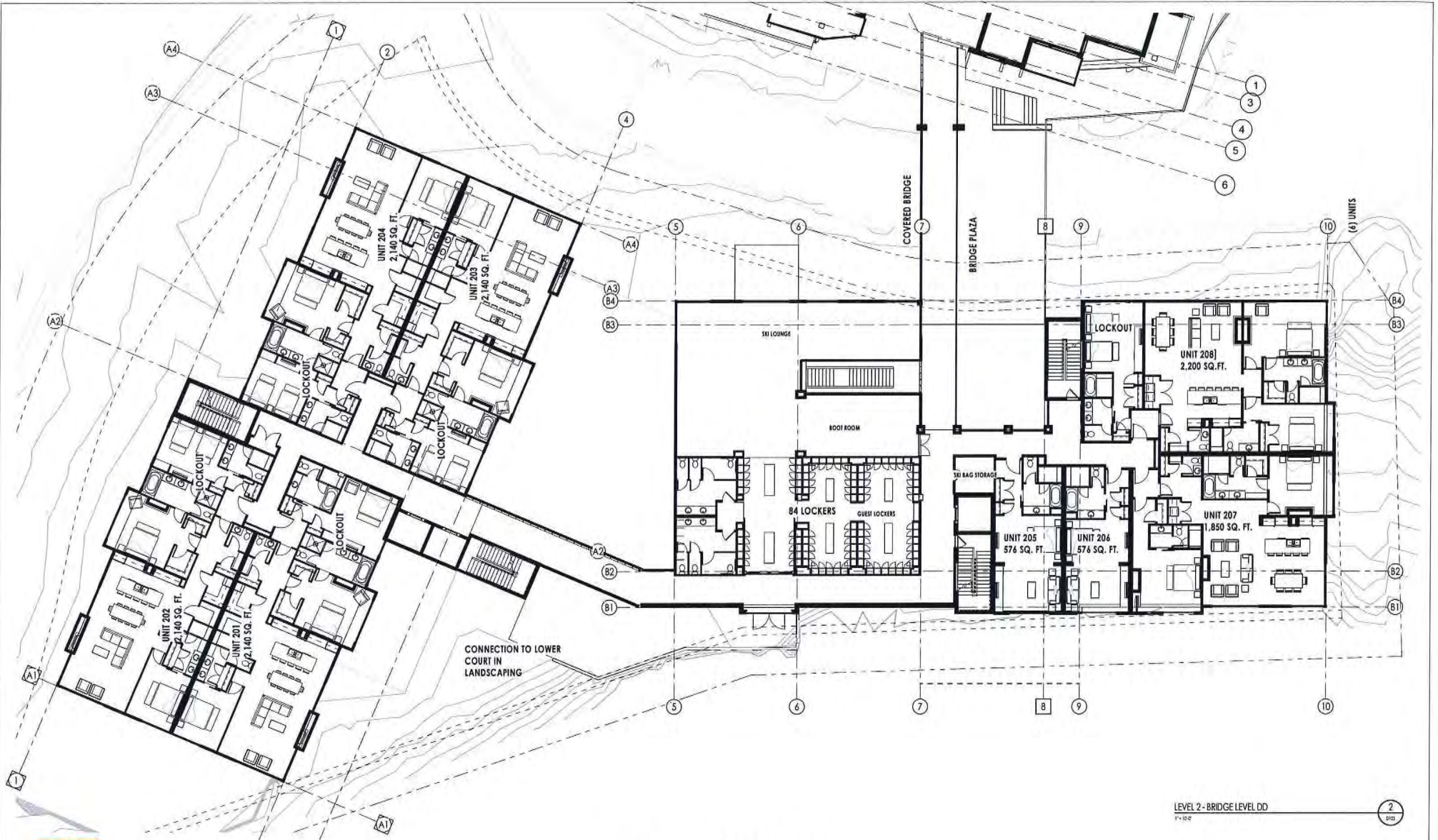


GOLDENER HIRSCH

DEER VALLEY, UTAH



2016.01.04



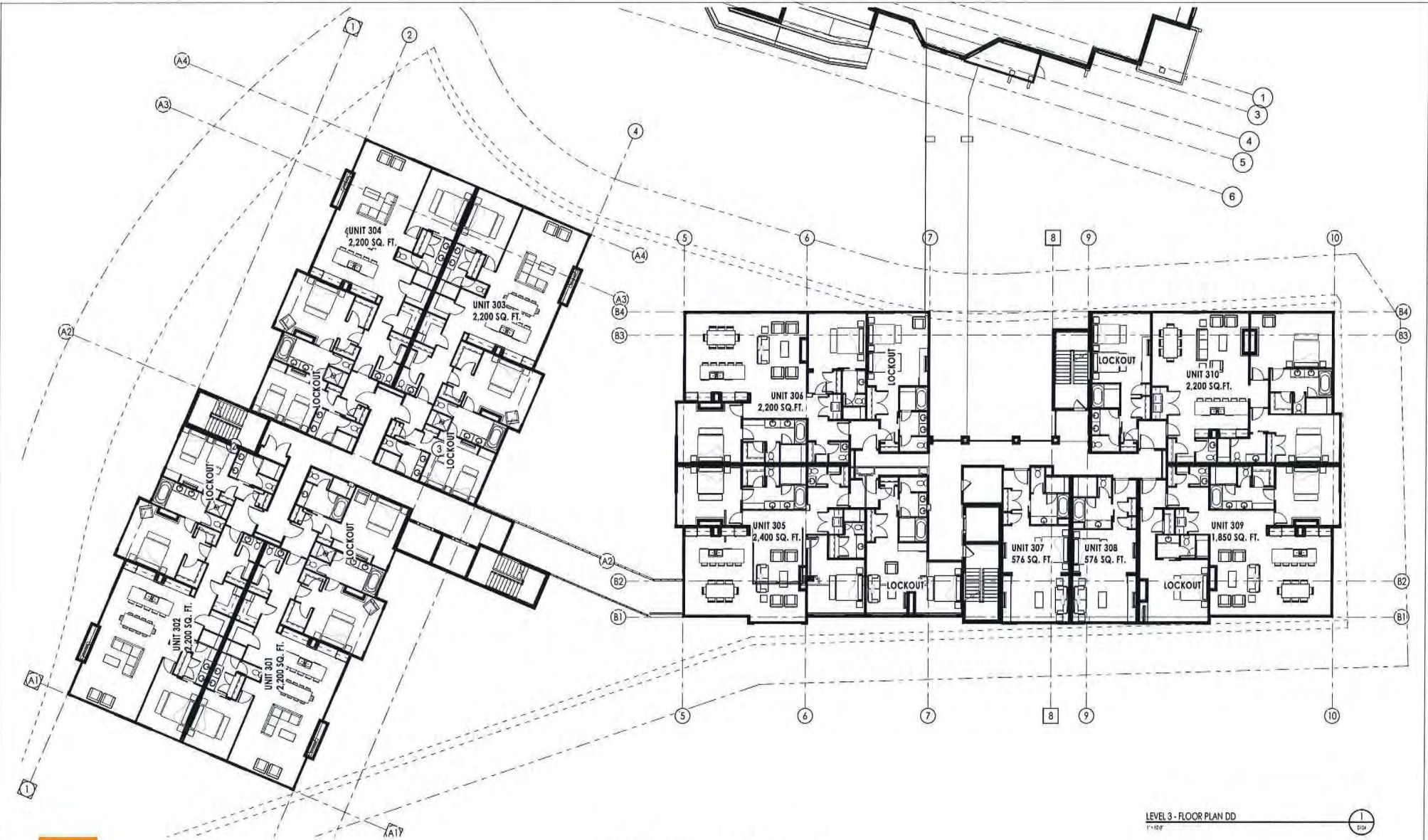
GOLDENER HIRSCH

DEER VALLEY, UTAH

LEVEL 2 - BRIDGE LEVEL DD
1"=10'

2
000





LEVEL 3 - FLOOR PLAN DD
 1/00

GOLDENER HIRSCH

DEER VALLEY, UTAH



2016.01.04

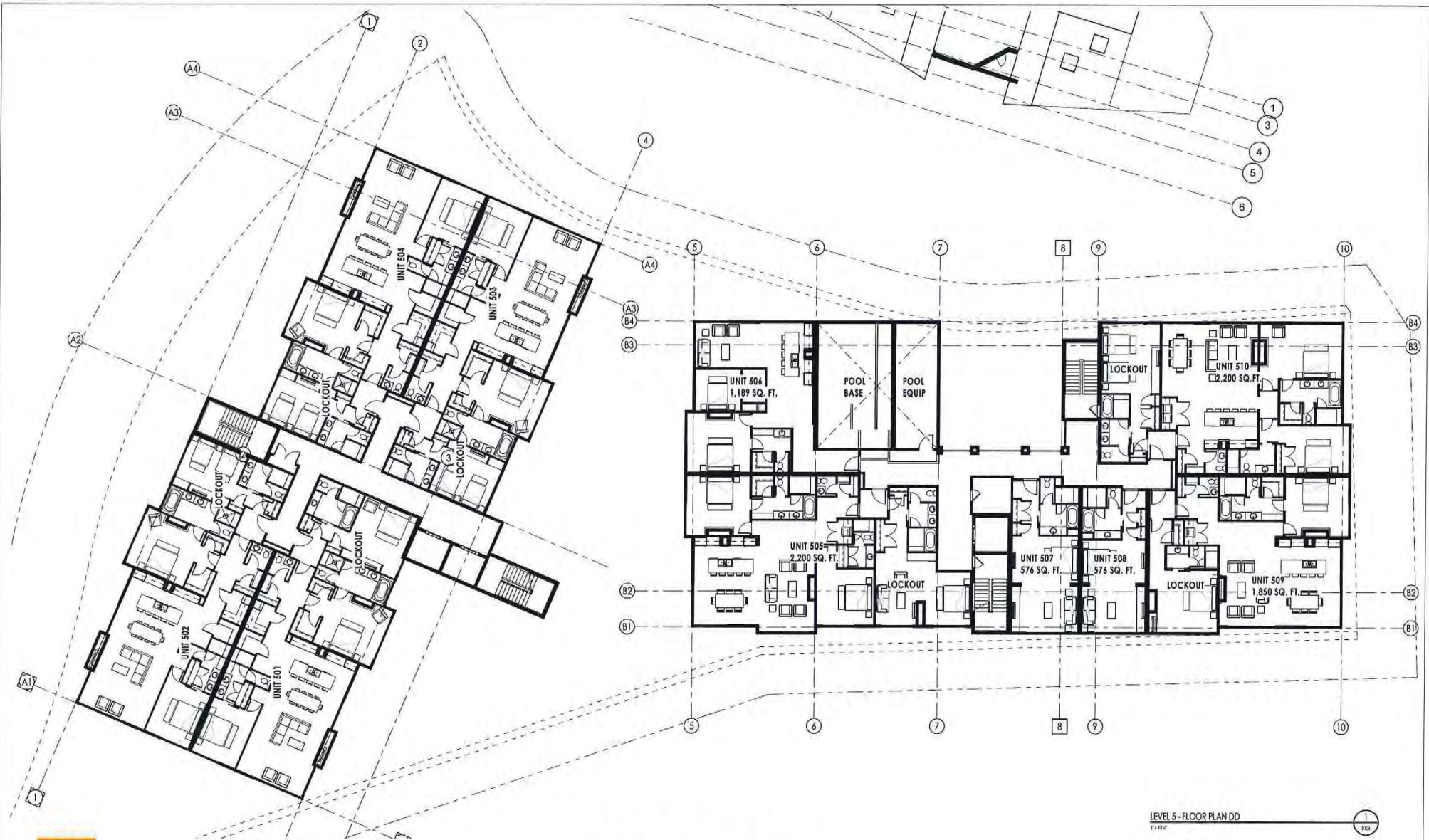


GOLDENER HIRSCH

DEER VALLEY, UTAH



2016.01.04



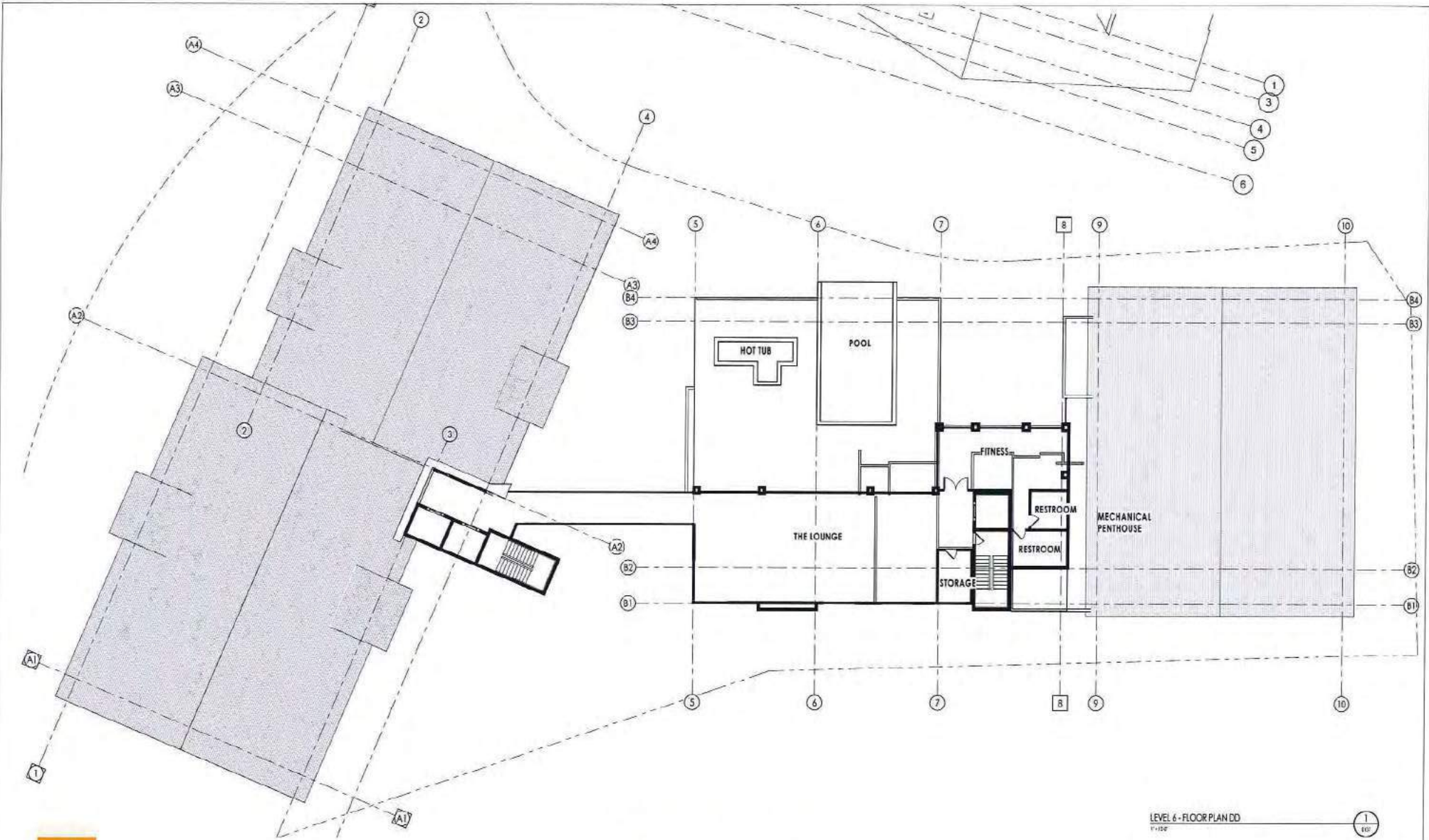
LEVEL 5 - FLOOR PLAN DD
 1/12

GOLDENER HIRSCH

DEER VALLEY, UTAH



2016.01.04



GOLDENER HIRSCH

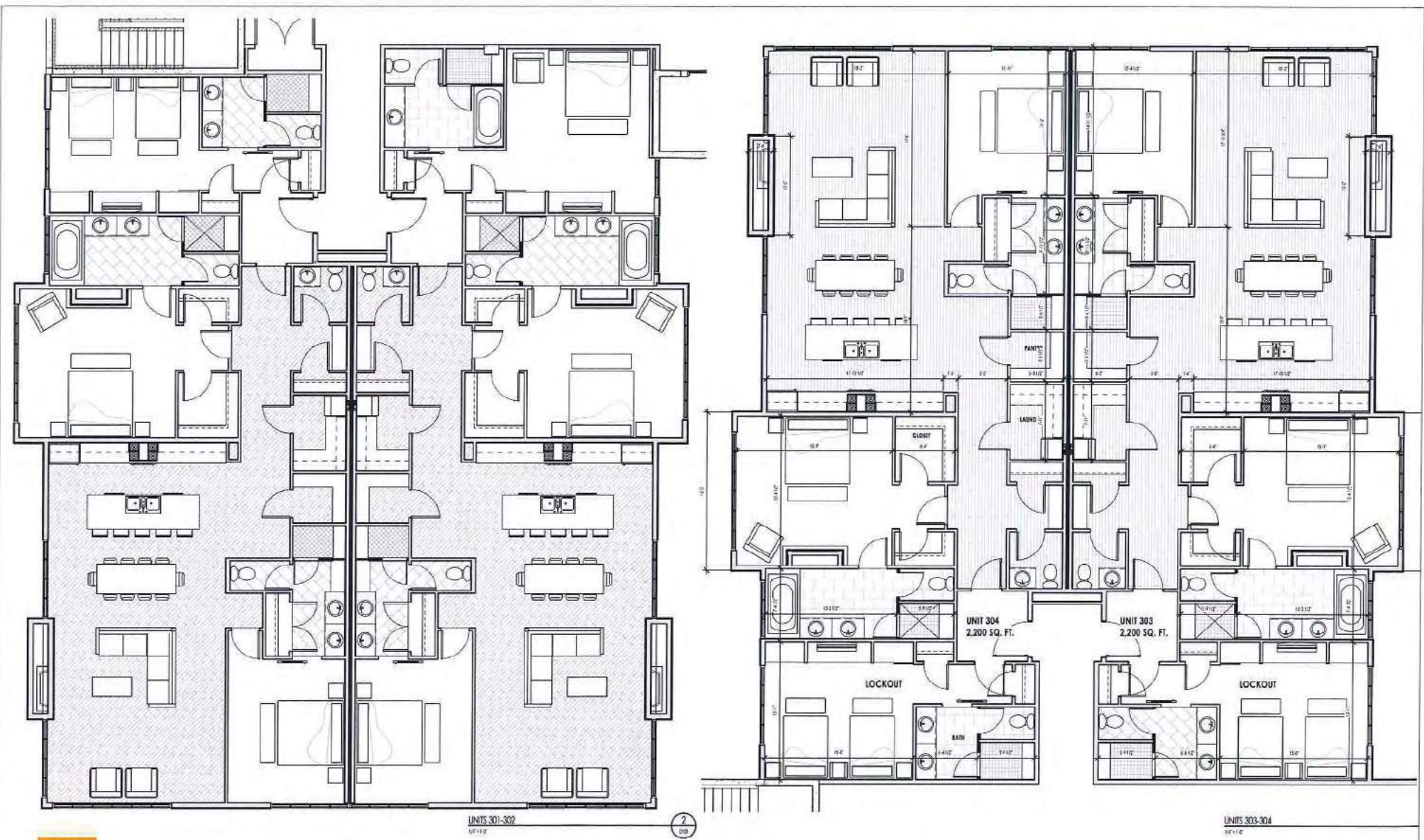
DEER VALLEY, UTAH

LEVEL 6 - FLOOR PLAN DD
1-100'

1
00'



2016.01.04

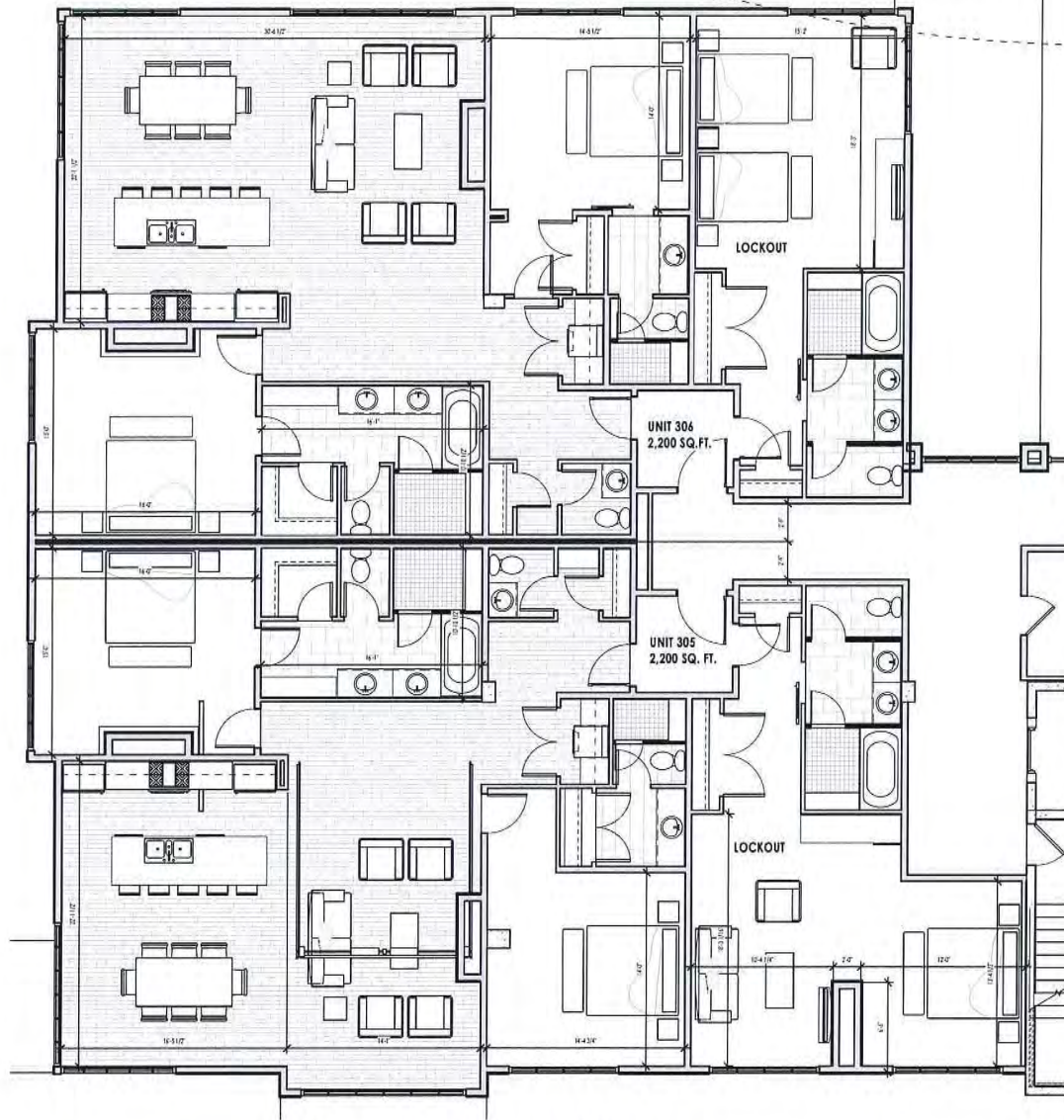


GOLDENER HIRSCH

DEER VALLEY, UTAH



2016.01.04



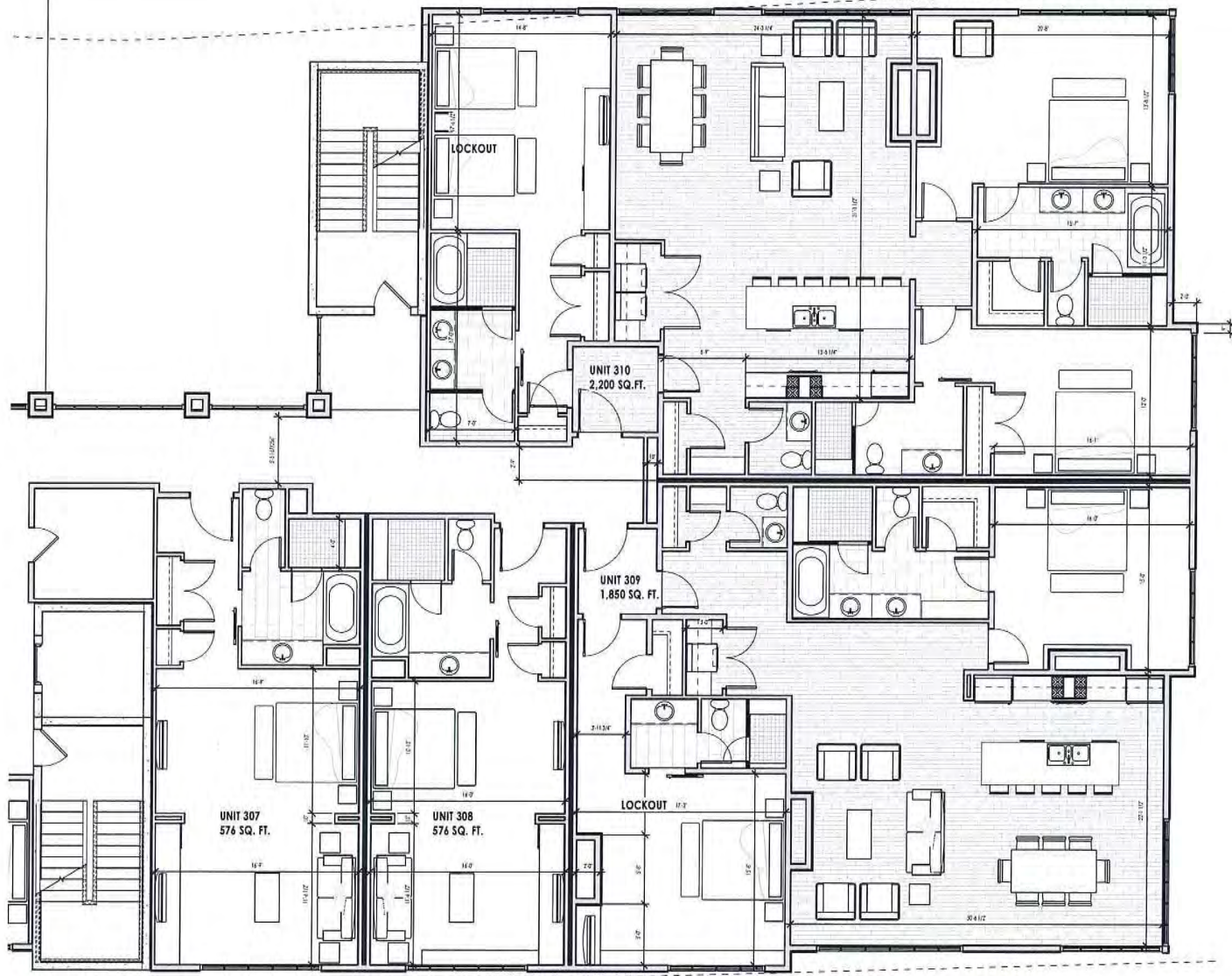
UNITS 305-306
1/16" = 1'-0"

2
0/00

GOLDENER HIRSCH

DEER VALLEY, UTAH





GOLDENER HIRSCH

DEER VALLEY, UTAH

UNITS 307-310
14'-11"





GOLDENER HIRSCH

DEER VALLEY, UTAH

2016.03.30

Olson Kundig





Royal Street improvements

- NEW CURB AND GUTTER
- NEW PEDESTRIAN WALK TO EXTEND ALONG STERLING COURT
- MATURE LANDSCAPING ADDED
- PLAZA SPACE AT CORNER OF ROYAL AND STERLING
- NO VISIBLE PARKING
- ADDED WAYFINDING SIGNAGE AT CORNER OF STERLING AND ROYAL



ROYAL STREET VIEWS



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah



03.30.2016



Sterling Street improvements

- NEW CURB AND GUTTER
- NEW PAVING
- NEW LANDSCAPING
- PLAZA SPACE AT CORNER OF ROYAL AND STERLING
- NO VISIBLE PARKING
- ADDED WAYFINDING SIGNAGE AT CORNER OF STERLING AND ROYAL
- REMOVAL OF ANY VISIBLE TRASH CONTAINERS IN THE REAR OF THE EXISTING HIRSCH



ENTRY APPROACH



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah



03.30.2016



SITE WALK



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah



03.30.2016



ENTRY PLAZA



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah



03.30.2016

Page 299



SILVER LAKE PLAZA VIEWS



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah



03.30.2016



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah

BRIDGE VIEWS



03.30.2016



LEVEL 2



LEVEL 3



LEVEL 4

PROPOSED BUILDING ALIGNED WITH DESIGNATED BUILDABLE FOOTPRINT



LEVEL 3 DECK



LEVEL 5 DECK

VIEWS FROM MT CERVIN NORTH EAST CORNER UNITS



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah





GOLDENER HIRSCH

DEER VALLEY, UTAH

2016.02.18

Olson Kundig





ROYAL STREET VIEWS



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah

02.18.2016



ENTRY APPROACH



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah

02.18.2016



SITE WALK



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah

02.18.2016



ENTRY PLAZA



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Deer Valley, Utah

02.18.2016



SILVER LAKE PLAZA VIEWS



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GOLDENER HIRSCH

Deer Valley, Utah

02.18.2016



BRIDGE VIEWS



Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah

02.18.2016



VIEWS FROM WEST

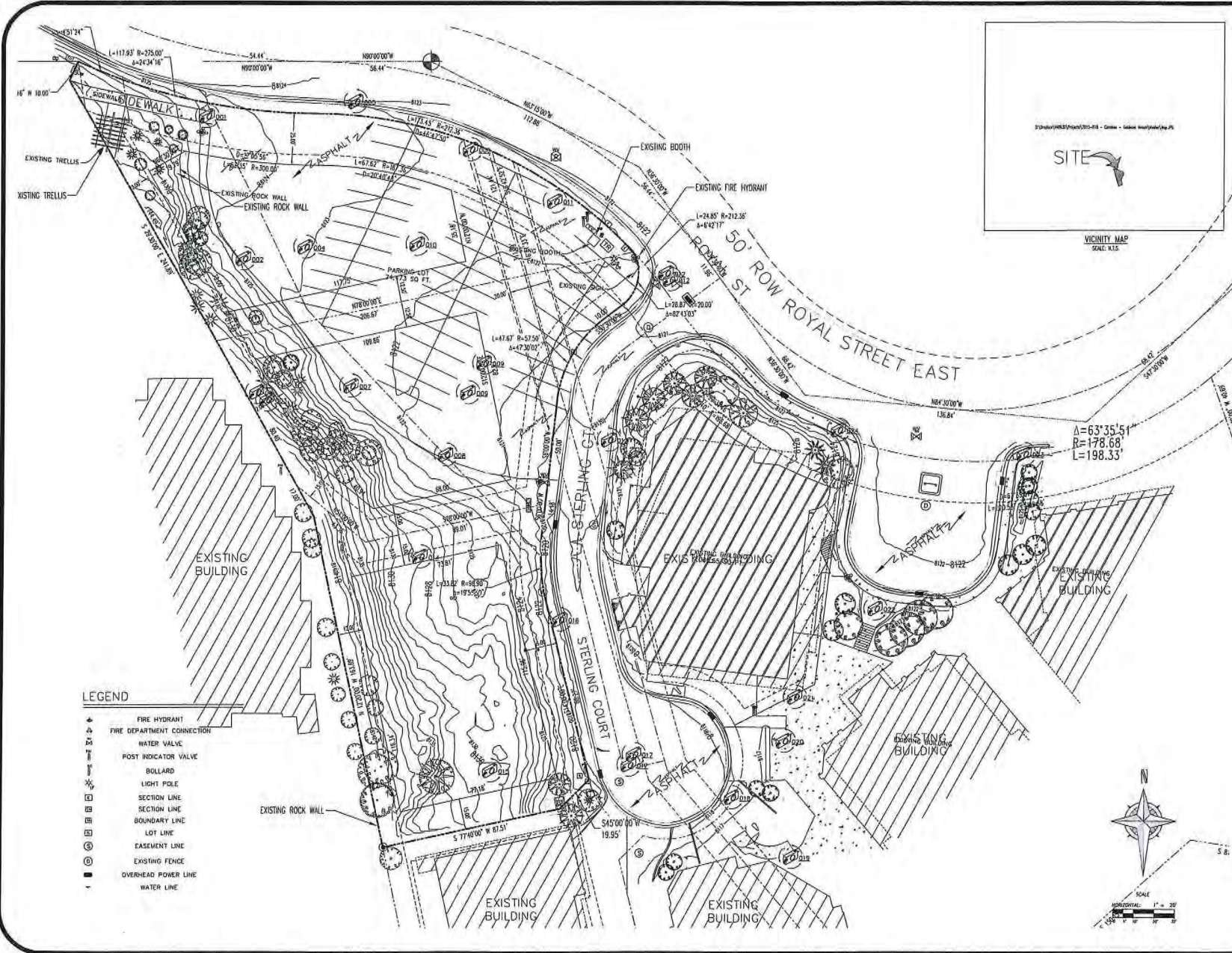


Olson Kundig

GOLDENER HIRSCH

Deer Valley, Utah

02.18.2016



Project Information

GOLDENER HIRSCH INN
7570 ROYAL ST, PARK CITY, UT 84060
TOPOGRAPHY SURVEY

No.	Revision/Issue	Date

Client Name and Address

5603 S 675 E - MURKIN, UT 84107
801-702-1012

Project 2015-018	Sheet 1
Date 07/9/2015	Scale 1" = 20'







01_Hirsch main entry from Royal St traffic circle



02_Hirsch garage entrance at Sterling Ct



03_Sterling Ct circle looking north



04_View south to slopes from parking lot on Lot H

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OCT 16 2015
PARK CITY
PLANNING DEPT.

EXISTING SITE AND PANORAMIC VIEWS

HIRSCH HOTEL & RESIDENCES | 2015 OCTOBER 15 5



05_Panoramic at Sterling Ct (from L to R: Hirsch, Mont Cervin Plaza, Inn at Silver Lake, Mont Cervin)



06_Panoramic from across Royal St looking towards Hirsch and empty lots

RECEIVED
OCT 16 2015
PARK CITY
PLANNING DEPT.

EXISTING SITE AND PANORAMIC VIEWS

HIRSCH HOTEL & RESIDENCES | 2015 OCTOBER 15 7



07_Panoramic to Hirsch and Sterling Ct from hill at Stein Eriksen



08_Panoramic from Hirsch to empty lots and up hill to Stein Eriksen

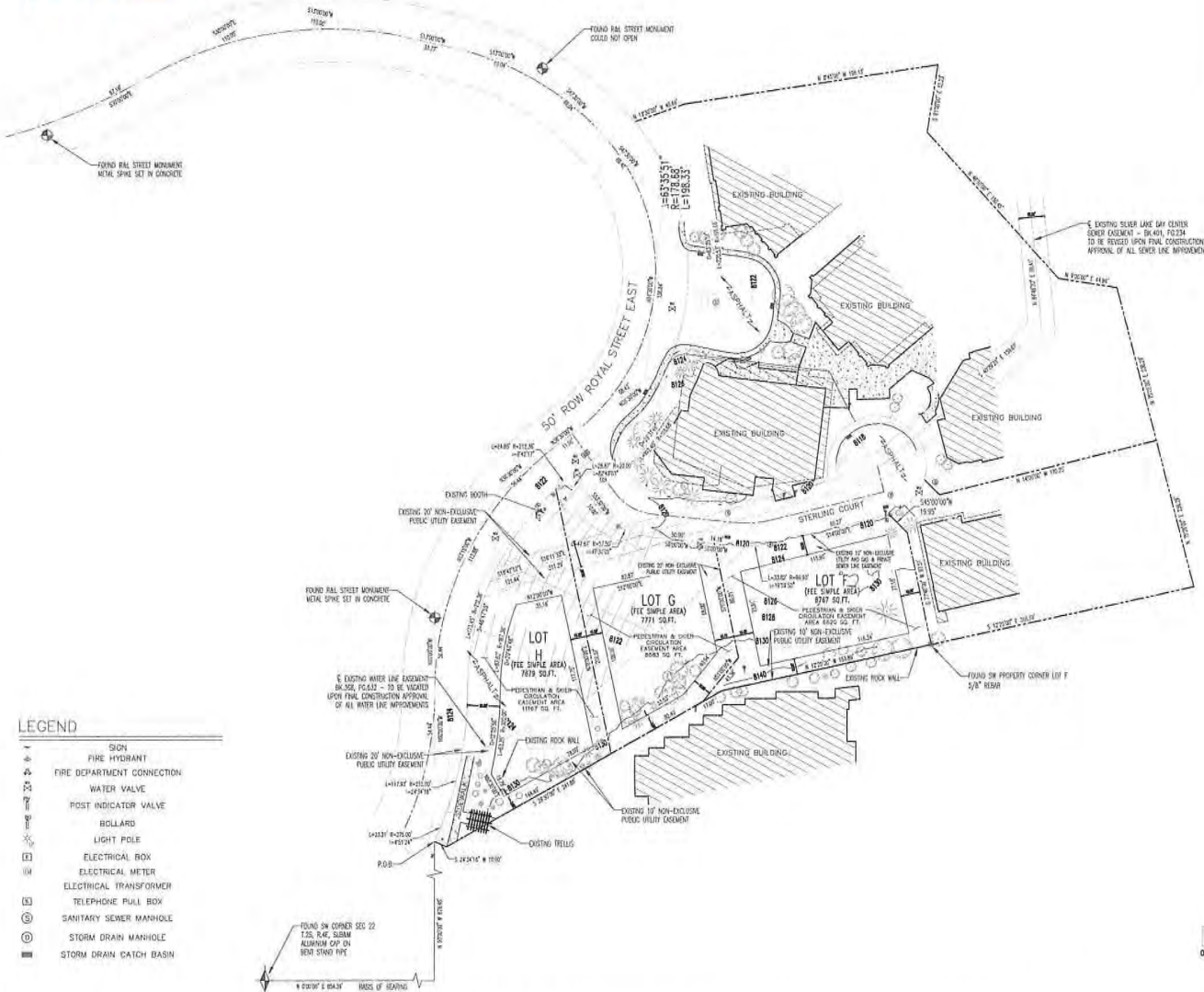
VED
OCT 16 2015
PARK CITY
PLANNING DEPT.

EXISTING SITE AND PANORAMIC VIEWS

HIRSCH HOTEL & RESIDENCES | 2015 OCTOBER 15 9

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OCT 16 2015
PARK CITY
PLANNING DEPT.

SILVER LAKE VILLAGE NO. 1 SUBDIVISION
LOCATED IN THE S.W. 1/4 OF SECTION 22, TOWNSHIP 2 SOUTH,
RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, IN PARK CITY, SUMMIT
COUNTY, UTAH



- LEGEND**
- SIGN
 - FIRE HYDRANT
 - FIRE DEPARTMENT CONNECTION
 - WATER VALVE
 - POST INDICATOR VALVE
 - BOLLARD
 - LIGHT POLE
 - ELECTRICAL BOX
 - ELECTRICAL METER
 - ELECTRICAL TRANSFORMER
 - TELEPHONE PULL BOX
 - SANITARY SEWER MANHOLE
 - STORM DRAIN MANHOLE
 - STORM DRAIN CATCH BASIN

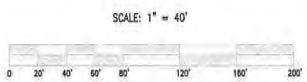


SURVEYOR'S CERTIFICATE

I, CLAY TOULBER, BEYOND AND SAY THAT I AM A DULY REGISTERED LAND SURVEYOR ACCORDING TO THE RULES AND REGULATIONS OF THE STATE OF UTAH. I FURTHER STATE THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THE RESULTS OF THIS SURVEY ARE DEPICTED HEREOF.

DATE: _____ CLAY TOULBER LICENSE NO. 39438A

THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON VISIBLE EVIDENCE AND RECORD DRAWINGS PROVIDED BY THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM EXISTING SPACING. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES. ALL UTILITY COMPANIES AND BLUE PRINTS SHOULD BE CONTACTED FOR ACTUAL LOCATIONS.



Project Information

GOLDENER HIRSCH INN
7570 ROYAL ST, PARK CITY, UT 84060
BOUNDARY SURVEY

No.	Revision/Issue	Date

Client Name and Address

VARA 3D
GEOSPATIAL SOLUTIONS
5693 S 675 E HURRAY, UT 84107
801-709-1012

2015-018	1
10/15/2015	1
1" = 40'	1

**DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS**

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
DEER VALLEY COMMUNITY					
Stonebridge & Boulder Creek Multi-Family	50	54	1	28	10.23
Aspenwood Multi-Family	30	30		28	9.21
Pine Inn & Trails End Multi-Family	40	45	1	35	8.52
In The Trees (South Multi-Family) Multi-Family	14	14		28-45	2.87
Black Diamond Lodge (Snow Park Lodge Multi-Family)	29	27		28-75	5.70
Courcheval Multi-Family	13.5	27	1	35	1.82
Daystar Multi-Family	24	24		28	9.84
Fawngrove Multi-Family	50	50		28	12.05
Chateaux Fawngrove Multi-Family	10.5	11	2	28	Incl
Bristlecone Multi-Family	20	20		28	Incl
Lakeside Multi-Family	60	60		28	6.49
Solamere Single Family (includes Oaks, Royal Oaks & Hidden Oaks)	274	274		28	237.81
Pinnacle Multi-Family	86	86		28	36.80
Comstock Lodge (East Bench Multi-Family)	10.5	21	1	35	3.50
Red Stag Lodge	8.5	11	1	35	Incl
Powder Run Multi-Family	25	33	1	35	3.20
Wildflower (Deer Valley North Lot 1 Multi-Family)	11	14	1	28	1.04
Glenfiddich (Deer Valley North Lot 2 Multi-Family)	12	12		28	1.45
Chapparal (Deer Valley North Lot 3 Multi-Family)	15	20	1	28	1.44
Northeast Multi-Family:					12.65
Lodges @ Deer Valley	73.25	85	3	28-35	
Silver Baron Lodge	42.75	50	12	28-35	
Snow Park Village (Snow Park Hotel & Parking Sites)	209.75	0	4	28-45	14.93
Total Deer Valley Community	1108.75				
AMERICAN FLAG COMMUNITY					
American Flag Single Family	93	93		28	83.04
LaMaconnerie Multi-Family	15	15		28	6.19
Total American Flag Community	108				
NORTH SILVER LAKE COMMUNITY					
Westview Single Family	15	1		28	40.69
Evergreen Single Family	36	36		28	27.60
NSL Homesite Parcel #1	1	1		35	1.90
Belleterre Single Family	10	10		28	11.42
Bellevue Townhomes (NSL Subdivision Lot 1)	24	14	10	28	4.62
Bellemont Townhomes (NSL Subdivision Lots 2A and 2A-1)	18	12	10	28	3.75
NSL Subdivision Lot 2B	54	0		45	5.96
BelleArbor Townhomes (NSL Subdivision Lot 2C)	43	21	10	28-35	8.25
NSL Subdivision Lot 2D Open Space Lot	0	0	5	0	4.03
Total North Silver Lake Community	201				
SILVER LAKE COMMUNITY					
Stag Lodge Multi-Family	50	52	6	28-35	7.34
Cache Multi-Family	12	12		28	1.77
Sterlingwood Multi-Family	18	18		28-35	2.48
Deer Valley Club	20	30	1	28-45	1.53
Double Eagle (SL East Parcel 2 Multi-Family)	18	18		28-35	2.26
Stein Eriksen Lodge Multi-Family	86.75	85	11	28-35	10.86
Little Belle Multi-Family	20	20		28	3.66
Chateaux At Silver Lake Lot 23 Deer Valley Club Estates Subdivision)	65	78	1	28-45	3.24
Sterling Lodge (Lot 2 Silver Lake East Subdivision)	14	14		28-45	0.61
Royal Plaza Multi-Family (Silver Lake Village Lot A)	7.6215	13	1	59 (A)	0.48
Mt. Cervin Plaza Multi-Family (Silver Lake Village Lot B)	7.5	7		59 (A)	0.54
Inn at Silver Lake (Silver Lake Village Lot C)	10	8		59 (A)	0.50
Goldener Hirsch Inn (Silver Lake Village Lot D)	5.5785	20	1	59 (A)	0.35
Mt Cervin Multi-Family (Silver Lake Village Lot E)	16	15		59 (A)	0.53
Silver Lake Village Lot F	0	0		59 (A)	0.35
Silver Lake Village Lot G	0	0		59 (A)	0.38
Silver Lake Village Lot H	0	0		59 (A)	0.44
Silver Lake Village Lot I (combination of Silver Lake Village lots F, G, H)	34.4215	0	13,14,15	59 (A)	1.17
SL Knoll Condominiums	4	4		35	0.78
Knoll Estates Single Family	21	21		35	9.90
Black Bear Lodge (Lot 22 Deer Valley Club Estates Subdivision)	51	51		35	1.39
Knollheim Single Family	20	5	7	35	1.84
Alpen Rose Single Family	2	2		35	0.66
Silverbird Multi-Family	6	6		35	0.80
Ridge Multi-Family	24	24		35	2.34
Enclave Multi-Family	17	17		28-35	1.79
Planning Commission Packet September 28, 2016	8	8		28-35	Page 318
Collages Single Family	11	11		28	7.06

**DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS**

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
Alta Vista Subdivision	7	7		35	6.02
Woods Multi-Family	16	7	8	28-35	2.41
Trailside Multi-Family	9	9		28-35	1.46
Aspen Hollow Multi-Family	16	16		28-35	3.18
Ridgepoint Multi-Family	38	38		28-35	5.60
Total Silver Lake Community	614.8715				
BALD EAGLE COMMUNITY					
Bald Eagle Single Family	78	58	9	28	35.65
Total Bald Eagle Community	78				
TOTAL CONVENTIONAL UNITS					
	2110.6215				
EMPLOYEE HOUSING UNITS					
Little Belle	1				
Stag Lodge	1				
Sterlingwood	1				
Bald Eagle	2				
Mt. Cervin	1				
Deer Valley Club	1				
TOTAL EMPLOYEE HOUSING UNITS	7				

NOTES:

1. These projects have been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density than base permitted density.
2. One small unit was separately permitted in this project using .5 unit of density.
3. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (85) than base permitted density (73.25).
4. This parcel is required to use the Unit Equivalent Formula contained in Section 10.12 of the Code.
5. This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B.
6. Two additional units were permitted in this project on land that was not a part of the Deer Valley MPD.
7. This parcel was originally permitted as 20 MF units but subsequently developed as 5 single family homesites.
8. This parcel was permitted as 16 units. Subsequently 9 of the unit development rights were acquired by the homeowners and dedicated as open space.
9. This parcel was originally permitted as a combination of single family and multi-family. The multi-family uses were converted to single family with a density reduction from 78 to 58 units.
10. The development density on these parcels is less than the original permitted density at the election of the developer.
11. The transfer of 1.75 Unit Equivalents to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on June 28, 2006.
12. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (50) than base permitted density (42.75). The transfer of 1 Unit Equivalent to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on March 23, 2011.
13. Prior to issuance of a building permit on Lot I, the Property owner shall submit an Historic Mine Waste report.
If Historic Mine Waste is located on the site, a mitigation plan shall also be submitted compliant with the Park City Soils Boundary Ordinance.
14. Building on Lot I shall be designed to be broken into a minimum of three volumetric masses above final grade, exhibiting both horizontal and vertical articulation. Common underground parking is permitted.
15. The transfer of 0.4215 UE from Lot D to Lot I was approved by Planning Commission on Sept 28, 2016.

A. Lots in the Silver Lake Village Subdivision have a development height limitation tied to a base elevation of 8122' with peak of roof not to exceed elevation 8186'.

DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
 LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
 EXHIBIT 2
 COMMERCIAL AND SUPPORT SPACE

LOCATION	RETAIL	RESTAURANT (3)	COMM'L OFFICES	ADMIN., SUPPORT & OTHER	TOTAL	TRANSFER TO		REMAINING
						RESIDENTIAL	DEVELOPED	
SNOW PARK LODGE	13807	26958		85578	126343		126343	0
SNOW PARK TICKET SALES BUILDING				5112	5112		5112	0
SNOW PARK PLAZA BUILDING	3100		16000	4180	23280		23280	0
GENERAL SNOW PARK COMMERCIAL (1)	21890				21890		0	21890
SILVER LAKE LODGE	1200	29180		15790	46150		46150	0
EMPIRE LODGE (4)		22456		12544	35000		30453	4547
SILVER LAKE COMMUNITY (2)	27962		4265	12938	45165	1243	31954	11968
NORTH SILVER LAKE COMMUNITY	8000			6525	14525		0	14525
MAINTENANCE, WHSE, & SHOPS				31724	31724		31724	0
TOTAL	75959	78574	20265	174391	349189		295016	52930

NOTES:

(1) General Snow Park Commercial may only be utilized on certain parcels with approval of Commission and Permittee. 18110 square feet of General Snow Park Commercial has previously been allocated to and is included in totals for Snow Park Lodge.

(2) 10125 square feet of Silver Lake Community commercial has previously been allocated to and is included in totals for Silver Lake Lodge (1994 Silver Lake Lodge expansion 6990 sf and 1998 Silver Lake Lodge expansion 3135 sf).

Remainder of Silver Lake Community commercial consists of:
 Developed Space:

Royal Plaza	14312
Mt. Cervin Plaza	8080
Goldener Hirsch Inn	2062
Chateaux at Silver Lake	7500
Total	31954

Transferred to Royal Plaza Residential 1243

Allocated but Undeveloped Space:

Silver Lake Village Lot C	7000
Remainder Unallocated	4968
Total	45165

(3) Includes kitchen, receiving and storage.

(4) Maximum size of Empire Lodge is 35000 sf of which 30453 sf has been developed.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that the Silver Lake Village Plaza Association, A Utah Non-Profit Corporation, being the owner of the tracts of land known as the Pedestrian and Sider Circulation Easement and Sterling Court, a private road, in Park City, Summit County, Utah, described on this sheet, does hereby consent to the recordation of the Record of Survey Map and by recording this Record of Survey Map and that certain Declaration of Condominium for Golden Deer Phase I, submits the herein described tracts of land together with all improvements situated in or upon the tract of land to the provisions of the Utah Condominium Ownership Act.

Executed this 26 day of December, 1990.

Robert W. Wells

By: Robert W. Wells
President

SURVEYOR'S CERTIFICATE

I, James G. West, a Registered Land Surveyor holding License No. 3082 as prescribed under the laws of the state of Utah, do hereby certify that at the request of the Declarant identified in this Record of Survey Map, I made a survey of the land shown on the Record of Survey Map, consisting of 5 pages. To the best of my knowledge and belief, the survey is accurate and complies with the provisions of section 57-8-13 of the Utah Code Annotated, as amended to date. The property is marked so as to allow the measurements shown on the plat to be readily traceable.

James G. West

James G. West, R.L.S. No. 3082 Utah

12/12/90
Date



FEE SIMPLE LEGAL DESCRIPTION

Beginning at a point which is East 1042.71 feet and South 859.35 feet from the Southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 06°55'12" West 12.08 feet; thence South 33°42'10" East 8.49 feet; thence South 06°54'24" West 8.73 feet; thence South 23°14'26" East 4.77 feet; thence South 64°21'24" West 7.84 feet; thence South 23°14'26" East 9.82 feet; thence South 06°54'24" West 23.28 feet; thence North 83°05'36" West 2.00 feet; thence South 06°54'24" West 22.81 feet; thence South 58°06'37" West 15.85 feet; thence North 83°05'36" West 11.01 feet; thence South 63°04'00" West 10.64 feet to a point on a 46.00 foot radius curve to the left (center bears South 56°49'36" West 46.00 feet) of which the central angle is 10°30'56"; thence along the arc of said curve 8.44 feet; thence North 83°05'36" West 46.82 feet; thence North 14°03'39" West 52.62 feet; thence North 06°54'24" East 38.82 feet; thence South 83°05'36" East 8.30 feet; thence North 06°54'24" East 27.32 feet; thence North 51°54'24" East 2.29 feet; thence North 06°00'00" East 6.57 feet; thence North 83°00'00" East 18.70 feet to a point on a 203.68 foot radius curve to the left (center bears North 44°49'33" East 203.68 feet) of which the central angle is 24°37'50"; thence southeasterly along the arc of 184 curve 87.56 feet to the point of beginning. Contains 12420.45 square feet or 0.285 acres.

**RECORD OF SURVEY MAP OF:
GOLDEN DEER PHASE I**

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE &
MERIDIAN, SUMMIT COUNTY, UTAH

NOTE: THE STREET ADDRESS OF GOLDEN DEER PHASE I IS 7570 ROYAL STREET EAST
SEWER SERVICE IS AVAILABLE THROUGH A COMMON SIX-INCH PRIVATE SEWER LATERAL THAT IS TO BE MAINTAINED BY THE GOLDEN DEER PHASE I OWNERS ASSOCIATION

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SUMMIT)

EXHIBIT F

On the 26 day of December, 1990, personally appeared before me Robert W. Wells, who being by me duly sworn, did say that he is the President of the Silver Lake Village Plaza Association, a Utah Non-Profit Corporation, and that the above Owner's Declaration and Consent to Record was signed in behalf of said Silver Lake Village Plaza Association, by authority of his presidency, and said Robert W. Wells acknowledged before me that said corporation executed the same.

April 27 1992
My Commission Expires:

Robert W. Wells
Notary Public
Residing at:
Salt Lake City
Utah



OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that Golden Deer at Deer Valley, Inc. A Utah Corporation, being the owner of the tract of land in Park City, Summit County, Utah, described on this sheet, does hereby consent to the recordation of the Record of Survey Map and by recording this Record of Survey Map and that certain Declaration of Condominium for Golden Deer Phase I, submits the herein described tract of land together with all improvements situated in or upon the tract of land to the provisions of the Utah Condominium Ownership Act.

Executed this 12th day of December, 1990.

Malcolm MacQuaid
By: Malcolm MacQuaid
President

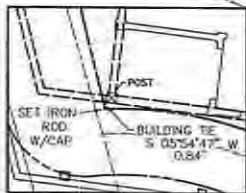
ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SUMMIT)

On the 12th day of December, 1990, personally appeared before me Malcolm MacQuaid, who being by me duly sworn, did say that he is the President of Golden Deer at Deer Valley, Inc., a Utah Corporation, and that the above Owner's Declaration and Consent to Record was signed in behalf of said Golden Deer at Deer Valley, Inc., by authority of his presidency, and said Malcolm MacQuaid acknowledged before me that said corporation executed the same.

10-15-91
My Commission Expires:

J. J. Stinson
Notary Public
Residing at:
619 Main St
Park City, UT



CORNER DETAIL
1"=8'

DELTA
67°30'00"
79°38'36"
22°57'19"
38°40'52"
81°36'52"
10°06'00"
24°37'50"
9°32'37"

U.S. COAST AND GEOD. SURVEY (NAD 83) DATUM, 1983. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.

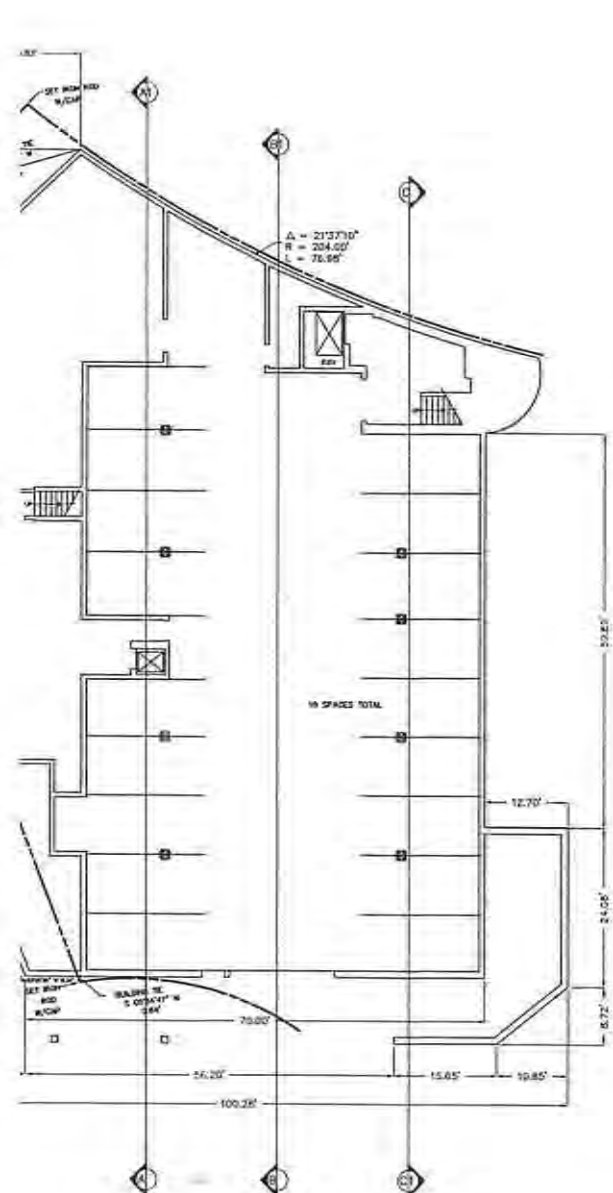
CITY ENGINEER
APPROVED AND ACCEPTED BY THE Park City
CITY ENGINEERS DEPARTMENT ON THIS 12TH
DAY OF DECEMBER A. D. 1990
Chris A. DeHann PE
CITY ENGINEER

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE Park City
CITY PLANNING COMMISSION ON THIS 12TH
DAY OF December A. D. 1990
Robert W. Wells
CITY PLANNING COMMISSION

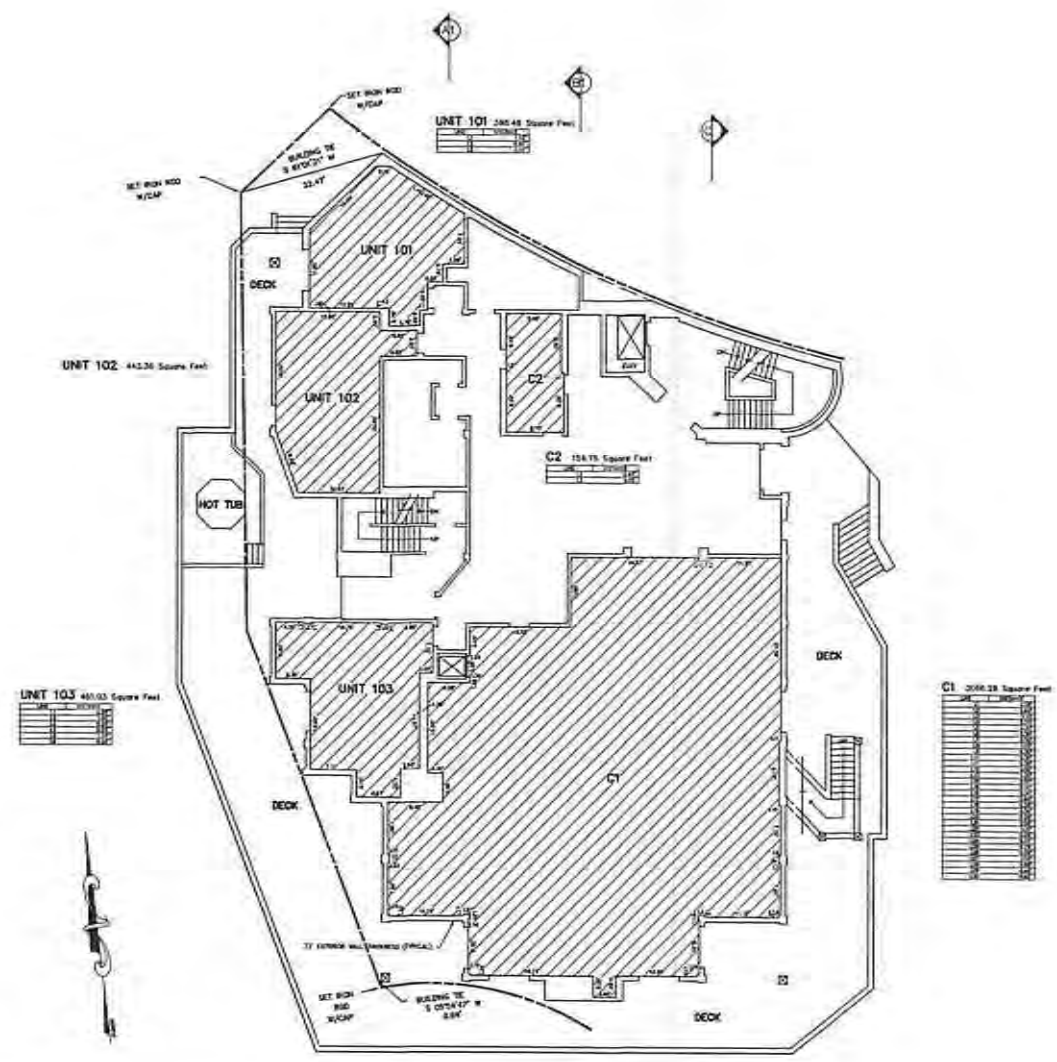
APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS 12TH DAY OF December
A. D. 1990
James G. West
CITY ATTORNEY

RECORDED
No. 334606
STATE OF Utah
RECORDED AND FILED AT THE REQUEST OF High Country, LLC 12-23-90
Time 2:19 PM
#110.50
COUNTY RECORDER Adam Sperry

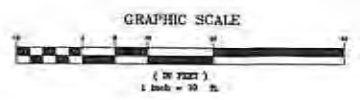
THE SEAR-BROWN GROUP
FULL SERVICE DESIGN PROFESSIONALS
1251 Deer Valley Rd. South, Suite 200 Park City, Utah 84002
(801) 449-9811 FAX (801) 448-7263



PARKING STRUCTURE



FIRST FLOOR



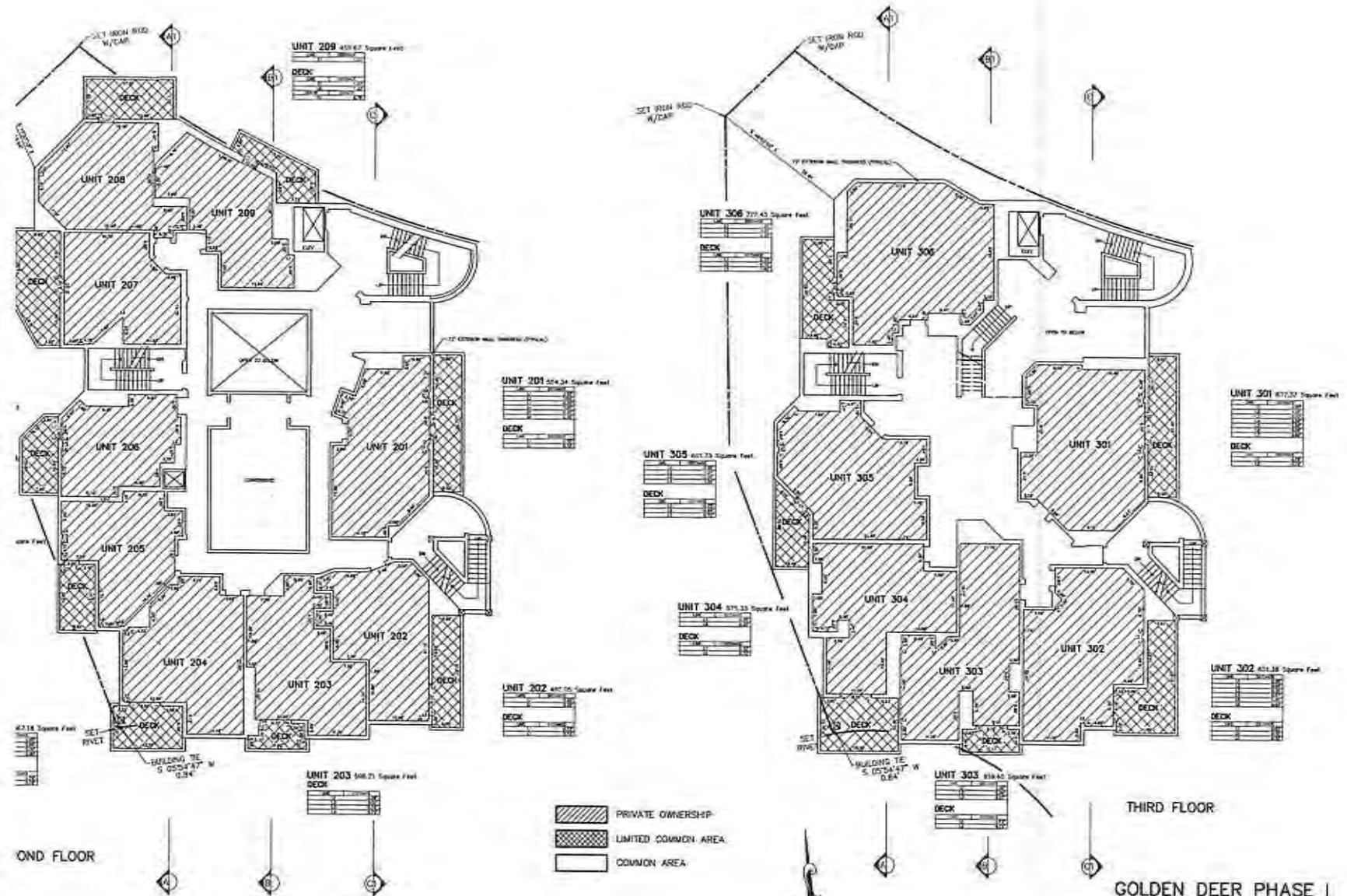
GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 NORTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN.

RECORDED

No. 384606
 STATE OF Utah
 RECORDED AND FILED AT THE REQUEST OF
Hugh Cowley Title 12-27-10
Tina J. Rasmussen
 \$110.00 Alan Spriggs
 FEE COUNTY RECORDER

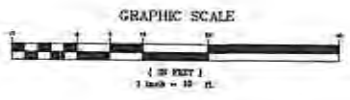
THE SEAR-BROWN GROUP
 FULL SERVICE DESIGN PROFESSIONALS
 1321 Deer Valley Rd. South, Suite 203 Park City, Utah 84002
 (801) 449-8811 FAX (801) 449-7282



PRIVATE OWNERSHIP-

 LIMITED COMMON AREA.

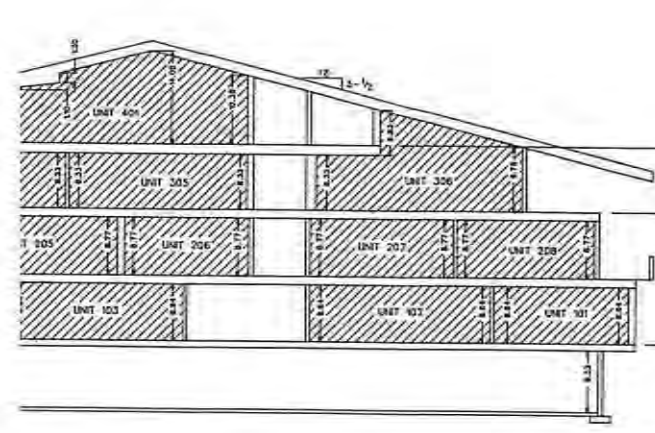
 COMMON AREA.



THIRD FLOOR
GOLDEN DEER PHASE I
 A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH,
 RANGE 4 EAST, SALT LAKE BASIN AND MIDDLEMAN.

RECORDED
 No. 38466
 STATE OF UTAH
 RECORDED AND FILED AT THE REQUEST OF
High County Title 12-27-91
Tom - 12 AM
 \$ 110.00 Alison Spang
 FEE COUNTY RECORDER

THE SEAR-BROWN GROUP
 FULL SERVICE DESIGN PROFESSIONALS
 1321 Deer Valley Rd. South, Suite 202 Park City, Utah 84060
 (801) 649-9811 FAX (801) 649-7265



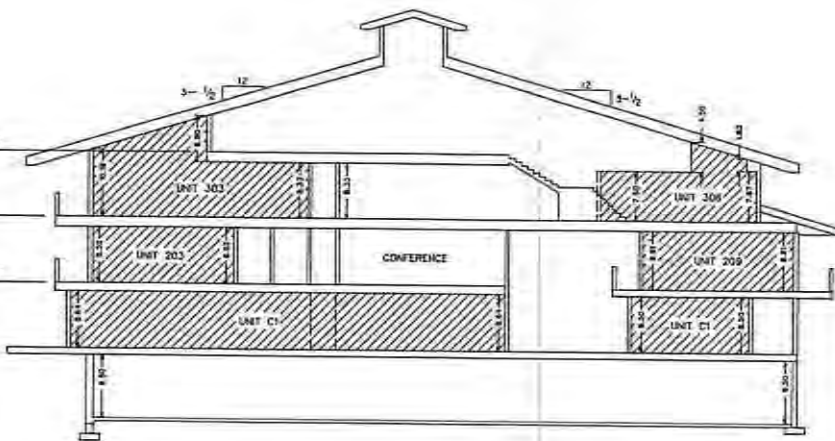
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ELEV=8156.97

THRD FLOOR
ELEV=8147.14

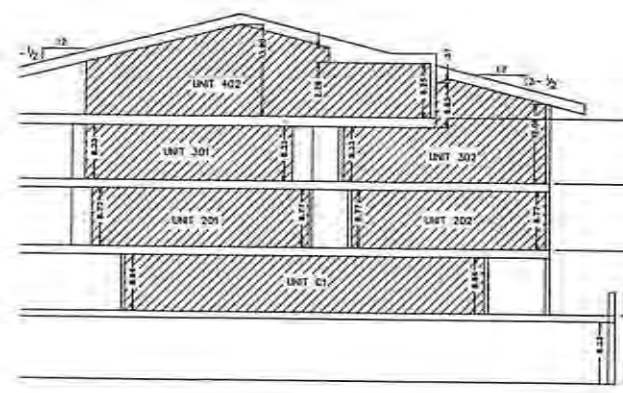
SECOND FLOOR
ELEV=8137.12

FIRST FLOOR
ELEV=8127.23

SECTION A-A1
SCALE: 1/8"=1'-0"



SECTION B-B1
SCALE: 1/8"=1'-0"



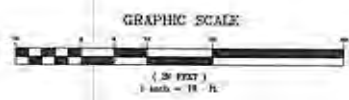
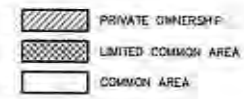
FOURTH FLOOR
ELEV=8156.97

THIRD FLOOR
ELEV=8147.14

SECOND FLOOR
ELEV=8137.12

FIRST FLOOR
ELEV=8127.23

SECTION C-C1
SCALE: 1/8"=1'-0"



GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH,
RANGE 4 EAST, SALT LAKE, BASE AND MERIDIAN.

RECORDED

No. 324606
STATE OF Utah
RECORDED AND FILED AT THE REQUEST OF
Hugh County Title Co 12-27-90
Time 2:19 PM.
110-00 Alan Spragg
COUNTY RECORDER

THE SEAR-BROWN GROUP
FULL SERVICE DESIGN PROFESSIONALS

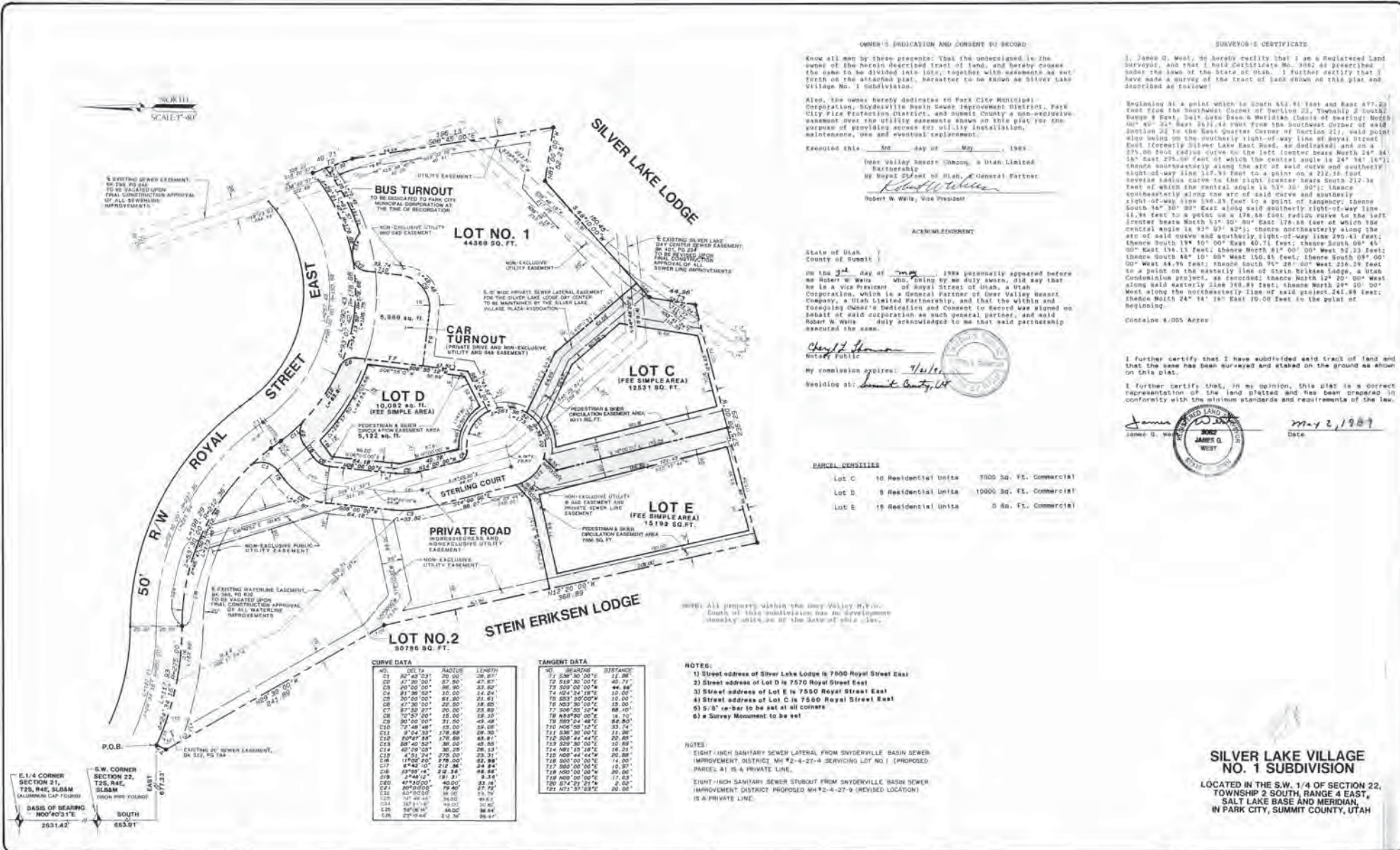
1301 Deer Valley Rd. South, Suite 202 Park City, Utah 84060
(801) 948-9851 FAX (801) 948-7060

Record of Survey Map
 Golden Deer Phase I
 recorded 12/27/90

Unit	C1	3,066.26	sq ft
	C2	154.75	sq ft
Total Commercial		3,221.01	sq ft

Unit	101	398.48	sq ft
	102	443.36	sq ft
	103	461.03	sq ft
	201	554.34	sq ft
	202	492.05	sq ft
	203	506.21	sq ft
	204	567.18	sq ft
	205	419.88	sq ft
	206	382.45	sq ft
	207	438.82	sq ft
	208	452.40	sq ft
	209	459.67	sq ft
	301	677.37	sq ft
	302	651.38	sq ft
	303	619.40	sq ft
	304	575.33	sq ft
	305	601.73	sq ft
	306	777.43	sq ft
	401	912.29	sq ft
	402	713.25	sq ft
Total Residential		11,104.05	sq ft

Total Residential	14,325.06	sq ft
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OWNER'S INDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned is the owner of the herein described tract of land, and hereby consents the same to be divided into lots, together with easements as set forth on the attached plat, hereinafter to be known as Silver Lake Village No. 1 Subdivision.

Also, the owner hereby dedicates to Park City Municipal Corporation, Snowflake Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

Executed this 2nd day of May, 1989.

Deer Valley Resort Company, a Utah Limited Partnership
 My Special Agent of Utah, General Partner
Robert W. Wiley
 Robert W. Wiley, Vice President

SURVEYOR'S CERTIFICATE

I, James G. West, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 3082 as provided under the laws of the State of Utah. I further certify that I have made a survey of the tract of land shown on this plat and described as follows:

Beginning at a point which is South 43° 01' 00" East and East 47° 27' 00" East from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Meridian (Corner of bearing) North 24° 40' 21" East 161.16 feet from the Southwest corner of said Section 22 to the East Quarter Corner of Section 22; said point also being on the westerly right-of-way line of Royal Street East (formerly Silver Lake East Road, as dedicated) and on a 175.00 foot radius curve to the east (center bears North 24° 34' 18" East 278.50 feet) of which the central angle is 24° 34' 18"; thence northwesterly along the arc of said curve and southerly right-of-way line 117.91 feet to a point on a 212.26 foot radius curve to the right (center bears South 217° 36' East) of which the central angle is 53° 30' 00"; thence southeasterly along the arc of said curve and southerly right-of-way line 198.18 feet to a point of tangency; thence South 16° 30' 00" East along said southerly right-of-way line 11.88 feet to a point on a 178.88 foot radius curve to the left (center bears North 51° 30' 00" East 178.88 feet) of which the central angle is 93° 07' 42"; thence northeasterly along the arc of said curve and southerly right-of-way line 290.43 feet; thence South 114° 10' 00" East 40.71 feet; thence South 08° 45' 00" East 134.13 feet; thence North 81° 00' 00" West 52.13 feet; thence South 44° 10' 00" West 150.41 feet; thence South 08° 00' 00" West 48.76 feet; thence South 75° 28' 00" West 238.29 feet to a point on the westerly line of Stein Eriksen Lodge, a Utah Condominium project, as recorded; thence North 12° 20' 00" West along said westerly line 368.89 feet; thence North 24° 10' 00" West along the northeasterly line of said project 241.88 feet; thence North 24° 18' 18" East 10.00 feet to the point of beginning.

Contains 8,005 Acres

ACKNOWLEDGMENT

State of Utah
 County of Summit

On the 2nd day of May, 1989 personally appeared before me Robert W. Wiley, being called by me duly sworn, did say that he is a Vice President of Royal Street of Utah, a Utah Corporation, which is a General Partner of Deer Valley Resort Company, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said corporation as such general partner, and said Robert W. Wiley, duly acknowledged to me that said partnership assumed the same.

Charles J. Hanna
 Notary Public

My commission expires 7/1/89
 Witness at: Summit County, UT

PARCEL UTILITIES

Lot C	10 Residential Units	7000 Sq. Ft. Commercial
Lot D	9 Residential Units	10000 Sq. Ft. Commercial
Lot E	19 Residential Units	8 Sq. Ft. Commercial

I further certify that I have subdivided said tract of land and that the same has been surveyed and staked on the ground as shown on this plat.

I further certify that, in my opinion, this plat is a correct representation of the land situated and has been prepared in conformity with the minimum standards and requirements of the law.

James G. West
 James G. West
 3082
 JAMES G. WEST
 LAND SURVEYOR
 STATE OF UTAH

May 2, 1989
 Date

NOTE: All property within the Deer Valley M.P.C. South of this subdivision has no development potential until 20 of the date of this plat.

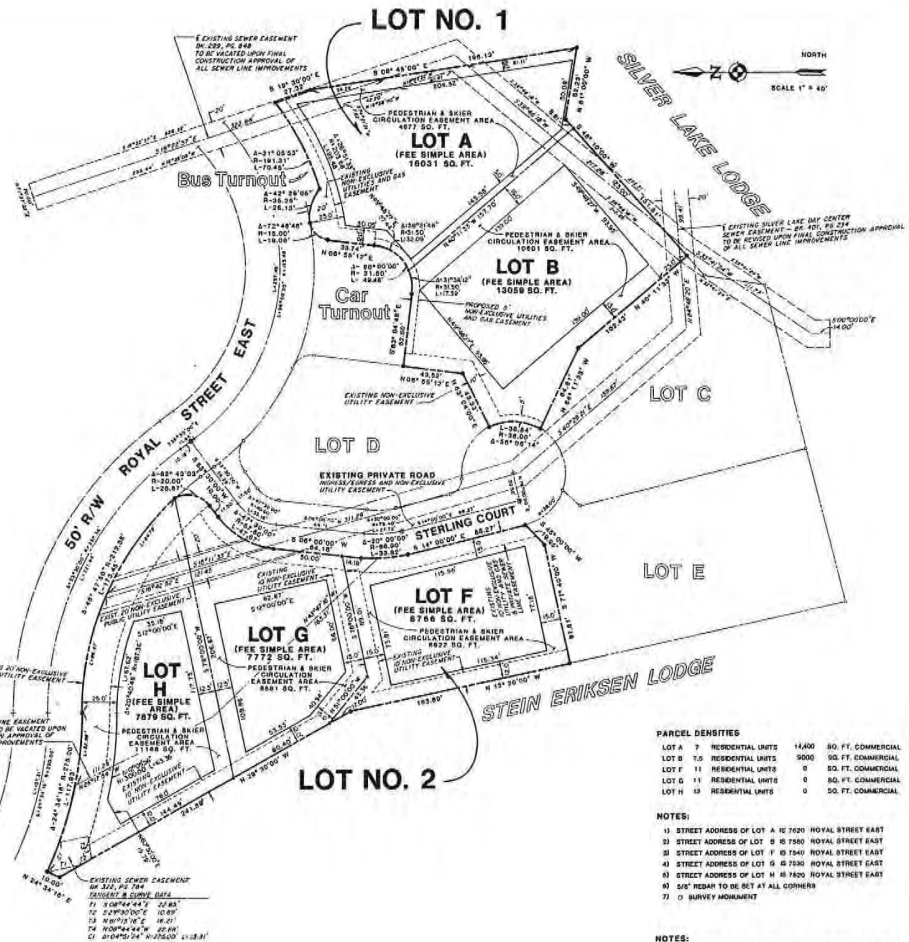
- NOTES:**
- 1) Street address of Silver Lake Lodge is 7000 Royal Street East
 - 2) Street address of Lot D is 7550 Royal Street East
 - 3) Street address of Lot E is 7550 Royal Street East
 - 4) Street address of Lot C is 7560 Royal Street East
 - 5) 5' x 8' corner to be set at all corners
 - 6) a Survey Monument to be set

- NOTES:**
- EIGHT-INCH SANITARY SEWER LATERAL FROM SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT MH #2-4-27-4 (SERVICING LOT NO. 1) (PROPOSED PARCEL A) IS A PRIVATE LINE.
 - EIGHT-INCH SANITARY SEWER STUBOUT FROM SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT PROPOSED MH #2-4-27-9 (REVISED LOCATION) IS A PRIVATE LINE.

SILVER LAKE VILLAGE NO. 1 SUBDIVISION

LOCATED IN THE S.W. 1/4 OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, IN PARK CITY, SUMMIT COUNTY, UTAH

<p>CITY COUNCIL APPROVAL</p> <p>PRESENTED TO THE BOARD OF Park CITY COUNCIL THIS <u>22nd</u> DAY OF <u>May</u> A.D. 1989 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.</p> <p><i>Ann J. H. ...</i> DEPUTY CITY CLERK</p>	<p>CITY ENGINEER</p> <p>APPROVED AND ACCEPTED BY THE <u>Rec City</u> CITY ENGINEERING DEPARTMENT ON THIS <u>22nd</u> DAY OF <u>May</u> A.D. 1989.</p> <p><i>Chris W. DeHaven</i> PE CITY ENGINEER</p>	<p>CITY PLANNING COMMISSION</p> <p>APPROVED AND ACCEPTED BY THE <u>Rec City</u> CITY PLANNING COMMISSION ON THIS <u>22nd</u> DAY OF <u>May</u> A.D. 1989.</p> <p><i>Robert W. Wiley</i> CHAIRMAN</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM ON THE <u>15th</u> DAY OF <u>May</u> A.D. 1989.</p> <p><i>James G. West</i> CITY ATTORNEY</p>	<p>RECORDED</p> <p>No. <u>308234</u> STATE OF <u>Utah</u> COUNTY OF <u>Summit</u> RECORDED AND FILED AT THE REQUEST OF <u>Deer Valley Resort Company</u> <u>James G. West</u> SURVEYOR</p> <p>FEE \$ <u>3.95</u> @ \$0.90 COUNTY RECORDER</p>	<p>THE SEAR-BROWN GROUP</p> <p>FULL-SERVICE DESIGN PROFESSIONALS</p> <p>1000 WEST 1000 SOUTH, SUITE 100, SALT LAKE CITY, UTAH 84119 (801) 466-1111</p>
--	---	--	---	--	--



SURVEYOR'S CERTIFICATE

I, James G. West, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 10022 as prescribed under the laws of the State of Utah. I further certify that I have made a survey of the tract of land shown on this plat and described as follows:

A re-subdivision of Lots No. 1 and No. 2 of Silver Lake Village No. 1 Subdivision recorded as Entry No. 309534 on June 21, 1989, in the Office of the Recorder, County of Summit, State of Utah.

I further certify that I have subdivided said land into 8 lots, designated A, B, C, D, E, F, G, and H, all inclusive, and the said lots have been surveyed and staked on the ground as shown on this plat.

I further certify that, in my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.

James G. West
 James G. West
 Date: Oct 23, 1989

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into lots, together with easements as set forth on the attached plat, hereinafter to be known as Re-subdivision of Lots No. 1 and No. 2, Silver Lake Village No. 1 Subdivision.

Also, the owner hereby dedicates to Park City Municipal Corporation, Silverdale Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

Executed this 23 day of October, 1989.

Inwac Valley Resort Company, a Utah Limited Partnership
 By Robert M. Wells, a General Partner
 Robert M. Wells, Vice President

ACKNOWLEDGEMENT

State of Utah)
 County of Summit)

On the 23 day of October, 1989 personally appeared before me Robert M. Wells who, being by me duly sworn, did say that he is a Vice President of Royal Street of Utah, a Utah Corporation, which is a General Partner of Inwac Valley Resort Company, a Utah Limited Partnership, and that the within and foregoing Owner's dedication and consent to Record was signed on behalf of said corporation as such general partner, and said Robert M. Wells duly acknowledged to me that said partnership executed the same.

Robert M. Wells
 Notary Public
 My commission expires: 6/29/91
 Residing at: Park City, UT

PARCEL DENSITIES

LOT A	7	RESIDENTIAL UNITS	14,600	80. FT. COMMERCIAL
LOT B	7	RESIDENTIAL UNITS	9,000	50. FT. COMMERCIAL
LOT C	11	RESIDENTIAL UNITS	0	50. FT. COMMERCIAL
LOT G	11	RESIDENTIAL UNITS	0	80. FT. COMMERCIAL
LOT H	13	RESIDENTIAL UNITS	0	50. FT. COMMERCIAL

- NOTES:**
- STREET ADDRESS OF LOT A IS 7420 ROYAL STREET EAST
 - STREET ADDRESS OF LOT B IS 7500 ROYAL STREET EAST
 - STREET ADDRESS OF LOT F IS 7540 ROYAL STREET EAST
 - STREET ADDRESS OF LOT G IS 7500 ROYAL STREET EAST
 - STREET ADDRESS OF LOT H IS 7620 ROYAL STREET EAST
 - 50' REAR TO BE SET AT ALL CORNERS
 - SURVEY MONUMENT
- NOTES:**
- EXISTING HIGH SANITARY SEWER LATERAL FROM SBYRDEVILLE BASIN SEWER IMPROVEMENT DISTRICT MAP 2-4-27-4 SERVICE TO LOT NO. 1 (LOT A) IS A PRIVATE LINE.
- DRY STAMPING FIRE PROTECTION SYSTEMS MAY BE REQUIRED FOR EACH PARCEL DEVELOPMENT
- A 24" EAVE ENCRAGEMENT BEYOND THE FEE SIMPLE AREA IS ALLOWED.

**A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2
 SILVER LAKE VILLAGE NO. 1 SUBDIVISION**

A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2
 SILVER LAKE VILLAGE NO. 1 SUBDIVISION
 RECORDED AS ENTRY NO. 309534 JUNE 21, 1989
 LOCATED IN THE S.W. 1/4 OF SECTION 22,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN,
 PARK CITY, SUMMIT COUNTY, UTAH

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS 5TH DAY OF OCTOBER A.D. 1989, AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

Amrita A. Shrestha
 CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE CITY ENGINEER CITY ENGINEERING DEPARTMENT ON THIS 23RD DAY OF OCTOBER 1989.

Eric W. DeHaan PE
 CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS 31st DAY OF OCTOBER A.D. 1989.

Paul R. Wiley
 CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 23rd DAY OF November A.D. 1989.

James G. West
 CITY ATTORNEY

11-9-89
 2:40pm
 RECORDED AS ENTRY NO. 309534
 COUNTY OF SUMMIT
 STATE OF UTAH
 RECORDED AND FILED IN THE OFFICE OF THE COUNTY RECORDER
 \$22.00
 FEEES
 County Recorder

THE SEAR-BROWN GROUP
 FULL SERVICE DESIGN PROFESSIONALS
 121 East 2000 South, Park City, Utah 84302
 (435) 734-1111

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

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- 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 feet 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.

Planning Commission Meeting
January 13, 2016
Page 13

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.

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**PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS**

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist

the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.

8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.

14. The planning and infrastructure review and approval is transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.
19. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.

September 2012

ClydeSnow

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§ SENIOR COUNSEL
§ ALSO ADMITTED IN WASHINGTON D.C.
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§ ALSO ADMITTED IN COLORADO
§ ALSO ADMITTED IN NEW YORK
§ ALSO ADMITTED IN CALIFORNIA
§ ALSO ADMITTED IN MISSOURI

May 2, 2016

SENT VIA U.S. MAIL AND EMAIL

Park City Municipal Corporation
Development Review Committee
Attn: Kirsten Whetstone
445 Marsac Avenue
Park City, UT 84060
Email: planning@parkcity.org
Phone: (435) 615-5060

Re: *Safety Concerns: Application # PL-15-02966, PL-15-02967*
Application Name: Second Amended Silver Lake Village No. 1 Subdivision
plat being an amendment of the Re-Subdivision of Lots No. 1 and No. 2
Silver Lake Village No. 1 Subdivision plat.

Dear Ms. Whetstone:

Our firm represents Michael A. Stein, who resides at 7550 Royal Street East, # 106, Park City, Utah 84060, located in the Mont Cervin building. It has come to our attention that Goldener Hirsch Hotel has proposed to build additional hotel rooms, amenities and residences on a parcel of property located across from the existing hotel on Royal Street and on Sterling Ct., in the Silver Lake, Deer Valley (the "Development"). (See Park City Planning Dept. Application Nos. PL-15-02966 and PL-15-02967.)

We would like to bring to your attention some legitimate safety concerns, for both current residents and the hotels' future guests that Mr. Stein has regarding the proposed Development.

Royal Street, the main access to Silver Lake, has one traffic lane in each direction making it a suitable road for transportation and safety purposes. Royal Street is wide enough to allow safety vehicles (e.g. ambulances, police vehicles, and

firetrucks) to drive safely and pass other vehicles, especially in the event of an emergency, without causing much of an interference.

Sterling Court, on the other hand, is about half the width of Royal Street and it is congested when even one oversized vehicle (e.g. a large SUV) enters the street. It is especially difficult to pass when two vehicles are headed in opposite directions. When bigger vehicles enter the street (e.g. moving trucks, construction vehicles, ambulances, and firetrucks), the street becomes unusable and incapable of allowing any vehicle (including safety vehicles) to pass in the event of an emergency. The narrowness of this street is a serious safety concern to those located along Sterling Court. From speaking the developer of the Development and reviewing the application submitted, it appears that the main vehicle and pedestrian entrance to the Development is accessed via Sterling Court.

Sterling Court is currently navigated and walked by hundreds of pedestrians every day, both during the winter and summer, with people are carrying skis, mountain bikes, and other equipment. Furthermore, the proposed Development will undoubtedly attract many more guests and pedestrians. This sharp increase in foot traffic in such a small and congested area raises further safety concerns.

The safety concerns for local residents and tourists will be at their highest levels during the lengthy construction process. The construction of the Development will demand a continuous stream of large trucks, cranes, and other vehicles and equipment in and around the Sterling Court area. This increased congestion will inhibit safety vehicles from accessing and reaching a person who may be in serious harm or imminent danger. Further, we understand that a sky bridge will connect the existing Goldener Hirsh to the Development. This may also prevent necessary safety and construction vehicles from accessing the buildings surrounding Sterling Court.

Another concern is the issue of snow removal. As you know, it snows heavily during the winter months at Silver Lake. We are unaware of any proposal by the developer or Park City to deal with the large amounts of snow that will accumulate on Sterling Court. Currently, snow is currently pushed onto the parcels where the proposed Development is to be constructed. However, with this space now unavailable to dispose of excess snow, the congestion on Sterling Court will only get worse and may cause an increase in risk of pedestrian and vehicle safety.

To address these reasonable concerns, Mr. Stein proposes that the Planning Department commission a safety study and investigate whether such safety concerns can be addressed through widening Sterling Court, providing increased sidewalk access, removing the proposed sky bridge, and perhaps heating Sterling Court itself to deal with snow build up.

We will be closely monitoring the Development and the approval process with your department. I look forward to a fruitful and constructive discussion regarding the resolution of Mr. Stein's concerns. You may contact me if you have any questions.

Very truly yours,

CLYDE SNOW & SESSIONS



Timothy R. Pack

cc: Michael Stein



May 31, 2016

Christopher M. Conabee
Utah Development and Construction
1106 Abilene Way
Park City, UT 84098

Subject: Transportation Evaluation for the Goldener Hirsch Hotel

Dear Mr. Conabee,

We have evaluated transportation conditions associated with the proposed Goldener Hirsch Hotel (Hotel), located at 7560 Royal Street in Park City, Utah. When complete, the hotel will add 38 unit equivalents (68 rooms including lockouts) and approximately 2,800 square feet of convention space. This letter addresses potential transportation concerns. Specifically, this letter addresses pedestrian and sidewalk safety, roadway geometry, and snow storage.

Pedestrian and Sidewalk Safety

Currently, pedestrians accessing Deer Valley via Sterling Court are forced to walk in the vehicle travel lane due to no existing sidewalk facilities. Once complete, the Hotel will provide a sidewalk facility that separates and improves pedestrian safety on Sterling Court (Figure 1). The new sidewalk will also connect to the existing sidewalk to the northwest of the parking lot.

When the Hotel is complete, the existing parking lot and parking spaces will be converted into an underground facility with 114 parking stalls. The existing parking lot is separated by a rolled curb (Figure 2), which allows vehicles entering/exiting the parking lot to directly access Royal Street and/or Sterling Court. This condition creates almost 200 feet of access frontage on Royal Street and 100 feet of access frontage on Sterling Court that allows numerous vehicle access locations and thus creates many conflict points along these frontages. Relocating these parking stalls to an underground facility and consolidating the access points to three on Sterling Court greatly reduces the number of conflict points with vehicles and pedestrians and should further improve pedestrian safety in the area.



Figure 1: Hotel Expansion Sidewalk

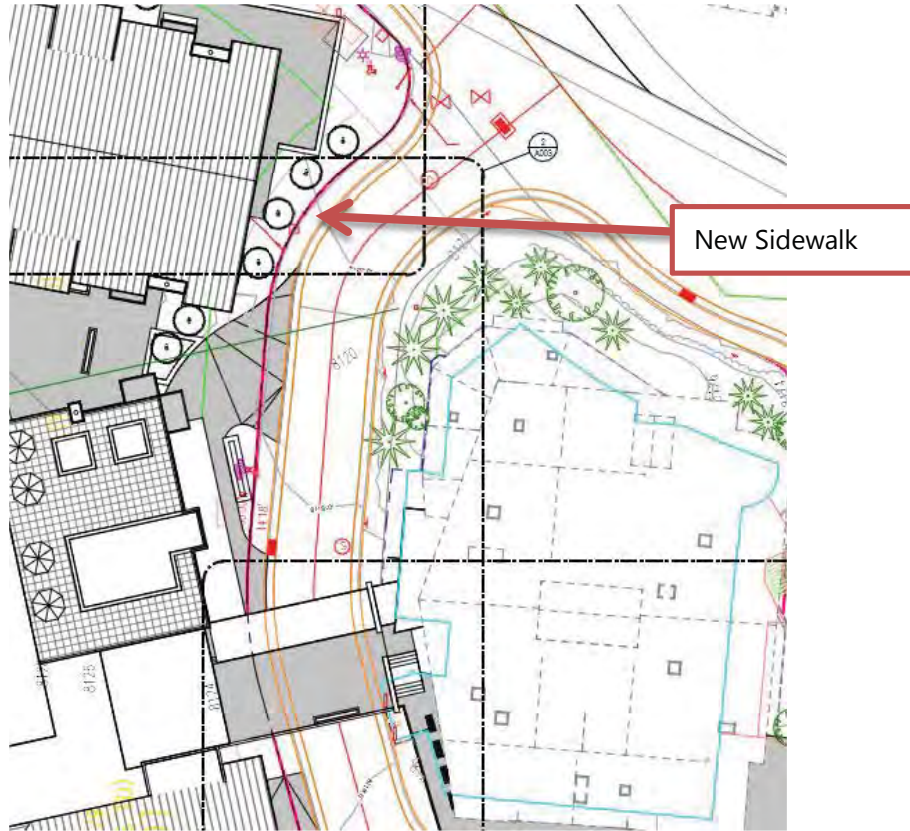


Figure 2: Existing Parking Lot Conditions (rolled curb)





Roadway Geometry

The width of Sterling Court was evaluated to determine if its width is a concern for both passing vehicles and large/safety vehicles. Based on aerial images, the existing roadway is 20 feet of pavement width with an additional two feet of travel width if half of the gutter pan on both sides is assumed. These types of rolled gutters are frequently used for additional travel width for larger vehicles.

The American Association of State Highway and Transportation Officials (AASHTO) guidebook *A Policy on Geometric Design of Highways and Streets, 6th Edition, 2011*, provides guidance for street width minimums, and states the following: *"Street lanes for moving traffic preferably should be at least 3.0 m (10 ft) wide. Where practical, they should be 3.3 m (11 ft) wide, and in industrial areas they should be 3.6 m (12 ft) wide. Where the available or attainable width of right-of-way imposes severe limitations, 2.7 m (9 ft) lanes can be used in residential areas, as can 3.3 m (11 ft) lanes in industrial areas."* Based on this guidance, the width of Sterling Court meets the standard for street width minimums.

Post Hotel construction, Sterling Court will function as a typical narrow two lane residential street. This classification, function, and width is not uncommon throughout the United States, including many streets in Park City. In fact, the following streets nearby in Park City have street widths ranging between 15 feet and 20 feet for two-way traffic: 12th Street, Silver Dollar Drive, 8165 East Royal (Aspen Hollow), and 7900 East Royal (Double Eagle). On-street parking of any duration should be restricted to ensure efficient traffic flow and a clear path for emergency vehicles. Delivery vehicles for all buildings in the area should use the designated loading zones.

Snow Storage

Due to heavy snowfall in the Park City area, excessive snow storage on Sterling Court could reduce the street width below what is recommended by *A Policy on Geometric Design of Highways and Streets, 6th Edition, 2011*. When the Hotel is complete, the majority of snow storage is planned to take place on the south side of Royal St on the Hotel frontage. This will allow Sterling Court to function with minimal impact to the roadway width.

Christopher M. Conabee
May 31, 2016
Page 4 of 4

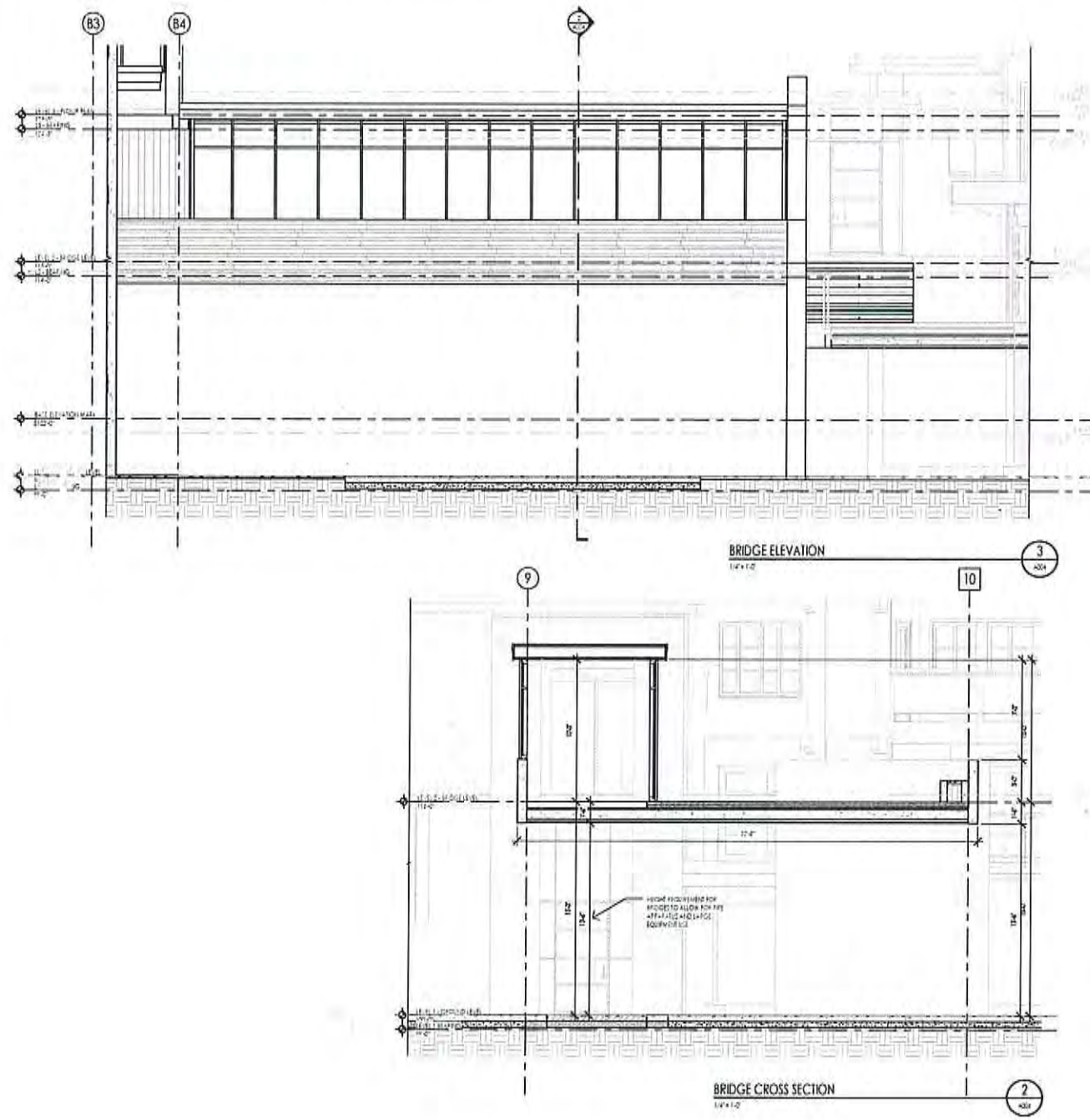


Sincerely,
FEHR & PEERS

A handwritten signature in blue ink, appearing to read "Preston Stinger". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Preston Stinger, PTP, LEED GA
Associate

UT16-2020



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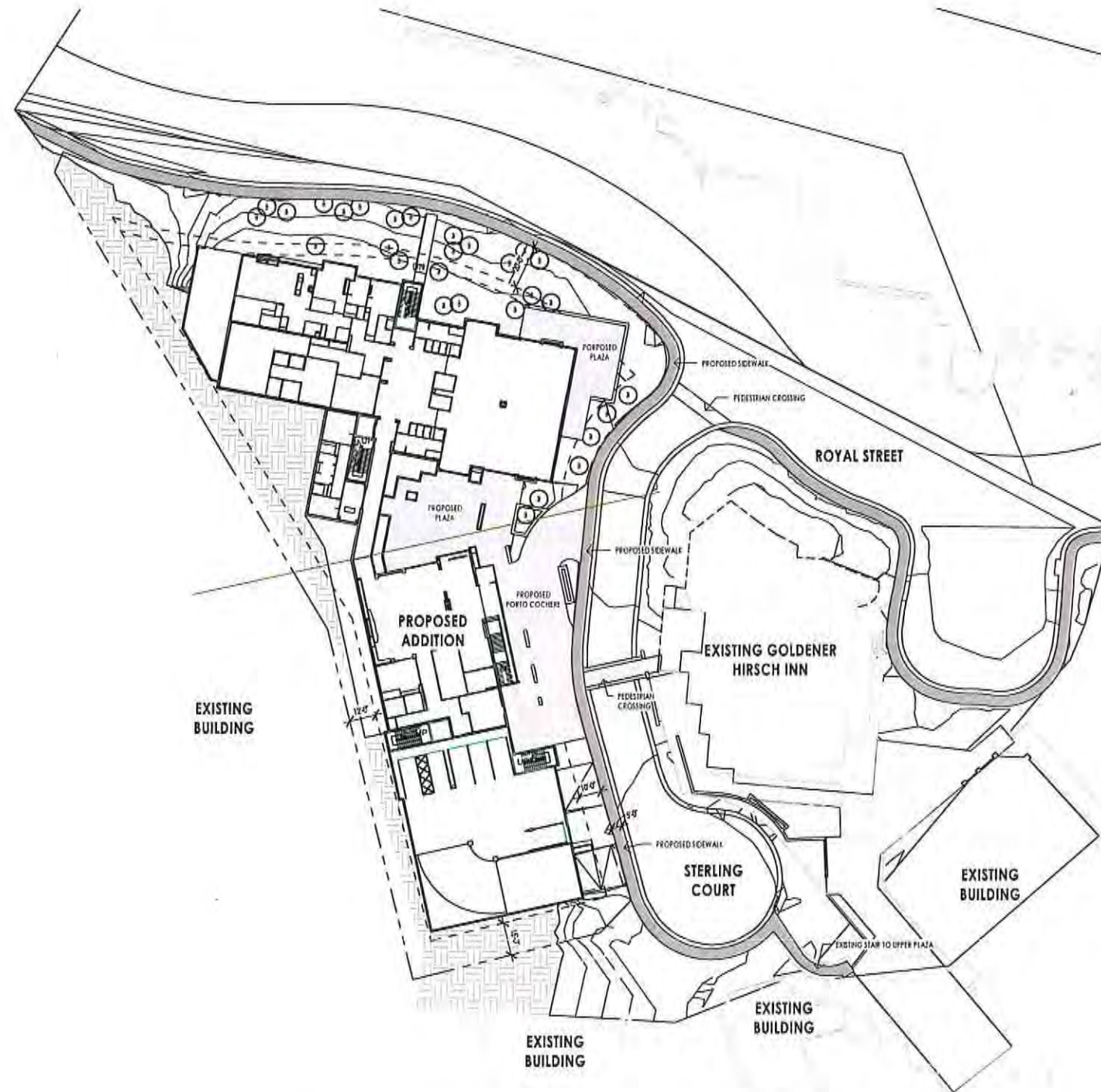
RECEIVED
SEP 20 2016
PLANNING DEPT.

PROJECT NO. 15089
DATE: 2016.05.18
REVISIONS:

SHEET TITLE:
ENLARGED SITE PLANS -
PLAZA LEVEL

SHEET NUMBER:
A004





OVERALL SITE PLAN - SIDEWALK/PLAZA EXHIBIT
 1" = 30'
 1
 D002

GOLDENER HIRSCH

7560 ROYAL STREET
 PARK CITY, UTAH 84060

SEP 20 2016

SIDEWALK/PLAZA EXHIBIT

D002



Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: BD-16-22329 Appeal of Planning
Directors Determination regarding Square Footage
Calculation at 1376 Mellow Mountain Rd

Application: PL-16-03250

Author: Makena Hawley, City Planner

Date: September 28, 2016

Type of Item: Quasi-Judicial - Appeal of Planning Director's
Determination

Summary Recommendation

Staff requests that the Planning Commission review the appeal of the Planning Director's determination on the Square footage calculation at 1376 Mellow Mountain and consider upholding the Planning Director's denial of the Building Permit.

Topic

Appellant(s): David Camarata represented by Joseph Tesch

Location: 1376 Mellow Mountain Road

Zoning: Estate District (E)

Adjacent Land Use: Residential

Reason for review: Appeals of Planning Director determinations are reviewed by Planning Commission

Burden of Proof and Standard of Review

The Planning Commission is acting in a quasi-judicial manner. Therefore, like with a judge, all contact by the parties with the Planning Commission related to the appeal should be at the hearing. No "ex-parte" or one on one contact should occur.

Pursuant to LMC 15-1-18(G), the Planning Commission "shall review the factual matters de novo and it shall determine the correctness of a decision of the [Planning Director] in its interpretation of the application of the land Use ordinance." This means that the Planning Commission will review the evidence presented to the Planning Director anew and will not give any deference to the Planning Director's decisions on how to apply the facts to the law. Planning Commission review of petitions of appeal shall be limited to consideration of only those matters raised by the petition, unless Planning Commission, by motion, enlarges the scope of the appeal to accept information on other matters. The burden is on the appellant to prove that the Planning Director erred.

Background

In 1992 a building permit was approved for a new single-family dwelling to be built at 1376 Mellow Mountain Road. At that time, the house was built and it was approximately 14,100 square feet.

In 1993 the Planning Commission denied a request for a 12 lot subdivision, which was appealed to the City Council, and on June 17, 1993 the Council approved the small scale MPD with a 12 lot subdivision – The Hearthstone Subdivision (also known as The Overlook at Old Town – Please see Exhibit C and E). When the subdivision was being recorded for the 12 lots, one of the property owners, Mr. Korthoff, decided to withdraw his property, which were lots 11 and 12 of the approved Hearthstone 12 lot subdivision, due to a trail location and other issues surrounding the subdivision. After the MPD was approved, the 12 lot subdivision went back to the Planning Commission for review on September 22, 1993 requesting that the 12 lot subdivision be reduced to 10 lots and was approved at the City Council meeting early 1994 (Please see Exhibit C – Hearthstone Subdivision).

In 1998 Mr. Korthoff re-appeared to the Planning Commission and City Council and wanted to be included in the Hearthstone Subdivision with a proposal presenting a solution for a trail easement that worked for the property owner, staff and trails people. This plat amendment was approved and recorded (Please see Exhibit D – First Amendment to Hearthstone Subdivision).

In December 2005 the 1376 Mellow Mountain residents applied for and were granted a building permit for an 800 square foot addition.

On June 2, 2015 the current residents of 1376 Mellow Mountain Road applied for a building permit requesting a swimming pool enclosure (Please see Exhibit J for 2015 building permit). The building permit was approved (due to staff error) on July 1, 2015 and on January 5, 2016 the building permit expired due to inactivity.

On February 16, 2016 the current residents of 1376 Mellow Mountain Road again applied for a building permit requesting a swimming pool enclosure (Please see Exhibit L for 2016 building permit). On April 20, 2016 the Planning Department approved the building permit (due to staff error) and on May 18, 2016 the building permit was denied by the Engineering Department (Please see Exhibit M for denial letter) due to the proposal presenting non-compliance with the First Amendment to Hearthstone Subdivision, plat note #1.

The First Amended Hearthstone Subdivision, approved in 1999 has one plat note which reads:

"1. The maximum house size for Lot 12 is 6,000 square feet. The maximum house size for Lot 11 is 14,000 square feet, with no additions resulting in additional square footage over 14,000 square feet allowed."

In addition, the minutes and findings from the September 22, 1992 Planning Commission meeting where the Hearthstone Subdivision was approved indicated the following change which was adopted:

The house restriction on the Korthoff house was "as built" at 14,100 square feet as measured by the Building Department, the intent of which was no further expansions of the house or the garage.

The suggested note regarding maximum house size for Lot 11 said: Maximum house size on Lot 11 is "as built" at 14,100 square feet as measured by the Building Department.

Lots 11 and 12 were removed from the 1992 Subdivision and when the Planning Commission reviewed the application to add these two lots back into the Subdivision in 1998, the conditions of approval state:

2. All conditions of approval of the MPD approved June 17, 1993, still apply

6. . . . The maximum house size for Lot 11 is "as built" at 14,000 square feet (no additions resulting in additional square footage allowed); .

The proposed pool house at the 1376 Mellow Mountain residence (Lot 11) totals 4,617 square feet.

The survey provided by the applicant determined the maximum house size to be 11,892 square feet. Therefore the proposed total square footage would equal 16,509 square feet.

On July 12, 2016 the Planning Director made a final Determination to deny the building permit (Please see Exhibit B).

On July 20, 2016 an appeal of the Planning Director's Determination was submitted (Please see Exhibit A).

Appeal

The appellants are requesting the Planning Director Determination be appealed and the building permit approved based on the following reasons:
(Summarized from the appellants appeal letter, Exhibit A)

1. *Nowhere on the plat does the term FLOOR AREA appear nor is there any reference to the Land Management Code ("LMC") §1.107, the code*

section used by the Planning Director in calculating the “maximum house size”. Since the term FLOOR AREA was available to the Owners dedicating the Plat and to the City approving the Plat in 1999, the standard interpretation would be that the intent of those parties was to not incorporate LMC §1.107 into the “maximum house size”. Therefore the application of §1.107 is incorrect unless the intention to incorporate that section is by some evidence shown to be the intent of both parties to the Plat. None has been shown.

- 2. In 1992 when the residence was first constructed, the Building Department determined Floor Area to be 8,487 square feet. No one in the City or anywhere else appealed that determination of the Floor Area and it became the Floor Area. Admittedly, there was an 800 sq. ft. addition bringing the total square foot Floor Area to 9,287 square feet.*
- 3. The decision of the Planning Director is arbitrary and capricious.*
- 4. Since applicant has relied upon prior decisions of the City and has spent large amounts of money and resources based upon those decisions, the doctrine of equitable estoppel prohibits the City from denying the building permit for the pool house as requested.*
- 5. The decision by Makena Hawley of the Planning Department in approving the building permit on about April 20, 2016 was the correct decision and should prevail in place of the Planning Directors new decision.*
- 6. The plat calls out a maximum of “14,000 square feet.” It does not call out 14,000 square feet of “Floor Area”. Therefore, the Planning Director’s application of §1.107 Floor Area of the LMC is incorrect and, at best arbitrary and capricious. The Planning Directors failure to research and apply the concept of the term Floor Area as applied by other sources is arbitrary and the arbitrary application of §1.107 cannot be the basis of his decision.*
- 7. Such other Constitutional, Statutory and case law decisions as may be discovered (requiring an appeal to filed within 10 days and also requiring to in that short span to fully set forth all the reasons for the appeal is a violation of procedurals due process).*

Appeal Item #1: *Nowhere on the plat does the term FLOOR AREA appear nor is there any reference to the Land Management Code (“LMC”) §1.107, the code section used by the Planning Director in calculating the “maximum house size”. Since the term FLOOR AREA was available to the Owners dedicating the Plat and to the City approving the Plat in 1999, the standard interpretation would be that the intent of those parties was to not incorporate LMC §1.107 into the “maximum house size”. Therefore the application of §1.107 is incorrect unless the intention to incorporate that section is by some evidence shown to be the intent of both parties to the Plat. None has been shown.*

Staff Response: Staff has consistently used the definition of Floor Area to determine the square footage of the building, and used to calculate the square footage of houses when a plat note has restrictions on it.

Below are LMC definitions used to evaluate house size:

1.107 **FLOOR AREA.**

- A. **Floor Area, Gross Residential.** The Area of a Building, including all enclosed Areas. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area. Garages, up to a maximum Area of 600 square feet¹, are not considered Floor Area. Basement and Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls.

In addition, proof from past meeting minutes, Staff has found that the house size limitations did have intention for the plat notes. From the Planning Commission Meeting minutes from September 22, 1993 (The Original Hearthstone Subdivision, Please see Exhibit G) the following is quoted:

“Hearthstone Subdivision – Final Plat (Aerie Drive and Mellow Mountain Road) – Jack Johnson Co.

The Staff recommended approval with changes in the conditions of approval as outlined in the public hearing.

Chairman Bruce Erickson clarified that the changes were:

Two-foot but not wider than four-foot paths.

Revision of the setback on Lot 2 to 35 feet.

The house restriction on the Korthoff house was “as built” at 14,100 square feet as measured by the Building Department, the intent of which was no further expansions of the house or the garage.”
(Please See Exhibit G for minutes)

During the same meeting the Conditions of Approval were noted and COA #3 reads:

*3,500 sq. ft. Lots 4, 5
4,000 sq. ft. Lots 3, 6
5,000 sq. ft. Lots 1, 2, and 9
6,000 sq. ft. Lots 7, 12
6,500 sq. ft. Lots 8, 10*

Maximum house size for Lots 11 is “as built” at 14,100 sq. ft. as measured by the building department.

As of 1992, the Building Dept. had already done a square footage calculation which came to a total of 14,122 square feet. (Please see Exhibit F).

The intent from the original documents is not to add anything to the “as built” size.

Appeal Item #2: *In 1992 when the residence was first constructed, the Building Department determined Floor Area to be 8,487 square feet. No one in the City or anywhere else appealed that determination of the Floor Area and it became the Floor Area. Admittedly, there was an 800 sq. ft. addition bringing the total square foot Floor Area to 9,287 square feet.*

Staff Response:

The Building Department determines square footage per their fee schedule while the Planning Department determines square footage per the Land Management Code, the processes are different therefore each Dept. will come up with different calculations.

Additionally, per the Building Plan Check and Correction sheet from January 1992 the Building Fee Schedule reads:

<i>Square Feet of Building</i>	<u>8487</u>
<i>Rough Basement</i>	<u>-</u>
<i>Finished Basement</i>	<u>3345</u>
<i>Garage</i>	<u>2890</u>
<i>Deck Balcony</i>	<u>1680</u>

(Please see Exhibit F for Plan Check and Correction Sheet from 1992)

Discounting the 1690 sq. ft. of balcony area and the 600 sq. ft. allotted for garages the total square footage from this Building Plan Check Sheet would equal 14,122 square feet.

Staff finds that the Planning Department still would have determined square footage according to the LMC verse the Building Department Fee Schedule therefore these numbers would never become the official floor area according to Planning Department determinations.

Moreover, the building was added to in 2005 for a total of an 800 square foot addition, likely in violation of the plat note.

Appeal Item #3: *The decision of the Planning Director is arbitrary and capricious.*

Staff Response: Staff calculates square footage per the Land Management Code definitions.

Appeal Item #4: *Since applicant has relied upon prior decisions of the City and has spent large amounts of money and resources based upon those decisions, the doctrine of equitable estoppel prohibits the City from denying the building permit for the pool house as requested.*

Staff Response: Case law in Utah only supports a finding of equitable estoppel

in exceptional circumstances such as when building has already taken place. The Supreme Court found that a boundary survey and the preparation of a preliminary subdivision plat was not substantial enough to justify an estoppel. (Western Land Equities v. Logan, 617 P.2d 388, 391 (Utah 1980))

Appeal Item #5: *The decision by Makena Hawley of the Planning Department in approving the building permit on about April 20, 2016 was the correct decision and should prevail in place of the Planning Directors new decision.*

Staff Response: The Planning/Zoning review made by the Planning Department was made in error. The finding made by the Engineering Department is correct and consistent with the way the Land Management Code determines Floor Area/House size.

Appeal Item #6: *The plat calls out a maximum of “14,000 square feet.” It does not call out 14,000 square feet of “Floor Area”. Therefore, the Planning Director’s application of §1.107 Floor Area of the LMC is incorrect and, at best arbitrary and capricious. The Planning Directors failure to research and apply the concept of the term Floor Area as applied by other sources is arbitrary and the arbitrary application of §1.107 cannot be the basis of his decision.*

Staff Response: Staff has consistently used the definition of Floor Area to determine the square footage of the building, and used to calculate the square footage of houses when a plat note has restrictions on it. Furthermore, the intent of the language was not to allow any further additions to the building.

Notice

The property was legally noticed in the Park Record on August 13, 2016 and the property was posted per noticing requirements in LMC 15-1-21 Notice Matrix

Public Input

Staff has not received any additional public input concerning the appeal at the time of writing this staff report.

Alternatives

- The Planning Commission may affirm the Planning Director’s decision to deny in whole or in part the Building Permit BD-16-22329 as conditioned or amended; or
- The Planning Commission may reverse the Planning Director’s decision and approve t in whole or in part the Building Permit BD-16-22329 as conditioned or amended and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the appeal of the Building Permit BD-16-22329 to a date certain.

Recommendation

Staff recommends the Planning Commission review the appeal and consider affirming the Planning Director's decision to deny the Building Permit BD-16-22329.

Findings of Fact

1. The subject property is located at 1376 Mellow Mountain Rd.
2. The subject property is located in the Estate (E) District.
3. A single family dwelling currently exists on the property.
4. A single-family dwelling and Accessory Building and Uses are permitted Uses in the E zone.
5. The approved plat is First Amendment to Hearthstone Subdivision.
6. 1376 Mellow Mountain Road is Lot 11 of the First Amendment to Hearthstone Subdivision.
7. The only plat note on the First Amendment to Hearthstone Subdivision reads "*1. The maximum house size for Lot 12 is 6,000 square feet. The maximum house size for Lot 11 is 14,000 square feet, with no additions resulting in additional square footage over 14,000 square feet allowed.*"
8. The current calculation of square footage by the Planning Department per the survey provided by the applicant determined the maximum house size to be 11,892 square feet.
9. The proposed pool house at the 1376 Mellow Mountain residence (Lot 11) totals 4,617 square feet.
10. If the building permit is to be approved the lot would contain a total square footage of 16,509 square feet.
11. On June 2, 2015 the current residents of 1376 Mellow Mountain Road applied for a building permit requesting a swimming pool enclosure (BD-15-21224).
12. The building permit (BD-15-21224) was approved on July 1, 2015 and on January 5, 2016 the building permit expired due to inactivity.
13. On February 16, 2016 the current residents of 1376 Mellow Mountain Road again applied for a building permit (BD-16-22329) requesting a swimming pool enclosure.
14. On April 20, 2016 the Planning Department reviewed the building permit (BD-16-22329) and did not find any issues with it; and on May 18, 2016 the building permit was denied by the Engineering Department due to the proposal presenting non-compliance with the First Amendment to Hearthstone Subdivision, plat note #1.
15. Once Building, Planning, and Engineering Departments sign off on a requested building permit application, the building permit is finalized and is issued.
16. The Findings in the Analysis section of this report are incorporated herein.
- 17.

Conclusions of Law

1. 1376 Mellow Mountain Road is Lot 11 of the First Amendment to the Hearthstone Subdivision.

2. Using the Land Management Code definitions to define floor area to equate to house size (per the plat) the floor area of the existing house at 1376 Mellow Mountain Road equates to 11,892 square feet.
3. The proposed pool house at the 1376 Mellow Mountain residence totals 4,617 square feet.
4. If the building permit is to be approved the lot would contain a total square footage of 16,509 square feet.
5. The plat note from First Amendment Hearthstone Subdivision reads: The only plat note on the First Amendment to Hearthstone Subdivision reads “1. *The maximum house size for Lot 12 is 6,000 square feet. The maximum house size for Lot 11 is 14,000 square feet, with no additions resulting in additional square footage over 14,000 square feet allowed.*”

Order

1. The appeal is denied and the proposed building permit cannot be issued.

Exhibits

- Exhibit A - Appeal
- Exhibit B - Notice of Planning Director Determination
- Exhibit C - Hearthstone Subdivision
- Exhibit D - First Amendment to Hearthstone Subdivision
- Exhibit E - Amendment to Hearthstone Subdivision name – The Overlook at Old Town
- Exhibit F - Building Department Plan Check and Correction Sheet from 1992
- Exhibit G - Planning Commission Meeting Minutes from September 22, 1993 – Approving the Hearthstone Subdivision
- Exhibit H - Planning Commission Meeting Minutes from November 18, 1998 approving the First Amendment to the Hearthstone Subdivision
- Exhibit I - City Council Staff Report December 10, 1998
- Exhibit J - 2015 Building Permit Plans
- Exhibit K - 2016 Building Department Plan Check Sheet for BD-16-22329
- Exhibit L - 2016 Building Permit Plans
- Exhibit M - Engineering’s formal denial of Building Permit BD-16-22329
- Exhibit N - Survey plan of 1376 Mellow Mountain Road provided by applicant

Joseph E. Tesch (A3219)
TESCH LAW OFFICES, P.C.
314 Main Street, Suite 201
P.O. Box 3390
Park City, Utah 84060-3390
Telephone: (435) 649-0077
Facsimile: (435) 649-2561
joet@teschlaw.com

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION**

DAVID CAMARATA

V.

PARK CITY PLANNING DIRECTOR

**NOTICE OF APPEAL OF PLANNING
DIRECTOR DETERMINATION OF
JULY 1, 2016**

PROJECT NO.: BD-16-22329

COMES NOW, David Camarata, owner of the residence located at 1376 Mellow Mountain Road, Park City, Utah, by an through his attorney Joseph E. Tesch and Tesch Law Offices, P.C. and hereby appeals the action of the Planning Director denying a building permit for a pool house at said residence, upon the following grounds and upon such other grounds as may come to light:

1. The First Amendment to Hearthstone Subdivision plat (the "Plat") calls out for this Lot (Lot 11) "The maximum house size... is 14,000 square feet, with no resulting additional square footage over 14,000 square feet allowed." Nowhere on the plat does the term FLOOR AREA appear nor is there any reference to Land Management Code ("LMC") §1.107, the code section used by the Planning Director in calculating the "maximum house size."

Since the term FLOOR AREA was available to the Owners dedicating the Plat and to the City in approving the Plat in 1999, the standard interpretation would be that the intent of those parties was to not incorporate LMC §1.107 into the maximum house size. Therefore, the application of §1.107 is

incorrect unless the intention to incorporate that section is by some evidence shown to be the intent of both parties to the Plat. None has been shown.

Therefore the Planning Director's decision to apply §1.107 appears to be contrary to the intent of the parties drafting and approving the Plat, and apparently because it was handy and contained some formula for determining "FLOOR AREA" but not "maximum house size" the Planning Director used it. But he was incorrect and, at best, arbitrary and capricious in doing so.

For instance, how did the Planning Director determine that the parties didn't intend maximum house size to be determined by using the previously determined Square Feet of Building of 8,457 as determined in January of 1992 by the City Building Department or the methodology employed by the Uniform Residential Appraisal Report?

2. In the year 1992 when the residence was first constructed, the Building Department determined the Floor Area to be 8,487 square feet. No one in the City or anywhere else appealed that determination of the Floor Area and it became the Floor Area. Admittedly, there was an 800 sq. ft. addition bringing the total square foot Floor Area to 9,287 square feet.

In 2016 the Planning Director re-measured this historic square foot Floor Area to total 11,892 sq. ft. This is contrary to law for at least two reasons:

- (a) when the 1992 measurement was not appealed by the City it became set and not variable any more than it could have been changed and altered by the Applicant after the time for appeal had expired; and,
- (b) there is no evidence that, as measured in 1992, it was in error according to the standard measurements used in 1992.

Therefore, while the Planning Director can use his best judgment in determining the square foot total of the requested pool house, that square foot determination can be added only to the original 9,287 historical square footage, which with the new 4,617 square feet computes to less than the maximum 14,000 square feet allowed.

3. The decision of the Planning Director is arbitrary and capricious.

4. Since Applicant has relied upon prior decisions of the City and has spent large amounts of money and resources based upon those decisions, the doctrine of equitable estoppel prohibits the City from denying the building permit for the pool house as requested.


5. The decision by Makena Hawley of the Planning Department in approving the building permit on about April 20, 2016 was the correct decision and should prevail in place of the Planning Director's new decision.

6. The plat calls out a maximum of "14,000 square feet." It does not call out 14,000 square feet of "Floor Area." Therefore, the Planning Director's application of §1.107 Floor Area of the LMC is incorrect and, at best, arbitrary and capricious. The Planning Director's failure to research and apply the concept of the term Floor Area as applied by other sources is arbitrary and the arbitrary application of §1.107 cannot be the basis of his decision.

7. Such other Constitutional, Statutory and case law decisions as may be discovered (requiring an appeal to be filed within 10 days and also requiring to in that short span to fully set forth all the reasons for the appeal is a violation of procedurals due process).

Respectfully submitted this 20th day of July, 2016.

TESCH LAW OFFICES, P.C.


Joseph E. Tesch



Park City Municipal Corp
1 Finance
1620202-1 07/20/2016 BR1 T18
Wed Jul20,2016 04:04PM Trans#170-170
Name: CAMARATA DAVID BERNARD TRUSTEE
Addr: 1376 MELLOW MOUNTAIN RD PARK CIT
170 \$500.00 PRMT - Permits
* Cust #: 00010380
Permit #: PL-16-03247
1 ITEM(S): TOTAL: \$500.00
Check (00003847) PAID \$500.00





July 12, 2016

1376 Mellow Mountain Road
Park City, UT 84060

NOTICE OF PLANNING DIRECTOR DETERMINATION:

Project Address: 1376 Mellow Mountain Road
Zoning: Estate (E) zone
Project Description: Planning Director Determination of plat note regarding house size for Lot 11 of the First Amendment to Hearthstone Subdivision
Project Number(s): BD-16-22329
Date of Action: July 12, 2016

ACTION TAKEN BY PLANNING DIRECTOR:

The Planning Director has reviewed your submitted information, including the survey you supplied (dated 6/28/16, prepared by Level of Focus, Inc.) and determined that the Maximum House Size to be 11,892 square feet.

(Main level 6,693 square feet, plus Upper level 1,933 square feet, plus the Lower level above Final grade 3,266 square feet- total square footage equals 11,892 square feet as noted on the referenced survey).

The proposed 4,617 square foot pool house would effectively put Lot 11 over the 14,000 square feet allowable by the plat, therefore may not be approved by the Planning Department. This determination is based on the following:

1. First Amendment to Hearthstone Subdivision

(1) Plat note reads: "The Maximum house size for Lot 12 is 6,000 square feet. The maximum house size for Lot 11 is 14,000 square feet, with no additions resulting in additional square footage over 14,000 square feet allowed.

2. § 15-15-14 Defined Terms

1.165 MAXIMUM HOUSE SIZE. A measurement of Gross Floor Area.

1.107 FLOOR AREA.

A. *Floor Area, Gross Residential. The Area of a Building, including all enclosed Areas. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area. Garages, up to a maximum Area of 600 square feet¹, are not considered Floor Area. Basement and Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls.*

1.105 FIRST STORY. The lowest Story in a Building provided the floor level is not more than four feet (4') below Final Grade for more than fifty percent (50%) of the perimeter. Can include habitable or uninhabitable Floor Area.

The previous determinations using Appraiser information are not applicable to this permit. You have the option of amending the plat or appealing the final determination to the Planning Commission. The Appeal process is Land Management Code Section 15-1-18. All appeals must be made within ten (10) calendar days of this Final Action.

If you have any questions regarding this determination, please don't hesitate to contact the Planning Department at 435-615-5060.

Sincerely,

A handwritten signature in black ink, appearing to read 'BE', is positioned above the typed name of the signatory.

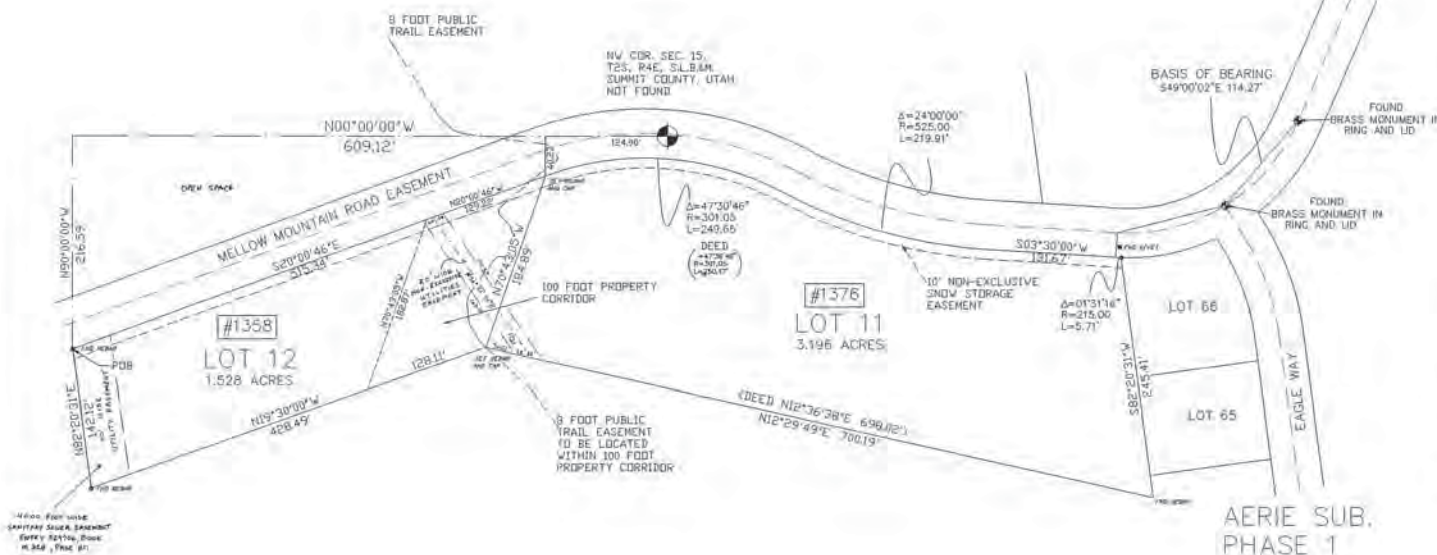
Bruce Erickson, AICP
Planning Director

CC: Makena Hawley, Planner

Exhibit D - First Amendment to Hearthstone Subdivision

FIRST AMENDMENT TO HEARTHSTONE SUBDIVISION

LOCATED IN SECTIONS 15 & 10, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE
I, DENNIS L. HALEY, DECLARE I AM A REGISTERED LAND SURVEYOR AS PRESCRIBED BY UTAH STATE LAW AND THAT I HAVE LICENSE # 172754. I FURTHER SAY THAT A LAND SURVEY WAS MADE OF THE PROPERTY DESCRIBED BELOW, AND THE FINDINGS OF THAT SURVEY ARE AS FOLLOWS:



LOCAL DESCRIPTION
BEGINNING AT A POINT 605.12 FEET SOUTH AND 216.75 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN THENCE N00°00'00\"/>

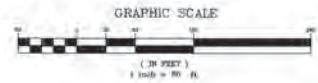
PUBLIC TRAIL EASEMENT
CONTAINED WITHIN THE FOLLOWING ACRES: 80 FT PROPERTY CORRIDOR WHICH IS LOCATED IN LOT #12 OF THE HEARTHSTONE SUBDIVISION, WILL BE A DEDICATED 8 FT. PUBLIC TRAIL EASEMENT.
BEGINNING AT A POINT 124.90 FEET SOUTH AND 40.23 FEET EAST OF THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN THENCE S70°00'00\"/>

OWNER'S DESIGNATION & CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENT THAT HERBERT W. KORTHELY AND BARBARA L. KORTHELY, THE OWNERS OF THE HERETOFORE POINT OF LAND TO BE KNOWN HEREIN AFTER AS THE LOT 12 PUBLIC TRAIL 8 FT EASEMENT DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH WESTERN CORNER OF LOT 12 AND RUNNING THENCE S 20°04'46\"/>

IN WITNESS WHEREOF, THE UNDERSIGNED SET HIS HAND THIS 21ST DAY OF JULY 1999.

J. KEVIN HOLLAND, THE ATTORNEY IN FACT FOR HERBERT W. AND BARBARA L. KORTHELY.

ACKNOWLEDGMENT
STATE OF UTAH
COUNTY OF SALT LAKE
ON THE 21ST DAY OF July, A.D. 1999, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, AND FOR SAID STATE AND COUNTY, J. KEVIN HOLLAND, BEING DULY KNOWN AND ACKNOWLEDGED TO ME THAT ABOVE SAID OWNERS DESIGNATION, IN NUMBER WHO DULY ACKNOWLEDGED TO ME THAT HE IS THE ATTORNEY IN FACT FOR HERBERT W. AND BARBARA L. KORTHELY AND THAT HE SIGNED THE ABOVE SIGNED DESIGNATION AND CONSENT TO RECORD, FREELY AND VOLUNTARILY FOR THE USE AND PURPOSES STATED THEREIN.
MY COMMISSION EXPIRES: 11/11/2001
NOTARY PUBLIC: *[Signature]*
RESIDING IN: Salt Lake COUNTY



ADDRESSES:
#1358 MELLOW MOUNTAIN ROAD

FIRST AMENDMENT TO HEARTHSTONE SUBDIVISION
LOCATED IN SECTION 15 & 10
T 2 S., R 4 E., S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

<p>CITY PLANNING COMMISSION APPROVED AS TO FORM THIS 21ST DAY OF July, 1999 A.D. BY: <i>[Signature]</i> PARK CITY PLANNING COMM</p>	<p>SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 21ST DAY OF July, 1999 A.D. BY: <i>[Signature]</i> S.B.S.H.D.</p>	<p>ENGINEERS CERTIFICATE I FIND THIS PLAN TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 21ST DAY OF July, 1999 A.D. BY: <i>[Signature]</i> PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS 21ST DAY OF July, 1999 A.D. BY: <i>[Signature]</i> PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 10TH DAY OF December, 1998 A.D. BY: <i>[Signature]</i> PARK CITY RECORDER</p>	<p>PARK CITY COUNCIL APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 16TH DAY OF December, 1999 A.D. BY: <i>[Signature]</i> MAYOR</p>	<p>RECORDED # 543229 STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF: <i>[Signature]</i> DATE: 7-23-99 TIME: 11:28AM ROOM: 331 FEE: <i>[Signature]</i> SUMMIT COUNTY RECORDER</p>
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UTAH SURVEYS
Licensed Professional Land Surveying and Consulting
122 West 400 South, Suite 200, Park City, Utah
Phone: 435-267-9226
Fax: 435-267-9226
Office: 435-267-9226

HEARTHSTONE SUBDIVISION
PARK CITY, UTAH

BY:	
DATE:	
TIME:	

DATE PLOTTED: May 25, 1999
Sheet: 1 of 1

Exhibit E- Amendment to Hearthstone Subdivision name - The Overlook
at Old Town

NOTE:

*HEARTHSTONE SUBDIVISION # 406518 NAME WAS CHANGED BY
AMENDMENT OF DECLARATION # 454355 BOOK 964 PAGE 703-707
HEARTHSTONE SUBDIVISION # 406518*

IS NOW KNOWN AS

THE OVERLOOK AT OLD TOWN

SEE HEARTHSTONE SUBDIVISION FOR OWNERSHIP

HEARTHSTONE

1/92

PLAN CHECK AND CORRECTION SHEET

NOTE: This check list is compiled for plan checking purposes for use by the Division of Building Inspection. The information contained herein will also provide condensed construction information for design and job use. This check list is not intended to indicate any change in any building code or ordinance by inference or omission. A circle around a check list number indicates an incorrect detail, or insufficient information. Please make the corrections on the plan indicated by the number in the circle of the check list before the permit is issued. Any indicated correction not made or construction detail not shown will be assumed to be installed in accordance with the applicable codes. In the event you desire to use alternate materials or methods of construction after the permit is issued, please bring your copy of the approved plans to the Department of Building Inspection and have the changes made thereon together with the copy of plans on file with that department.

LOG NUMBER: 94
 BUILDING ADDRESS: 1376 Mellor Mon Rd
 OWNER'S NAME: KORTHOFF RESIDENCE

BUILDING FEE SCHEDULE

11832

Square Feet of Building	<u>6487</u>	Type of Building	<u>UN</u>
Rough Basement	_____	Occupancy Group	<u>RS</u>
Finished Basement	<u>3345</u>	No. of Stories	<u>3</u>
Garage	<u>2890</u>	No. of Levels	<u>3</u>
Deck/balcony	<u>1680</u>	Other	_____

Evaluation _____ Total Fees _____
 Elevation _____ Ground Snow Load _____ Exposure Coefficient _____
 Plan Check by J.H. 1991 UNIFORM BUILDING CODE

1. Place correct construction street address, owner's name, designer's name and stamp or engineer's name and stamp on plans.

2. Submit two complete sets of plans showing:

- | | |
|--------------------|---|
| A. Plot Plan | E. Specifications |
| B. Floor Plan | F. Construction Details |
| C. Foundation Plan | <input checked="" type="checkbox"/> G. Heat Loss Calculations |
| D. Elevations | H. Structural Calculations |

3. Provide a grading plan showing the relative elevation of the foundation as it relates to the curb and gutter and

US 1500 PSE Soil
 US 105 PSE snow

Commission did not feel the war had been lost and that open space was extremely important in and around Park City.

V. PUBLIC HEARING

1. Hearthstone Subdivision, Final Plat (Aerie Drive and Mellow Mountain Road) - Jack Johnson Co.

Planner Susan Lykes reviewed changes in the Staff's recommendations.

Condition 2 was changed to add:

The trails shall be at least two feet wide but no more than four feet.

Condition 3 was changed to read:

The maximum house size on Lot 11 was "as built."

Condition 4 was corrected to read:

The front setbacks for Lot 2 shall be 35 feet; . . .

The Staff recommended approval of the final plat with the changes to the conditions.

Chairman Bruce Erickson opened the public hearing.

There was no public input.

Chairman Bruce Erickson closed the public hearing.

2. Town Lift Phase I Condominium Plat (738 Main Street) - Marriott Ownership Resorts.

Planning Director Nora Seltenrich reported that the application was for a condominium plat for Building A2, consisting of 20 residential units with 8,000 square feet of commercial space currently under construction. The Staff recommended approval with two conditions of approval.

Chairman Bruce Erickson opened the public hearing.

There was no public input.

Chairman Bruce Erickson closed the public hearing.

decision and hoped that was reflected in the motion and comments to the City Council.

Commissioner Fred Jones was concerned that the process was not working. Where the process ended was with the City Council, and the Planning Commission had not done anything. He felt this circumvented the appropriate process because the decision would be made at the City Council level with input which the Planning Commission had not actually received. He was inclined to postpone the decision. Chairman Bruce Erickson stated that wood roof prohibitions, fire safe roofs, and wildland fires were not uncommon issues in other jurisdictions.

Commissioner Dean Berrett stated that he had heard opposing comments mostly phrased on the concept of "Big Brother." Means of communicating issues to the public could be improved, but it was not possible to drag people to Planning Commission meetings and force them to participate. He felt it was frustrating and disappointing, but did not necessitate postponing a decision. The item had been adequately noticed and the reasons for the prohibition were compelling enough that he would vote for the motion and encourage citizens to express further concerns to the City Council.

VOTE: The motion carried 4 to 2, with Commissioners Dean Berrett, Chris Erickson, Chuck Klingenstein, and Joe Tesch voting in favor of the motion and Commissioners Alison Child and Fred Jones voting against the motion.

IX. NEW BUSINESS

1. Hearthstone Subdivision - Final Plat (Aerie Drive and Mellow Mountain Road) - Jack Johnson Co.

The Staff recommended approval with changes in the conditions of approval as outlined in the public hearing.

Chairman Bruce Erickson clarified that the changes were:

Two-foot but not wider than four-foot paths.

Revision of the setback on Lot 2 to 35 feet.

The house restriction on the Korthoff house was "as built" at 14,100 square feet as measured by the Building Department, the intent of which was no further expansions of the house or the garage.

Commissioner Joe Tesch stated that, because the Planning Commission had received instructions from the City Council that there was sufficient conflict of law with matters possibly raised in the bankruptcy court, he intended to vote for the project. He felt the project was as good as it could be within the parameters they had to work with.

MOTION: Commissioner Chuck Klingenstein moved to APPROVE the Hearthstone Subdivision as outlined in the report with the modifications to the staff recommendations. Commissioner Dean Berrett seconded the motion.

VOTE: The motion carried 5 to 1 with Commissioners Dean Berrett, Chris Erickson, Fred Jones, Chuck Klingenstein, and Joe Tesch voting in favor of the motion and Commissioner Alison Child voting against the motion.

Conditions of Approval

1. The portion of Mellow Mountain Road traversing this property shall be dedicated to and accepted by the City prior to plat recordation.
2. A six-foot easement for all trails crossing individual lots shall be reflected on the plat. Trails shall be constructed prior to September 22, 1994. The trails shall be at least two feet wide but no more than four feet wide.
3. Maximum house sizes shall be as follows:
3,500 square feet for Lots 4 and 5,
4,000 square feet for Lots 3 and 6,
5,000 square feet for Lots 1,2, and 9,
6,000 square feet for Lots 7 and 12
6,500 square feet for Lots 8 and 10, and
Maximum house size on Lot 11 is "as built" at 14,100 square feet as measured by the Building Department.

A note shall be placed on the plat outlining the maximum square footage.

4. The front setbacks for Lot 2 shall be 35 feet; for Lot 4, 35 feet; and for Lot 6, 45 feet. A note shall be placed on the plat regarding these setbacks.
5. The developer shall be required to install two "stop ahead" signs placed on Aerie Drive 200 and 750 feet above the Aerie Drive/Deer Valley Drive intersection. The developer shall also install a streetlight at the same intersection.

6. The City Council shall accept dedication of the open space parcels prior to plat recordation.
7. A security shall be posted for all public improvements, including trails and the Aerie Drive improvements, prior to plat recordation.
2. Town Lift Phase I, Condominium Plat (738 Main Street) - Marriott Ownership Resorts

The Staff recommended approval with conditions as outlined in the Staff report.

MOTION: Commissioner Alison Child moved to APPROVE the final plat for Town Lift Phase I with conditions as outlined in the Staff report. Commissioner Dean Berrett seconded the motion.

VOTE: The motion passed unanimously.

Conditions of Approval

1. The City Attorney shall review and approve the Declaration and Covenants.
2. The City Engineer shall review and approve the plat.
3. Prospector Square, Final Plat to Rearrange Parking and 15 Building Parcels (State Hwy 248, Bonanza Drive and Prospector Avenue) - Jack Johnson Co.

The Staff recommended this item be continued at the applicant's request.

MOTION: Commissioner Alison Child moved to CONTINUE the decision regarding the Prospector Square Plat amendment. Commissioner Chuck Klingenstein seconded the motion.

Commissioner Dean Berrett declared he would be abstaining from discussion and voting on this matter due to a conflict of interest.

VOTE: The motion passed unanimously, with Commissioner Dean Berrett abstaining from the vote.

4. Snow Creek Commercial MPD (Northeast corner of Hwy 248 and 224)

Chairman Bruce Erickson stated that he would be abstaining from the discussion and vote on this matter and turned the meeting over to Vice-Chair Alison Child.

NOV 27 09 10L 0100 THE SECRETARIAL SERVICE

Planning Commission Meeting
Minutes of November 18, 1996
Page 10

- ~~9. This approval shall expire one year from the date of City Council approval unless this plat amendment is recorded prior to that date.~~
- ~~10. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).~~
5. 1376 Mellow Mountain Road, Hearthstone Subdivision - Plat Amendment

Due to a conflict of interest, Commissioner O'Hara abstained from discussing and voting on this matter.

Planner LoPiccolo reported that the applicants, Herb and Barbara Korthoff, are requesting that Lot 11 be subdivided into two lots. The proposed subdivision is located at 1376 Mellow Mountain Road and is adjacent to the Hearthstone Subdivision. He reviewed an exhibit to better explain where the parcel is located. He noted that in 1993 the Planning Commission denied a request by the Korthoffs for a small-scale MPD, which was appealed to the City Council, and the Council approved a 12-lot subdivision. Once the subdivision was approved, Mr. Korthoff withdrew the two lots, which were lots 11 and 12 of the approved Hearthstone 12-lot subdivision, due to a trail location and other issues surrounding the subdivision. Mr. Korthoff is appearing with the same request and now wants to be included in the Hearthstone subdivision. When this application was reviewed by the Planning Commission in October,

Planning Commission Meeting
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trails were an issue for discussion. The applicant has agreed to the location of the trail, and an exhibit in the staff report shows the proposed trail location compared to the trail location originally requested by the Korthoffs. Planner LoPiccolo explained that the parcel is located in the Estate Zone, but it does not meet the three-acre minimum. In the original approval, the applicants dedicated Lots 3 and 4 to the City as open space. If that open space were dispersed among the 12 lots, it would meet the three-acre minimum. This subdivision will create a 1.5-acre lot. Mr. Korthoff contends that he dedicated 1.5 acres to the City with the Hearthstone MPD and wishes to use that acreage to meet the three-acre minimum or at least explain that the lack of three acres is due to the dedication. Planner LoPiccolo noted that including this property into the Hearthstone Subdivision would add only one house.

Commissioner Erickson asked if the trail location as shown is what the applicant proposes. Planner LoPiccolo replied that the trail shown on the exhibit is correct and has been agreed to by the applicant, the Staff, and the trails people.

Commissioner Erickson remarked that he noted the letter in the staff report from a resident at The Aerie with respect to the subdivision.

Chair Larson opened the public hearing.

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Page 12

Bruce Manka, a resident in The Aerie subdivision, expressed concern about developers changing terms that were agreed to in the past. Mr. Manka wanted to see the three-acre minimum stand since this is Estate zoning. He noted that Mr. Korthoff made a decision to withdraw from Hearthstone because he did not want to live with the trail, but now he wants to change his mind and request a variance to the Estate Zone. Mr. Manka commented on the amount of development and density occurring and felt it would be nice if they could hold their ground at some point.

Kent Holland, representing Herb Korthoff, wished to make it clear that the 1.45 acres which was initially on the west side of Mellow Mountain Road was the property which made Lot 12 three acres to fit the Estate Zone requirement. Since the property was across the road, it was dedicated the City. The problem which resulted at that time was that the bicycle path was within three feet of the back of the houses. This became a problem in building his house and caused Mr. Korthoff to withdraw from the original subdivision. Mr. Holland did not feel that the applicant was asking for a variance to build on a small piece of property because the property originally consisted of three acres. He did not believe the Planning Commission would be setting a precedent in granting this request for one single lot.

Chair Larson closed the public hearing.

Planning Commission Meeting
Minutes of November 18, 1998
Page 13

Commissioner Zimney asked if the property would have been sufficient for the Estate Zone if Mr. Korthoff had not dedicated 1.5 acres to the City. Planner LoPiccolo replied that Hearthstone Subdivision is in the Estate Zone, and the 1.5 acres plus the acreage in the current application would have comprised three acres which is sufficient to meet the Estate Zone requirement. This situation is different because Mellow Mountain Road runs through the property, and Mr. Korthoff's dedication was used for open space.

Commissioner Hays asked if Hearthstone would meet the open space requirement without the 1.5 acres. Planner LoPiccolo replied that it would because it goes back to the original MPD. Assistant City Attorney Mark Harrington explained that the City originally took the position that even though the acreage may have been sufficient without the dedication, the Hearthstone plat could not be recorded without the dedication of that open space because it was part of the original MPD approval. This is important to Mr. Korthoff because he did not dedicate it; the bankruptcy trustee did. The property was in holding at the time, and Mr. Korthoff objected to the dedication because he wanted to retain it for a future subdivision.

MOTION: Commissioner Hier moved to forward a POSITIVE recommendation for the proposed plat amendment application to amend the Hearthstone Subdivision based on the findings of fact,

NOT BY OR FOR THE OFFICE OF THE SECRETARY OF STATE
THE SECRETARIES OFFICE

Planning Commission Meeting
Minutes of November 18, 1998
Page 14

conclusions of law, and conditions of approval outlined in the staff report. Commissioner Zimney seconded the motion.

VOTE: The motion passed by a vote of 3 to 2, with Commissioners Larson, Zimney, and Hier voting in favor of the motion and Commissioners Erickson and Hays voting against the motion. Commissioner O'Hara abstained from the vote.

Findings of Fact - 1376 Mellow Mountain Road

1. The property is zoned Estate and was approved for two lots in the Hearthstone MPD on June 17, 1993.
2. The proposed plat amendment will amend the Hearthstone Subdivision to include lots 11 and 12 as originally approved.
3. Proposed Lot 11 has an existing house built on it.
4. The applicant agrees to grant the City an easement for the trail as outlined in Exhibit A.
5. The applicant contributed in excess of six acres to the original MPD.

Conclusions of Law - 1376 Mellow Mountain Road

1. There is good cause for the amendment.

NOV 27 00 10E 0700 THE SECRETARIAL SOURCE THE NOV 001 100 1010 1114

Planning Commission Meeting
Minutes of November 18, 1998
Page 15

2. Neither the public nor any person will be materially injured by the proposed amendment.
3. The proposal is consistent with Park City LMC Chapter 15 and the MPD approved June 17, 1993.

Conditions of Approval - 1376 Mellow Mountain Road

1. The trail easement as shown on Exhibit A shall be dedicated to the City on the plat. The easement shall be six feet wide.
2. All conditions of approval of the MPD approved June 17, 1993, still apply.
3. The City Engineer and City Attorney's review and approval of the plat for compliance with State Law and these conditions of approval is a condition precedent to plat recordation.
4. This approval shall expire one year from the date of City Council approval unless the plat has been recorded with Summit County.
5. All Standard Project Conditions shall apply.
6. The maximum house size for Lot 12 is 6,000 square feet. The maximum house size for Lot 11 is "as built" at 14,000 square

Planning Commission Meeting
Minutes of November 18, 1998
Page 16

feet (no additions resulting in additional square footage allowed). These restrictions shall be noted on the plat.

7. A 10-foot, non-exclusive snow storage and utility easement shall be dedicated on the plat to the City along Mellow Mountain Road.
8. The applicant shall quit claim to the City in a form approved by the City Attorney all interest in the open space parcel dedicated to the City as part of the original Hearthstone Subdivision.

The Park City Planning Commission Meeting adjourned at 7:25 p.m.

Approved by Planning Commission _____



CITY COUNCIL STAFF REPORT

Date: December 10, 1998
Department: Planning Department
Title: 1376 Mellow Mountain Road
Type of Item: Consent

Summary Recommendations

Conduct a public hearing and consider adopting the attached Ordinance approving a plat amendment as conditioned to amend the Hearthstone Subdivision.

A. Topic

Applicant: Herb & Barbara Korthoff - Ed Klarich, Representative
Location: 1376 Mellow Mountain Road
Proposal: Plat & Subdivision Amendment
Zoning: Estate
Project Planner: Kevin LoPiccolo
Adjacent Land Uses: Single-Family, Open Space

B. Background

On November 18, 1998, the Planning Commission voted to forward to City Council a positive recommendation to approve the plat amendment to the original Hearthstone subdivision to allow the applicant to rejoin Hearthstone subdivision, as originally approved in 1993.

Hearthstone Subdivision was denied by the Planning Commission on May 26, 1993. The overlying factor in the denial was that the proposed application did not comply with the Sensitive Lands Ordinance. The applicants appealed the Commissions decision and the City Council approved the MPD on June 17, 1993. The Council's decision was based on the Legal's Department position on having the Sensitive Lands Ordinance reviewed in bankruptcy court where the difficulties in enforcing land use regulations is much more difficult rather than general law where land use would be discussed. The Council granted the appeal and approved 12 lots, deleting lot 7 that was considered highly visible and was contrary to Chapter 10 Master Planned Development criteria.

The applicant, Herb Korthoff, during the 1993 subdivision approval had an existing home on a parcel that was proposed to be lots 11 & 12 of the Hearthstone Subdivision. As part of the 12 lot subdivision, Korthoff's parcel was to be subdivided. Mr. Korthoff in 1994 requested that his

property be withdrawn from the subdivision approval of the 12 lot subdivision due to opposition of the proposed trail location approved as part of the original subdivision and part of the Master Trail Plan.

That request withdrew lots 11 and 12 from the final plat approval, but the property still has the benefit of the 1993 MPD approval.

C. Analysis

The applicant is requesting an amendment to the original Hearthstone subdivision to allow Mr. Korthoff to rejoin the Hearthstone subdivision, as originally approved in 1993.

The parcel is 4.724 acres and currently has a single family home built on it. The applicant is proposing that the subdivided parcel be 1.528 acres. Under the original MPD the subdivision was required to provide 60% open space, but was not mandated under the MPD to reflect 3 acre lots for the 12 lot subdivision. The open space dedication of Blocks 2 & 4 dispersed among the lots exceeds the 3 acre minimum per lot. Mr. Korthoff is asserting that when the subdivision was recorded, 1 ½ acres of his property which falls within Block 4 was dedicated to the city. Mr. Korthoff is requesting that the 1 ½ acres of open space dedication be considered in the evaluation of the proposal to subdivide.

Trails

This issue has been resolved. The approved trails plan from the original Hearthstone Subdivision did show a trail connection from the west side of Mellow Mountain Road, across the road and across a portion of what is proposed lot 11 to an existing dirt trail which heads to the east. When the original amendment was modified in 1994 to reduce the 12 lots to a 10 lot subdivision, the trail was eliminated and the connection never occurred.

The applicant proposes to provide a public trail that adheres to the original Hearthstone Subdivision and the City's Master Trail Plan. The proposed trail is shown on Exhibit "A".

D. Public input

This project was noticed to property owners within 300' of the affected property and all property owners within the affected subdivision plat on September 22, 1998. A letter was received on September 28, 1998 opposing the proposed change. Letter is attached as Exhibit "C". Mr. Elwood Nielson, who still asserts an ownership interest in Mellow Mountain Road, contends that the applicant does have access to the road. The City views this as a private dispute to be addressed by the parties outside of the platting process.

Alternatives

- A. Approve the proposed plat amendment creating two lots, one 3.196 acres for lot 11 and 1.528 acres for lot 12.
- B. Deny the plat amendment & Subdivision and retain the original form of the property.

C. Continue the item and request further evaluation from the staff.

Significant Impacts

Approval of the plat amendment & Subdivision will allow the property owner to sell of 1.528 acres of his existing lot for development of one dwelling on lot 12. Approval of this request would be consistent with the original MPD that was approved for a 12 lot subdivision in 1993. The amendment & subdivision gives the city an opportunity to get a public trail connection that was lost when the applicant originally withdrew from Hearthstone Subdivision in 1994.

Consequences of not taking the recommended action

Denial of this application would prohibit the property owner from subdividing his property into two lots of record. The City would not get the final trail connection and the applicant would probably seek to reinstate the litigation against the City.

Recommendation

The Community Development Department recommends approval of the proposed Plat Amendment application to amend the Hearthstone Subdivision, based upon the following findings, conclusions and conditions of approval:

Findings of Fact:

1. The property is zoned Estate and was approved for two lots in the Hearthstone MPD on June 17, 1993.
2. The proposed plat amendment will amend the Hearthstone Subdivision to include lots 11 and 12 as originally approved.
3. Proposed lot 11 has an existing house built on it.
4. The applicant agrees to grant the City an easement for the trail as outlined in Exhibit A.
5. The applicant contributed in excess of six acres to the original MPD.

Conclusions of Law:

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed amendment.
3. The proposal is consistent with Park City LMC Chapter 15 and the MPD approved June 17, 1993.

Conditions of Approval:

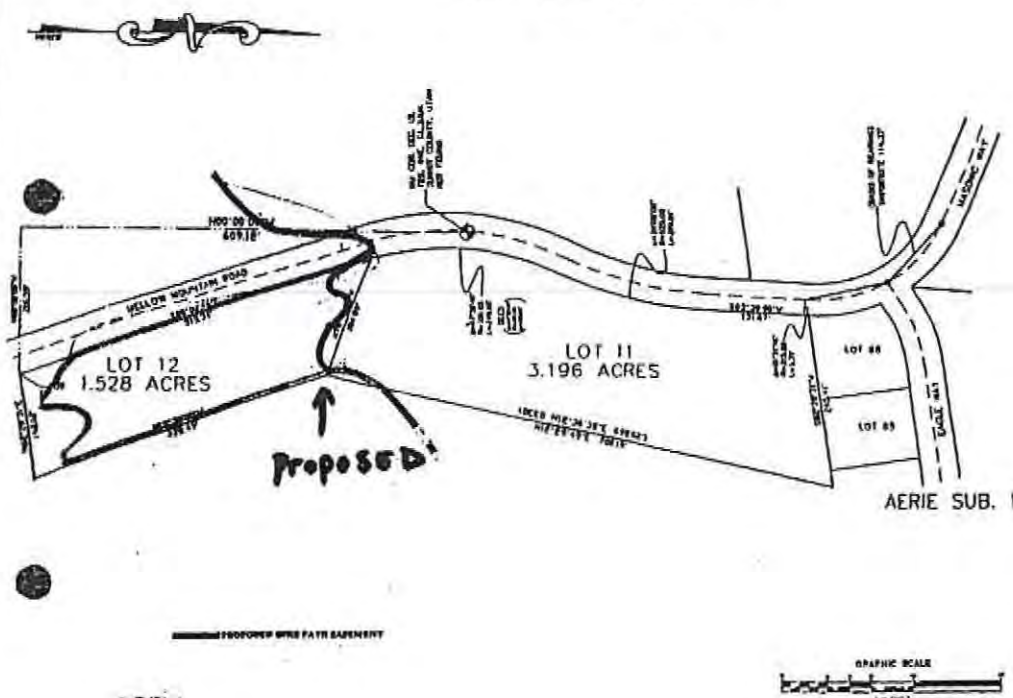
1. The trail easement as shown on Exhibit A shall be dedicated to the City on the plat. The easement shall be six feet wide.
2. All conditions of approval of the MPD approved June 17, 1993 still apply.
3. The City Engineer and City Attorney's review and approval of the plat for compliance with State Law and these conditions of approval is a condition precedent to plat recordation.
4. This approval shall expire one year from the date of City Council approval unless the plat has been recorded with Summit County.
5. All Standard Project Conditions shall apply.
6. The maximum house size for lot 12 is 6,000 square feet. The maximum house size for lot 11 is "as built" at 14,000 square feet (no additions resulting in additional square footage allowed). These restrictions shall be noted on the plat.
7. A ten- foot non-exclusive snow storage and utility easement shall be dedicated on the plat to the City along Mellow Mountain Road.
8. The applicant shall quit claim to the City in a form approved by the City Attorney all interest in the open space parcel dedicated to the City as part of the original Hearthstone Subdivision.

Exhibits

- A. Plat Amendment & proposed trail location
- B. Vicinity Map Original
- C. Letter from property owner
- D. Minutes from November 18, 1998 Planning Commission
- E. Standard Project Conditions
- F. Proposed Ordinance

HEARTHSTONE SUBDIVISION

LOCATED IN SECTIONS 15 & 16, TOWNSHIP 2 SOUTH,
RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



UTAH SURVEYS

THE STATE OF UTAH, COUNTY OF SUMMIT, BEFORE ME, the undersigned authority, on this _____ day of _____, 2016, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing plat, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My commission expires _____.

HEARTHSTONE SUBDIVISION
LOCATED IN SECTION 15 & 16
T. 2 S., R. 4 E., S. 10 N. W.
PARK CITY, SUMMIT COUNTY, UTAH

EXHIBIT A - PLAT AMENDMENT & PROPOSED TRAIL CONNECTION

CITY PLANNING COMMISSION APPROVED AS TO FORM AND CONTENT DATE: _____ BY: _____	SHERIFFVILLE, BAYON, REZER, JEWETTAMONT DISTRICT REVIEWED FOR COMPLIANCE WITH DISTRICT ORDINANCES AND ZONING ORDINANCES DATE: _____ BY: _____	ENGINEER'S CERTIFICATE I AND THE FIRM TO WHOM I AM ATTACHED AND WE HEREBY CERTIFY THAT WE ARE LICENSED PROFESSIONAL ENGINEERS IN THE STATE OF UTAH. DATE: _____ BY: _____	APPROVAL AS TO FORM APPROVED AS TO FORM AND CONTENT DATE: _____ BY: _____	CERTIFICATE OF ATTEST I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS FILED IN THE OFFICE OF THE COUNTY CLERK OF SUMMIT COUNTY, UTAH. DATE: _____ BY: _____	PARK CITY COUNCIL APPROVED AND RECEIVED BY THE PARK CITY COUNCIL DATE: _____ BY: _____	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, DEPARTMENT OF HERITAGE AND ARTS DATE: _____ BY: _____	FILED DATE: _____ BY: _____
--	---	---	---	---	--	---	--

1376 Mellow Mountain Rd.



EXHIBIT B
Vicinity Map



9-28-98

Park City Planning Dept.
Park City, UT 84060

Dear Planning Commission:

This letter is in response to the notice I received with regard to the 1376 Mellow Mountain Road, Hearthstone Subdivision.

I was my understanding when I purchased property in the Aerie Subdivision that the lots were already determined and that the size and and number of homes per size of the lot was set.

I have lived in the Aerie for eight years and it has always been a battle to try and prevent the Planning dept from changing the already established size of the land parcels. It is my understanding that what had been zoned would remain so. I would not have purchased property if I was told that the established size and building limatations could be changed whenever anyone with enough money could persuade the commission to do just that.

The value of the property we own in the Aerie would change dramatically should you change the one home per three acre as set forth in the Estate Zone plans which have previously been adopted.

Should the City continue to act without regard to the open space and the wishes of the residents, with their reckless policies of do whatever the developers want, I myself feel that the Aerie Homeowners Association should file suit against the City for damages as a result of over building where specific guidelines prohibit. The Estate Zone was in place long before some developer decided to try to change our neighborhood. The developer was aware when they purchased the property what the zoning was, and now they should be forced to live with those guidelines. It is about time that the city took a stand. If you approve one change in the zoning, then everyone in the rest of the Aerie will want to have changes made.

Please vote against any changes to the established zoning laws currently in place in the Aerie.

EXHIBIT C - LETTER FROM AERIE PROPERTY OWNER

RECEIVED

SEP 28 1998

PARK CITY
PLANNING DEPT.

SIGNATURE MORTGAGE Fax: 801-434-7341 Sep 28 1998 20:27 P.O.

Thank you for your time.

Sincerely,



R.J. Mullin

Sep 28 '98 20:28 P.02

SIGNATURE MORTGAGE Fax: 801-484-2341

BD-15-21224



Building Department
Approved

CBO or PLANS EXAMINER

7/2/15
DATE

Validity of Permit: The issuance of a permit or approval of plans, specifications and computations shall not be a permit for, or an approval or any violation to any of the provisions of the Building Code, Fire Code or any of the City's Ordinances. Permits or approvals to give authority to violate or cancel the provisions of these Codes and Ordinances of the Park City Municipal Corporation shall not be valid. All plans approved are subject to field inspection and interpretation by the Building Department.

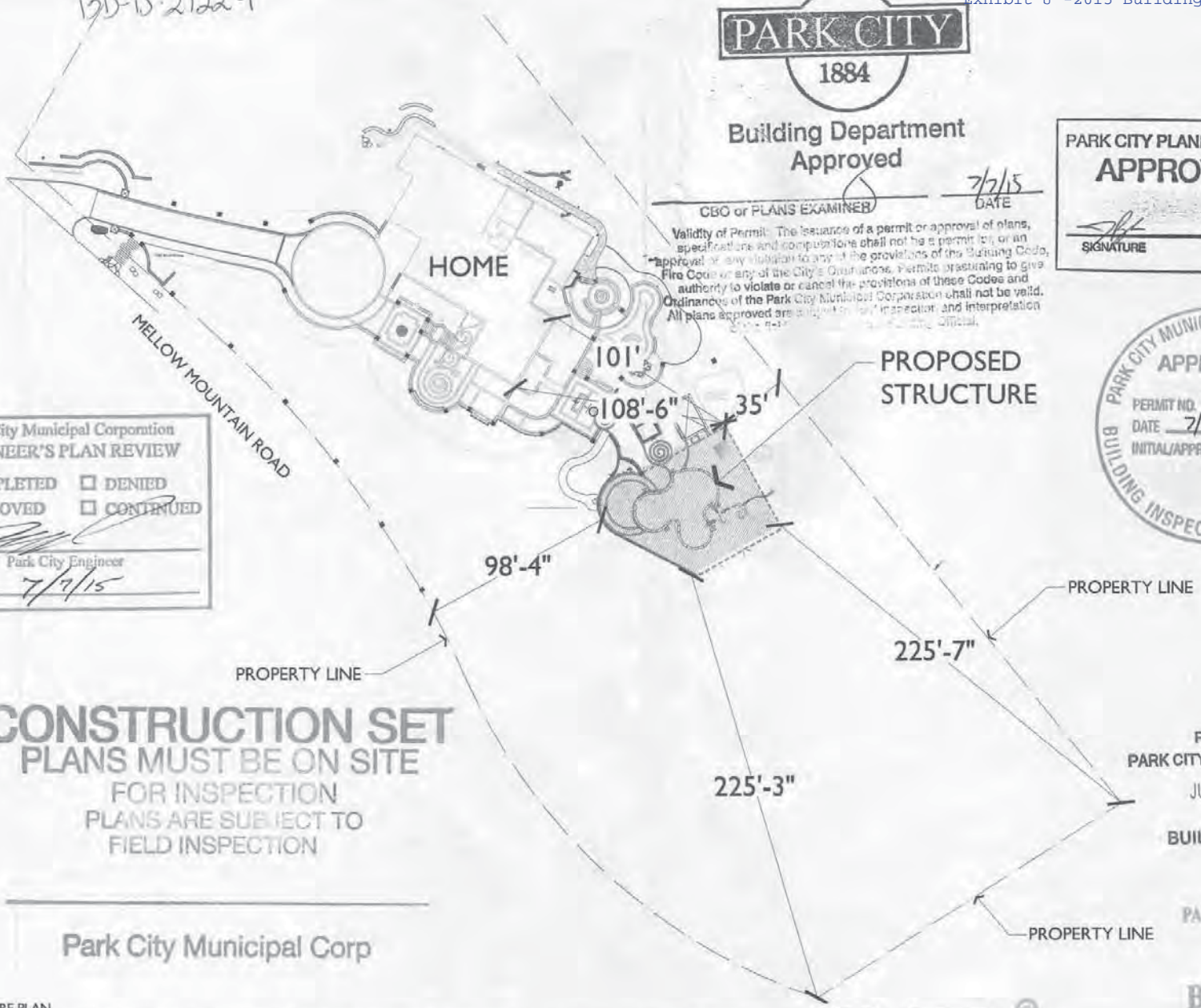


Park City Municipal Corporation
ENGINEER'S PLAN REVIEW

COMPLETED DENIED
 APPROVED CONTINUED

BY: *[Signature]*
Park City Engineer

DATE: 7/7/15



**CONSTRUCTION SET
PLANS MUST BE ON SITE
FOR INSPECTION
PLANS ARE SUBJECT TO
FIELD INSPECTION**

Park City Municipal Corp

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BUILDING DEPT

APPROVED
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JUL 07 2015
BUILDING DEPT



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 Land Planning | Landscape Architecture | Landscape Design
 225 N. University Parkway, Suite 100, Provo, UT 84601
 801.733.8777
CAMARATA RESIDENCE
 1376 MELLOW MOUNTAIN ROAD, PARK CITY, UTAH
SITE



POOL STRUCTURE PLAN

ATTENTION: PRIOR TO RECEIVING ANY WORK ON THIS PLAN, CONTRACTOR SHALL REVIEW THROUGH BLUEPRINTS AND OBTAIN PERMISSION FROM ALL APPLICABLE AGENCIES AND CONSIDER THAT THIS PERMIT DOES NOT PREVENT YOU FROM BEING OPEN TO THE PUBLIC AND SUBJECT TO ALL APPLICABLE REGULATIONS. IF CORRECTIONS ARE FOUND THAT MAY PREVENT WORK FROM BEING PERFORMED AS PER PLAN, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT IMMEDIATELY. ANY CHANGE TO THIS PLAN SHALL BE THE CONTRACTOR'S RESPONSIBILITY. (S. BULLINGTON, 04/11/2015, 08:15:15 AM)

ATTENTION: EVERY WORKMAN HAS BEEN MADE TO ENSURE ACCURACY WITH THESE DIMENSIONS. QUANTITIES IF NOT ALIGNED ARE FOR REFERENCE ONLY. CONTRACTOR SHALL VERIFY ALL PLAN DIMENSIONS AND QUANTITIES OF THIS PLAN. ARCHITECT SHALL NOT BE RESPONSIBLE FOR DISCREPANCIES BETWEEN DIMENSIONS LISTED AND IN THE WORK. CONTRACTOR SHALL VERIFY THAT DIMENSIONS ARE CONSISTENT WITH SUPPLIER AND BEFOREWORK. DISCREPANCIES LIST, PLAN SHALL CONTACT CONTRACTOR IMMEDIATELY. BE SURE TO VERIFY THAT DIMENSIONS ARE CONSISTENT WITH SUPPLIER AND BEFOREWORK. DIMENSIONS LIST, PLAN SHALL CONTACT CONTRACTOR IMMEDIATELY. BE SURE TO VERIFY THAT DIMENSIONS ARE CONSISTENT WITH SUPPLIER AND BEFOREWORK. DIMENSIONS LIST, PLAN SHALL CONTACT CONTRACTOR IMMEDIATELY. BE SURE TO VERIFY THAT DIMENSIONS ARE CONSISTENT WITH SUPPLIER AND BEFOREWORK.



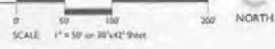
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JUL 08 2015
BUILDING DEPT.

DEFERRED SUBMITTAL: HVAC CALCULATION



POOL STRUCTURE PLAN

ATTENTION: PRIOR TO PROCEEDING WITH THIS PLAN, CONTRACTOR SHALL VERIFY EXISTING UTILITIES AND/OR THE DIMENSIONS AND ALL UTILITIES AND FOUNDATIONS SHALL BE PRESENT FROM PROPOSED PERMITS ACCORDING TO THE PLANS AND/OR BELOW DIMENSIONS. CONTRACTOR SHALL VERIFY THE SITE TO BE SURE THAT DIMENSIONS ARE CORRECT PRIOR TO ANY PROCEEDING. CONTRACTOR SHALL VERIFY THE SITE TO BE SURE THAT DIMENSIONS ARE CORRECT PRIOR TO ANY PROCEEDING. CONTRACTOR SHALL VERIFY THE SITE TO BE SURE THAT DIMENSIONS ARE CORRECT PRIOR TO ANY PROCEEDING.





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APPROVED
 SIGNATURE: [Signature]
 DATE: 7-1-15

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PROPOSED STRUCTURE

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*- No DUMPSTER
 in ROW
 - Row Permit
 Required For
 Reestablishment of
 10' wide construction
 ACCESS ROAD.*



LIMITS OF DISTURBANCE PLAN

ATTENTION: PRIOR TO PERFORMING ANY WORK ON THIS PLAN, CONTRACTOR SHALL CONTACT THROUGH BUREAU AND ON-SITE OBSERVATION AND ALL UTILITIES AND RECORDS ON CONSTRUCTION THAT MAY PRESENT WORK FROM BEING PERFORMED ACCORDING TO THIS PLAN. CONTRACTOR SHALL CONTACT THROUGH BUREAU AND ON-SITE OBSERVATION THAT MAY PRESENT WORK FROM BEING PERFORMED ACCORDING TO THIS PLAN. CONTRACTOR SHALL CONTACT THROUGH BUREAU AND ON-SITE OBSERVATION THAT MAY PRESENT WORK FROM BEING PERFORMED ACCORDING TO THIS PLAN.

A FURTHER EVERY POINT THE MEASUREMENT TO THESE ACCURACY WITHIN THE BOUNDARY QUANTITIES OF ALL LINES ARE FOR REFERENCE ONLY. CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND QUANTITIES ON THEIR PLAN. ARCHITECT SHALL NOT BE RESPONSIBLE FOR CORRECTING ANY TYPING ERRORS LISTED AND PLAN NUMBER. CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND QUANTITIES ON THEIR PLAN. ARCHITECT SHALL NOT BE RESPONSIBLE FOR CORRECTING ANY TYPING ERRORS LISTED AND PLAN NUMBER. CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND QUANTITIES ON THEIR PLAN. ARCHITECT SHALL NOT BE RESPONSIBLE FOR CORRECTING ANY TYPING ERRORS LISTED AND PLAN NUMBER.



northland
 DESIGN GROUP
 Land planning | landscape architecture | landscape design
 1376 Mellow Mountain Road, Park City, Utah 84302
 435.333.9789

CAMARATA RESIDENCE
 1376 MELLOW MOUNTAIN ROAD, PARK CITY, UTAH

SITE

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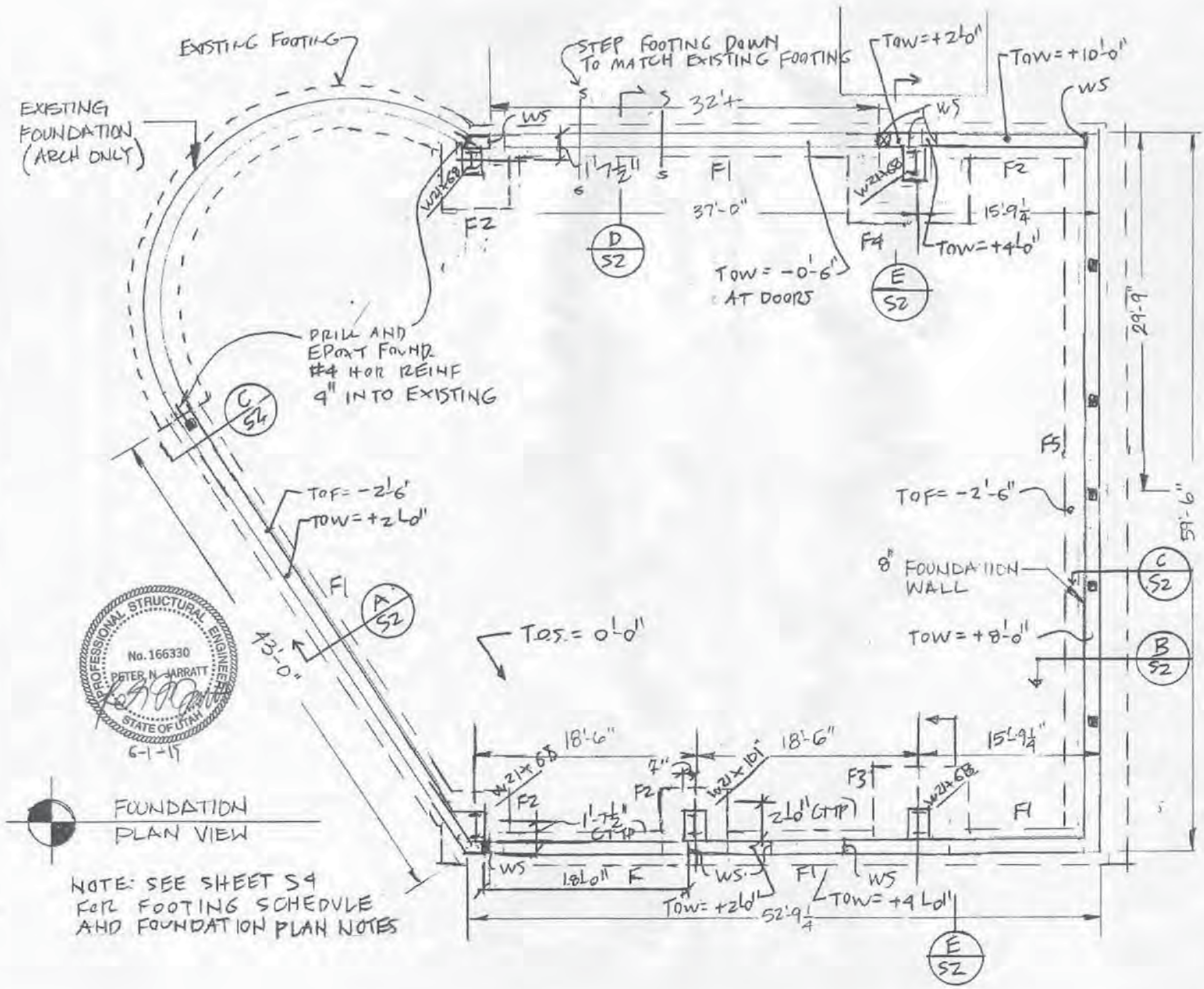
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Home Owner:	CAMARATA RESIDENCE	Project:	POOL ENCLASURE
Address:		Drawn By:	RHT
City, State, Zip:		Scale:	1/8" = 1'-0"
Home Phone:		Solar Design Contractors License number:	274722-5501

Architectural Drawings

Field verify all measurements



FOUNDATION
 PLAN VIEW

NOTE: SEE SHEET S4
 FOR FOOTING SCHEDULE
 AND FOUNDATION PLAN NOTES

Solar Design, Inc. DBA: Four Seasons Sunrooms of Utah
 342 W 3000 S • Salt Lake City, UT 84115 • 801-532-2000 (O) • 801-506-0179 (F)
 www.fourseasonsutah.com



More Reasons for Four Seasons

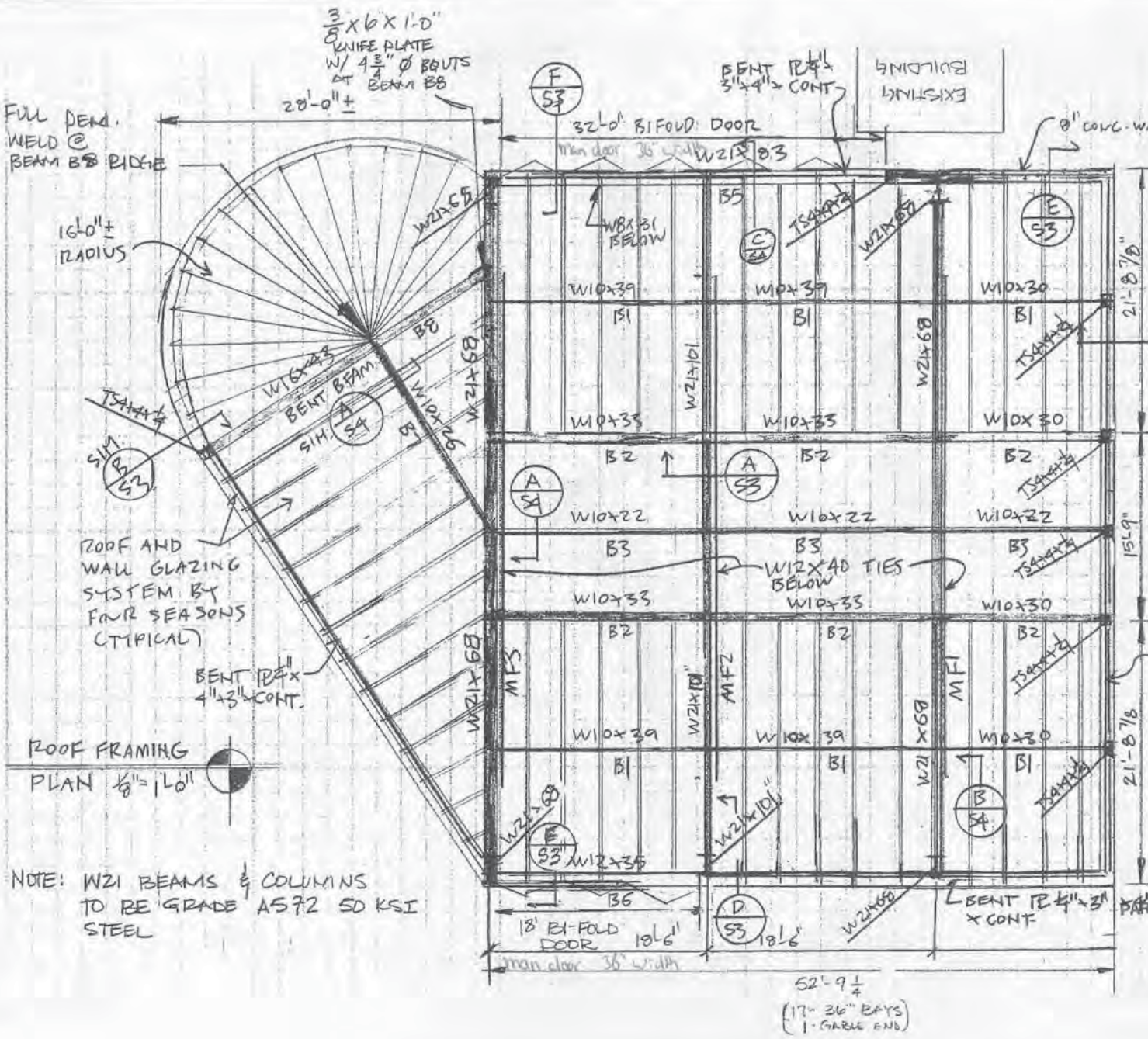
Sunrooms • Windows • Room Additions

Home Owner:	DAVE & TERI CAMARATA	Project:	POOL ENCLOSURE
Address:	1376 MELLOW MNT REND	Drawn By:	PAT
City:	PARK CITY, UT 84060	Scale:	1/8" = 1'-0"
Phone:	619-405-7910	Solar Design Contractors License number:	274722-5505



Architectural Drawings

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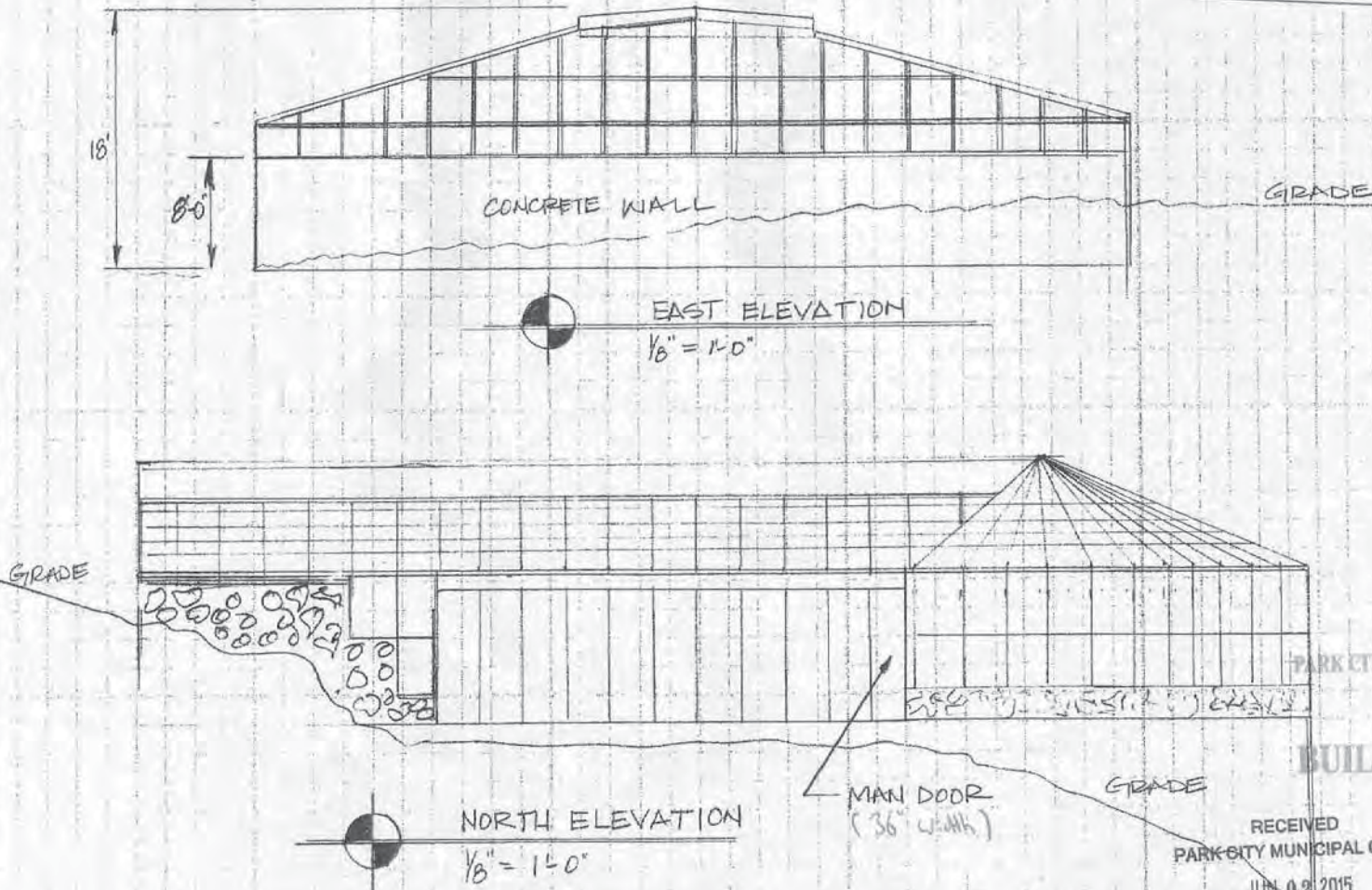
More Reasons for Four Seasons

Sunrooms • Windows • Room Additions

Home Owner:	CAMARATA RESIDENCE	Project:	POOL ENCLOSURE
Address:	1376 MELLOW MNT ROAD	Drawn By:	RHT
City, State, Zip:	PARK CITY UT 84060	Scale:	
Home Phone:		Solar Design Contractors License number:	274722-5501

Architectural Drawings

Field verify all measurements



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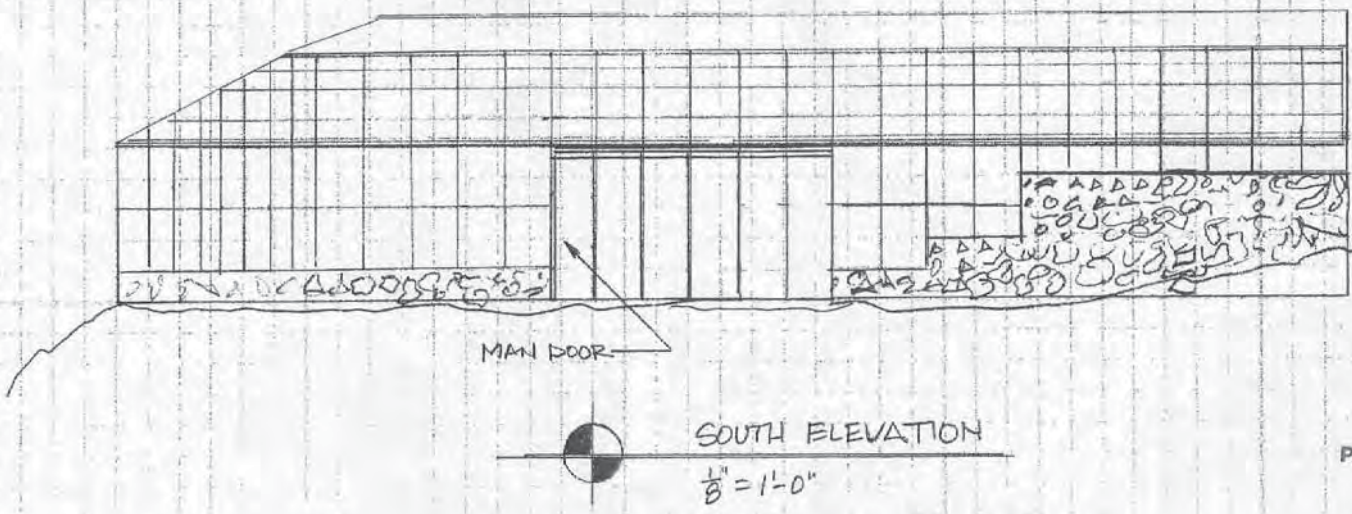
More Reasons for Four Seasons

Sunrooms • Windows • Room Additions

Home Owner: Address:	CAMARATA RESIDENCE	Project:	POOL ENCLOSURE
City, State, Zip:	PC UT 84060	Drawn By:	RHT
Home Phone:		Scale:	1/8" = 1'-0"
		Solar Design Contractors License number: 274722-5501	

Architectural Drawings

Field verify all measurements



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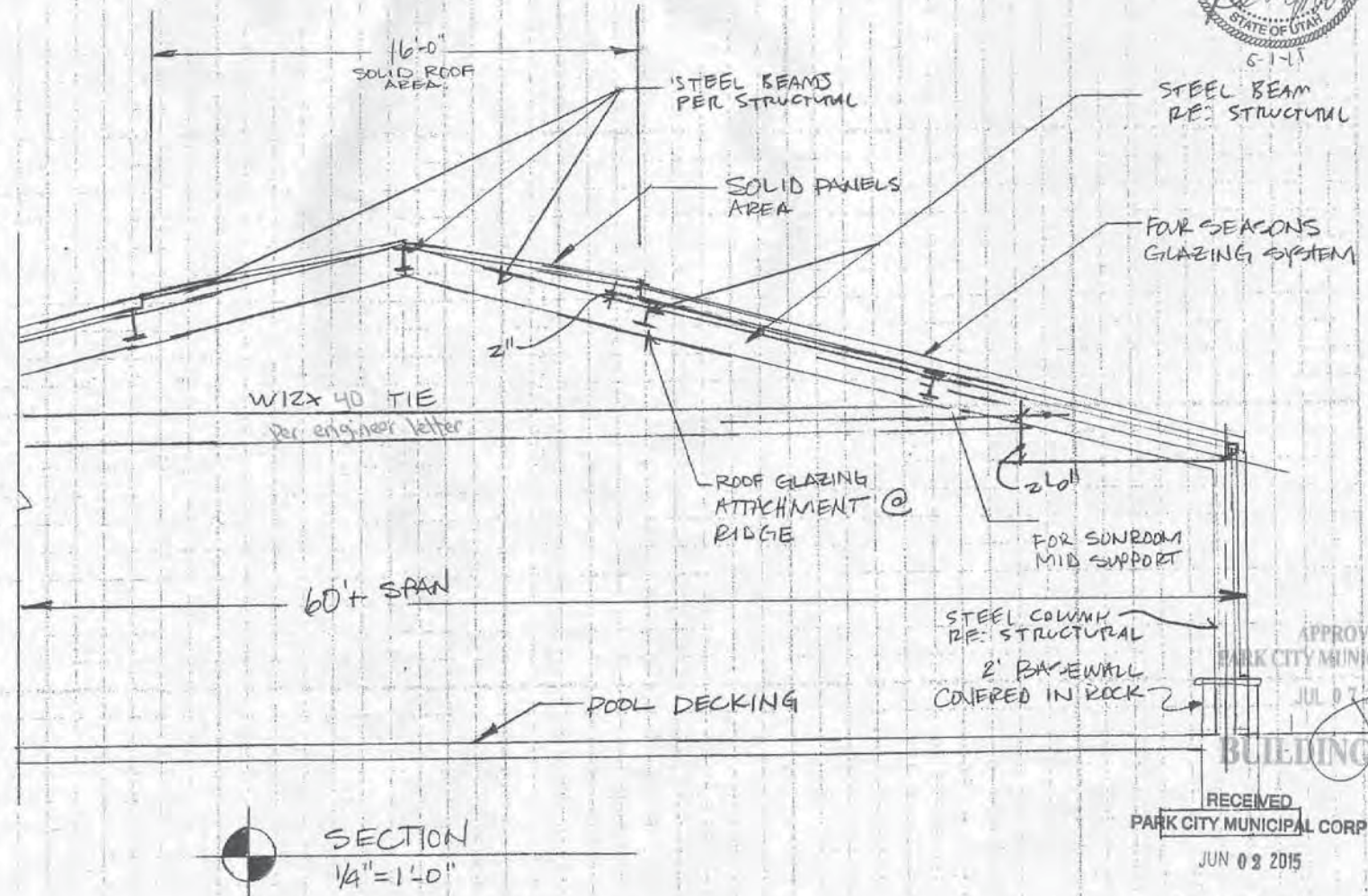
GRADE

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www.sunroomsutah.net

Home Owner:	Project:
Address:	Drawn By:
City, State, Zip:	Scale:
Home Phone:	Solar Design Contractors License number: 274722-5501

Field verify all measurements

Architectural Drawings



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 www.sunroomsutah.net



445 Marsac Avenue, P.O. Box 1480, Park City, UT 84060
Tel 435.615.5100 fax 435.615.4900 www.parkcity.org

BUILDING PERMIT NO: BD-16-22329
ADDRESS: 1376 Mellow Mountain Road
ARCHITECT: JZW Architects
DATE: June 15, 2016
PLAN REVIEWER: Jim Hardy

These plans were checked to the 2012 Ed.

The above building permit application has been reviewed for code compliance. The following are the necessary items, comments and/or corrections needed for building permit approval:

1. The plat states that a maximum of 14,000 square feet can be constructed on the lot. It appears that you will exceed the allowable square footage.
2. Please provide a site plan.
3. Please show all construction mitigation on the site plan.
4. This pool house requires a fire sprinkler system.
5. Please add deferred submittals to the cover sheet.
6. Please show an LOD on the site plan.
7. Please provide the square footage of the LOD.
8. Please provide a certified topography plan.
9. Please show proper drainage from the building on the site plan.
10. You will need to note the use of the smaller room on the floor plan.
11. Note all door/window types on the floor plan.
12. Note all tempered glass as needed on the door/window schedules.
13. You will need to note all requirements for electrical around and above a pool on the electrical plans.
14. Please provide a power plan.
15. You will need double underlayment for roof pitch less than 4:12.
16. Please provide an unvented attic detail.
17. Note three on the section view states "storage". Please correct this note.
18. Frost protection for the footings will need to be 40" minimum.
19. Please show proper insulation for the slab on grade.

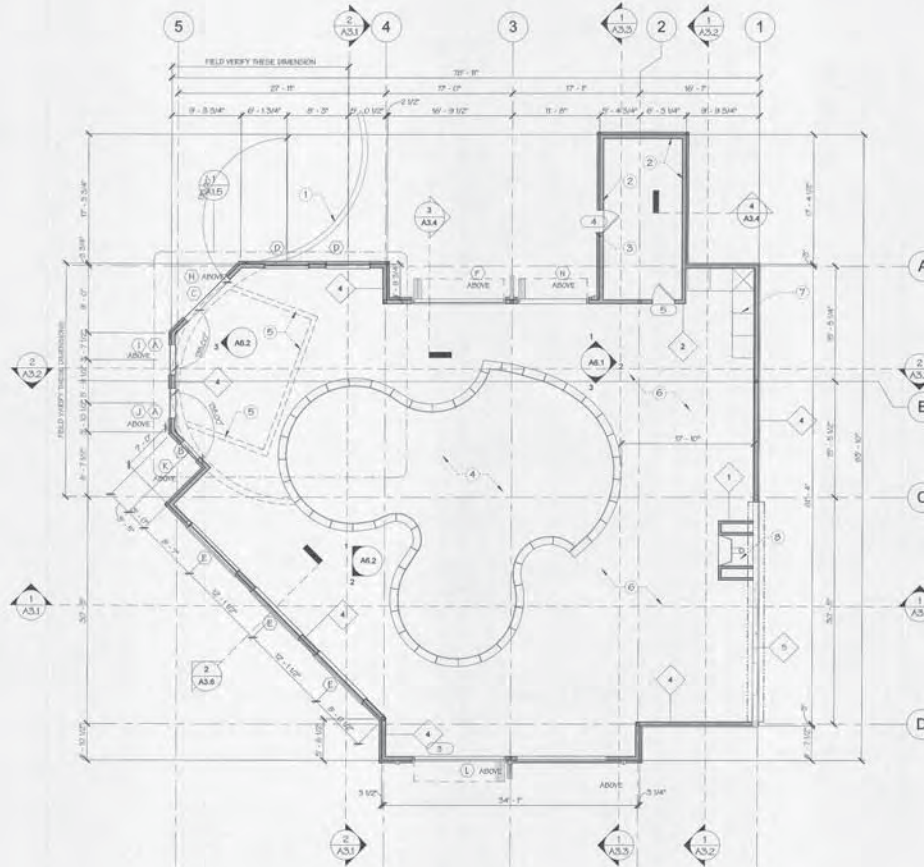
20. Please provide a special inspection agreement.
21. Note the top of footing elevation on the elevation/section pages.
22. ID all trellis framing. All exterior framing will need to be PPT.
23. Please note the square footage of the building.
24. Please provide a paid receipt from Snyderville Basin Water Reclamation District.
25. Please provide a paid receipt from Park City Fire District.
26. Please add a 6mil vapor barrier under the slab.
27. Please show the location of the ufer ground.
28. Please show the location of the sub-panel.

GENERAL NOTES

- (A) SEE GENERAL NOTES ON SHEET PL2 FOR ADDITIONAL REQUIREMENTS.
- (B) DIMENSIONS TO DOORS AND WINDOWS ARE TO CENTER OF FRAMED OPENING UNLESS NOTED OTHERWISE.
- (C) SEE STRUCTURAL DRAWINGS AND CALCULATIONS FOR ALL STRUCTURAL REQUIREMENTS, INCLUDING FOUNDATION WALL SPECIFICATIONS AND SHEARWALL AND HOLDDOWN REQUIREMENTS.
- (D) COORDINATE ALL WINDOW HEAD HEIGHTS AND SIZES WITH ELEVATIONS AND WINDOW SCHEDULE.
- (E) SEE LANDSCAPE PLANS FOR POOL DECK, FOUNTAIN AND PLANTED.
- (F) OVERALL DIMENSIONS OF GABLE ROOF FINISH ALONG GRID B ARE BASED ON EXISTING POOL VAULT DECK.

KEYED NOTES

- 1 EXISTING RETAINING WALL.
- 2 EXISTING WALLS TO REMAIN NEW SIDING TO BE INSTALLED TO MATCH EXISTING HOUSE.
- 3 EXISTING DOOR TO REMAIN.
- 4 EXISTING POOL TO REMAIN.
- 5 EXISTING WALLS OF POOL EQUIPMENT ROOM BELOW.
- 6 4" CONCRETE SLAB ON GRADE.
- 7 STORAGE.
- 8 PROVIDE FIREPLACE SURROUND AND SAMPLE AS PER OWNER. PROVIDE AND INSTALL HEAT AND OLD KODOLU PREPLACE AS PER MANUFACTURER'S SPECIFICATIONS.



1
A11
MAIN FLOOR PLAN
1/8" = 1'-0"

CAMARATA POOL HOUSE
PARK CITY, UTAH

MAIN FLOOR PLAN

A1.1



PROJECT NUMBER
15106

ISSUE DATE:
MAY 18, 2016

REVISIONS:
No. Date

CAMARATA POOL HOUSE
PARK CITY, UTAH

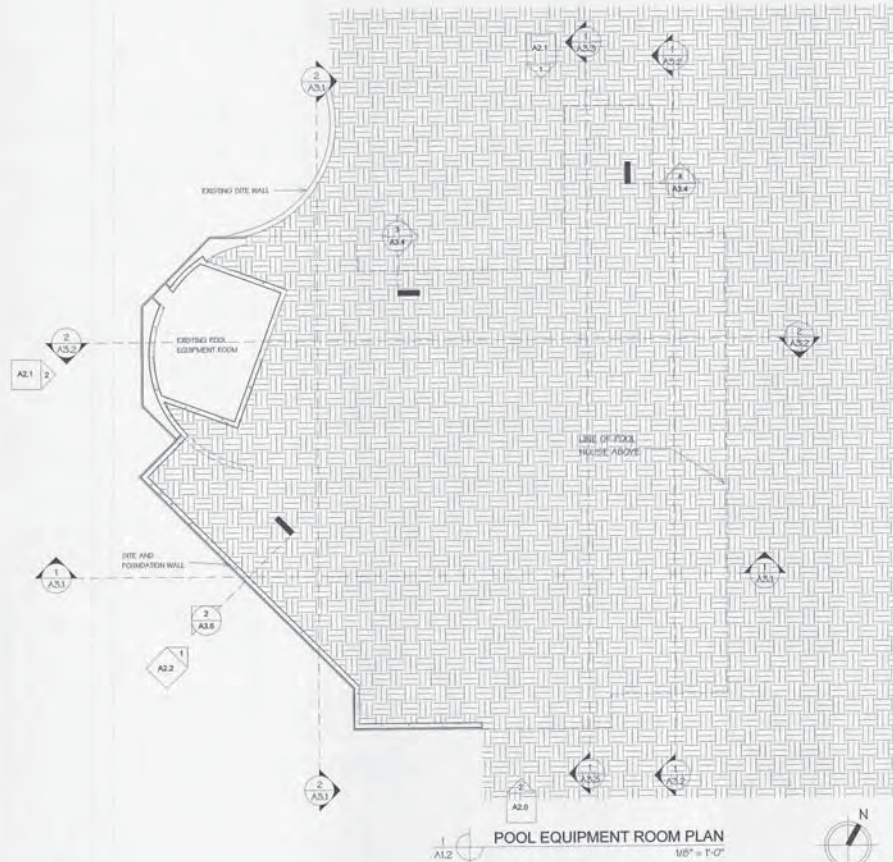
POOL EQUIPMENT
ROOM PLAN

A1.2

STATE OF UTAH
PAUL H. WARRICK
ARCHITECT
REGISTERED ARCHITECT

RECEIVED
PARK CITY MUNICIPAL CORP
MAY 23 2016
BUILDING DEPT

JZW
ARCHITECTS



PROJECT NUMBER
15106

ISSUE DATE:
MAY 18, 2016

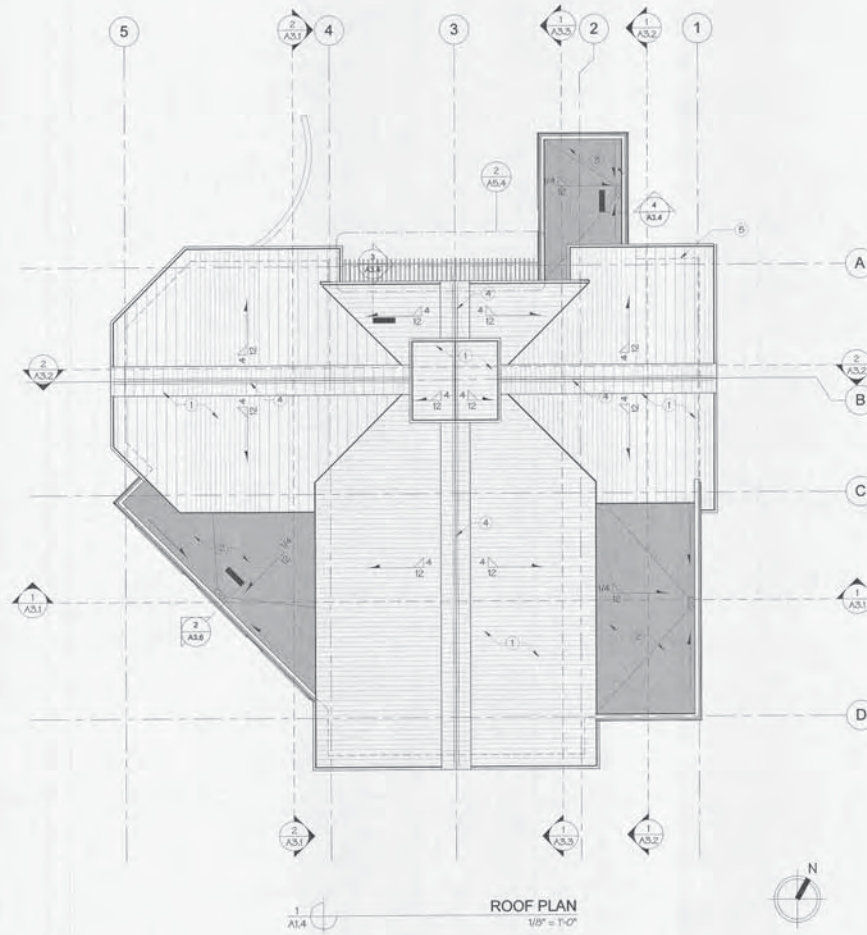
REVISIONS:
No. Date

GENERAL NOTES

- (A) APPLY ICE AND WATER SHIELD AT PERIMETER TO 2'-0" BEYOND WARM ROOF. APPLY 3'-0" AT VALLEYS.

KEYED NOTES

- (1) STANDING SEAM METAL ROOF TO MATCH EXISTING HOUSE.
- (2) FLAT ROOF WITH SINGLE PLY MEMBRANE.
- (3) HYDROTECH EXTENSIVE GREEN ROOF ASSEMBLY W/ 2" LIGHTWEIGHT GROWING MEDIA.
- (4) PRE-FINISHED METAL EDGE VENT TO MATCH EXISTING HOUSE.
- (5) LINE OF EXTERIOR WALL FLOOR.



CAMARATA POOL HOUSE
PARK CITY, UTAH

ROOF PLAN

A1.4



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FAX: (801) 946-0180

18 EAST CENTER STREET, NORTH SALT LAKE CITY, UTAH 84143

PHONE: (801) 946-6444

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PROJECT NUMBER
15106

ISSUE DATE:
MAY 18, 2016

REVISIONS:
No. Date

CAMARATA POOL HOUSE
PARK CITY, UTAH

ELEVATIONS

A2.0

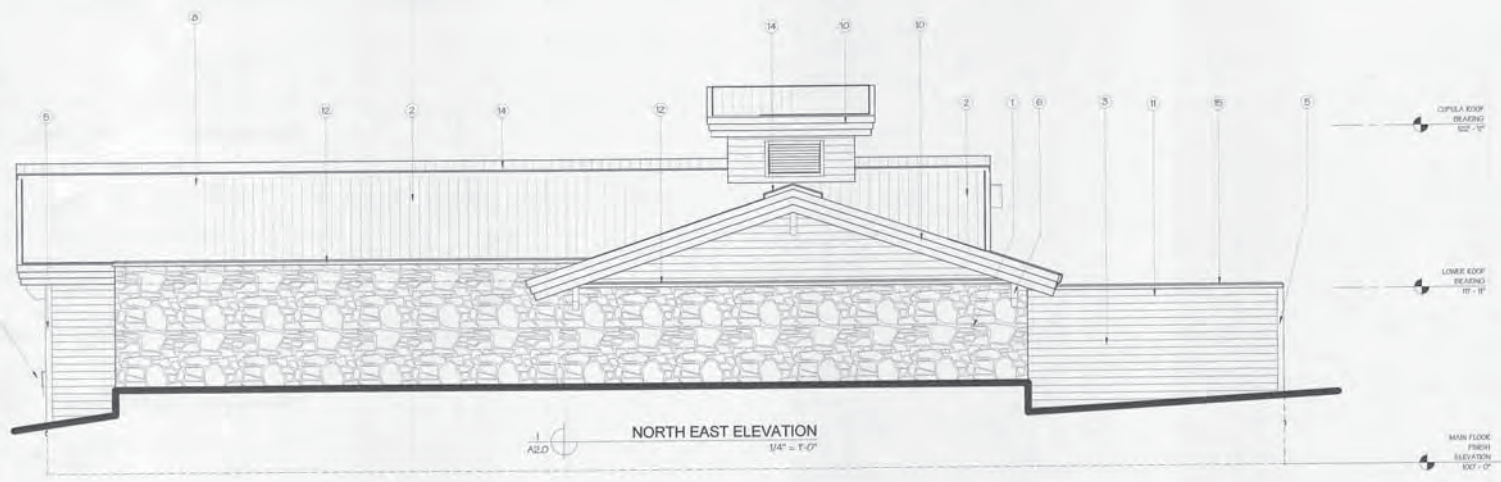


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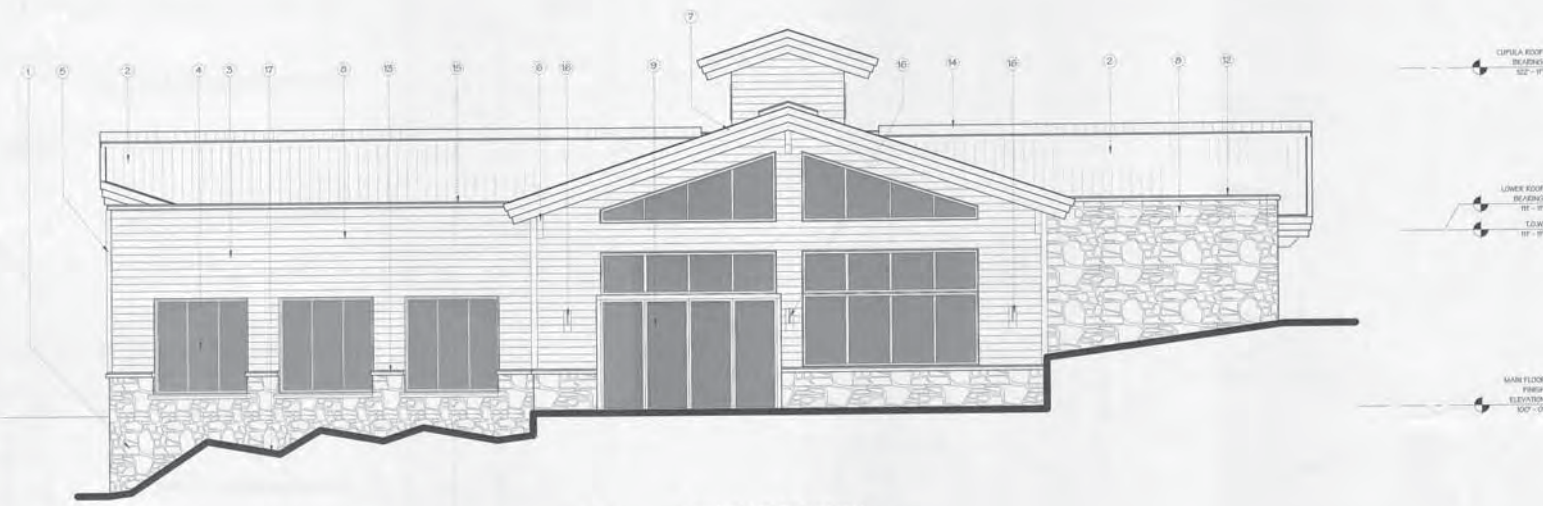


PRIN: 15106-1001-0001

- KEYED NOTES
- 1- STONE VENEER TO MATCH EXISTING HOUSE.
 - 2- SIDING OVER METAL ROOF TO MATCH EXISTING HOUSE.
 - 3- SIDING TO MATCH EXISTING HOUSE.
 - 4- WINDOW AND FRAME SYSTEM TO MATCH EXISTING HOUSE.
 - 5- TRIM TO MATCH EXISTING HOUSE.
 - 6- WOOD BRACE TO MATCH EXISTING HOUSE.
 - 7- AIR VENTILATED.
 - 8- FLAT ROOF BEYOND.
 - 9- FOLDING GLASS WALL SYSTEM.
 - 10- FACIA AND SOFFIT TO MATCH EXISTING HOUSE.
 - 11- GREEN ROOF.
 - 12- STONE WALL CAP.
 - 13- WAINSCOT STONE CAP.
 - 14- PRE-FINISHED METAL ROOF VENT TO MATCH EXISTING HOUSE.
 - 15- CARPET CAP.
 - 16- LIGHT FIXTURE.
 - 17- BOULDER LANDSCAPE FEATURE.



NORTH EAST ELEVATION
1/4" = 1'-0"



SOUTH EAST ELEVATION
1/4" = 1'-0"

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PROJECT NUMBER
15106

ISSUE DATE:
MAY 18, 2016

REVISIONS:
No. Date

CAMARATA POOL HOUSE
PARK CITY, UTAH

ELEVATIONS

A2.1

STATE OF UTAH
TRAILER REGISTRATION
PAUL W. WARRICK
ARCHITECT

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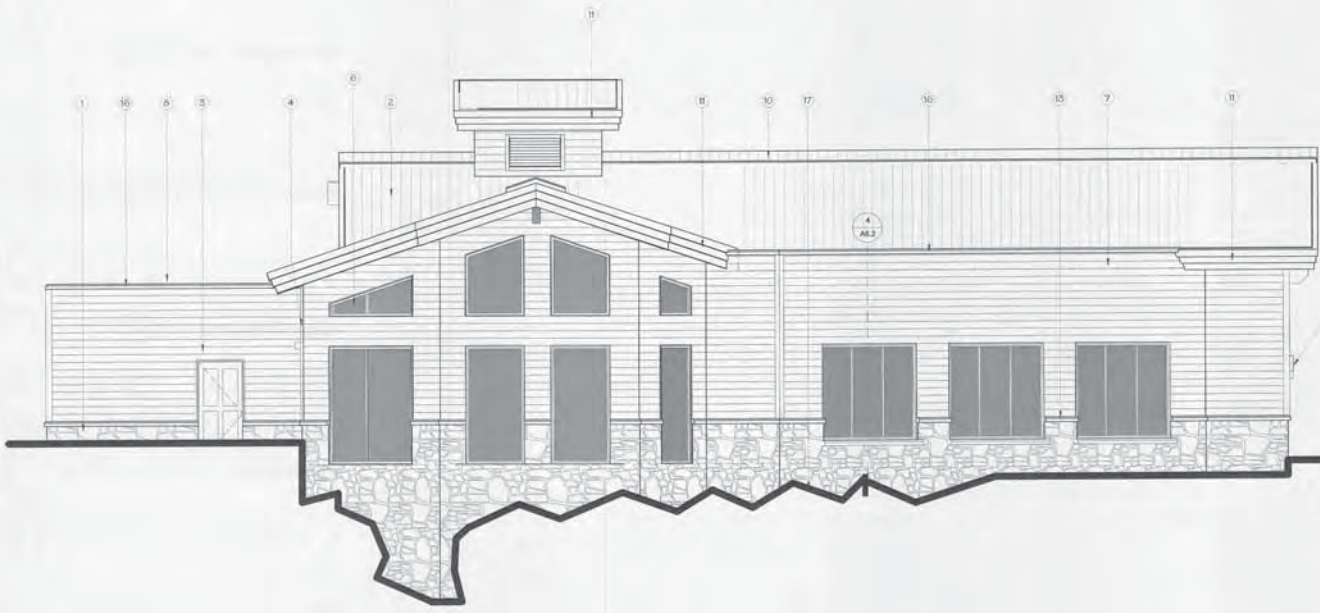
JZW
ARCHITECTS



1 NORTH WEST ELEVATION
A2.1 1/4" = 1'-0"

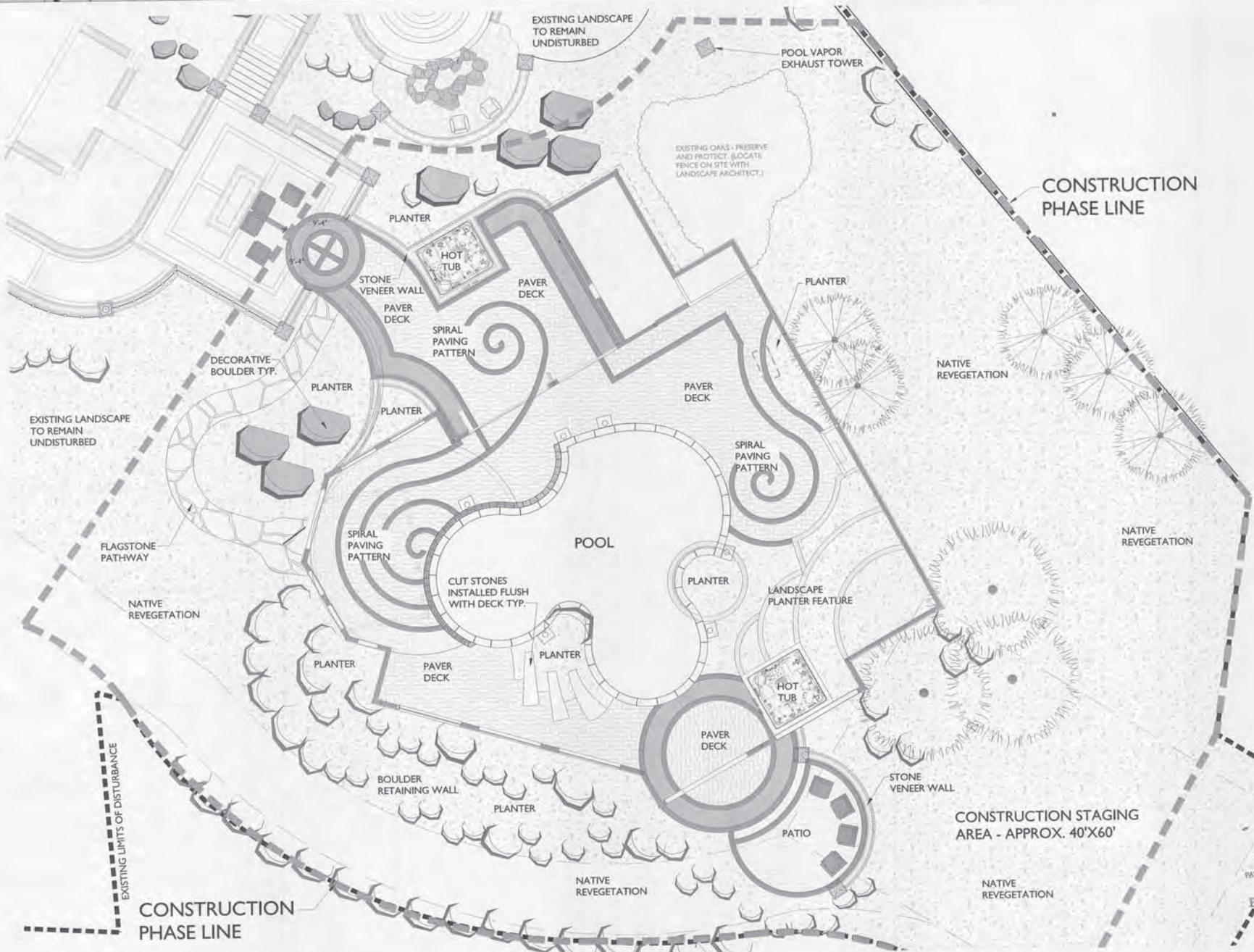


- KEYED NOTES
- 1 STONE VENEER TO MATCH EXISTING HOUSE.
 - 2 STANDING SEAM METAL ROOF TO MATCH EXISTING HOUSE.
 - 3 SIDING TO MATCH EXISTING HOUSE.
 - 4 TRIM TO MATCH EXISTING HOUSE.
 - 5 WOOD BRACE TO MATCH EXISTING HOUSE.
 - 6 WINDOW AND FRAME SYSTEM TO MATCH EXISTING HOUSE.
 - 7 FLAT ROOF BEYOND.
 - 8 GREEN ROOF.
 - 9 LIGHT FEATURE.
 - 10 PRE-FINISHED METAL ROOF VENT TO MATCH EXISTING HOUSE.
 - 11 FALSA AND SOFFIT TO MATCH EXISTING HOUSE.
 - 12 WARDCUT STONE CAP.
 - 13 EXISTING DOOR.
 - 14 BOULDER LANDSCAPE FEATURE.
 - 15 FINISH CAP.
 - 16 STONE WHEL CAP.



2 SOUTH WEST ELEVATION
A2.1 1/4" = 1'-0"



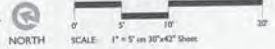


LANDSCAPE PLAN



ATTENTION: PRIOR TO PERFORMING ANY WORK ON THE PLAN CONTRACTOR SHALL IDENTIFY THROUGH SUBSTANCES AND ON-SITE OBSERVATION AND ALL UTILITIES AND HAZARDOUS CONDITIONS THAT MAY PRESENT BEFORE WORK BEGINS AND PROVIDE ACCORDING TO THE PLAN AND/OR AS BLOWN AWAY. IF CONDITIONS ARE FOUND THAT PREVENT WORK FROM BEING PERFORMED AS PER PLAN, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT PRIOR TO PERFORMING ANY CHANGE TO UTILITIES SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY. (ELECTRICAL, GAS, WATER, SEWER, ETC.)

ATTENTION: EVERY EFFORT WILL BE MADE TO ENSURE ACCURACY WITH THESE DRAWINGS QUANTITIES (IF APPLICABLE) ARE FOR REFERENCE ONLY. CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND QUANTITIES ON THE PLAN. CURBS, BORDERS, AND CONCRETIONS ARCHITECT SHALL NOT BE RESPONSIBLE FOR DISCREPANCIES BETWEEN QUANTITIES LISTED IN LEGEND AND PLAN, WHERE DISCREPANCIES EXIST BETWEEN SPECIFICATIONS, DETAILS AND/OR DRAWINGS, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT PRIOR TO PROCEEDING. CONTRACTOR SHALL VERIFY THE SITE TO VERIFY THAT DRAWINGS ARE CONSISTENT WITH SURVEYED BASE INFORMATION. DURING CONSTRUCTION IF SITE CONDITIONS AND/OR CONFLICTS WARRANT CHANGES TO THE PLAN, CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT PRIOR TO PROCEEDING.



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MAY 23 2016
BUILDING DEPT
314015
Johanna S. Filmore

Exhibit M - Engineering's formal denial of Building Permit
BD-16-22329

From: [Steven Arhart](#)
To: dl@loomishomespc.com
Cc: [Jim Hardy](#); [Makena Hawley](#)
Subject: Engineering Plan Review for 1376 Melow Mountain Road (BD-16-22329)
Date: Wednesday, May 18, 2016 2:33:36 PM
Attachments: [image001.png](#)

Hello,

Engineering has completed their review for 1376 Melow Mountain Road (BD-16-22329). The plans have been denied for the following reason that must be addressed prior to approval of building permit.

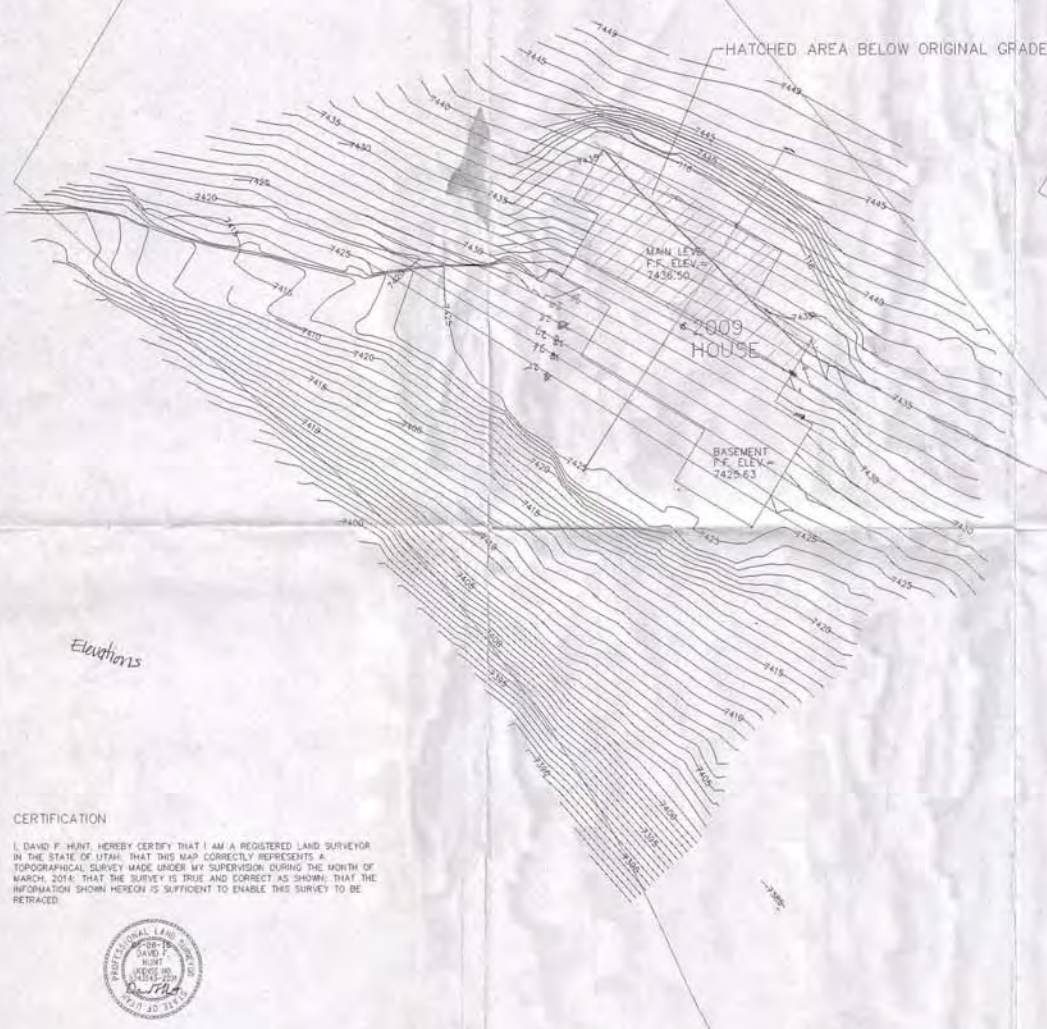
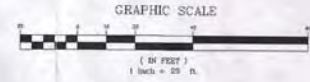
1. Maximum square footage is 14,000 square feet. Per prior building plans the current floor area is 12,717 square feet (including the 600 square feet that is allowed for garages).
 - a. Upper Level is 1,831 square feet.
 - b. Main Level is 5,743 square feet.
 - c. Lower Level is 2,883 square feet.
 - d. Garage is 2,860 square feet.

Also, an engineering permit will be required for work in the ROW. Thanks.

Steven Arhart, EIT
Public Improvements Engineer
445 Marsac Avenue
Park City, UT 84060
435.615.5077 office



Exhibit N - Survey of 1376 Mellow Mountain Road provided by applicant



BASEMENT SQUARE FOOTAGE
6,110 SQ. FT. (TOTAL)
5,510 SQ. FT. (LESS GARAGE)
2,844 SQ. FT. (BELOW ORIGINAL GRADE)
3,266 SQ. FT. (ABOVE ORIGINAL GRADE)

MAIN FLOOR SQUARE FOOTAGE
6,693 SQ. FT.

UPPER FLOOR SQUARE FOOTAGE
1,933 SQ. FT.

11,892 SQ. FT. (TOTAL SQUARE FEET ABOVE ORIGINAL GRADE)

Handwritten calculation:
6110
- 600 - garage
5510
- 2844
2666
2666
1933
3266 ft - 118, 11, 892 ft
ABOVE

Elevations

CERTIFICATION

I, DAVID F. HUNT, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, THAT THIS MAP CORRECTLY REPRESENTS A TOPOGRAPHICAL SURVEY MADE UNDER MY SUPERVISION DURING THE MONTH OF MARCH, 2014, THAT THE SURVEY IS TRUE AND CORRECT AS SHOWN, THAT THE INFORMATION SHOWN HEREON IS SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.



REVISIONS	BY	LEVEL OF FOCUS, INC. DAVID F. HUNT, P.L.S. 1334 EAST 1150 SOUTH SPANISH FORK, UTAH 84660 (801) 319-5441	SUMMIT COUNTY	CAMARATA TOPOGRAPHICAL SURVEY	DESIGNER	DFH	DRAWN BY	DFH	CHECKED BY	DFH	SHEET
					DATE	03-18-14	SCALE	1" = 20'	PROJECT NO.		1 of 1
					PROPERTY LOCATION		UTAH 1376 MELLOW MOUNTAIN ROAD, PARK CITY, UTAH				

Planning Commission Work Session

LMC Chapter 6: Lighting & Landscaping

September 28, 2016



Lighting Issues

- Excessive glare
- Lighting trespass
- Shielding lighting on sloped lots
- Types of lighting
- Temperature of exterior lighting
- Excessive amounts of exterior lighting



Proposed Lighting Updates

- Established glare thresholds based on industry established limits
- Require exterior light fixtures to be fully shielded
- Improve mitigation of lighting glare and trespass on sloped lots through CUP conditions of approvals
- Allow LED lighting when less than 3000K temperature (warm not blue light)
- Limit exterior lighting ambient levels by creating lighting zones



Landscaping Issues

- Desire to promote draught resistant landscaping
- Desire to maintain natural and unique Park City look and feel
- Desire to coordinate landscaping standards in the ROW with the landscaping standards
- Lack of comprehensive and updated landscaping materials
- Lack of comprehensive and updated landscaping design standards
- Need for consistent landscaping regulatory approval processes



Proposed Process

- Work with consultant landscape architect to develop a proposed landscaping material list and design standards
- Outreach to neighborhoods
- Outreach to landscaping contractors
- Assess input and propose options to the Planning Commission
- Propose code revisions based on process outcomes
- Anticipated adopted code revisions by Spring 2017

