

OLD

# **SWEENEY PROPERTIES MASTER PLAN FACT SHEET AND UNIT BREAKDOWN**

May 15, 1985

MPE Inc.-Applicant  
DeLaMare, Woodruff, Stepan-  
Architects & Planners  
P/S Associates-Engineers & Surveyors  
Dr. Pat Sweeney-Responsible Agent  
P.O. Box 2429,  
Park City, UT 84060  
(801) 649-7077

## FACT SHEET

### OVERALL MASTER PLAN

Area: 125.644 acres  
 # Unit Equivalents: 256.13  
 Open Space: 96%

### COALITION PROPERTIES

Area: 1.728 acres (1.191 acres Coalition East, .537 Coalition West)  
 # Unit Equivalents: 47.13 (37 Coalition East, 10.13 Coalition West)  
 Open Space: 45% (41% Coalition East excluding bus turnout,  
 55% Coalition West)

### DEVELOPED HR1

Area: .449 acres  
 # Unit Equivalents: 5  
 Open Space: 60%

### HILLSIDE PROPERTIES

Area: 123.467 acres (Rezoned to **111 acres Recreational and Open Space (ROS)**, 1.0 acre HR1, and 11.5 acres RC)  
 # Unit Equivalents: 209 (2-single family on .5 acre each;  
 207 RC sites)  
 Open Space: **97%** (70% open space within 11.5 acres RC)

<u>SUMMARY OF PHASES</u>	# Unit Equivalents	S.F. Support Commercial	S.F. Lobby	# Parking Spaces
--------------------------	-----------------------	----------------------------	------------	---------------------

### COALITION PROPERTIES

Coalition East Phase I	24	Undetermined	2000	71
<u>Coalition East Phase II</u>	<u>13</u>	Undetermined	<u>2000</u>	<u>20</u>
Total Coalition East	37		4000	91
Coalition West Phase I	5.79	None	None	17
<u>Coalition West Phase II</u>	<u>4.34</u>	None	None	<u>11</u>
Total Coalition West	10.13			28
<b>Total</b>	<b>47.13</b>	Undetermined	4000	119

### HILLSIDE PROPERTIES

Creole Mine Phase I	55.25	7000	4000	192
<u>Creole Mine Phase II</u>	<u>74.50</u>	<u>4000</u>	<u>4500</u>	<u>156</u>
Total Creole Mine Site	129.75	11000	8500	348
Town Lift Midstation I	37	4000	3000	117
<u>Town Lift Midstation II</u>	<u>40.50</u>	<u>4000</u>	<u>6000</u>	<u>90</u>
Total Town Lift Mid.	77.50	8000	9000	207
<b>Total</b>	<b>207</b>	19000	17500	555

**C. PHASING AND  
BREAKDOWN OF UNIT EQUIVALENTS  
BY DELAMARE, WOODRUFF, STEPAN,  
ASSOCIATES, INC.**

30 April 1985

**CREOLE MINE SITE  
PARKING  
PHASE I**

Level	No. Cars
100	33
90	26
5	7
10	24
20	34
30	34
40	<u>34</u>
<b>TOTAL</b>	<b>192</b>

**Principals**  
Winter L. DeLaMare, AIA  
Eugene J. Woodruff, AIA  
F. Keith Stepan, AIA

**Associates**  
Richard S. Barrett  
Dennis B. Patten

**PHASE II**

100	33
90	18
5	10
10	30
20	26
30	22
40	<u>17</u>
<b>TOTAL</b>	<b>156</b>
<b>TOTAL PARKING</b>	<b>348</b>

Parking ratio used is the one for a smaller unit: hotel or suite not to exceed 650 sq. ft. requires .66 parking stalls. Applies to both phases and both sites: Creole and Mid-Station.

No. of hotel rooms calculated at 500 sf. ft. each. This applies to both phases at Creole and Mid-Station.

**CREOLE MINE SITE  
PHASE I**

Area No.	No. of Floors	Sq. Ft.	No. Hotel Rooms	Cars Req'd.	Cars Provided	Unit Equivalents
1	5	5,000	10	rooms x .66		
2	5	30,000	60			
3	5	27,500	55			
4	1	5,000	10			
5	3	6,000	12			
6	3	6,000	12			
7	3	6,000	12			
8	3	5,000	10			
Lobby		1,000				
9	4	7,000	14			
Lobby		1,000				
10	4	4,000	8			
11	3	9,000	18			
Comm.		7,000				
Lobby		2,000				
<b>TOTAL</b>		<b>110,500</b>	<b>221</b>	<b>146</b>	<b>192</b>	<b>55.25</b>
<b>TOTAL SUPPORT COMMERCIAL</b>		<b>7,000</b>				
<b>TOTAL LOBBY</b>		<b>4,000</b>				

UE Calculation based on sf. ft. divided by 2,000. Applies to both phases and both sites: Creole and Mid-Station.



30 April 1985

**CREOLE MINE SITE**

**PHASE II**

*Principals*  
 Winter L. DeLaMare, AIA  
 Eugene J. Woodruff, AIA  
 F. Keith Stepan, AIA

*Associates*  
 Richard S. Barrett  
 Dennis B. Patten

Area No.	No. of Floors	Sq. Ft.	No. Hotel Rooms	Cars Req'd.	Cars Provided	Unit Equivalents
1	5	5,000	10	rooms x		
				.66		
2	5	30,000	60			
3	5	35,000	70			
4	2	10,000	20			
5	1	5,000	10			
Lobby		1,000				
6	1	3,000	6			
Lobby		1,000				
7	2	4,000	8			
8	5	10,000	20			
9	5	10,000	20			
10	5	6,000	12			
Lobby		1,500				
11	4	7,000	14			
Lobby		1,000				
12	4	4,000	8			
13	4	4,000	8			
14	4	8,000	16			
15	2	8,000	16			
Comm.		4,000				
<b>TOTAL</b>		<b>149,000</b>	<b>298</b>	<b>197</b>	<b>156</b>	<b>74.50</b>
<b>TOTAL SUPPORT COMMERCIAL</b>		<b>4,000</b>				
<b>TOTAL LOBBY</b>		<b>4,500</b>				
<b>TOTAL PHASE I AND II</b>		<b>259,500</b>	<b>519</b>	<b>343</b>	<b>348</b>	<b>129.75</b>
<b>TOTAL SUPPORT COMMERCIAL</b>		<b>11,000</b>	<b>(Allowed % .05 = 12,975)</b>			
<b>TOTAL LOBBY</b>		<b>8,500</b>				

30 April 1985

TOWN LIFT MID STATION SITE

*Principals*  
Winter L. DeLaMare, AIA  
Eugene J. Woodruff, AIA  
F. Keith Stepan, AIA

PARKING

PHASE I

*Associates*  
Richard S. Barrett  
Dennis B. Patten

<u>Level No.</u>	<u>No. Cars</u>
10	32
20	29
30	29
40	<u>27</u>
TOTAL	117

PHASE II

<u>Level No.</u>	<u>No. Cars</u>
10	35
20	29
30	26
TOTAL	<u>90</u>
TOTAL PARKING	207

TOWN LIFT MID STATION SITE

PHASE I

Area No.	Floor No.	Sq. Feet	Number Hotel Rooms	Cars Required	Cars Provided	Unit Equivalents
1	5	25,000	50			
2	5	25,000	50			
3	1	2,000	4			
4	3	6,000	12			
5	4	13,000	26			
Comm.	1	4,000				
Lobby		3,000				
6	1	3,000	6			
TOTAL		74,000	148	98	117	37.00
TOTAL SUPPORT COMMERCIAL		4,000				
TOTAL LOBBY		3,000				

466 South 500 East  
Salt Lake City, Utah 84102  
801 531-6867

Suite 201  
50 East 100 South  
St. George, Utah 84770  
801 673-6579

30 April 1985

**TOWN LIFT MID STATION SITE**

**PHASE II**

**Principals**  
Winter L. DeLaMare, AIA  
Eugene J. Woodruff, AIA  
F. Keith Stepan, AIA

**Associates**  
Richard S. Barrett  
Dennis B. Patten

1	5	25,000	50			Room x.66
2	5	25,000	50			
3	2	4,000	8			
4	3	6,000	12			
5	3	3,000	6			
Lobby		3,000				
6	3	4,000	8			
Comm.		2,000				
Lobby		3,000				
7	4	10,000	20			
Comm.		2,000				
8	1	4,000	8			
<b>TOTAL</b>		<b>81,000</b>	<b>162</b>	<b>107</b>	<b>90</b>	<b>40.50</b>

**TOTAL SUPPORT COMMERCIAL** 4,000

**TOTAL LOBBY** 6,000

**TOTAL PHASE I AND II** 155,000 310 205 207 77.50

**TOTAL SUPPORT COMMERCIAL** 8,000 (Allowed % .05 = 7,750)

**TOTAL LOBBY** 9,000

This explains exactly where the 19,000 sf. of commercial comes from.

**TOTAL PROJECT CREOLE MINE SITE, TOWN LIFT MID STATION SITE**

Sq. Ft.	No. Hotel Rooms	Cars Req'd.	Cars Provided	Unit Equivalents
414,500	829	548	555	207.25

**TOTAL SUPPORT COMMERCIAL**

19,000 (Allowed % .05 = 20,725)

**TOTAL LOBBY** 17,500

SAY 207

**NOTE:** Lobby includes the following NON commercial support amenities: Weight rooms, recreation rooms, saunas, administrative offices, storage, guest ski storage, guest meeting rooms, etc.

There is a discrepancy between the approved residential UEs found on the Master Plan at 197 and this UE of 207.25. This may have been the reason that a separate SPMP Density Exhibit was included in the the master plan, and specifically mentioned on sheet 1 item 5 of the first page.

30 April 1985

COALITION WEST SITE

PHASE I

Area No.	Floor No.	Sq. Ft.	Cars Req'd	Cars Provided	Unit Equivalents
1	1, 2	1,288	2		
2	1, 2	1,288	2		
3	1, 2	1,288	2		
4	1, 2	2,184	3		
5	1, 2	1,428	2		
6	1, 2	1,428	2		
7	1, 2, 3	2,673	3		
TOTALS		11,577	16	17	5.79

*Principals*  
Winter L. DeLaMare, AIA  
Eugene J. Woodruff, AIA  
F. Keith Stepan, AIA

*Associates*  
Richard S. Barrett  
Dennis B. Patten

PHASE II

1	1, 2	1,836	2		
2	1, 2	2,520	3		
3	1, 2	1,440	2		
4	1, 2	1,440	2		
5	1, 2	1,440	2		
TOTALS		8,676	11	11	4.34

TOTAL PHASE I and PHASE II

20,553 27 28 10.13

COALITION EAST SITE

PHASE I

Area No.	No. of Floors	Sq. Ft.	No. Hotel Rooms	Cars Req'd	Cars Provided	Unit Equivalents
1	2, 3	2,520	4			
2	4	1,120	2			
3	1, 2	2,520	4			
4	3	1,120	2			
5	4	784	1			
6	1, 2, 3	6,720	12			
7	4	1,680	4			
8	1, 2, 3	6,384	12			
9	4	1,568	4			
10	1	854	1			
11	2, 3, 4	3,192	6			
12	1, 2, 3, 4	4,480	8			
13	1, 2, 3	3,360	6			
14	4	980	2			
15	1, 2, 3, 4	12,578	23			
TOTALS		49,860	91	60.06	71	24.93

466 South 500 East  
Salt Lake City, Utah 84102  
801 531-6867

Suite 201  
50 East 100 South  
St. George, Utah 84770  
801 673-6579



30 April 1985

COALITION EAST SITE

PHASE II

Principals  
Winter L. DeLaMare, AIA  
Eugene J. Woodruff, AIA  
F. Keith Stepan, AIA

Associates  
Richard S. Barrett  
Dennis B. Patten

Area No.	No. of Floors	Sq. Ft.	No. Hotel Rooms	Cars Req'd	Cars Provided	Unit Equivalents
1	1,2,3	2,736	3			
2	4	648	1			
3	1, 2	2,240	4			
4	3	1,120	2			
5	4	952	2			
6	1, 2	2,240	4			
7	3	896	2			
8	4	504	1			
9	2, 3	3,780	6			
10	4	1,120	2			
11	1,2,3,4	4,066	8			
12	1,2,3,4	4,480	8			
13	1,2,3,4	3,384	4			
TOTALS		28,166	47	31	20	14.08
TOTAL PHASE I AND PHASE II						
		78,026	138	91.08	91	39.01
Deduct 2 unit equivalents (lobby & support space)						37

NOTE: Hotel space is used as a likely possibility. Unit equivalents may ultimately be condominiums, hotel rooms, or commercial space based on the unit equivalent formula and the restriction that commercial space be limited to the ground level and be located at least 35 feet from Park Avenue.

OLD

SWEENEY PROPERTIES MASTER PLAN

May 15, 1985

Including Coalition, Historic

Residential District, and Hillside Properties

MPE Inc.-Applicant

DeLaMare, Woodruff, Stepan-

Architects & Planners

P/S Associates-Engineers & Surveyors

Dr. Pat Sweeney-Responsible Agent

P.O. Box 2429,

Park City, UT 84060

(801) 649-7077

## OUTLINE

### I. Concept and Impact

Narrative by Dr. Pat Sweeney; planning by DeLaMare, Woodruff, Stepan Associates, Inc. and P/S Associates, Inc.

A. Introduction .....	p. 1
B. Properties .....	p. 2
C. Coalition Group (Adjacent to Town Lift Base) .....	p. 3
1. Concept .....	p. 3
2. Access and Utilities .....	p. 5
2. Impact .....	p. 5
D. Developed HR1 Group (Along Town Lift ROW) .....	p. 5
1. Concept .....	p. 5
3. Impact .....	p. 6
E. Hillside Group (Hillside West of Historic District) .....	p. 6
1. Concept .....	p. 6
2. Access and Utilities .....	p. 8
3. Impact .....	p. 9
F. Phasing .....	p.10
G. Fiscal Impact .....	P.10
H. Special Considerations .....	p.11
I. List of Positive Features .....	p.12
J. Summary .....	p.13

# Sweeney Properties Master Plan

May 15, 1985

## INTRODUCTION

The following document presents a development concept for several Sweeney Historic District and nearby hillside properties. It has been modified from the August 24, 1984 version to reflect changes resulting from preapplication discussions with the Park City Planning Staff which took place in October and early November of 1984. Application is made by MPE Incorporated, P.O. Box 2429, Park City, UT (801) 649-7077, for large scale master plan approval as set forth in Sections 1.13, 1.14, & 10 of the Park City Land Management Code effective January 1, 1984 and subsequently amended. The development concept has been designed to carefully integrate with Park City comprehensive planning and to achieve Park City general goals of:

- \* a quality residential or visitor experience;
- \* safety for its citizens;
- \* usable open space;
- \* preservation of scenic vistas;
- \* efficient traffic circulation;
- \* economy of City services;
- \* a broad tax base;
- \* and a healthy economy.

Permission of Sweeney Land Company (fee owner of the land), relevant agreements, and easements of record are provided in the Appendix, Sections I, F, & G respectively. Applications for large scale master plan and necessary



Sweeney Properties Master Plan

May 15, 1985

underlying zoning changes are found in the Appendix, Sections J & K respectively.

In particular, this master plan strives to support the ski industry in a way as to minimize the need for private and public transportation and to maximize the bedroom density adjacent to ski runs, lifts, and existing commercial support. In this regard, the Sweeney properties are unique in their strategic location between the Park City Ski Resort and the Historic Commercial District. Due to the scenic importance of the properties, especially the hillside property, the aesthetic placement and concentration of density is a fundamental requirement. It is equally if not more important to maintain the existence and integrity of permanent residential neighborhoods in coexistence with the ski and tourist industry. In this master plan, to these ends, Sweeney property permitted use density, fully and safely accessed, has been significantly reduced and redistributed.

A detailed presentation of concept and impact follows.

**PROPERTIES (See Sheets #2-8 & 13-16)**

The following table lists the included properties, their zone, and number of acres. The property boundaries are accurately represented on sheet 2 with boundary bearings and distances on sheets 3-6, 13 & 15.

Sweeney Properties Master Plan

May 15, 1985

Table 1: Property Groups, Zones, and Acres

	ZONE	ACRES
<b>Coalition Group</b>	<u>HCB &amp; HR1 (1.191 &amp; 0.537 AC)</u>	<u>1.728</u>
Coalition East (South)	HCB	0.612 ✓
Coal. East Parking Easement	HCB	0.205 ✓
Coalition East (North)	HCB	0.374 ✓
Coalition West	HR1	0.537 ✓
<b>Developed HRI Group</b>	<u>HR1</u>	<u>0.449</u>
MPE	HR1	0.161 ✓
Carr-Sheen	HR1	0.288 ✓
<b>Hillside Group</b>	<u>HR1 &amp; Estate (15.21 &amp; 108.25 AC)</u>	<u>123.467</u>
Royal Street South	HR1 & Estate (6.90 & 51.08 AC)	57.982 ✓
Royal Street North	HR1 & Estate (0.38 & 32.09 AC)	32.469 ✓
Butkovich South	HR1 & Estate (5.24 & 11.21 AC)	16.453 ✓
Butkovich North	HR1 & Estate (0.76 & 5.31 AC)	6.072 ✓
GPPC	HR1	0.081 ✓
Anderson	HR1	0.517 ✓
Keating	HR1	0.633 ✓
Tram Right of Way-Royal St.	Estate	1.192 ✓
Tram Right of Way-Butkovich	HR1 & Estate (0.20 & 0.94 AC)	1.138 ✓
Nastar	Estate	6.427 ✓
Lowell-Empire Switchback	HR1	0.272 ✓
Lowell Empire	HR1	0.077 ✓
Fletcher	HR1	0.154 ✓

**COALITION PROPERTIES (See Sheets 7, 13-16, & 24-26)**

Concept. The Coalition properties consist of four parcels on either side of Park Avenue near the site of the former Coalition Building and the current site of the Town Lift base. The properties are subject to the Town Lift Agreements contained in the Appendix, Section F. Under

Sweeney Properties Master Plan

May 15, 1985

the current code, the West (HR1) parcel could support 12 unit equivalents and, allowing for the Town Lift as approved, the East (HCB) parcels 43 unit equivalents. Within the proposed master plan, this density has been reduced by 14% or 8 unit equivalents to a total of 47 unit equivalents, 10 on the West parcel and 37 on the East parcels. Modified parking requirements are requested for the East parcels as outlined in Table 2. Justification for parking reduction lies in the close proximity of both skiing and commercial support and that all parking will be enclosed. The structures on the East parcels will be subject to the constraints outlined in Table 3 which increase set backs, slope the building envelope, and limit commercial uses. The structures on the West parcels will be controlled by current HR1 zoning subject to the 10 unit equivalent density limit.

Table 2: Modified Parking

*(East parcels only)* → *also hillside*

	Hotel Room/ Suite not to Exceed 650 S.F.	Apt. not to Exceed 1000 S.F.	Apt. not to Exceed 1500 S.F.	Apt. not to Exceed 2000 S.F.	Apt. in Excess of 2500 S.F.
# of Parking Spaces	.66	1	1.5	2	3
LM Code	.66	1	2	2	3

Table 3: Proposed East Park Avenue Constraints

SETBACKS: Front-15 feet (Park Avenue)  
 Side- 5 feet  
 Rear- 5 feet

HEIGHT and BUILDING ENVELOPE:

Front(Park Avenue)-

- 25 feet high at 15 feet from Park Avenue
- 35 feet high at 30 feet from Park Avenue
- 45 feet high at 45 feet from Park Avenue



Sweeney Properties Master Plan

May 15, 1985

Rear-30 feet high at 5 feet then sloping toward  
Park Avenue at 45° to maximum height of 45 feet

USE: Residential and nightly rentals permitted. Commercial allowed on ground level provided that commercial frontage be located no closer to Park Avenue than 35 feet.

GRADE: The plane described by horizontal lines perpendicular to the Easterly slope of Park Avenue.

**Access, Utilities, and Drainage.** Vehicular access will be in either direction off Park Avenue with convenient connections to U-224. Pedestrian access to Main Street will be along Park Avenue and through the Depot Project pedestrian corridor. There will be immediate access to the Town Lift. Adequate water, sewer, and storm drainage systems are already located directly adjacent to the proposed structures. Power, cable TV, and natural gas are available near site.

**Impact.** This concept will allow a residential character to be maintained West of Park Avenue and North of 8th Street because of the gradual transition that it creates from the higher, more transient residential and limited commercial uses on the East side.

**DEVELOPED HRI PROPERTIES (See Sheet 7)**

**Concept.** These properties consist of the MPE and Carr-Sheen parcels currently zoned for 6 and 3 units respectively. In consideration of approval of the proposed master plan, MPE Inc. will reduce the MPE and Carr-Sheen parcels density to 2 and 3 unit equivalents respectively; a density reduction of 44% or 5 units. An eight foot easement for a stairway connecting the Crescent Walkway directly to the Lowell-Empire switchback will be provided through the Fletcher hillside parcel. The stairway will be built as part of the Hillside



Sweeney Properties Master Plan

May 15, 1985

developments. The Fletcher parcel, a 3 unit developed HR1 parcel, will be zoned Recreation and Open Space (ROS) as part of the Hillside development. MPE Inc. will quit claim to the City the Crescent Walkway, 4 feet either side of center line, as it crosses the Hurley Corner and MPE parcels. MPE Inc. will also quit claim to the City a 30 foot right of way for Norfolk Avenue as indicated on Sheet 7 from the Snyder's Addition boundary to the South side of 7th Street.

**Impact.** Strengthening of the City's title to Norfolk Avenue and the Crescent Walkway will allow vehicular and pedestrian circulation improvements. The provision, at no cost to the City, of a direct stairway link from the Crescent Walkway to the Lowell-Empire switchback will decrease the distance that Lowell Avenue residents have to walk to reach Main Street.

**HILLSIDE PROPERTIES (See Sheets 1-12 & 17-23)**

**Concept.** These properties consist of thirteen parcels totaling 123.5 acres located on the hillside directly West of the Historic District. The density from these parcels (15 acres of HR1 and 108 acres of Estate) will be transferred to a 7.75 acre site near the lower Creole Mine dump and a 3.75 acre site near the Town Lift midstation. (Two single family lots .5 acre each will also be included. One will be located Northwest of Upper Norfolk and the other where the Keating House exists. Building on these lots will be restricted to 25 feet of height and a maximum gross building foot print of 3500 square feet including the garage, but excluding open decks, walks, and stairs.)

Sweeney Properties Master Plan

May 15, 1985

The undeveloped portion of the property, approximately 90% or 111 acres, will be dedicated and rezoned Recreation and Open Space (ROS). In addition, 70% usable open space (including the tops of the parking structures at or near grade landscaped or decked for recreational use) will be maintained within the development sites which will be rezoned Recreation Commercial (RC). Ultimately, 97% of the hillside parcels will be open space. This concept will prevent undue scarring of the hillside, protect its ridge line, and preserve it for recreational use and as a scenic backdrop to the Historic District.

207 unit equivalents are requested for the Creole and Midstation sites: 36 transferred from 108 acres of Estate Zone and 171 transferred from 14.0 acres of HR1. (One acre of HR1 will be divided between the two single family lots.) This represents a reduction in density of 46% or 176 unit equivalents from underlying zoning. Further reduction would jeopardize economic viability of the Creole and Midstation sites. On specified portions of these sites, a height increase to 40 and 50 feet is requested to allow dense clustering. Modified parking requirements are requested as outlined in Table 2. Justification is based on visitor orientation, outstanding ski to-ski from access, reasonable pedestrian access to the Historic Commercial District (600 to 1200 L.F.), and enclosed parking. The units will be condominiums or hotel rooms with nightly rental and a limited amount of support commercial.

HR-1:  
3566 sq. ft.  
per UE  
proposed

An alternative plan which would not require rezoning the Hillside Properties is presented on Sheets 9 and 10. It is based on the construction of a road from the Lowell-Empire switchback to Upper Norfolk Avenue. This road could be built to Park City standards and would

Sweeney Properties Master Plan

May 15, 1985

provide emergency and limited routine access to the Southwestern Historic District.

**Access and Utilities.** Vehicular access to the Creole and Midstation sites will be from U-224 via the Park City Resort Center access system to Lowell and Empire Avenues. The Creole Mine Site will be accessed through a parking structure located directly off the Southern end of Lowell Avenue. The Town Lift Midstation Site will be accessed by a 550 foot driveway originating from Lowell and Empire Avenues. The cross section of this driveway will consist of uphill and downhill reinforced concrete retaining walls, 18 feet of pavement, 2 1/2 foot curb and gutters, and a 4 foot sidewalk. Non ski season construction access to both developments will be provided along the 9-9.5% grade Town Lift collector trails. Service access will be integrated into the parking structures and connect directly to the people movers mentioned below. Bus turnouts will be provided on Lowell Avenue. (The two single family lots will be accessed by 10 foot driveways, one from Upper Norfolk Avenue and the other from the Town Lift Midstation Site.)

? 12' min  
↳ Ran

Pedestrian access to the Creole Mine Site will consist of a short people mover (type to be determined) connecting the buildings with the parking structure and a sidewalk-stairway system connecting to the Crescent Walkway. Pedestrian access to the Town Lift Midstation Site will consist of a short people mover (type to be determined) and a sidewalk-stairway system connecting to 6th Street Stairs. The two sites will be connected by a sidewalk, ski trails, and a summer time foot path. Both will have outstanding ski to-ski from access and many connections to summertime trails.

Sweeney Properties Master Plan

May 15, 1985

Utilities to both major sites will be extensions of the middle Norfolk water main and existing services on Lowell and Woodside Avenues. A water tank will be hidden on site. Drainage will be controlled by uphill interceptor drains and downhill street system drains. Detentions systems will be located on the Creole Mine Site and on the Fletcher parcel. A pipe under 8th Street will connect to the City storm drain at Park Avenue. See the P/S Associates report in the Appendix, Section D and Sheets 11 & 12 for further details.

The Creole and Midstation sites will be treated as high-rises in terms of fire safety and construction standards.

Fill from excavation will be used to recontour ski runs on site rather than be hauled off over City streets.

**Impact.** This development scheme concentrated on 11.5 acres will provide an inventory of clustered, visitor oriented residential units with expansive views, secluded locations, Southeastern exposure, total ski to-ski from capabilities, and pedestrian access to the Main Street Commercial Area. It will leave 111 acres or **90% of the hillside properties to be dedicated and rezoned** as Recreation and Open Space (ROS). Ultimately, with 70% open space being maintained within the building sites, **97% of the hillside properties will be open space.**

? existing tailings / surcharge

?

There will be two means of vehicular access to the Creole and Midstation sites. No new City maintained roads will be constructed. The City will have no new snow removal responsibilities. Trash pick-up and water services will be concentrated. Cut and fills will be concentrated and revegetated. Drainage will be controlled.



Sweeney Properties Master Plan

May 15, 1985

Development will allow the Town Lift System as approved. An extensive system of footpaths-cross country trails in combination with the ski runs and trails will be provided.

Construction will be phased over a number of years and fill from excavation will be used on site rather than be hauled off over City streets.

**PHASING (See Sheets #17-26)**

Twenty years are requested for completion of this master plan. Because of the separate and diverse nature of the involved development parcels, each may be developed independently subject to the Small Scale Master Plan Process and market demand. Phases for each of the developments are outlined in the Appendix, Section C. It is intended that each individual phase may ultimately be developed under separate ownership.

*(?-subphases (or parcels))*

**FISCAL IMPACT**

The fiscal impact of the entire Master Plan is shown in Tables 4, 5, & 6.

Table 4: Estimated One Time Fees

FEES	CALCULATIONS	TOTAL
Application	256 U.E. x \$200/U.E.	51,200
Impact	.02 x Valuation of New Construction or .02 x (256 U.E. x 2000 S.F./U.E. x 1.05 + 19000 S.F.Com. + 19500 S.F.Lobby) x \$62.42/S.F. + 553 cars x 300 S.F./car x \$29.50/S.F. or .02 x \$40,854,212	817,084
Permit	.0075 x Valuation of New Construction	269,701
Plan Check	.004875 x Valuation of New Construction	175,306

Sweeney Properties Master Plan

May 15, 1985

Inspection	.03 x Site Improvements Construction Bid or .03 x \$2,000,000 (Estimated)	60,000
Water	256 U.E. x \$2500/U.E.(Estimated Average) + 19000 S.F. Com. x \$1000/1000 S.F. Com.	659,000
Sewer	256 U.E. x \$2600/U.E.(Estimated Average) + \$2000/1000 S.F. Com. x 19000 S.F. Com.	<u>703,600</u>
		\$2,735,891

Table 5: Estimated Annual Property Taxes

.20 x Market Value x Mill Levy or .20 x (256 U.E. x 2000 S.F./U.E. + 19000 S.F. Com.) x \$160/S.F. x .06225 or .20 x \$84,960,000 x .06225	\$1,057,752
---	-------------

Table 6: Examples Related Park City Expenditures

Reconstruction of Lowell Avenue	183,000
Reconstruction Empire Avenue	179,000
Four Wheel Drive Bus	28,000
Four Wheel Drive Police Car	<u>13,000</u>
	\$403,000

**SPECIAL CONSIDERATIONS**

All of the property descriptions included in this proposal have been adjusted to the basis of bearing of the City Street Survey and tied to City Street Survey Monuments. Many overlaps and potential title disputes have been eliminated.

The Old Silver King Tram Towers under the control of MPE Inc. will be preserved as historical monuments and dedicated to Park City as outlined in the Appendix, Section E.

In the distant future United Park City Mines Company or its successors might provide access to the upper Hillside

Sweeney Properties Master Plan

May 15, 1985

property. If this happens Sweeney Land Company reserves the right to take advantage of such access to build one single-family home on the upper Hillside. The home shall be inconspicuously located, shall not exceed 20 feet in height, and shall have a maximum gross building foot print of 3500 square feet including the garage, but excluding open decks, walks, and stairs.

LIST OF POSITIVE FEATURES

- \* Preservation of 90% of the hillside West of the Historic District as Recreation and Open Space (ROS)
- \* 111 acres of Recreation Open Space available for public use for hiking and skiing
- \* 70% open space within the Hillside building sites
- \* Ultimately, 97% open space on the Hillside
- \* Protection of the Hillside ridge line against potential development as 10 acres of RD, i.e. 5 unit equivalents per acre
- \* An end to the uncertainty as to the development fate of the Hillside thus stabilizing adjacent Historic District zones
- \* 256 residential unit equivalents with commercial base in the Historic Commercial District
- \* Voluntary reduction of overall density 43% from 451 to 256 unit equivalents
- \* Ski to-ski from access
- \* Pedestrian access to the Historic Commercial District
- \* Improvement of the Crescent Walkway
- \* City Right of way for Norfolk Avenue between Snyder's Addition boundary and 7th Street at no cost
- \* All descriptions adjusted to Park City's street survey basis of bearing



## Sweeney Properties Master Plan

May 15, 1985

- \* Creation of a transition zone East of Park Avenue
- \* Buffer areas between proposed construction and neighboring properties
- \* Phasing of construction impacts over 20 years
- \* No additional City streets to maintain
- \* No additional City snow-removal responsibilities
- \* Concentrated trash pick-up and water services
- \* Enclosed parking
- \* Controlled drainage
- \* Aesthetic clustering of density

### SUMMARY

This master plan offers a important opportunity to develop a large inventory of Historic District and nearby hillside properties in harmony with Park City comprehensive planning and to preserve the vast majority of the property as Recreation and Open Space (ROS). This contrasts sharply with piece by piece development of the property under separate ownership. This master plan represents an overall reduction in density of 43% or 195 unit equivalents from underlying zoning. It supports the ski industry and existing Historic Commercial District while at the same time respects both the permanent and more transient areas of the Historic Residential Districts. Finally, it leaves the City with a very favorable fiscal impact.



**DRAFT**  
**Working Issues List**  
**Treasure Hill CUP Application**

*The following list was extracted by City staff out of the adopted meeting minutes in order to highlight the issues that have not yet been resolved or fully responded to during the public hearings. This document does not supersede or change the official meeting record. Many of the same issues were raised at several of the public hearings and repeated by several Commissioners in differing variations. This list is not intended to represent an exhaustive list of issues and the Planning Commission may choose to add or revise this list.*

June 8, 2016

- Appropriate square footage needs to be established
- Environmental concerns (How have the Sensitive Lands Ordinance requirements been met for the Estate Zone?)

July 13, 2016

- Concerned with commercial space proposed intended to draw more people to the project as opposed to just servicing guests
- Applicant asked applicant to explain how the 52,000 square feet of commercial would not compete with Main Street.
- Concerns with amount of excavation, massing, and building orientation (neighborhood compatibility and impacts) (needs wrap-up discussion)

September 14, 2016

- Regarding building mass and bulk: Applicant requested to look at designing a building in such a way that honors the land and steps with the mountain; rather than cutting a huge bench into it and building a building. Asked if there a solution that lessens bulk, mass and other major issues.
- Regarding the architect's perspective: What specifically were the methods used to mitigate scale and mass (other than mass excavating to lower structures height about existing grade).
- Anything above the MPD density will require an MPD amendment (address amount of Support Commercial and Accessory Space)

October 12, 2016

- If the applicant believes they are entitled to more than the 19UEs of commercial space they need to better explain why.
- Design is not inviting to the pedestrian: Commission commented that the over-excavation causes a dramatically different pedestrian experience versus originally approved in the MPD and as consistent with the rest of the zone re: the character and scale.
- Commission commented regarding being sensitive to the hillside to step it up the slope rather than benching it out and building up on the platform. Questioned whether the massive excavations that go beyond the limits of disturbance are

consistent with MPD and code.

- Commission commented that buildings at curve at Lowell and Empire Avenue to look nothing like the neighborhood and are not compatible. .
- Commission concerned with the time of completion and asked about how much blasting; noisy and disruptive construction activity; amount of construction truck traffic; number of construction employees; adequately protecting adjacent houses; storm-water run-off during construction; adequate water supply and all anticipated utility services; utility service installation impacts.
- Commission asked if sheet A16 was the full and final extent of excavation mitigation plans. Reiterated the same comments as to sheet A18, project mitigators. Proposed mitigation needs to be brought up forward at this time. Wanted to know which of those project mitigators apply to direction to Criteria 8.
- Commission requested updated infrastructure calculations - information appears out-of-date (Utility master plan requirement in MPD).
- Commission requested applicant to let the Planning Commission know and be clear for the record whether they plan to respond or not to their requests.

#### November 9, 2016

- Commission requested images of cliffscapes in finished form.
- Commission asked if there a Vail representative that can agree to the soil acceptance; maybe attend one of the public hearings?
- Commission commented nothing in plans that mitigate noise (construction), dust and other impacts. (Is the applicant planning to submit additional information with specificity to address concerns?)

#### December 14, 2016

- Commission concerned about site impacts related to slope retention and appropriateness of structures to the topography.

#### January 11 2017

- Commission asked how is storm run-off addressed?
- Commission asked how is the applicant discouraging people from using Empire and Crescent Tram?
- Commission inquired about off-site pedestrian staircases: Where do we need staircases and where we don't? Update requested. (Address off-site pedestrian connectivity).
- Commission on snow removal and storage: If the City is going to own snow removal and snow storage would like to understand a better plan than "make it a priority". (Note: The May 15, 1985 Sweeney Properties Master Plan Fact Sheet and Unit Breakdown specifies: "No additional City Streets to maintain", and "[n]o additional City snow removal responsibilities".
- Commission questioned limiting access to support commercial: Is there a way to have patrons be limited to use a room card for commercial transaction for control?
- Commission on snow melting stations on site: Is it a possibility?
- Can the use of Crescent Tram be prohibited for guests, employees, and

operations of the Treasure Hill proposed development?

March 8, 2017

- Commission requested an updated emergency traffic and fire protection analysis to current codes.
- Commission on parking: Need to understand off-site (neighborhood impacts) parking in conjunction with on-site parking. Needs to be part of the parking analysis: Is the parking updated also an addendum or is it part of the transportation update? Parking is important to be reviewed concurrently with the traffic update.
- Planning Commission requested a briefing on the past Planning Commission discussion to lower parking requirement from 424 to 366.
- Commission concerned with Findings of Fact #4 & #5 from master plan (*4. The commercial uses proposed will be oriented and provide convenient service to those residing within the project. 5. The required parking can readily be provided on-site and in enclosed structures*), and how the applicant has not demonstrated it. Concerned that applicant has not shown how they would manage parking on-site.
- Commission does not know specific uses of the commercial space on the site. Can't determine if it would draw additional traffic, adequacy of mitigation measures, proper evaluation.
- Commission on parking management plan concerns because the applicant has not demonstrated how they will manage on-site parking (need for a parking management plan) due to the draw of additional traffic of guests that are not over-night guests due to:
  1. Support commercial. Space approved at 19 UEs (19,000 sf.) not 52,000 sf.
  2. Meeting space: 16,000 sf. of proposed space.
  3. Miniature ski base: The potential of day skiers accessing the runs from the new development to avoid crowds at PCMR ski base.
- Commission concerned with three (3) outlined items and how they related to employee parking in Old Town and taking the cabriolet up without specific management plans/ideas from applicant (how to control employees). Because of location in Old Town, this needs to be thoroughly addressed.

April 12, 2017

- Commission requested:
  - More info on landscaping plans to buffer impacts to neighbors
  - More detail about the cliffscapes
  - More information about the administrative (landscaping) guidelines that will be enforced against during a later approval process
- Commission inquired about noise mitigation of snowmaking.
- Commission inquired about compliance with dark-sky standards for all lighting including glare through windows. A photometric plan would be helpful to assess impact on adjacent properties.

#### June 14, 2017

- Commission asked about mitigating how people come in to use the commercial. Suggest again, using a room key for all transactions.
- Commission on cabriolet: parking problems? Take away from business? Create congestions? Location of construction workers drop off and impacts? Traffic route displacement? How is the construction work going to function? Closed gondola would be better than the open cabriolet as it could detract people in a winter storm. More cabriolet details needed.

#### July 12, 2017

- Commission on excavation expansion rate. Need to know why disagree with staff's estimated exaction expansion percentage. Need to know if Vail is ok with using their land to displace dirt and how much (specifically) they approve. Questions Creole-Gulch area as the primary dumping ground, conservation agreement, tree cut down, topsoil scraped off, etc.
- Commission requested specificity needed for the entire project, not general info such as the Questar Gas letter example, e.g., how big will the pipes be, how far down Lowell, how far out 224 will it have to go before it taps into a source of gas that's big enough to supply all of that. How many roads will we need to tear up, etc. Need to have geo-technical assurances regarding the project not sliding down.

#### August 9, 2017

- Applicant to answer construction employee estimate: How many people are showing up on that work site?
- Applicant to address traffic discussion that took place in the past, regarding traffic flow, roads to be widened, sidewalks, street parking, snow storage, etc.
- Applicant to verify all calculations on final traffic study.
- Applicant to verify parking demand (from the Triton study). The 200-unit hotel with commercial and meeting space takes less parking than 100 condos, and considerably less than half as much commercial space.
- After seeing the revised plan. Commission will look for specific numbers in terms of the amount of dirt that's reduced, the amount of truck trips applicant thinks that it reduces, and what other impacts applicant thinks that mitigates and by how much.



# Treasure - Park City, Utah

## Planning Commission Presentation October 11, 2017

Phasing, Staging, Construction - Prepared in response to Commission, Staff, Public Comments, and to comply with MPD and CUP requirements.

Goals:

- 1) Arrive at workable phasing plan by Big-D (exhibit 1)
  - a. Give priority to lift improvements
  - b. Phase 1—Lift, 1 Buildings, 2 Building, and associated access
  - c. Phase 2—the 5 Buildings
  - d. Phase 3—the 4 Buildings
  - e. Phase 4—the 3 Buildings
- 2) Arrive at feasible ski access plan by Big-D (exhibit 2)
  - a. Keep lift operational every season, integrate lift improvements
  - b. Phase 1—keep *South Town runs open*, 1b—finish ski access to quad
  - c. Phase 2—finish North Town runs

Phasing, Staging, Construction - Prepared in response to Commission, Staff, Public Comments, and to comply with MPD requirements.

Goals (cont.):

- 3) Create a practical master staging plan by Big-D (exhibit 3)
  - a. Move immediately off the street
  - b. Leave a berm at Lowell/Empire until Phase 4
  - c. Fence or otherwise safely contain construction areas
  - d. Contract fence and landscape proactively
  - e. Employees parking and shuttles, prohibiting parking on nearby streets
  - f. Deliveries
  - g. Materials
  - h. Distribution
  - i. Trash
  - j. Sanitary facilities

Phasing, Staging, Construction - Prepared in response to Commission, Staff, Public Comments, and to comply with MPD requirements.

Goals (cont.):

4) Incidentals by Big-D

- a. Limit working hours December-March, holidays, events
- k. Pay attention to what is going on—weather
- l. Typical busy day—trucks up Lowell
- m. Keep it all on Lowell, 5' flex space uphill side—6" asphalt 18" base
- n. Keep flex space clear as necessary—snow, lackadaisical parking
- o. Ongoing collaboration with the City and Ski Resort
- p. Communication with neighbors
- q. Keep streets clean
- r. Comments on building Woodruff

## **Phasing, Staging, Construction – Prepared in response to Commission, Staff, Public Comments, and to comply with MPD requirements.**

### **Goals (cont.):**

#### **5) Hole excavation by Robinson Construction**

- b. Excavate hole in standard fashion—like downtown
- c. Ramps and bucket brigade to pickup area
- d. Cliffscapes—construct, stain and revegetate on the way down per guidelines
- e. Dust control, irrigation
- f. Construct safety fence on top



## **Phasing, Staging, Construction – Prepared in response to Commission, Staff, Public Comments, and to comply with MPD requirements.**

### **Goals (cont.):**

#### **6) Placement of material by Robinson Construction (exhibit 4 & 5)**

- a. Bottom up, reclaim as you go
- b. Temporary safety fencing
- c. Mulch trees, stockpile top soil/organics
- d. Haul road up King's Crown
- e. Distribution roads—40' cross cuts, steep cuts, to be reclaimed
- f. Bench placement zone
- g. Haul and work material to desired to locations
- h. Dust control, stand tanks, irrigation
- i. Place and compact material according direction of soils engineer
- j. Replace top soil / organics, track & seed
- k. Implement SWPPP and DEQ protocols

(Cont.)

l. Shut down during ski season

m. Equipment—excavators, dozers, sheep foot, articulating trucks

n. Estimated time frame

## **Phasing, Staging, Construction – Prepared in response to Commission, Staff, Public Comments, and to comply with MPD requirements.**

### **Goals (cont.):**

#### **7) Blasting by Robinson Construction**

- a. According to regulations (which are strict and highly regulated)
- b. Safe
- c. Quiet
- b. Minimal dust
- c. Less time

**Phasing, Staging, Construction – Prepared in response to Commission, Staff, Public Comments, and to comply with MPD requirements.**

**Goals (cont.):**






**8) Geotech by AGEC**

- a. Recent studies
- b. Slope suitability
- c. Slope stability
- d. Appropriate monitoring and testing



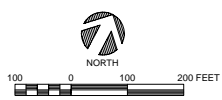
# TREASURE HILL STAGING / CONSTRUCTION

OCTOBER 11 2017 EXHIBIT 1

	CONTAINED AREA
	PHASE 1
	PHASE 2
	PHASE 3
	PHASE 4

GENERAL NOTES:

- 1) Ski trails will be field graded according to directives of Park City Mountain and revegetated with top soil and grasses. Island mounds, planted with fir and aspens (in addition to top soil and grasses) may serve to visually break up wide areas of the trail and accommodate additional fill.
- 2) Existing hiking/biking trails will be rerouted where necessary to result in trails of similar character; actual location to be determined pending final grading of the ski runs and cliffscapes.



UPDATES:  
#1 08/07/2017

DAVID G. ELDREDGE, ARCHITECT  
SALT LAKE CITY, UTAH 84103  
PHONE: 801-560-3783  
EMAIL: david@eldredge.com

Applicant: MPE Inc.  
P.O. Box 2429  
Park City, Utah 84080  
(435) 901-2077  
email: psbro23@mac.com

V17.2 - 2017 Refinements #2 to 2009 Submittal  
Grading Plan

TREASURE - PARK CITY, UTAH

SHEET NO.


GP.1

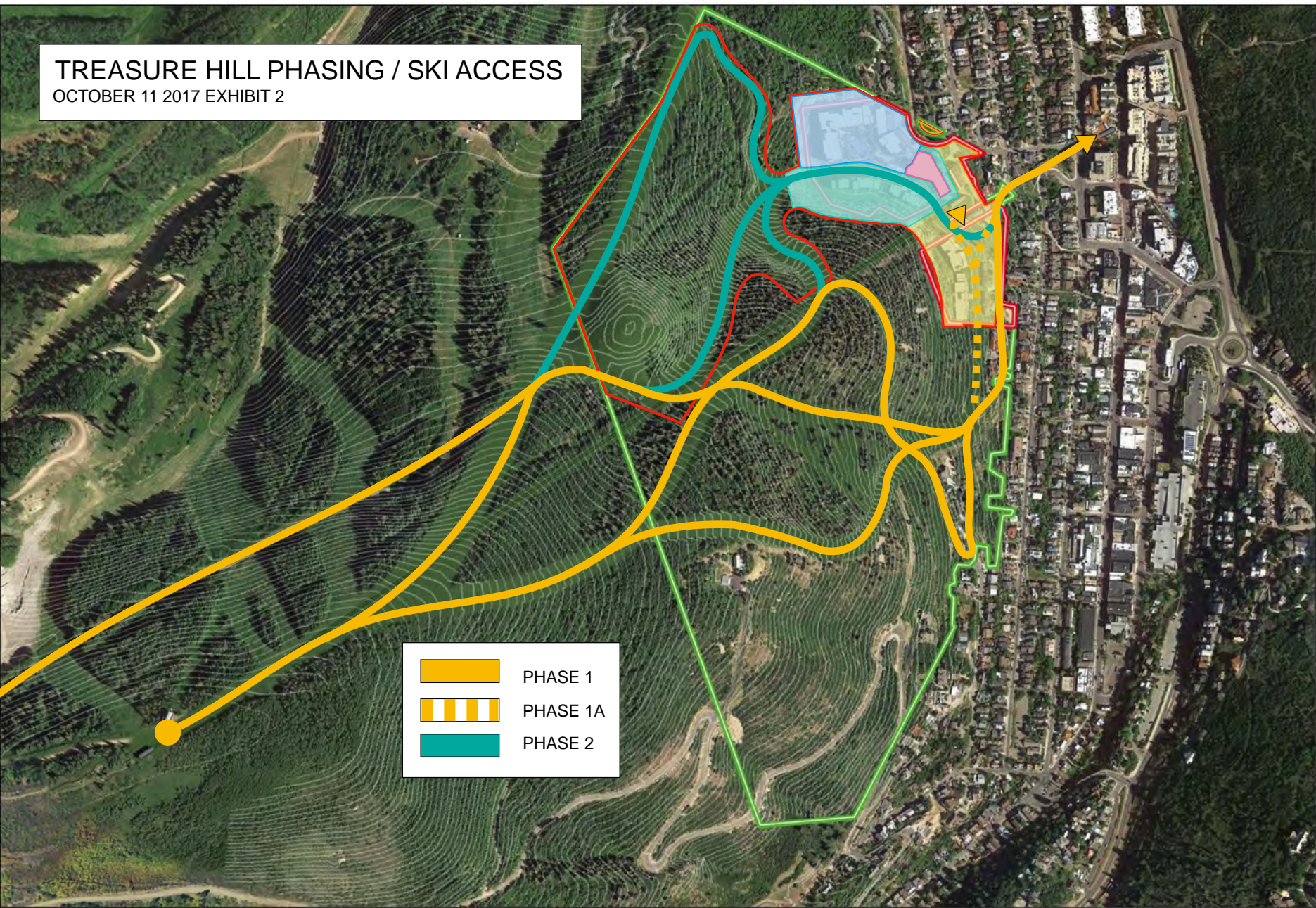
DATE: 07/20/2017



# TREASURE HILL PHASING / SKI ACCESS

OCTOBER 11 2017 EXHIBIT 2

	PHASE 1
	PHASE 1A
	PHASE 2



REVISIONS:  
12/8/2008  
1/29/2009

SDI  
614 Main Street, Suite 404  
P.O. Box 4560, Park City, Utah 84060  
435-640-4498



MPE  
INCORPORATED

The Big Picture  
Developed by  
MPE, INC., PO Box 2429, Park City, UT 84060  
eMail: info@treasureparticity.com




treasure  
PARK CITY, UTAH

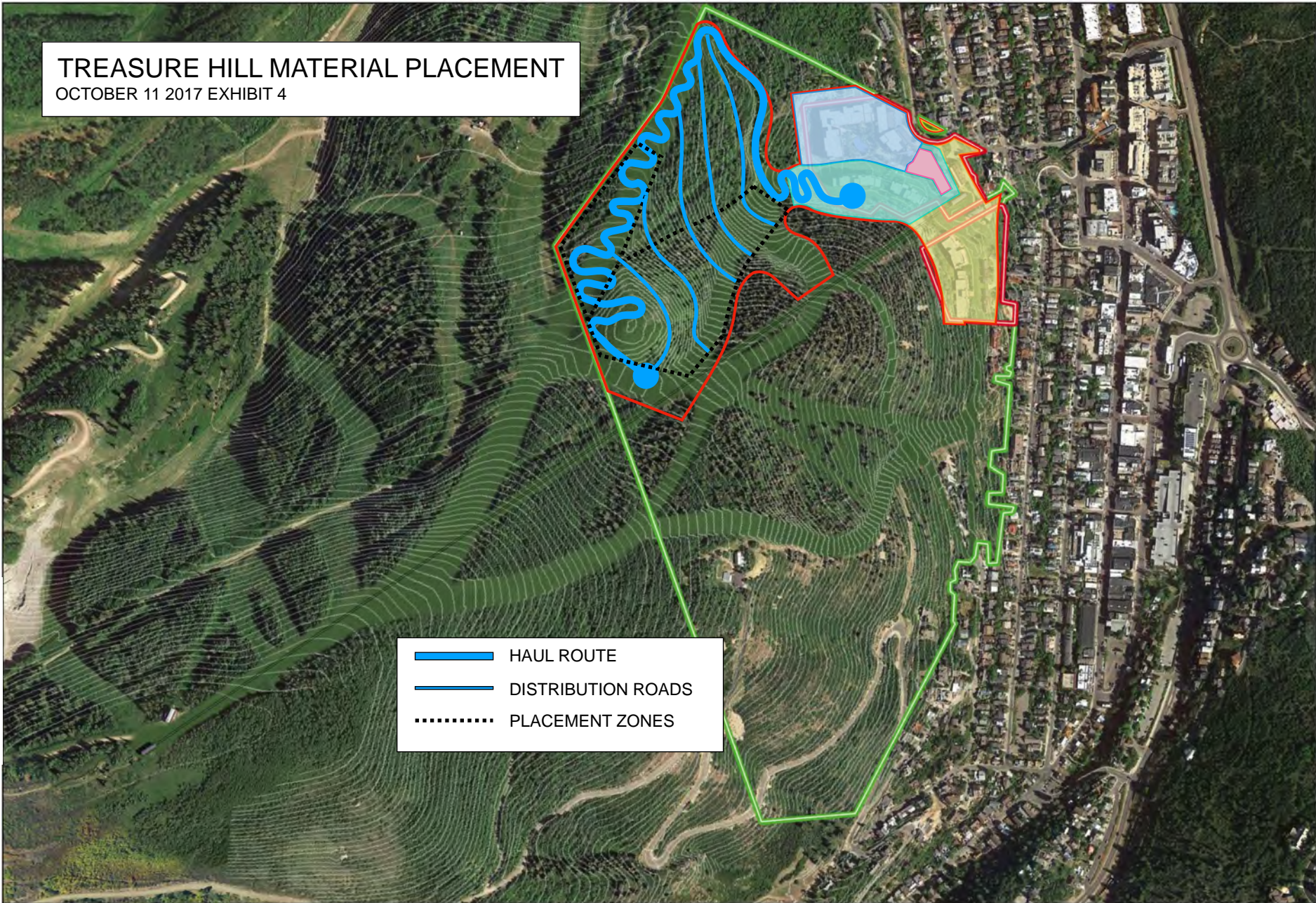
SHEET NUMBER  
**BP-01**  
6/12/2008



# TREASURE HILL MATERIAL PLACEMENT


OCTOBER 11 2017 EXHIBIT 4

-  HAUL ROUTE
-  DISTRIBUTION ROADS
-  PLACEMENT ZONES



REVISIONS:  
12/8/2008  
1/29/2009


SDI  
614 Main Street, Suite 404  
P.O. Box 4560, Park City, Utah 84060  
435-640-4498



NORTH

MPE  
INCORPORATED

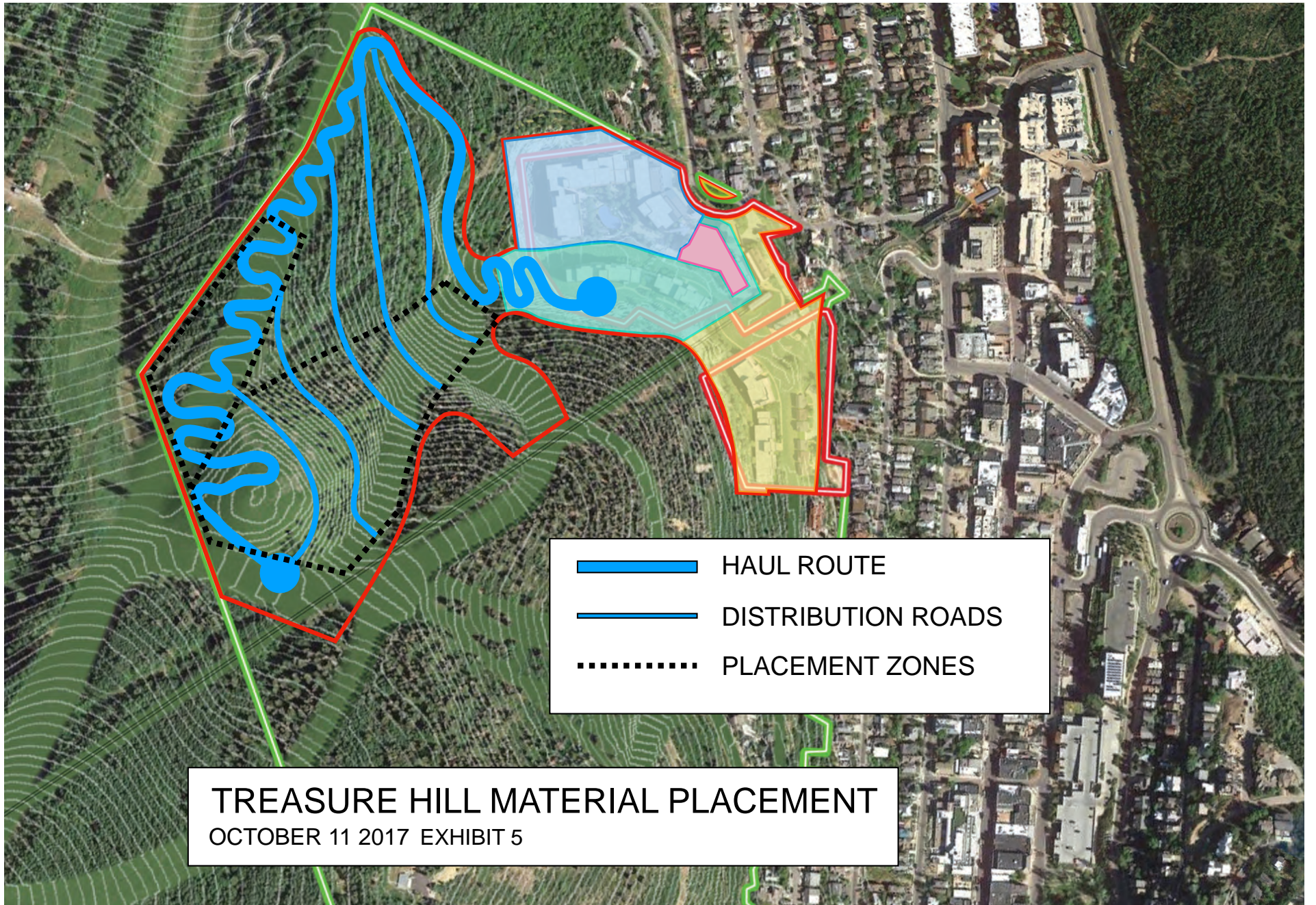
The Big Picture  
Developed by  
MPE, INC., PO Box 2429, Park City, UT 84060  
eMail: info@treasureparkcity.com



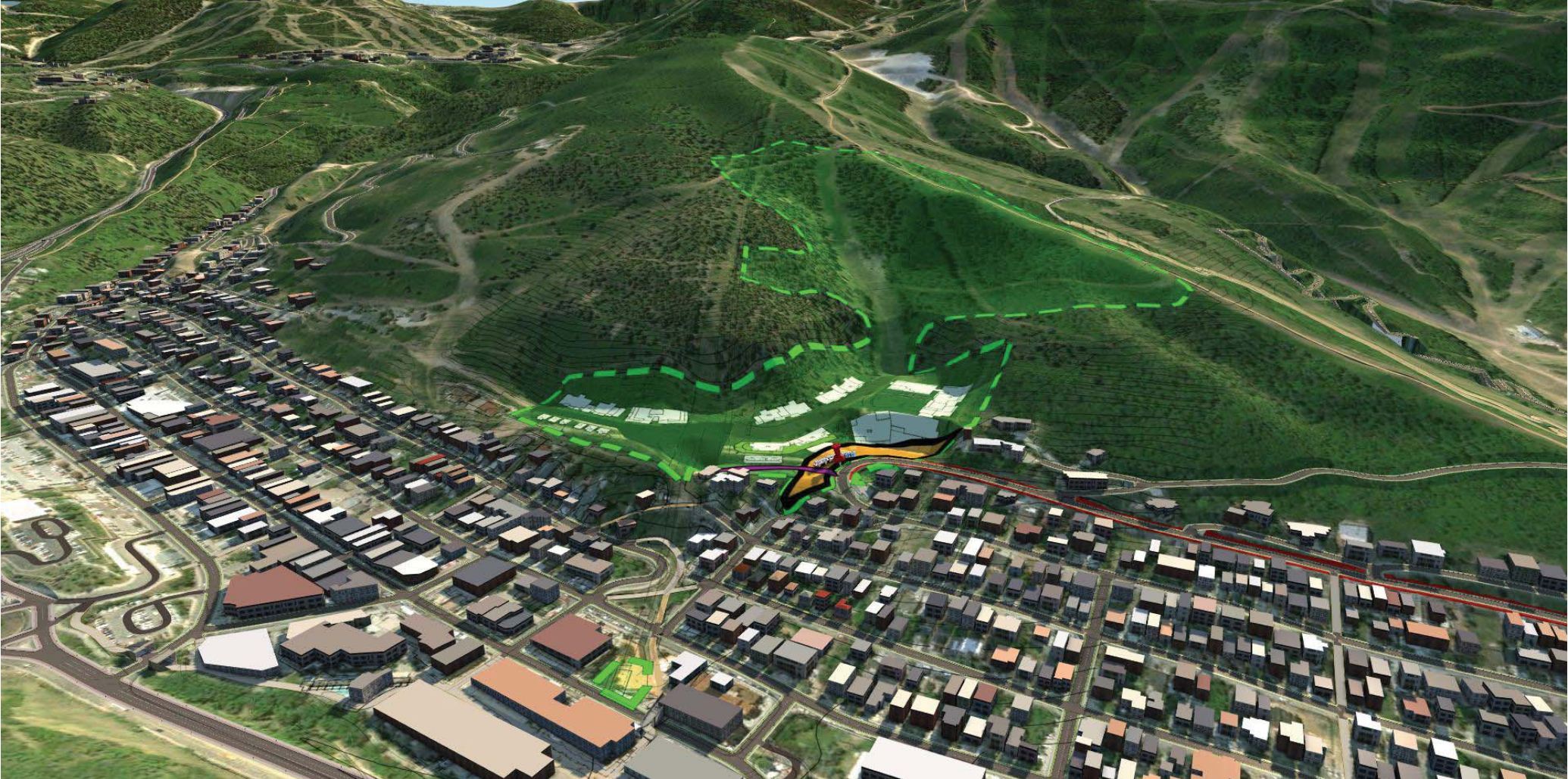
treasure  
PARK CITY, UTAH

SHEET NUMBER  
**BP-01**  
6/12/2008









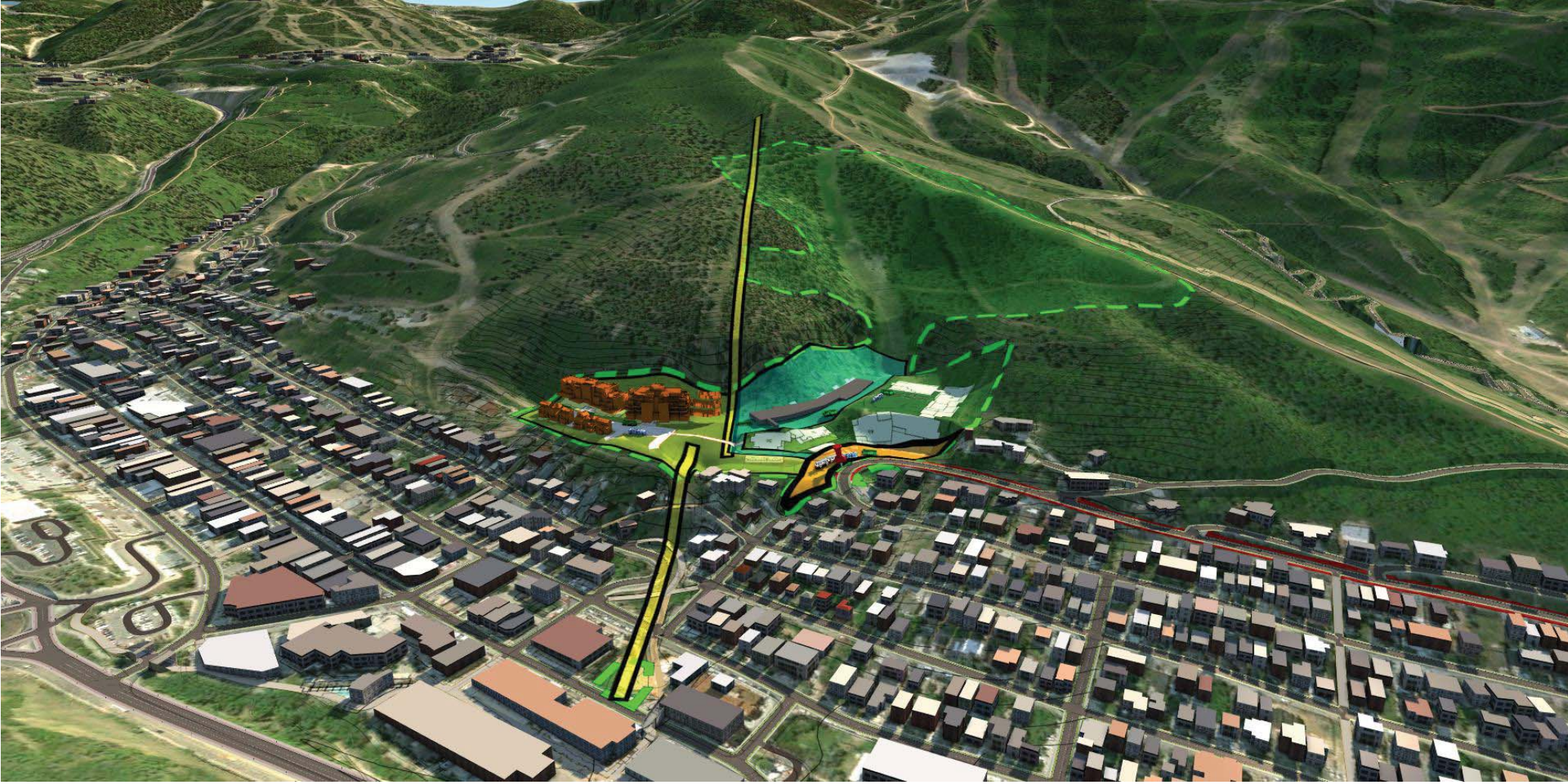




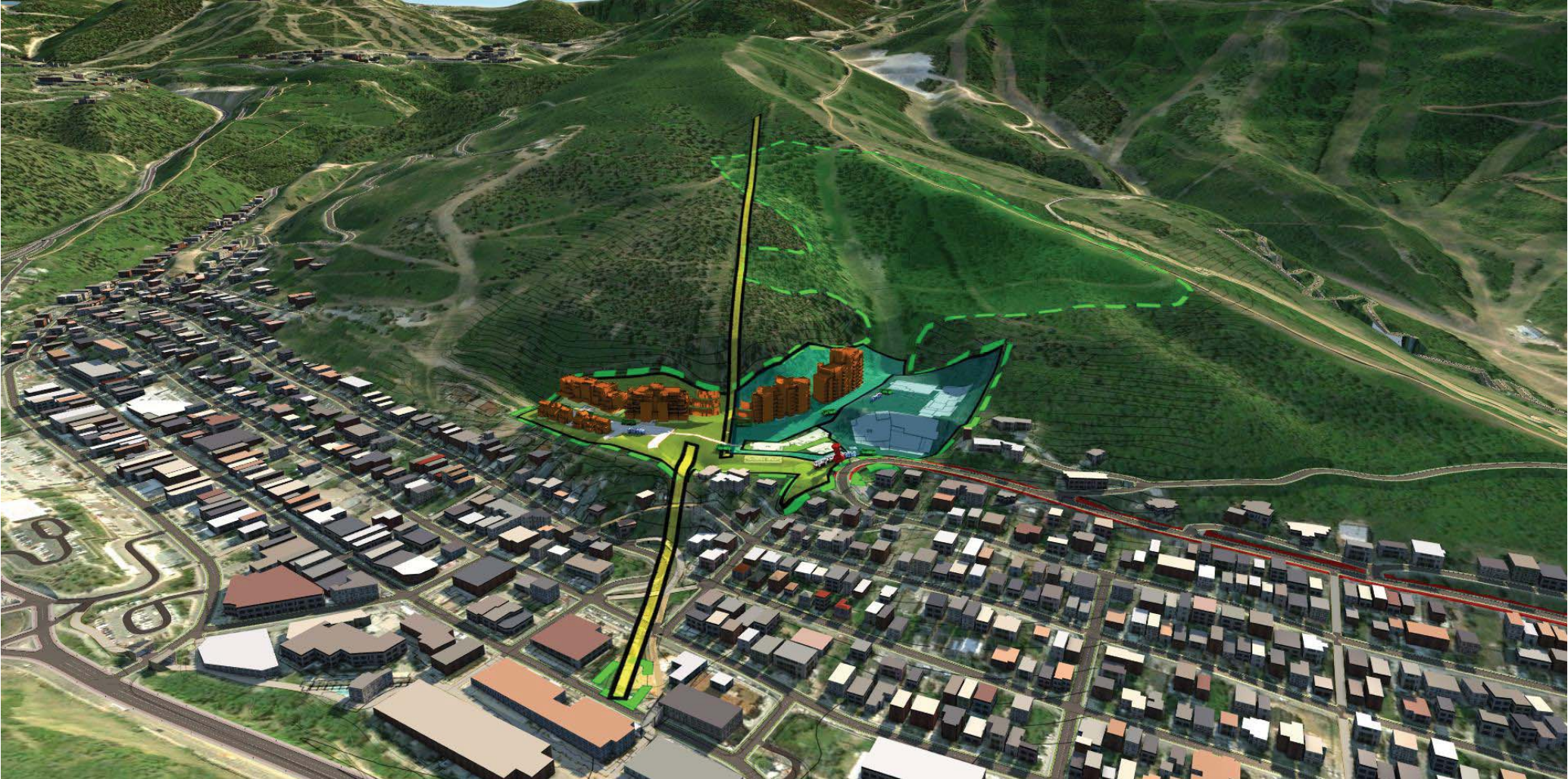




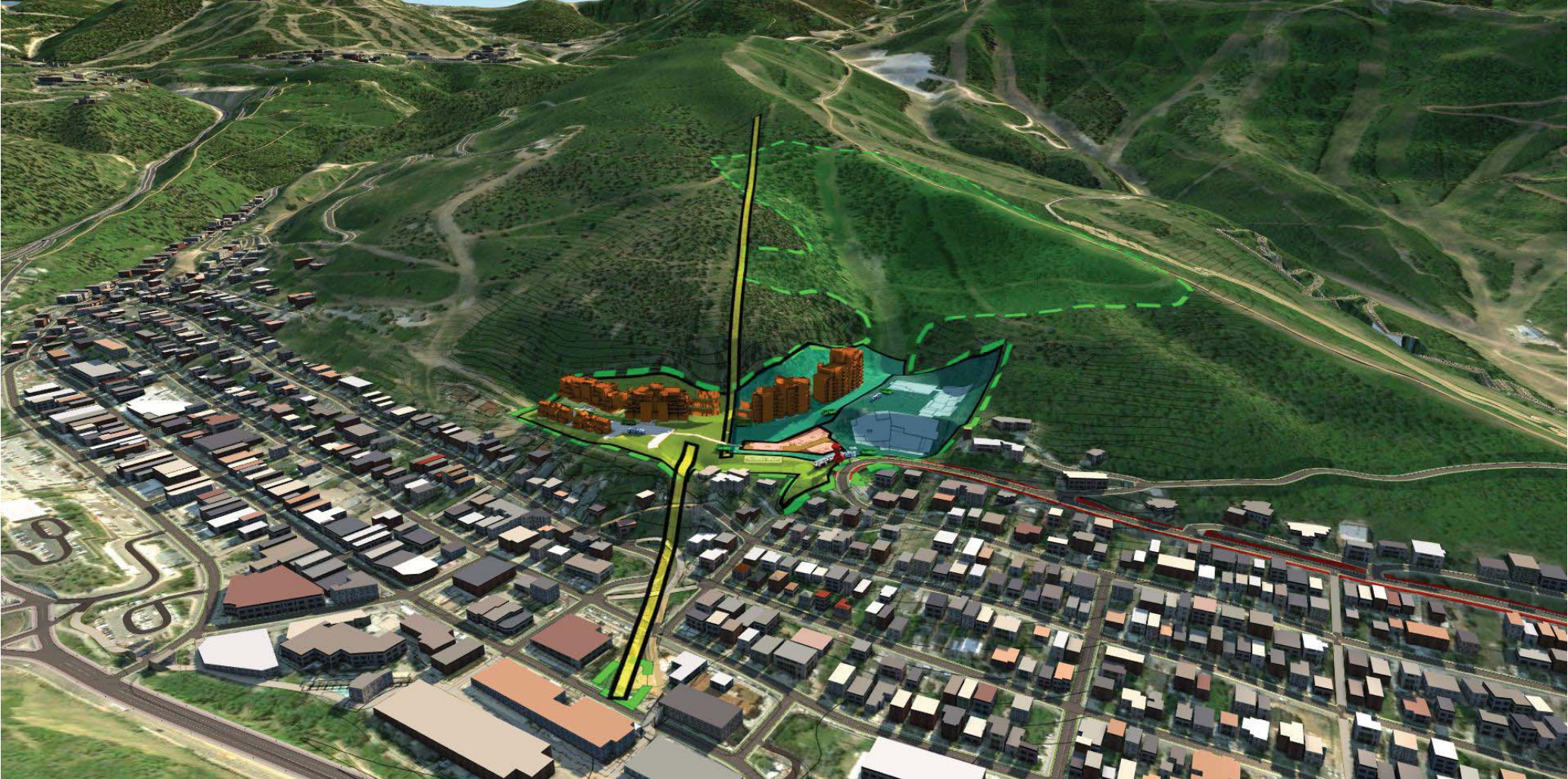




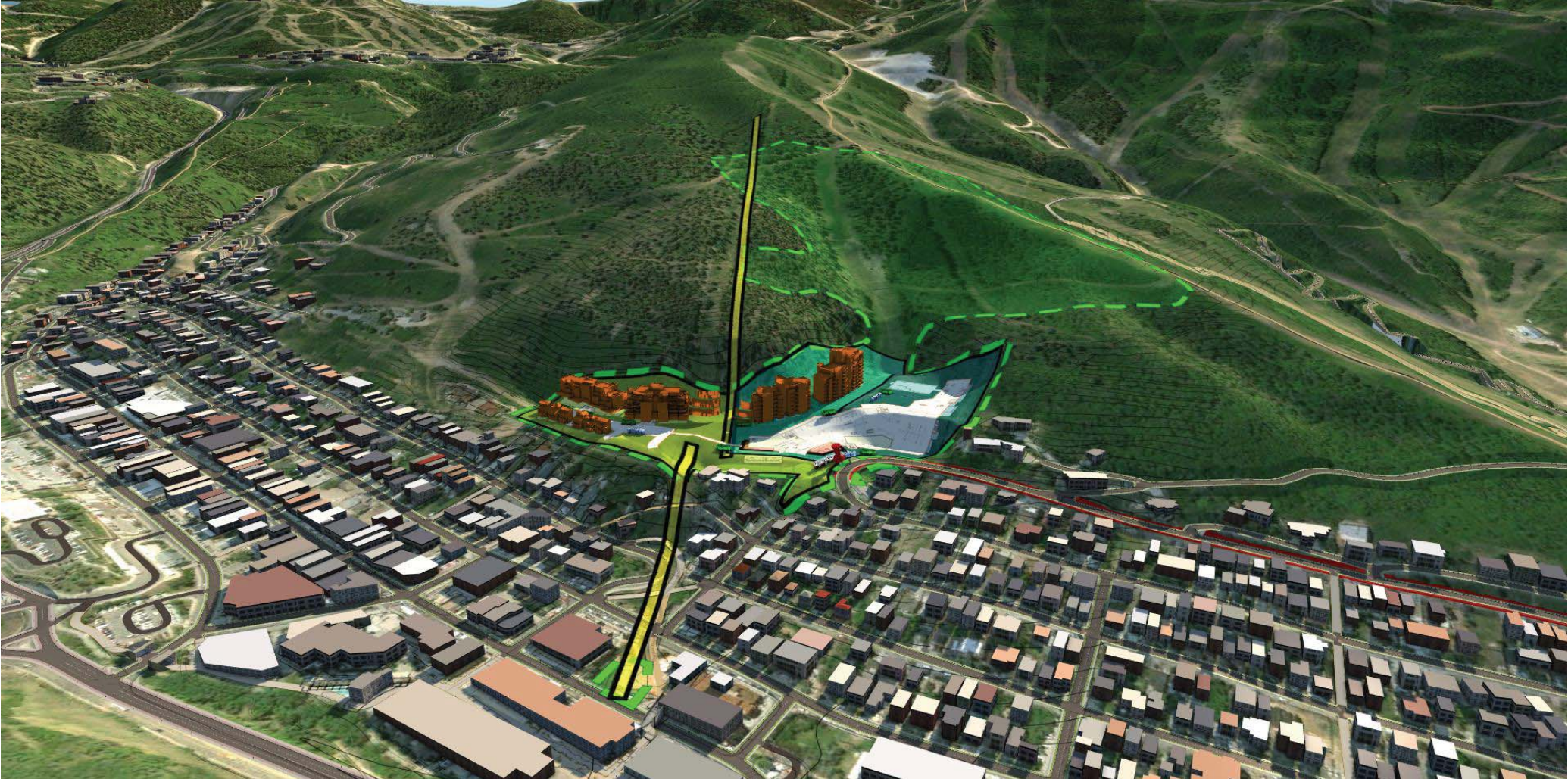




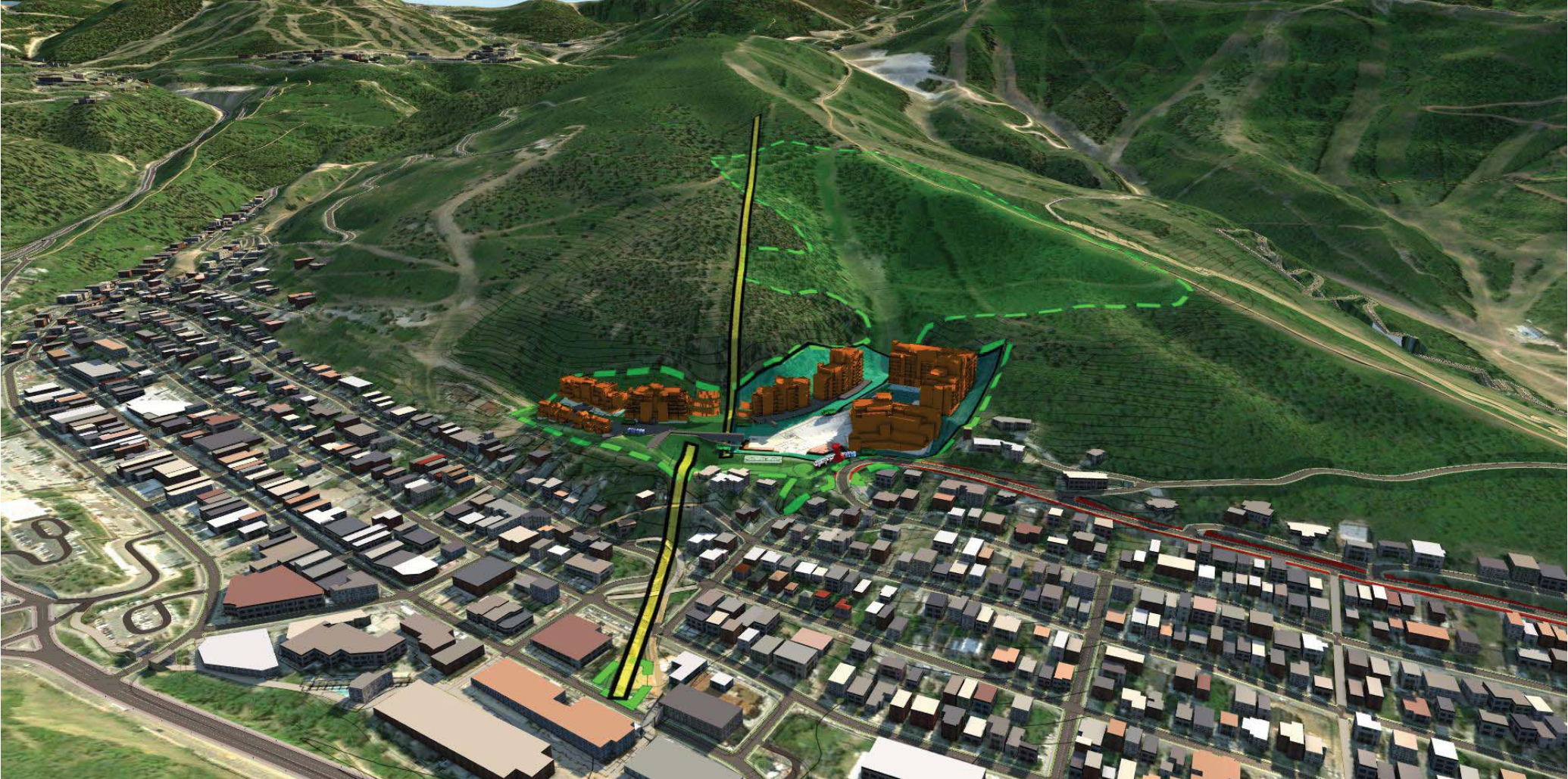




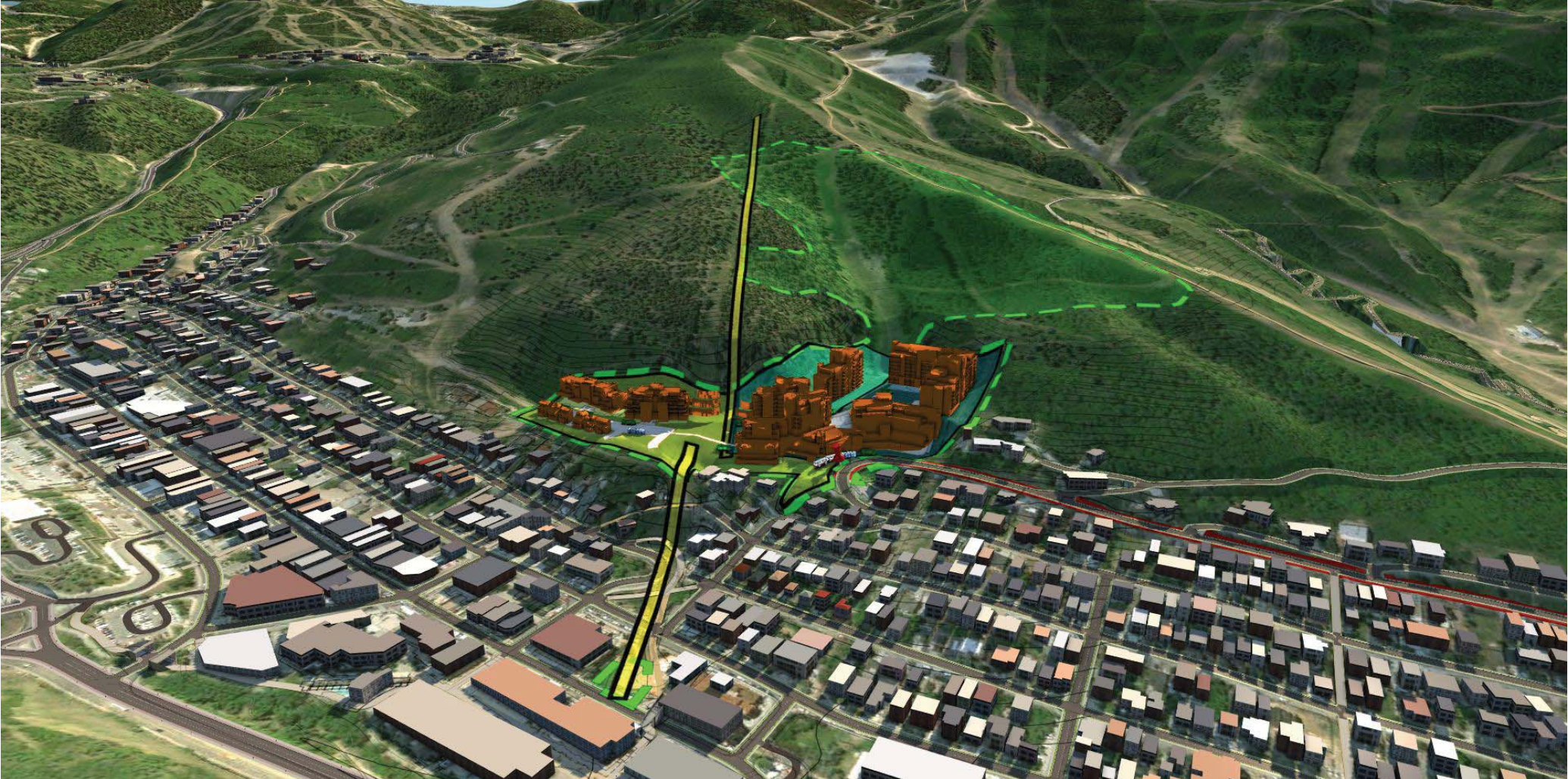




























PLANNING DEPARTMENT

# Planning Commission Staff Report

**Subject:** 368 Main Street Plat Amendment  
**Author:** Anya Grahn, Historic Preservation Planner  
**Project Number:** PL-17-03665  
**Date:** October 11, 2017  
**Type of Item:** Legislative – Plat Amendment

### Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the 368 Main Street Plat Amendment located at the same address and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

### Description

**Applicant:** 368 Main Street Plat Amendment  
**Location:** 368 Main Street  
**Zoning:** Historic Commercial Business District (HCB)  
**Adjacent Land Uses:** Commercial  
**Reason for Review:** Plat Amendments require Planning Commission review and City Council review and action.

### Proposal

The proposed plat amendment seeks to combine two (2) existing parcels into one (1) lot of record. The legal description of the two (2) parcels is:

#### Parcel 1:

*BEG AT A PT ON THE E'LY R/W LN OF MAINST SD PT BEING S 23°38'00" E 0.46 FT FR THE NW COR OF LOT 13 BLK 22 PARK CITYSURVEY; & RUN TH N 23°38'00" W 60.39 FT ALG THE E'LY R/W LN OF MAIN ST; TH N 66° 35'02" E ALG THE OUTSIDE FACE OF AN EXIST BLDG & SD BLDG FACE PROJECTED 77.91 FT; TH S 23°29'48" E 9.98 FT; TH N 66°32'39" E 47.06 FT ALG THE N'LY LN OF LOT 16 BLK 69; TH S 23°31'00" E 49.90 FT ALG THE E'LY LN OF LOTS 16 & 15 BLK 69; TH S 66°29'56" W 49.85 FT ALG THE S'LY LN OF LOT 15 BLK 69; TH S 66°34'45" W 11.95 FT ALG THE S'LY LN OF LOT 14 BLK 22; TH S 23°24'33" E 0.48 FT; TH S 66°35'27" W ALG THE OUTSIDE FACE OF AN EXIST BLDG & SD BLDG FACE EXTENDED 63.05 FT TO PT OF BEG CONT.*

#### Parcel 2:

*BEG AT A PT N 23°38'00" W 10.00 FT FR THE NW COR OF LOT 16, BLK 22, PC SURVEY; & RUN TH N 66°40'00" E 77.97 FT; TH S 23°29'48" E 24.98 FT; TH S 66°35'02" W 5.00 FT TO THE SE COR OF A BRICK BLDG; TH ALG THE OUTSIDE BRICK FACE OF SD BLDGS 66°35'02" W 69.18 FT TO THE SW COR OF SD BLDG*

*TH S 66}35'02" W 3.73 FT TO THE E'LY R-O-W LINE OF MAIN STREET; TH ALGTHE E'LY R-O-W WAY LINE N 23}38'00" W 25.10 FT TO THE PT OF BEG. CONT.*

The historic building is designated as “Landmark” on the City’s Historic Sites Inventory (HSI).

**Background**

The Great Fire of 1898 destroyed the Grand Opera House that previously occupied this site. Following the Great Fire, Julius Frankel purchased this site in March 1901 with the intent to construct a new store building. The Frankel Building was constructed in 4 months out of brick. The store was open by Christmas 1901 and remained in business until 1950. During the 1960s, the building was home to the Silver Palace Saloon and by 1971 it had become the Blackout Saloon, then a variety store and steakhouse. In 1995, it was the Barking Frog restaurant and it is currently occupied by Chimayo restaurant.

In 1979, the site was listed on the National Register of Historic Places as part of the Park City Main Street Historic District.

In October 1988, the Historic District Commission completed a design review application that sought to construct a new two-story wood addition to the Barking Frog Restaurant and redesign a private plaza for outdoor dining. Staff believes this addition was constructed on the southeast corner of the historic building, behind 364 Main Street.

In May 1996, the Park City Council approved the 368 Main Street Resubdivision through [Ordinance 96-19](#) (page 152) to remove common lot lines and permit an addition to the restaurant. This plat was never recorded and the applicant returned in October 1996 to subdivide the property into two lots of record to allow for the construction of a new building to the south of the Frankel Building. The Park City Council approved the 368 Main Street Subdivision as [Ordinance No.97-4](#) (page 353) and it, too, was never recorded.

Since then, the applicant has received approval to install nine decorative star lights in 1998 and a menu sign in 2012. They also received \$13,275 in Historic District Grant funds to restore the masonry on the building in 2007.

On March 23, 2016, the Design Review Team (DRT) met with the applicant to discuss options for constructing a rooftop addition to the historic building. At this time, staff informed the applicant that a plat amendment would be needed to clean up the existing interior lot lines. The applicant submitted a plat amendment application to the Park City Planning Department on September 12, 2017; it was deemed complete on September 13, 2017. No HDDR application has yet been submitted for any remodel or construction of an addition on this site.

**Purpose**

The purpose of the Historic Commercial Business (HCB) District is to:

- A. preserve the cultural heritage of the City’s original Business, governmental and residential center,
- B. allow the Use of land for retail, commercial, residential, recreational, and institutional purposes to enhance and foster the economic and cultural vitality of the City,
- C. facilitate the continuation of the visual character, scale, and Streetscape of the original Park City Historical District,
- D. encourage the preservation of Historic Structures within the district,
- E. encourage pedestrian-oriented, pedestrian-scale Development,
- F. minimize the impacts of new Development on parking constraints of Old Town,
- G. minimize the impacts of commercial Uses and business activities including parking, Access, deliveries, service, mechanical equipment, and traffic, on surrounding residential neighborhoods,
- H. minimize visual impacts of automobiles and parking on Historic Buildings and Streetscapes, and
- I. support Development on Swede Alley which maintains existing parking and service/delivery operations while providing Areas for public plazas and spaces.
- J. maintain and enhance the long term viability of the downtown core as a destination for residents and tourists by ensuring a Business mix that encourages a high level of vitality, public Access, vibrancy, activity, and public/resort-related attractions.

**Analysis**

The purpose of this application is to combine the two (2) existing parcels in order to create one lot of record. Within these parcels, there are remnant lot lines of Lots 15, 16 of Block 22 and Lot 17 of Block 69, Park City Survey, as well as Lot B. The applicant proposes to maintain the existing historic building and is looking at opportunities to expand the structure through an addition.

The existing building is a valid complying structure and it is located in the HCB zone. There are no existing non-complying circumstances, except that the building was constructed over the interior lot lines. The following are the lot and site requirements of LMC for the HCB.

	<b>LMC Requirements for HR-1 District:</b>	<b>Existing Conditions:</b>
Minimum Lot Size	1,250 sf	2,278 sf.
Floor Area Ratio (FAR)	4.0 FAR max.	1.85 FAR
Setbacks		
Front Yard	0 ft.	4 ft.
Rear Yard	0 ft.	6 ft.*
Side Yard	0 ft.	0 ft.,
Building Height above Existing Grade	30 ft. at the front property line, proceeding at a 45 degree angle toward	23 ft. at the highest point above natural grade; <i>complies.</i>

	the rear of the property until it reaches 45 ft. above Natural Grade	
--	--	--

*\*Please note that the historic building encroaches over interior lot lines, but does not encroach onto neighboring parcels.*

There are no existing encroachments on site.

**Good Cause**

Staff finds good cause for this Plat Amendment as this plat will resolve the existing building spanning over multiple interior lot lines.

**Process**

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

**Department Review**

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

**Notice**

On September 27, 2017, 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 23, 2017, according to requirements of the Land Management Code.

**Public Input**

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

**Alternatives**

- The Planning Commission may forward a positive recommendation to the City Council for the 368 Main Street Plat Amendment located at the same address as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 368 Main Street Plat Amendment located at the same address and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 368 Main Street Plat Amendment and request additional information or analysis in order to make a recommendation.

**Significant Impacts**

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

### **Consequences of not taking recommended action**

Consequences of not taking the Planning Department's recommendation are that the site would continue to be two parcels containing full and partial lots. The historic building and its addition would straddle interior lot lines and any additions to the building would be required to meet setbacks based on the interior lot lines.

### **Summary Recommendation**

Staff recommends the Planning Commission hold a public hearing for the 368 Main Street Plat Amendment located at the same address and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

### **Exhibits**

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)

Exhibit B – Survey of Existing Conditions

Exhibit C – Aerial Photographs with 500' Radius & Site Photographs



**Ordinance No. 17-XX**

AN ORDINANCE APPROVING THE 368 MAIN STREET PLAT AMENDMENT LOCATED AT 368 MAIN STREET, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 368 Main Street has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on September 27, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on September 23, 2017, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on October 11, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on October 11, 2017, forwarded a \_\_\_\_\_ recommendation to the City Council; and,

WHEREAS, on November 9, 2017, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 368 Main Street Plat Amendment located at the same address.

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

**SECTION 1. APPROVAL.** The 368 Main Street Plat Amendment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 368 Main Street.
2. The historic Frankel Building was constructed in 1901. It was listed on the National Register of Historic Places in 1979 and was designated "Landmark" on the City's Historic Sites Inventory in 2009.
3. In May 1996, the Park City Council approved the 368 Main Street Re-subdivision through Ordinance 96-19; it was never recorded.
4. In October 1996, the Park City Council approved the 368 Main Street Subdivision as Ordinance 97-4; it was never recorded.

5. The property consists of two parcels, according to the Summit County Recorder's Office that includes, but is not limited to Lots 15, 16, and 17, Block 22 of the Park City Survey.
6. The property is in the Historic Commercial Business (HCB) District.
7. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Landmark.
8. The Plat Amendment removes four (4) interior lot lines and creates one lot of record.
9. The proposed lot size will be 2,278 square feet.
10. In the HCB District, the minimum Lot Area is 1,250 square feet. The minimum Lot Width is twenty-five feet (25') and Minimum Lot Depth is fifty feet (50'). The proposed lot is 25.22 feet along the west edge along Main Street and the lot is 77.97 feet deep.
11. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
12. There are no minimum front, rear, and side yard setbacks in the HCB District. The existing historic building has a 4 foot front yard setback, 6 feet in the rear, and 0 feet on the sides. The existing building straddles various interior lot lines.
13. There are no existing encroachments onto adjacent property or the City rights-of-way.
14. No public snow storage easements are required due to the allowed zero setbacks in this District.
15. The Park City Planning Department received the plat amendment application on July 26, 2017; the application was deemed complete on August 14, 2017.
16. 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 and applicable State law regarding lot combinations.
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 Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

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

PASSED AND ADOPTED this 9th day of November, 2017.

PARK CITY MUNICIPAL CORPORATION

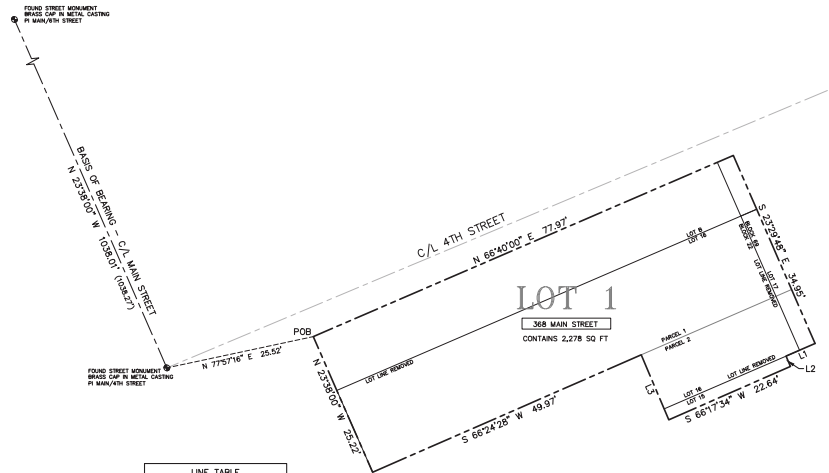
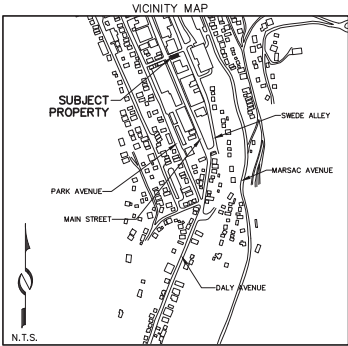
\_\_\_\_\_  
Jack Thomas, MAYOR

ATTEST:

\_\_\_\_\_  
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Mark Harrington, City Attorney



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 66°32'48" W	5.39'
L2	S 22°57'50" E	1.92'
L3	N 22°57'50" W	12.03'

A LOT COMBINATION PLAT  
BLOCKS 22 & 69, PARK CITY SURVEY

# 368 MAIN STREET PLAT AMENDMENT

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



**SURVEYOR'S CERTIFICATE**

I, Charles Galati, certify that I am a Registered Land Surveyor and that I hold Certificate No. 7248991 as prescribed by the laws of the State of Utah, and that by authority of the owners, 368 MAIN STREET PLAT AMENDMENT has been prepared under my direction and that the same has been monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

**LEGAL DESCRIPTION**

**PARCEL 1:**  
Beginning at a point North 33°38'00" West 10.00 feet from the Northwest corner of Lot 16, Block 22, Park City Survey; and running thence North 66°40'00" East 77.97 feet; thence South 23°29'48" East 24.98 feet; thence South 66°35'02" West 5.00 feet to the Southeast corner of a brick building; thence along the outside brick face of said building South 66°35'02" West 69.18 feet to the Southwest corner of said building; thence South 66°35'02" West 3.73 feet to the Easterly right-of-way line of Main Street; thence along the Easterly right-of-way line North 23°38'00" West 25.10 feet to the point of beginning.

**PARCEL 2:**  
Beginning at a point on the Easterly right-of-way line of Main Street, said point being South 23°38'00" East 0.46 feet from the Northwest corner of Lot 13, Block 22, Park City Survey; and running thence North 23°38'00" West 60.39 feet along the Easterly right-of-way line of Main Street; thence North 66°32'02" East along the outside face of an existing building and said building face projected 77.91 feet; thence South 23°29'48" East 9.98 feet; thence North 66°32'39" East 47.06 feet along the Northerly line of Lot 16, Block 69; thence South 23°31'00" East 46.90 feet along the Easterly line of Lot 16 and 15, Block 69; thence South 66°29'56" West 49.85 feet along the Southerly line of Lot 15, Block 69; thence South 66°34'45" West 11.95 feet along the Southerly line of Lot 14, Block 22; thence South 23°24'33" East 0.48 feet; thence South 66°30'27" West along the outside face of an existing building and said building face extended 63.05 feet to the point of beginning.

**LESS AND EXCEPTING FROM PARCEL 2 THE FOLLOWING DESCRIBED THREE PARCELS:**  
Beginning at a point North 23°38'00" West 9.79 feet from the Northwest corner of Lot 15, Block 22, Park City Survey; and running thence North 66°24'28" East a distance of 49.97 feet; thence South 22°57'50" East a distance of 12.03 feet; thence North 66°17'34" East a distance of 22.64 feet; thence North 22°57'50" West a distance of 1.92 feet; thence North 66°32'48" East a distance of 52.45 feet; thence South 23°31'00" East a distance of 25.03 feet; thence South 66°36'30" West, a distance of 124.80 feet; thence North 23°38'00" West, a distance of 34.80 feet to the true point of beginning.

**ALSO LESS AND EXCEPTING THE FOLLOWING:**  
Lot 15, Block 69, Park City Survey, according to the official plat thereof.

**ALSO LESS AND EXCEPTING THE FOLLOWING:**  
Beginning at the Northwest corner of Lot 14, Block 22, Park City Survey; and running thence along the North line of Lot 14 North 66°36'30" East 75.00 feet; thence East along the East line of Lot 14 South 23°38'04" East 24.97 feet; thence along the South line of Lot 14 South 66°34'45" West 11.95 feet; thence South 23°24'33" East 0.48 feet; thence along the outside face of an existing building and said building extended South 66°30'27" West 63.05 feet; thence along the West line of Lots 13 and 14, Block 22, North 23°38'00" West 25.47 feet to the point of beginning.

**OWNER'S DEDICATION AND CONSENT TO RECORD**

KNOW ALL MEN BY THESE PRESENTS that 368 MAIN STREET, L.C., a Utah limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as 368 MAIN STREET PLAT AMENDMENT, does hereby certify that it has caused this subdivision plat to be prepared, and does hereby consent to the recordation of

In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

William White, Manager  
368 MAIN STREET, L.C., a Utah limited liability company

**ACKNOWLEDGMENT**

State of Utah: ss:  
County of Summit:

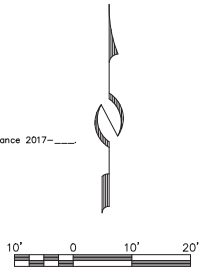
On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, William White personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the manager of 368 MAIN STREET, L.C., a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its operating agreement and he acknowledged to me that he executed the 368 MAIN STREET PLAT AMENDMENT.

By: \_\_\_\_\_  
Notary Public

Printed Name \_\_\_\_\_  
Residing in: \_\_\_\_\_  
My commission expires: \_\_\_\_\_  
Commission No. \_\_\_\_\_

**NOTES**

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2017-\_\_\_\_\_  
2. See recorded survey S-\_\_\_\_\_.  
SHEET 1 OF 1



 (435) 649-9487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street, P.O. Box 2664 Park City, Utah 84060-2664	<b>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</b> REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018 BY _____ S.B.W.R.D.	<b>PLANNING COMMISSION</b> APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2017 BY _____ CHAIR	<b>ENGINEER'S CERTIFICATE</b> I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ENGINEER	<b>APPROVAL AS TO FORM</b> APPROVED AS TO FORM THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ATTORNEY	<b>COUNCIL APPROVAL AND ACCEPTANCE</b> APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ MAYOR	<b>CERTIFICATE OF ATTEST</b> I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER	<b>RECORDED</b> STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____
	JOB NO.: B-4-17 FILE: X:\PCSDwg\env\plot2017\080417.dwg						

# 368 MAIN STREET

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST,  
SALT LAKE BASE AND MERIDIAN  
A PORTION OF LOTS 15, 16 & B, BLOCK 22 & LOT 17, BLOCK 69  
PARK CITY AMENDED SURVEY  
RECORD OF SURVEY-EXISTING CONDITIONS  
SUMMIT COUNTY, UTAH



### SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold Certificate No. 7248991, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the herein described property and that to the best of my knowledge this plot is a correct representation of said survey.

### LEGAL DESCRIPTION

#### PARCEL 1:

Beginning at a point North 23°38'00" West 10.00 feet from the Northwest corner of Lot 16, Block 22, Park City Survey, and running thence North 66°40'00" East 77.97 feet; thence South 23°29'45" East 24.98 feet; thence South 66°30'00" West 5.00 feet to the Southeast corner of a brick building; thence along the outside brick face of said building South 66°30'00" West 69.18 feet to the Southwest corner of said building; thence South 66°30'00" West 3.73 feet to the Eastern right-of-way line of Main Street; thence along the Eastern right-of-way line North 23°38'00" West 25.10 feet to the point of beginning.

#### PARCEL 2:

Beginning at a point on the Eastern right-of-way line of Main Street, said point being South 23°38'00" East 0.48 feet from the Northwest corner of Lot 15, Block 22, Park City Survey, and running thence North 23°38'00" West 60.38 feet along the Eastern right-of-way line of Main Street; thence North 66°30'00" East along the outside face of an existing building and said building face projected 77.50 feet; thence South 23°29'45" East 49.88 feet; thence North 66°32'30" East 47.08 feet along the Barbary line of Lot 16, Block 69, thence South 23°31'00" East 49.80 feet along the Eastern line of Lot 16 and 15, Block 69, thence South 66°38'00" West 48.89 feet along the Southern line of Lot 15, Block 69; thence South 66°34'45" West 11.95 feet along the Southern line of Lot 14, Block 22; thence South 23°24'23" East 0.48 feet; thence South 66°35'27" West along the outside face of an existing building and said building face extended 83.05 feet to the point of beginning.

#### LESS AND EXCEPTING FROM PARCEL 2 THE FOLLOWING DESCRIBED THREE PARCELS:

Beginning at a point North 23°28'00" West 8.79 feet from the Northwest corner of Lot 15, Block 22, Park City Survey, and running thence North 66°24'28" East a distance of 48.97 feet; thence South 23°37'50" East a distance of 12.03 feet; thence North 69°17'34" East a distance of 22.64 feet; thence North 23°37'50" West a distance of 1.82 feet; thence North 66°32'48" East a distance of 52.45 feet; thence South 23°31'00" East a distance of 25.03 feet; thence South 66°36'30" West, a distance of 124.90 feet; thence North 23°38'00" West, a distance of 34.80 feet to the true point of beginning.

#### ALSO LESS AND EXCEPTING THE FOLLOWING:

Lot 15, Block 69, Park City Survey, according to the official plat thereof.

#### ALSO LESS AND EXCEPTING THE FOLLOWING:

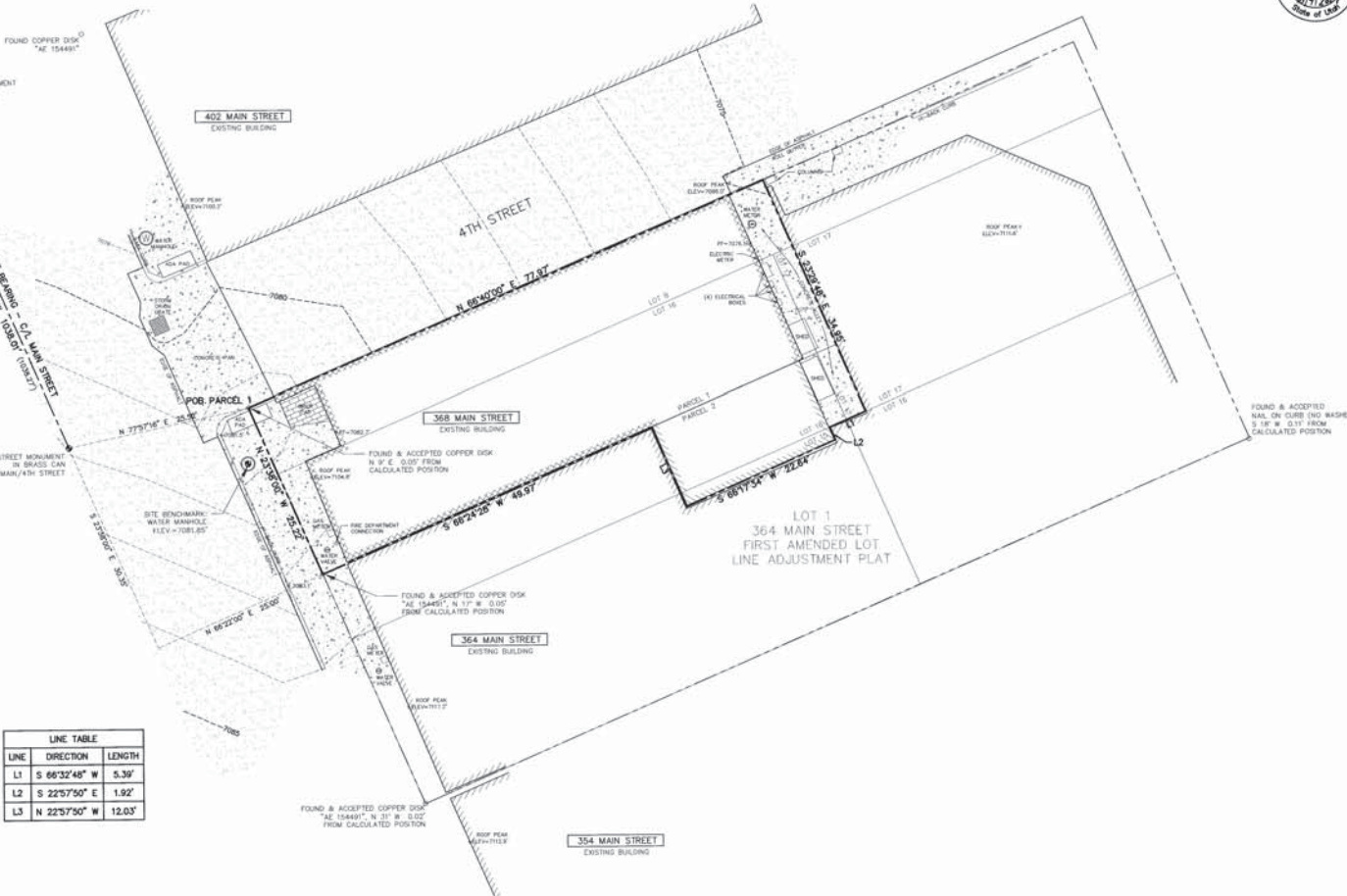
Beginning at the Northwest corner of Lot 14, Block 22, Park City Survey, and running thence along the North line of Lot 14 North 66°38'00" East 75.00 feet; thence East along the East line of Lot 14 South 23°38'04" East 24.97 feet; thence along the South line of Lot 14 South 66°34'45" West 11.95 feet; thence South 23°24'33" East 0.48 feet; thence along the outside face of an existing building and said building extended South 66°35'27" West 83.05 feet; thence along the West line of Lots 13 and 14, Block 22, North 23°38'00" West 25.47 feet to the point of beginning.

### NOTES

1. Basis of Bearing for this survey is between the found brass cap street monuments as shown on this plat.
2. Field work for this survey was performed August 17, 2017, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to locate and monument the boundary in addition to performing an Existing Conditions and Topography survey for the possibility of future improvements to the property.
4. A Title Report was provided to the surveyor and no easements were located as part of this survey.
5. Recorded deeds, 364 Main Street First Amended Lot Line Adjustment Plat, and physical evidence found in the field were all used to determine the boundary as shown on this plat.
6. Site Benchmark: Water Manhole Elevation=7081.85' as shown.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were found as shown.
9. Record distances, when different than measured, are shown in parenthesis ( ).
10. This survey is a revision to a survey signed and dated September 1, 2017, but not recorded. Additional field measurements were taken that verify the subject building does not encroach on the southeastern portion of the neighboring property.

### LEGEND

- Found Monument (As-Noted)
- Found Street Monument (As-Noted)



LINE	DIRECTION	LENGTH
L1	S 66°32'48" W	5.39'
L2	S 22°57'50" E	1.92'
L3	N 22°37'50" W	12.03'

<p>CONSULTING ENGINEERS AND PLANNERS SURVEYORS 223 Main Street, P.O. Box 2084, Park City, Utah 84302-2084</p>	(435) 648-9467 STAFF: CHARLES GALATI RYAN BETZ CHIP TOMSUDEN MARSHALL KING	EXISTING CONDITIONS & TOPOGRAPHIC MAP 368 MAIN STREET, PARK CITY	SHEET 1 OF 1
	DATE: 10/4/17	FOR: BILL WHITE JOB NO.: 8-4-17 FILE: X:\ParkCitySurvey\dwg\sr\ary2017\080417-Chlmaya\080417-R05.dwg	





368 Main Street – looking northeasterly





368 Main Street – looking easterly






368 Main Street – looking southwesterly



368 Main Street – looking southeasterly





 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</small>	<small>(435) 648-2467</small>	<small>STAFF: RYAN BEITZ MARSHALL KING</small>	<b>AERIAL PHOTOGRAPH</b> <b>368 MAIN STREET</b> <b>BLOCKS 22 &amp; 69, PARK CITY SURVEY</b>	<b>SHEET</b> <b>1</b> <b>OF</b> <b>1</b>
	<small>DATE: 9/11/17</small>	<small>FOR: BILL WHITE JOB NO.: 8-4-17 FILE: X:\ParkCitySurvey\dwg\Exhibits\368 Main-ortho.dwg</small>		



# Planning Commission Staff Report



**Application:** PL-17-03620  
**Subject:** Second Amendment to the Village at Empire Pass Phase One Subdivision  
**Author:** Kirsten Whetstone, MS, AICP, Senior Planner  
**Date:** October 11, 2017  
**Type of Item:** Legislative – Subdivision plat

## Summary Recommendations

Staff recommends Planning Commission conduct a public hearing and forward a positive recommendation to City Council regarding the Second Amendment to the Village at Empire Pass Phase One Subdivision pursuant to findings of fact, conclusions of law, and conditions of approval in the draft Ordinance.

## Description

**Applicant:** Doug Ogilvy for owner REDUS Park City LLC)  
**Applicant representative:** Marshall King with Alliance Engineering, Inc.  
**Location:** 7704 Village Way  
**Zoning:** Residential Development (RD-MPD) District, subject to the Flagstaff Annexation and Village at Empire Pass MPD  
**Adjacent Land Uses:** Deer Valley Resort, condominiums, townhouses, and other development parcels of the Village at Empire Pass Pod A MPD, and open space areas.

## Proposal

This is a request for approval of a Second Amended Village at Empire Pass Phase One Subdivision (Exhibit A) to combine Lots 1 and 2 into one lot of record (Exhibit B). The property is subject to the Village at Empire Pass Master Planned Development (VEP-MPD) approved on July 28, 2004. The platted lots have frontage on Village Way (a private street) and Marsac Avenue. No change in street configuration is proposed. There are existing recorded utility, snow storage, storm water, easements on the Village at Empire Pass Phase One Subdivision (Exhibit C) that will also be noted on the amended plat.

Based on a review of all units and UE platted and constructed to date, there remain sufficient units and UE for development of this property. However, density is subject to approval of an administrative Conditional Use Permit as well as review of remaining density of the Flagstaff Annexation Development Agreement at the time of the A-CUP. The MPD allows Townhouse or PUD style units (similar to the tri-plex Larkspur units located directly to the south on Village Way) on this site.

## Background

### Flagstaff Annexation

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the Flagstaff Mountain area. Resolution

20-99 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions, restrictions, obligations, and amenities for each parcel. The Flagstaff Development Agreement (Agreement) was amended and recorded in March 2007 (Exhibit D).

The 2007 Amended Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, townhouse or PUD units, provided the number of PUD units does not exceed 60. The Mountain Village is allowed 16 single family home sites. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A). The development pods are to be linked by transit. A fourth pod, pod D is allowed 30 single family lots (this area was platted with the Red Cloud Subdivision for 30 single family home sites). Subject property is located within Pod A.

The Agreement required the applicant to submit 14 specific technical reports for review and approval by the City. The 14 studies, along with the Land Management Code and the amended Development Agreement form the standards under which the subject subdivision plat and subsequent Administrative Conditional Use Permits are reviewed. See Exhibit E –technical reports.

#### Village at Empire Pass Master Planned Development

On July 28, 2004, the Planning Commission approved a Master Planned Development (MPD) for the Village at Empire Pass (Pod A); known as the Village at Empire Pass Master Planned Development (VEP MPD), see Exhibit F. The VEP MPD was the first step in the development process for Pod A. A separate MPD for Pod B1 was approved in May 2002 and amended in 2008. Additionally, on March 14, 2007, the Planning Commission approved an MPD for Pod B2 at Empire Pass (location of the Montage and Empire Canyon Day Lodge).

The purpose of the VEP MPD was to establish unit mix and density for the Mountain Village (Exhibit G), as well as addressing overall project infrastructure throughout the Annexation Area. The MPD established building volumetric diagrams, including specific height exceptions, density, and development location. Prior to building permit issuance for construction of townhouses or PUD style units, the applicant must receive approval of a site-specific Administrative Conditional Use Permit.

#### Subdivision Approvals

Village at Empire Pass Phase One Subdivision plat was approved by Council on September 30, 2004, platting the east side lots of the Village at Empire Pass Master Planned Development. An amended Village at Empire Pass Phase I Subdivision plat, amending the configuration and easements for Lot 9, was approved on January 6, 2011 and was recorded on January 4, 2012.

#### Submittal

This subdivision plat application was submitted on July 18, 2017 and deemed complete

on September 5, 2017, with submittal of a corrected title report.

**Purpose of the RD District**

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.

**Proposed Plat Amendment**

The plat amendment combines Lots 1 and 2 of the Village at Empire Pass Phase One Subdivision into one lot of record to be known as Lot A. Lot A consists of 27,994 square feet and has frontage on Village Way, a private street. There are also approximately 38 feet of frontage along Marsac Avenue just south of the intersection of Village Way and Marsac Avenue. Access off Marsac is not allowed due to proximity of the intersection.

An aerial photo, existing conditions survey, and photos of the site were submitted with the application (Exhibits H, I, and J).

Utilities are available to these lots. Snyderville Basin Water Reclamation District (SBWRD) recommends conditions and plat notes to address their concerns. Final utility plans are required to be submitted with the Administrative Conditional Use Permit required prior to issuance of a building permit. All existing and required easements will be recorded on the plat, including utilities, storm drainage, access, snow storage, etc. No changes are proposed to existing streets.

The Village at Empire Pass Phase One subdivision plat includes notes that require compliance with RD District zone setbacks, unless otherwise approved by the Planning Commission, requires approval of a CUP for each lodge building and an administrative CUP for PUD and townhouse units prior to issuance of a building permit, requires a declaration of condominium and a record of survey plat to be recorded prior to sale of individual units, requires membership in the Empire Pass Master HOA, identifies Village Drive and Empire Club Drive as a private streets, plats a 10 foot wide snow storage easement along the street frontages, requires water efficient landscape, and includes other utility and maintenance provisions. Staff recommends these notes be included on

this amended plat prior to recordation.

**Land Management Code (LMC) and VEP MPD Analysis**

	<b>RD Zoning District and/or VEP MPD</b>
<b>Lot Size</b>	No minimum lot size. Lot A is 27,994 sf (Lot 1 is 11,138 sf and Lot 2 is 16,856 sf). <b>Complies.</b>
<b>Uses</b>	Residential Townhouses and PUD style units are allowed uses subject to Administrative Conditional Use Permit review. Density is per the Flagstaff Annexation and Development Agreement and Village and Empire Pass MPD. Density for Lot A is subject to A-CUP review and remaining density per the Flagstaff Agreement, as amended. Density is based on 1 UE is equivalent to 2,000 sf of residential floor area. The Flagstaff Agreement tracks both residential UEs (each 2,000 sf) as well as total number of units. <b>Complies.</b>
<b>Front yard setbacks</b>	LMC requires a minimum of 25 feet to front facing garage, 20 feet to building (LMC exceptions apply). <b>Reviewed at time of A-CUP.</b>
<b>Rear yard setbacks</b>	LMC requires a minimum of 15 feet (LMC exceptions apply). <b>Reviewed at time of A-CUP.</b>
<b>Side yard setbacks</b>	LMC requires a minimum of 12 feet (LMC exceptions apply). <b>Reviewed at time of A-CUP.</b>
<b>Building Height and Volumetric</b>	Townhouses and PUD style units - 28' height plus 5' additional for 4:12 or greater roof pitch.  <b>Building height will be reviewed at time of A-CUP and verified at the time of Building Permit review.</b>
<b>Parking</b>	Two spaces per townhouse or PUD style unit are required. <b>Reviewed at time of A-CUP.</b>
<b>Architectural Design</b>	All construction is subject to Village at Empire Pass Design Review Board approval and LMC Chapter 15-5- Architectural Design Guidelines with <b>final review conducted at the time of the A-CUP and Building Permits.</b>



<p><b>Residential Units (see Exhibit K)</b></p> <p>785 UE maximum multi-family(MF) 550 dwelling units maximum (MF) (of which 60 can be PUD). 16 single family (SF) home sites (not including 30 SF in Pod D).</p> <p>At least 50% of the residential units within the Mountain Village (Pods A, B1 and B2) must be in Pod A (not including SF home sites).</p> <p>Final approval of the building (s) and UEs is subject to approval of an Administrative Conditional Use Permit.</p>	<p>Calculation of density in terms of Unit Equivalents (UE) for Lot A will be <b>determined during A-Conditional Use Permit review</b> and based on what remains of the total units and UE allowed by the Flagstaff Development Agreement.</p> <p>Total <u>UE platted</u> to date = 588.742 UE (196.258 UE remain) (does not include units approved or assigned but not platted with a condominium plat, such as Tower Residential, this subdivision, Lots 2 and 3, or B2East).</p> <p>Total <u>units platted</u> to date = 382 units (52 are PUD) (168 units remain) (these are units platted with a condominium plat).</p> <p>Total single family approved/platted = 16. Total multi-family units approved/platted in <b>Pod A</b> = 258 (condos, PUD style, townhouses). 67.5% of units are within Pod A (258/382).</p> <p><b>Complies with Development Agreement as there are sufficient units and UE remaining.</b></p>
<p><b>MPD Resort Support Commercial</b></p> <p>75,000 sf maximum with Agreement</p>	<p><b>No MPD Resort Support Commercial uses are requested for this Lot A.</b></p>

This application meets the subdivision requirements of Land Management Code (LMC) Section 15-7 of the Park City Municipal Code. No changes are proposed for utilities or street layout.

**Good Cause**

Staff finds good cause for this plat amendment as it is consistent with the Land Management Code, Flagstaff Annexation and Development Agreement, and the Village at Empire Pass Master Planned Development. Removing the common lot line between Lots 1 and 2 allows for flexibility in site design. The property is constrained by the odd shape and length of street frontages.

**Department Review**

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

**Notice**

The property was posted and notices were mailed to property owners within 300 feet on September 27, 2017. A legal notice was published in the Park Record, the City website, and the Utah Public Notice website, on September 23, 2017.

**Public Input**

No public input was received prior to publication of this report.

**Alternatives**

1. The Planning Commission may forward a positive recommendation to City Council to approve the plat amendment, as conditioned or amended, or

2. The Planning Commission may forward a negative recommendation to deny the plat amendment and direct staff to make Findings for this decision, or
3. The Planning Commission may continue the discussion to a date certain and provide Staff and the applicant with direction regarding additional information needed in order to make a recommendation to City Council.

### **Significant Impacts**

There are no significant fiscal or environmental impacts from this application that have not been mitigated with conditions of approval and compliance with the Flagstaff Agreement, technical reports, and approved Village at Empire Pass Master Planned Development.

### **Consequences of not taking the Suggested Recommendation**

The lots would remain as platted.

### **Recommendation**

Staff recommends Planning Commission conduct a public hearing and forward a positive recommendation to City Council regarding the Second Amendment to the Village at Empire Pass Phase One Subdivision pursuant to findings of fact, conclusions of law, and conditions of approval in the draft Ordinance.

### **Exhibits**

Ordinance

Exhibit A – Proposed plat amendment

Exhibit B – Applicant's statement

Exhibit C – Village at Empire Pass Phase One Subdivision plat

Exhibit D – Development Agreement ([link to full document](#))

Exhibit E – [Link to Technical Reports](#)

Exhibit F – Village at Empire Pass MPD approval

Exhibit G – Village map

Exhibit H – Aerial photo of site

Exhibit I – Existing conditions survey

Exhibit J – Photos of the property

Exhibit K– Density Summary



**Ordinance No. 17-XX**

**AN ORDINANCE APPROVING THE SECOND AMENDED VILLAGE AT EMPIRE PASS PHASE ONE SUBDIVISION PLAT, LOCATED WITHIN POD A OF THE VILLAGE AT EMPIRE PASS MASTER PLANNED DEVELOPMENT, PARK CITY, UTAH.**

WHEREAS, owners of the property known as Lots 1 and 2 of the Village at Empire Pass Phase I Subdivision located at 7690 and 7704 Village Way in Park City, Utah, have petitioned the City Council for approval of an amended subdivision plat to combine Lots 1 and 2 into one platted lot of record to be known as Lot A; and

WHEREAS, Lots 1 and 2 (Tax Serial numbers VEMP-1-1 and VEMP-1-2) are vacant lots subject to requirements and conditions of the Village at Empire Pass Master Planned Development.

WHEREAS, Lot 1 consists of 11,138 square feet and Lot 2 consists of 16,856 square feet and the proposed combined Lot A consists of 27,994 square feet; and

WHEREAS, legal notice of the public hearing was published in the Park Record and on the Utah Public Notice website on September 23, 2017 and the property was posted on September 27, 2017, according to the requirements of the Land Management Code; and

WHEREAS, courtesy notice was sent to surrounding property owners on September 27, 2017 for the revised plat, according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on October 11, 2017, to receive input on the subdivision plat; and

WHEREAS, the Planning Commission, on October 11, 2017, forwarded a \_\_\_\_\_ recommendation to the City Council; and,

WHEREAS, on November 9, 2017, City Council held a public hearing on the subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Second Amendment to the Village at Empire Pass Phase One subdivision.

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

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

### Findings of Fact

1. The property is located at 7690 and 7704 Village Way and within Pod A of the Master Planned Development for the Village at Empire Pass.
2. The property is located within the Residential Development (RD) zoning district.
3. The property is subject to the Flagstaff Mountain Annexation and the Village at Empire Pass Master Planned Development.
4. On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the Flagstaff Mountain area.
5. Resolution 20-99 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use, maximum densities, timing of development, development approval process, as well as development conditions and amenities for each parcel.
6. The Flagstaff Development Agreement was subsequently amended and recorded in March of 2007.
7. The Development Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village.
8. The Mountain Village is further constrained to a maximum density of 785 UE configured in no more than 550 dwelling units as multi-family, hotel, or PUD units, provided the number of PUD units do not exceed 60. The Mountain Village is also allowed 16 single family home sites. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A).
9. There are currently 588.742 UE (382 multi-family units) platted within the Village at Empire Pass (Pods A, B1 and B2). These are units that are platted with a condominium plat to memorialize the size and UE of the units
10. Based on a review of all UE and units constructed and platted to date within the Flagstaff Annexation Development area, there are sufficient remaining UE and units for Lot A.
11. Townhouse and PUD style units are allowed on Lot A subject to the remaining density of the Flagstaff Annexation Development Agreement and review of an Administrative Conditional Use Permit for site specific conditions.
12. The applicant is not requesting allocation of any MPD Resort Support Commercial for this Lot.
13. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (VEP-MPD) (Pod A).
14. The purpose of the VEP- MPD was to establish unit mix and density for the Village Master Plan, as well as address overall project infrastructure throughout the Annexation Area. The MPD established building volumetric diagrams, including specific height exceptions, density, and development locations for the Lodge Buildings.
15. The Village at Empire Pass West Side Subdivision plat was approved by Council in 2005 and recorded at Summit County on August 12, 2005. This subdivision platted Lots 12-18 of the VMPD (west side).
16. Village at Empire Pass Phase I Subdivision plat was approved by Council on



September 30, 2004 and platted the east side lots. An amended Village at Empire Pass Phase I Subdivision plat, amending the configuration and easements for Lot 9, was approved on January 6, 2011 and was recorded on January 4, 2012.

17. Six lodge buildings have been built to date within Pod A namely Shooting Star, Silver Strike, Flagstaff Lodge (was Snowberry Lodge), Arrowleaf A and Arrowleaf B, and Grand Lodge. A seventh building, One Empire Pass is currently under construction. Additionally, Larkspur East and Larkspur West Townhouses (attached homes), Paintbrush and Belles PUD style homes, and six single family homes in Banner Wood are platted within Pod A. Of these units, one Belles PUD unit and 2 Banner Wood single family units remain to be constructed. Additionally 4 PUD units within Nakoma in Pod B1 remain to be constructed.
18. Three of the large lodge buildings (Buildings 1, 3, and 4) as well as additional townhouse and PUD style units remain to be approved and constructed within the MPD Pod A.
19. The plat amendment combines Lots 1 and 2 of the Village at Empire Pass Phase One Subdivision into one lot of record to be known as Lot A.
20. Removing the common lot line between Lots 1 and 2 allows for flexibility in site design. The property is constrained by the odd shape and length of street frontages.
21. Lot A consists of 27,994 square feet and has frontage on Village Way, a private street. There are also approximately 38 feet of frontage along Marsac Avenue just south of the intersection of Village Way and Marsac Avenue. Access off Marsac is not allowed due to proximity of the intersection.
22. According to the Village at Empire Pass MPD, an Administrative Conditional Use Permit (CUP) is required prior to construction of any townhouse or PUD style units.
23. Utilities are available to the lots. SBWRD recommended conditions and plat notes to address their concerns.
24. All existing and required easements will be recorded on the plat, including utilities, storm drainage, access, snow storage, etc.
25. No changes are proposed to any existing streets and no new streets are proposed.
26. There is no minimum or maximum lot size or lot width in the RD District.
27. All applicable requirements of Land Management Code apply, unless otherwise allowed per the Flagstaff Development Agreement and the Village at Empire Pass MPD.
28. The final Mylar plat is required to be approved and signed by the Snyderville Basin Water Reclamation District prior to recordation to ensure that requirements of the District are addressed.
29. Snow storage area is required along streets and rights-of-way due to the possibility of large amounts of snowfall in this location.
30. No AUE were identified for Lots 1 and 2 of the Village at Empire Pass Phase One Subdivision and will also not be identified or required to be constructed on Lot A.
31. The property is part of a greater planned area and is subject to requirements of the MS4 Storm Water Permit program.
32. 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 subdivision plat.
2. The subdivision plat is consistent with the Park City Land Management Code and applicable State law regarding subdivisions, the Park City General Plan, and the Village at Empire Pass Master Planned Development.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. Approval of the subdivision, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

### Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void unless a written request for an extension is submitted to the City prior to the expiration date and the City Council grants an extension.
3. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel, and Iron Mountain (recorded at Summit County on March 2, 2007), and associated Technical Reports and Agreements, continue to apply.
4. The plat will note that conditions of approval of the Village at Empire Pass Master Planned Development (Pod A) shall continue to apply.
5. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots.
6. Non-exclusive public utility easements (PUE) shall be indicated on the plat prior to recordation as approved by the City Engineer and SBWRD, including drainage easements.
7. A financial security to guarantee for the installation of any required public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer.
8. A ten foot (10') wide snow storage easement is required along all street frontages.
9. Modified 13 D fire sprinklers are required for new construction per the Chief Building Official at the time of review of the building permit. A note stating this shall be on the plat.
10. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
11. This development is part of a common plan development and a MS4 storm water permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance.
12. A Construction Mitigation Plan shall be submitted with Conditional Use Permit applications and in advance of issuing building permits.
13. The subdivision plat will include a plat note requiring water-efficient irrigation



systems, limited turf and disturbance.

14. The final plat shall contain a note that Village Way is a private road and another note that the maintenance of the water system is the private responsibility of the Village at Empire Pass Master Homeowners Association.
15. No vehicular access from Marsac Avenue is allowed due to the proximity of the Village Way and Marsac Avenue intersection.

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

PASSED AND ADOPTED this \_\_\_\_\_ day of November, 2017.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Jack Thomas, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Mark Harrington, City Attorney

**Exhibits**

Exhibit A – Proposed amended subdivision plat

# EXHIBIT A



**OWNER'S CERTIFICATE**  
 I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 7248891, as provided under the laws of the State of Utah. I further certify that by authority of the owner, I have made a true and correct copy of the original plat and all amendments thereto, and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

**BOUNDARY DESCRIPTION**  
 ALL OF LOTS 1 & 2, THE VILLAGE AT EMPIRE PASS PHASE 1, according to the official plat thereof, recorded November 24, 2004, as Entry No. 718034 of the official records in the office of the Summit County Recorder.

**OWNER'S DEDICATION AND CONSENT TO RECORD**  
 KNOW ALL MEN BY THESE PRESENTS THAT REDUS PARK CITY LLC, a Delaware limited liability company, the undersigned owner of the herein described tract of land, to be known hereinafter as THE VILLAGE AT EMPIRE PASS PHASE 1-SECOND AMENDED, AMENDING LOTS 1 & 2, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recording of this Plat.  
 ALSO, the owner or its representative, hereby irrevocably offers for dedication to the city of Park City all the easements and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.  
 In witness whereof, the undersigned set his hand this \_\_\_\_ day of \_\_\_\_\_, 2017.

David L. Ash, Vice-president  
 REDUS Park City LLC, a Delaware limited liability company

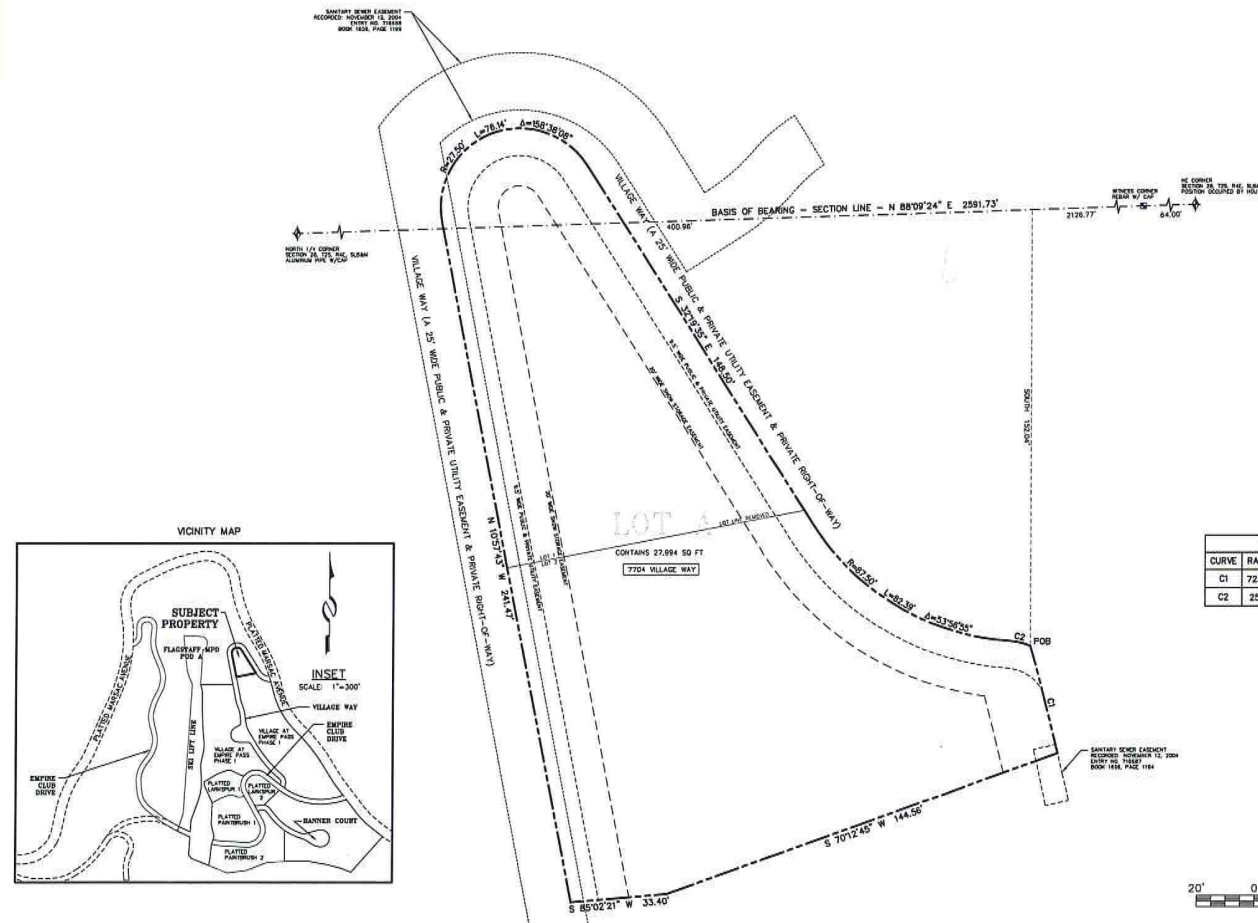
**ACKNOWLEDGMENT**  
 State of \_\_\_\_\_  
 County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2017, \_\_\_\_\_, personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that he acknowledged to me that he executed the VILLAGE AT EMPIRE PASS PHASE 1-SECOND AMENDED, AMENDING LOTS 1 & 2.

A Notary Public commissioned in \_\_\_\_\_  
 Printed Name \_\_\_\_\_  
 Residing in \_\_\_\_\_  
 My commission expires \_\_\_\_\_  
 Commission No. \_\_\_\_\_

- NOTES**
- This plat amendment is subject to the Conditions of Approval in Ordinance 2017-\_\_\_\_\_.
  - All Conditions of Approval of The Village at Empire Pass, Phase 1, recorded November 24, 2004, as Entry No. 718034 in the Office of the Recorder, Summit County, Utah, shall continue to apply and remain in full force and effect.
  - All building setbacks from property lines are to be the residential development zone (RD) minimums unless approved otherwise by the Empire Pass Village Master Plan Development.
  - Conditional use permit approval will be required prior to construction on the lot shown herein.
  - A dedication of condominium and a record of survey of condominium will be required for the purpose of the sale of individual units within the development lot shown herein.
  - All utility easements adjacent to or traversing across the lot, as shown herein, are for public use. No improvements may be made to these public ways that would hinder passage, endanger the users, or interfere with existing utilities.
  - The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass (the "Master Declaration") requires the membership of the lot owner. Members are subject to the terms of its articles of incorporation, its bylaws, and the rules and regulations that may be established from time to time by the master association, including assessments and transfer fees as provided therein.
  - Public safety access and utility easements are hereby dedicated for all public and private roadways, and private driveways.
  - The property is located within a water source protection zone. All sewer construction must comply with the state of Utah drinking water regulations.
  - A 20' snow storage easement is hereby dedicated along the frontage of the lot.
  - Village Way is a private road to be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration. Village Way is not a public road or right-of-way. This Plat Map shall not be deemed to grant any rights in the public to use Village Way or create any obligations on the part of Park City Municipal Corporation to maintain or repair Village Way. All such use and maintenance shall be governed by the terms and provisions of the Master Declaration and the Maintenance Agreement dated March 12, 2004 (and as amended from time to time) between Park City Municipal Corporation, REDUS Park City LLC and the Master Association.
  - At the time of any resurfacing of Village Way, the Master Association is responsible to adjust wastewater manholes to grade according to Snyderville Drain Water Reclamation District Standards. Immediate adjustment of manholes within private roadways involved as part of a specific development shall be the responsibility of the homeowners association for such development.
  - The Master Association shall be responsible for the maintenance and replacement of all sanitary sewer laterals affected within Village Way or the RD500 easement shown herein. The Master Association shall have the right to assess the cost of such maintenance and repair to parcel(s), unit(s), or condominium associations served by such laterals, in accordance with the Master Declaration.
  - Property corners to be set along Village Way will be set at the intersection of the 2.5' wide public and private utility easement and the lot line.
  - Any landscaping shall utilize either no irrigation or water efficient irrigation, limited turf, and limited disturbance.
  - The maintenance of the water system is the private responsibility of the Village at Empire Pass Master Homeowners Association.
  - The lot described on this plat is subject to the Restated Development Agreement for Flagstaff Mountain, Banner Flat, Richardson Flat, the 20-Acre Duhon's Junction Parcel and Iron Mountain dated as of May 2, 2007, and recorded on March 2, 2007, as Entry No. 0080810 in Book 1850, Page 1877 (the "Development Agreement"). Lot A has no on-site Affordable Housing obligations. The allocation of Unit Equivalency to Lot A may be done at a future date by separate recorded document. Lot A has not been allocated any commercial unit equivalents.
  - Owners and potential buyers of any unit or lot within the lot depicted on this plat are given notice that they own or are buying property in a resort area in which off-season rental activities are conducted and where strict rules are in present, including, without limitation, damage to property and improvements and personal injury and death caused by frost, snow, ice, rain, lightning, hail, wind, fire, flood, mud, debris flow, landslides, rockfall, landslides, mudslides, mudflows, landslides, or improvements of facilities, objects or equipment falling from cliffs, water runoff, oblique, heavy snow falls, wind patterns, and other conditions that may affect the property depicted herein. The adjacent lot owner and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreement with such owner.

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	725.00'	38.73'	03°03'38"
C2	25.00'	7.76'	17°47'25"



## A LOT COMBINATION PLAT THE VILLAGE AT EMPIRE PASS PHASE 1-SECOND AMENDED AMENDING LOTS 1 & 2

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28  
 AND THE SOUTHEAST QUARTER OF SECTION 21  
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
 PARK CITY, SUMMIT COUNTY, UTAH



 (435) 648-0487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 Main Street P.O. Box 2041 Park City, Utah 84060-2041	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2017 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2017 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____
	JOB NO.: 8-6-17 FILE: X:\Empire\dwg\svr\plat2017\080817.dwg SHEET 1 OF 1						

Packet Pg

THE VILLAGE AT EMPIRE PASS PHASE 1  
LOTS 1 & 2,

(7704 VILLAGE WAY)

July 10, 2017

PROJECT INTENT

Lots 1 and 2, The Village at Empire Pass Phase 1, (also known as 7690 Village Way (Lot 1) and 7704 Village Way (Lot 2)) are owned by the same entity. Both lots are currently vacant. The line common to Lots 1 and 2 as originally recorded November 24, 2004, as Entry No. 718034, still exists. The owner desires to unify the property into one lot of record by removing the existing lot line, with the ultimate goal of constructing a new building on the new lot.





EXHIBIT C

SURVEYOR'S CERTIFICATE
I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491...

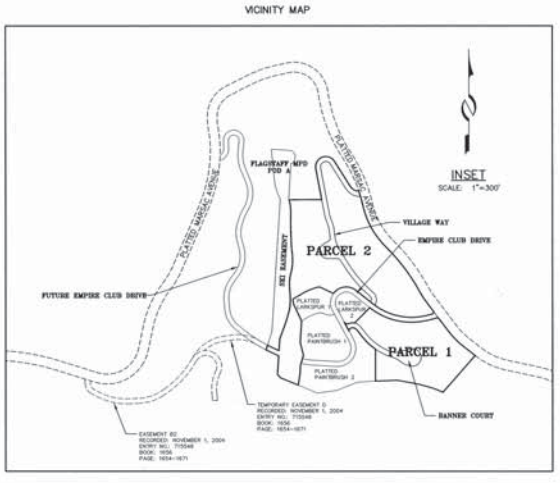
Date: 11-10-04
John Demkowicz



BOUNDARY DESCRIPTIONS

PARCEL 1
A parcel of land located in the northeast quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian...

PARCEL 2
A parcel of land located in the north half of Section 28 and the southeast quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian...



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT PANTRUSH RESIDENCES, LLC, a Delaware limited liability company, the owner of a portion of the tract of land described herein as THE VILLAGE AT EMPIRE PASS, PHASE I...

PANTRUSH RESIDENCES, LLC
By: Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit
This instrument was acknowledged before me this 10th day of Nov., 2004 by James M. Hill, the Vice President of HF HOLDING CORP...



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT SHOOTING STAR RESIDENCES, LLC, a Delaware limited liability company, the owner of a portion of the tract of land described herein as THE VILLAGE AT EMPIRE PASS, PHASE I...

SHOOTING STAR RESIDENCES, LLC
By: Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit
This instrument was acknowledged before me this 10th day of Nov., 2004 by James M. Hill, the Vice President of HF HOLDING CORP...



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT EMPIRE MOUNTAIN VILLAGE, LLC, a Delaware limited liability company, the owner of a portion of the tract of land described herein as THE VILLAGE AT EMPIRE PASS, PHASE I...

EMPIRE MOUNTAIN VILLAGE, LLC
By: Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit
This instrument was acknowledged before me this 10th day of Nov., 2004 by James M. Hill, the Vice President of HF HOLDING CORP...



OWNER'S DEDICATION AND CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENTS THAT EMPIRE MOUNTAIN VILLAGE, LLC, a Delaware limited liability company...

EMPIRE MOUNTAIN VILLAGE, LLC
By: Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit
This instrument was acknowledged before me this 10th day of Nov., 2004 by James M. Hill, the Vice President of HF HOLDING CORP...



OWNER'S DEDICATION AND CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENTS THAT UNITED PARK CITY MINES COMPANY, a Delaware corporation, the owner of a portion of the tract of land described herein as THE VILLAGE AT EMPIRE PASS, PHASE I...

UNITED PARK CITY MINES COMPANY
By: Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit
This instrument was acknowledged before me this 10th day of Nov., 2004 by Mark Thorne, the Vice President of UNITED PARK CITY MINES COMPANY...



OWNER'S DEDICATION AND CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENTS THAT MOUNTAIN DEVELOPMENTS I, INC., a Delaware corporation, the owner of a portion of the tract of land described herein as THE VILLAGE AT EMPIRE PASS, PHASE I...

MOUNTAIN DEVELOPMENTS I, INC.
By: Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit
This instrument was acknowledged before me this 10th day of Nov., 2004 by Mark Thorne, the Vice President of MOUNTAIN DEVELOPMENTS I, INC...



OWNER'S DEDICATION AND CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENTS THAT EMPIRE PASS CLUB, LLC, a Utah limited liability company, the owner of a portion of the tract of land described herein as THE VILLAGE AT EMPIRE PASS, PHASE I...

EMPIRE PASS CLUB, LLC
By: Vice President

ACKNOWLEDGMENT

State of Utah
County of Summit
This instrument was acknowledged before me this 10th day of Nov., 2004 by Mark Thorne, the Vice President of UNITED PARK CITY MINES COMPANY...



THE VILLAGE AT EMPIRE PASS PHASE 1

LOCATED IN SECTIONS 21 AND 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT logo and contact info.

PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 12th DAY OF NOVEMBER, 2004 A.D.

ENGINEER'S CERTIFICATE I FIND THIS PLAN TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 11th DAY OF NOVEMBER, 2004 A.D.

APPROVAL AS TO FORM APPROVED AS TO FORM THIS 15th DAY OF NOVEMBER, 2004 A.D.

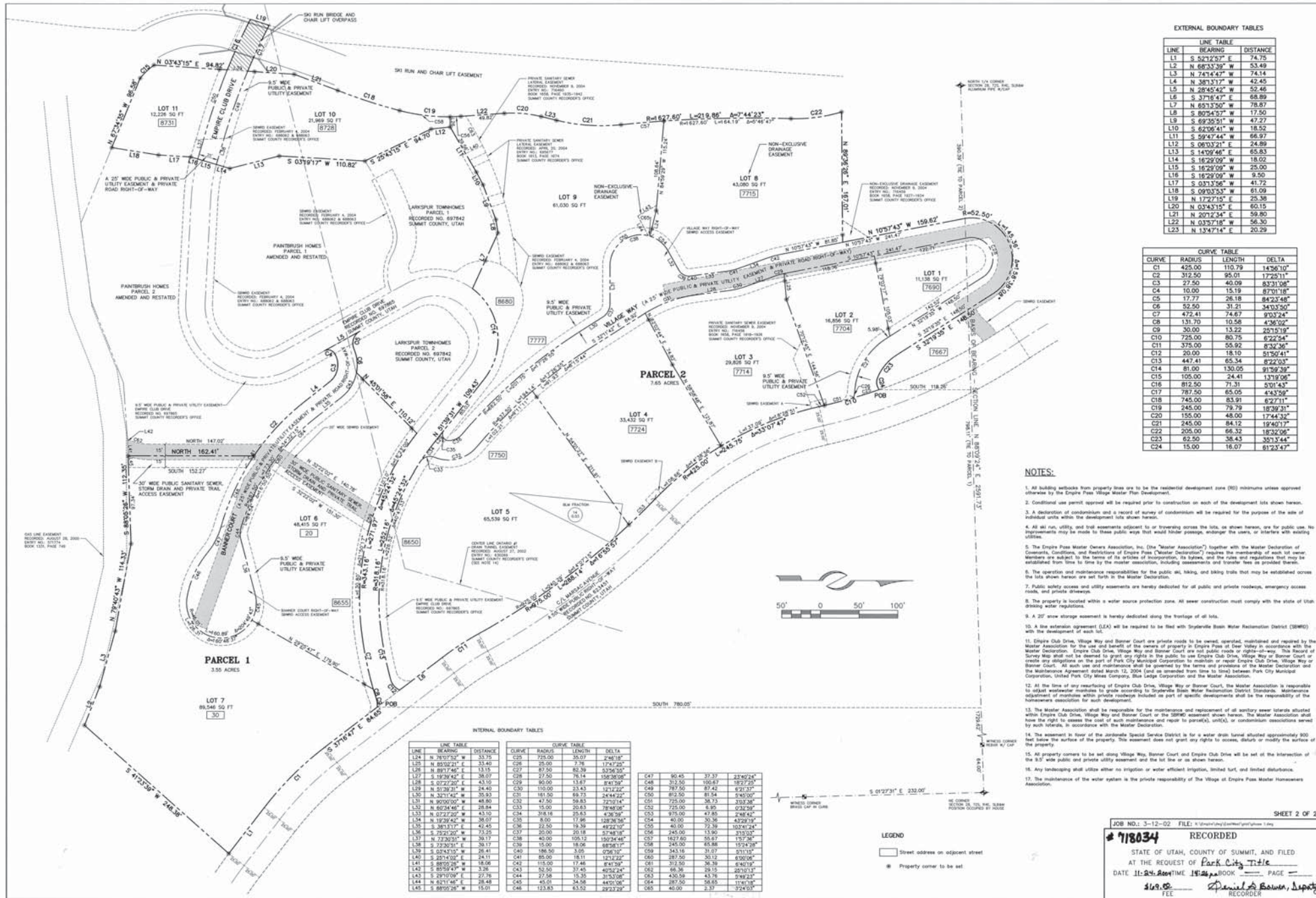
CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 14th DAY OF NOVEMBER, 2004.

COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 30th DAY OF SEPTEMBER, 2004 A.D.

RECORDED STATE OF UTAH, COUNTY OF SUMMIT, IN FILED AT THE REQUEST OF PARK CITY TITLE DATE 11-24-04

JOB NO. 3-12-02 FILED # 718034 RECORDED STATE OF UTAH, COUNTY OF SUMMIT, IN FILED AT THE REQUEST OF PARK CITY TITLE DATE 11-24-04





- NOTES:**
- All building setbacks from property lines are to the residential development zone (RD) minimum unless approved otherwise by the Empire Pass Village Master Plan Development.
  - Conditional use permit approval will be required prior to construction on each of the development lots shown herein.
  - A declaration of condominium and a record of survey of condominium will be prepared for the purpose of the sale of individual units within the development lots shown herein.
  - All all run, utility, and trail easements adjacent to or traversing across the lots, as shown herein, are for public use. No improvements may be made to these public ways that would hinder passage, endanger the users, or for public use with existing utilities.
  - The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Condominium, Conditions, and Restrictions of Empire Pass (the "Master Declaration") are the governing documents of each of several Members are subject to the terms of the articles of incorporation, its bylaws, and the rules and regulations that may be established from time to time by the master association, including the procedures for amending the same.
  - The operation and maintenance responsibilities for the public oil, hiking, and biking trails that may be established across the lots shown herein are set forth in the Master Declaration.
  - Public safety access and utility easements are hereby dedicated for at public and private roads, emergency access road, and private driveway.
  - The property is located within a water source protection zone. All sewer construction must comply with the state of Utah drinking water regulations.
  - A 20' snow storage easement is hereby dedicated along the frontage of all lots.
  - A retention agreement (RA) will be required to be filed with Synovate Basin Water Reclamation District (SBWRD) with the development of each lot.
  - Empire Club Drive, Village Way and Banner Court are private roads to be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass of Deer Valley in accordance with the Master Declaration. Empire Club Drive, Village Way and Banner Court are not public roads or rights-of-way. This Record of Survey Map shall not be deemed to grant any rights in the public to use Empire Club Drive, Village Way or Banner Court or create any obligations on the part of Park City Municipal Corporation to maintain or repair Empire Club Drive, Village Way or Banner Court. All such use and maintenance shall be governed by the terms and provisions of the Master Declaration and the Maintenance Agreement dated March 12, 2004 (and as amended from time to time) between Park City Municipal Corporation, United Park City Mine Company, Blue Lake Corporation and the Master Association.
  - All the time of any resurfacing of Empire Club Drive, Village Way or Banner Court, the Master Association is responsible for obtaining necessary permits to grade according to Synovate Basin Water Reclamation District Standards and conditions of easements with private roads included as part of specific developments as part of specific developments that may be established from time to time by the master association, including the procedures for amending the same.
  - The Master Association shall be responsible for the maintenance and replacement of all sanitary sewer laterals installed within Empire Club Drive, Village Way and Banner Court and the SBWRD easement shown herein. The Master Association shall have the right to access the cost of such maintenance and repair to parcel(s), unit(s), or condominium associations served by such laterals, in accordance with the Master Declaration.
  - The easement in favor of the Jordanville Special Service District is for a water drain lateral situated approximately 800 feet below the surface of the property. This easement does not grant any rights to access, disturb or modify the surface of the property.
  - All property corners to be set along Village Way, Banner Court and Empire Club Drive will be set at the intersection of the 8.5' wide public and private utility easement and the lot line or as shown herein.
  - Any landscaping shall utilize either no irrigation or water efficient irrigation, limited turf, and limited disturbance.
  - The maintenance of the water system is the private responsibility of the Village of Empire Pass Master Homeowners Association.

SHEET 2 OF 2

JOB NO.: 5-12-02 FILE: 12/24/02/12/24/02/12/24/02/12/24/02

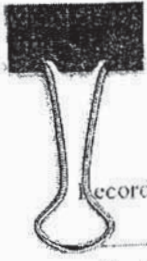
**# 718034** RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF Park City Title

DATE 12/24/02 TIME 1:15 PM BOOK 12 PAGE 1

419.00 FEE Denise A. Bower, Deputy RECORDER



**EXHIBIT D**

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

Recorded this \_\_\_ day of \_\_\_\_\_, 2007  
at Book # \_\_\_ Page # \_\_\_

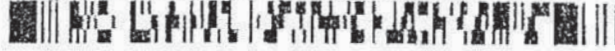
**ENTRY NO. 00806100**

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

Agreement PAGE 1 / 49

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE \$ 0.00 BY PARK CITY MUNICIPAL CORP



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

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

**RECITALS**

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



Link to Technical Reports

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

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

Conclusions of Law

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

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the Subdivision Plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. The applicant will record the Subdivision Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

**6. Empire Pass Master Planned Development**

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

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

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

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

Chair Barth re-opened the public hearing.

There was no comment.

Chair Barth closed the public hearing.

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

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

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

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



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

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

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

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

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

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

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

#### Findings of Fact - Empire Pass

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

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

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



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

#### Conclusions of Law - Empire Pass

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

#### Conditions of Approval - Empire Pass

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

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

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





EXHIBIT G

**THE VILLAGE**  
AT EMPIRE PASS



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




EXHIBIT H



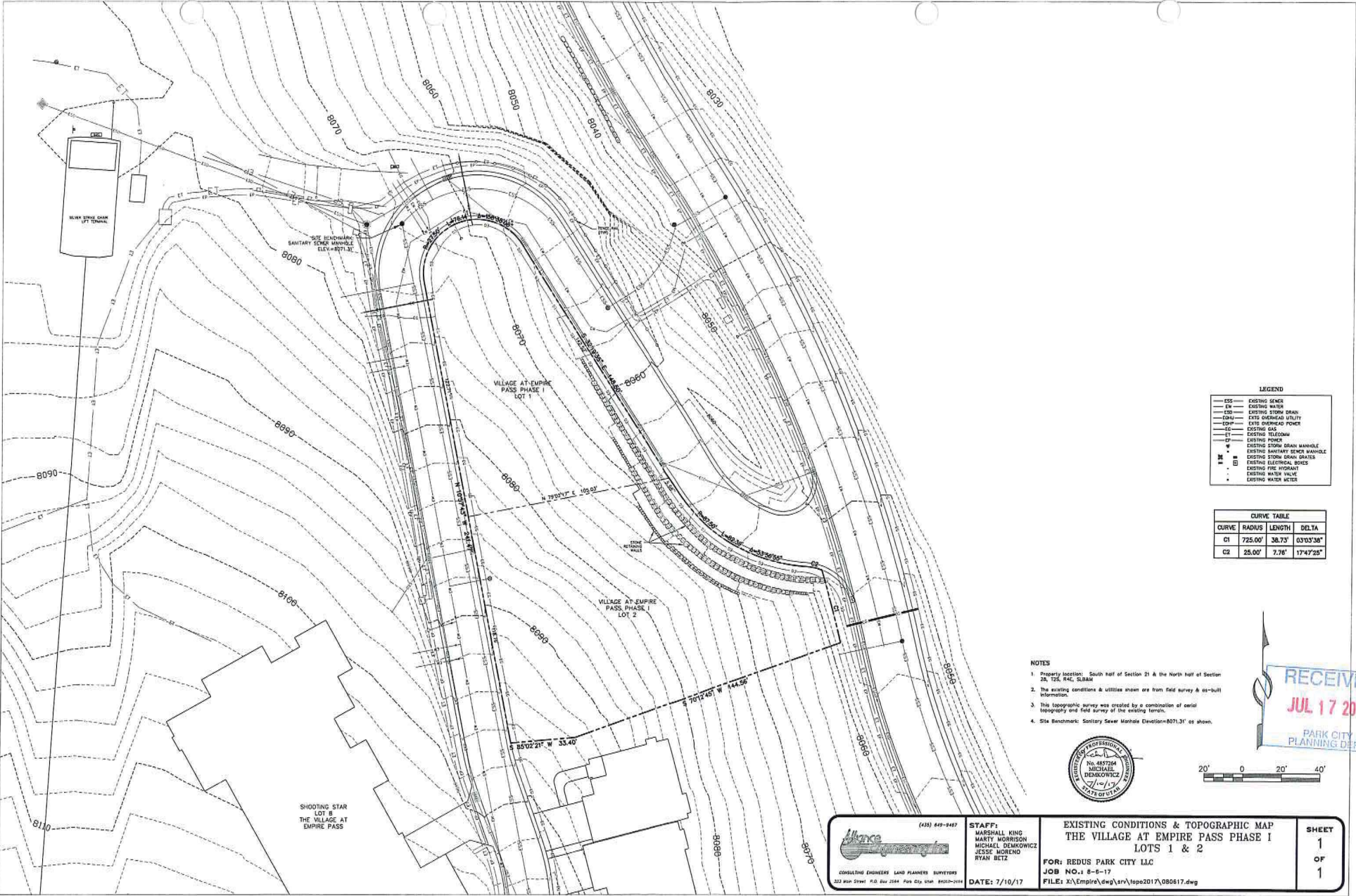
SUBJECT  
PROPERTY

RECEIVED  
JUL 17 2017

 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 233 Main Street, P.O. Box 2044 Park City, Utah 84060-2044</small>	<small>(435) 649-9447</small>	<b>STAFF:</b> RYAN BETZ	<b>AERIAL PHOTOGRAPH</b> VILLAGE AT EMPIRE PASS PHASE I LOTS 1 & 2	<b>SHEET</b> 1 <b>OF</b> 1
	<b>DATE:</b> 6/15/17			<b>FOR:</b> REDUS PARK CITY LLC JOB NO.: 9-6-17 FILE: X:\Empire\dwg\Exhibits\VAEP Lots 1&2.dwg



# EXHIBIT I



**LEGEND**

- ESS— EXISTING SEWER
- EW— EXISTING WATER
- SD— EXISTING STORM DRAIN
- OU— EXIST. OVERHEAD UTILITY
- OP— EXIST. OVERHEAD POWER
- G— EXISTING GAS
- T— EXISTING TELEPHONE
- EP— EXISTING POWER
- E— EXISTING STORM DRAIN MANHOLE
- S— EXISTING SANITARY SEWER MANHOLE
- G— EXISTING STORM DRAIN GRAVEL
- E— EXISTING ELECTRICAL BOXES
- F— EXISTING FIRE HYDRANT
- V— EXISTING WATER VALVE
- M— EXISTING WATER METER

**CURVE TABLE**

CURVE	RADIUS	LENGTH	DELTA
C1	725.00'	38.73'	03°03'38"
C2	25.00'	7.76'	17°47'25"

- NOTES**
1. Property location: South half of Section 21 & the North half of Section 26, T2N, R4E, S18AM
  2. The existing conditions & utilities shown are from field survey & as-built information.
  3. This topographic survey was created by a combination of aerial topography and field survey of the existing terrain.
  4. Site Benchmark: Sanitary Sewer Manhole Elevation=8071.31' as shown.



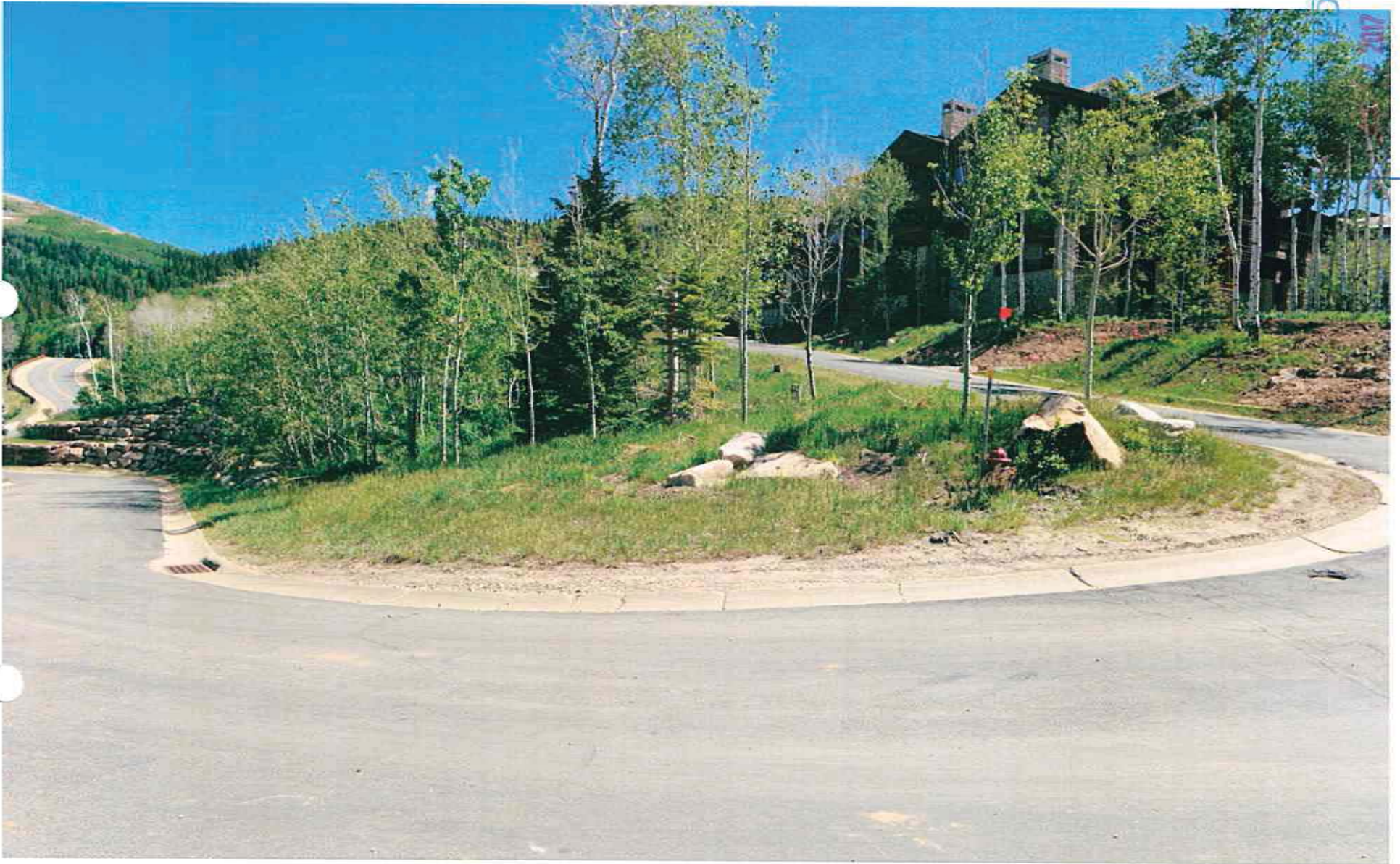
 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</small> <small>322 West Street P.O. Box 2084 Park City, Utah 84302-2084</small> <small>(435) 640-9487</small>	<b>STAFF:</b> MARSHALL KING MARTY MORRISON MICHAEL DEMKOWICZ JESSE MORENO RYAN BETZ	<b>EXISTING CONDITIONS &amp; TOPOGRAPHIC MAP</b> <b>THE VILLAGE AT EMPIRE PASS PHASE I</b> <b>LOTS 1 &amp; 2</b>	<b>SHEET</b> 1 <b>OF</b> 1
	<b>DATE:</b> 7/10/17	<b>FOR:</b> REDUS PARK CITY LLC <b>JOB NO.:</b> 8-6-17 <b>FILE:</b> X:\Empire.dwg\src\topo2017\080617.dwg	





The Village at Empire Pass, Phase I, Lots 1 & 2 – looking northeast

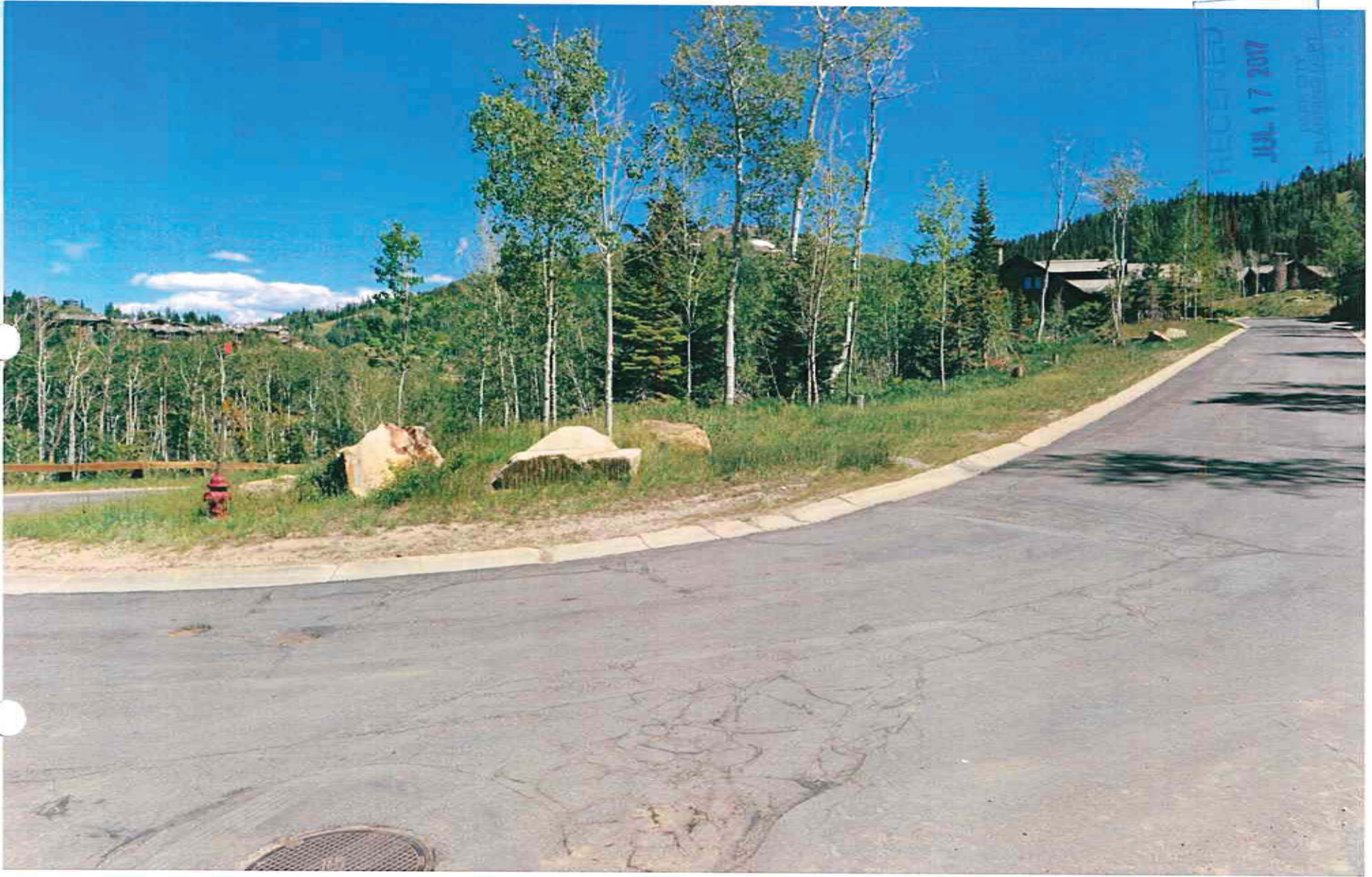




2017  
PARK CITY  
PLANNING DEPARTMENT

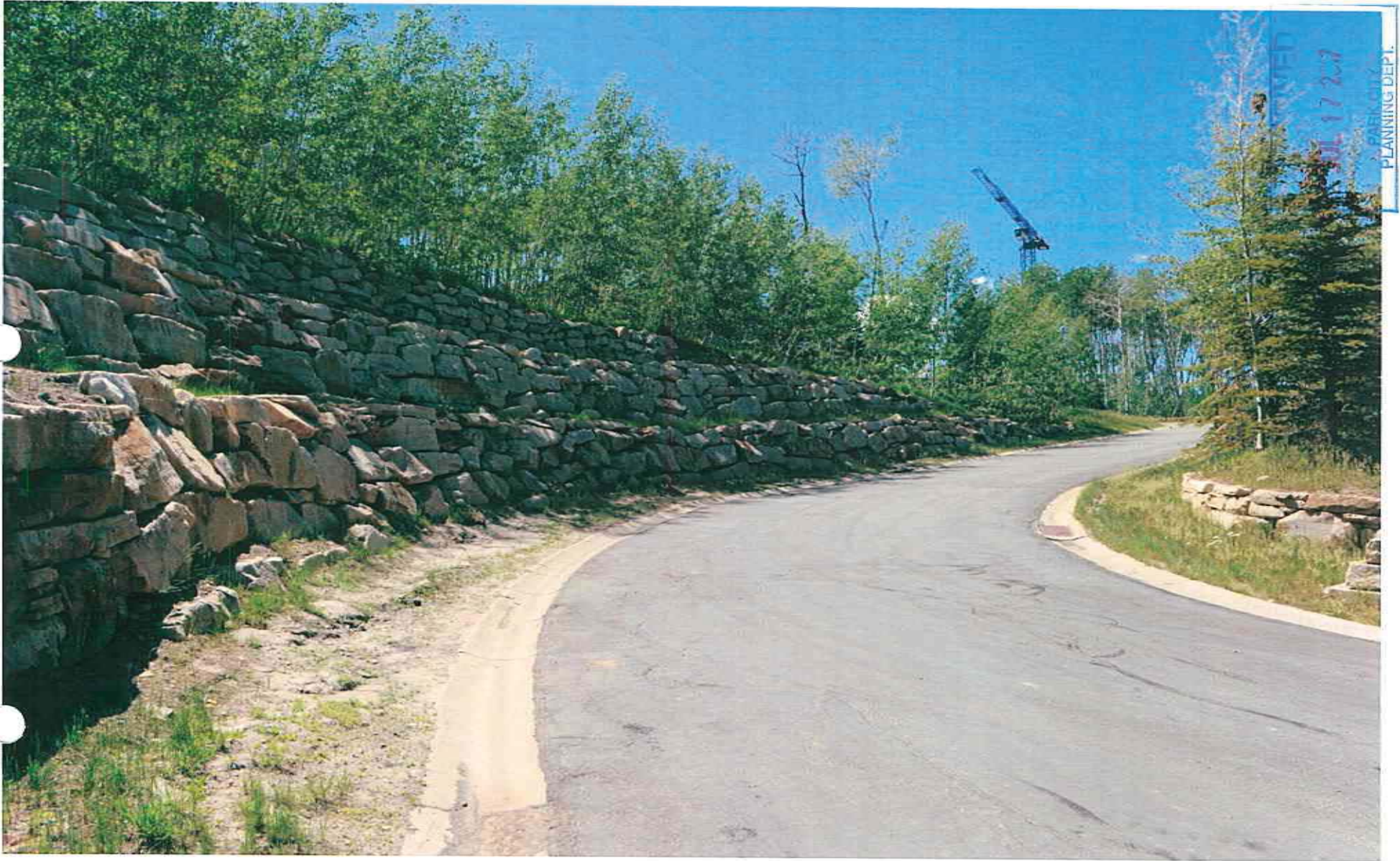
The Village at Empire Pass, Phase I, Lots 1 & 2 – looking south





The Village at Empire Pass, Phase I, Lots 1 & 2 – looking southeast





The Village at Empire Pass, Phase I, Lots 1 & 2 – looking northwest



# EXHIBIT K

## Flagstaff Annexation and Empire Pass Units and Unit Equivalents Updated for 5.24.17

POD	Single Family	Allowed SF lots	SF Permits	SF CO #'s
A	Banner Wood-platted	6	4	4
B1	Northside-platted	10	10	10
D	Red Cloud-platted	30	12	11
<b>Totals</b>	<b>(Single Family only)</b>	<b>46</b>	<b>26</b>	<b>25</b>

POD	Multi-family	Units		UE		MF Units	ADA	EHU	On Mtn AUE	CO	Status
		Approved/Proposed	Platted w/ condo	Platted w/ condo	Approved/Proposed w/ condo or sub	UE Platted with condo	Platted as PUDs	provided/r equired	provided	provided/ proposed	
A	Horseshoe Townhouses on Lot 1 VEPN plat TDB	0		0		0			0	0	0 Sub Plat under review
A	Lot 3 VEPN plat-(Bldg 3) Proposed	21		0	24.50	0	1		1.1 AUE	0	0 Sub Plat under review
A	Lot 2 VEPN plat-(Bldg 4) TBD	0		0		0	2		2.0 AUE	0	0 Sub Plat under review
A	Tower Residential- platted lot/no condo plat (Bldg 1)	25		0	38.90	0	1		0.75 AUE	0	0 CUP expired/not platted
A	Shooting Star-platted lot and condo (Bldg 2)	21	36,109	21	18.30	18,055	1	0	0	18.1	21 Completed
A	One Empire Pass-platted lot and condo (Bldg 5)	27	65,026	27	32.80	32,513	1	1	1.125 AUE	0	0 27 Under Construction
A	Silver Strike-platted lot and condo (Bldg 6)	34	71,305	34	35.60	35,653	2	1	1.1 AUE	35.7	34 Completed
A	Flagstaff -platted lot and condo (Bldg 7)	37	73,506	37	35.90	36,753	2	2	1.6 AUE	36.8	37 Completed
A	Arrow Leaf A-platted lot and condo (Bldg 8)	28	46,458	28	24.50	23,229	2	3	2.85 AUE	23.3	28 Completed
A	Arrow Leaf B- platted lot and condo (Bldg 9)	28	48,746	28	25.70	24,373	2	0	0	24.4	28 Completed
A	Grand Lodge-platted lot and condo (Bldg H)	27	65,344	27	33.00	32,672	2	1	1.2 AUE	32.7	27 Completed
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	15	48,693	15	24.40	24,347	6	0	0	24.4	15 Completed
A	Larkspur West Townhouses-all platted/condo	12	41,273	12	20.70	20,637	0	0	0	20.7	12 Completed
A	Paintbrush PUDs- all platted/condo	12	63,076	12	31.90	31,538	12	0	0	32	12 Completed
A	Belles PUDs- all platted/condo	17	90,000	17	45.00	45	17	0	0	37.85	14 14 Completed
B1	Nakoma PUDs- phase 1 platted/condo	17	90,000	17	45.00	45	17	0	0	35	13 13 Completed
B1	Ironwood- all platted/condo	24	73,944	23	37.40	36,972	0	1	1 AUE	37.1	23 Completed
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)			hotel rooms	69.60	72,665	0		0	72.4	1 Completed -see note
B2	B2 West Montage condos- platted (apprvd 94)	94	218,669	84	114.00	109,335	0	5	10	7.8 AUE	84 Completed
B2	B2 East- B2East Subdivision approved/No condo plat yet	70		0	81.00	0	0	2		4.2 AUE	0 Sub plat approved
<b>Totals (Multi-family only)</b>		<b>509</b>	<b>1032149</b>	<b>382</b>	<b>738.20</b>	<b>588.742</b>	<b>52</b>	<b>24</b>	<b>19</b>	<b>24.725 AUE</b> <b>16.675 AUE</b>	<b>539.75</b> <b>349</b>
<b>Maximum Allowed by Flagstaff Development Agreement</b>		<b>550</b>		<b>550</b>	<b>785.00</b>	<b>785</b>	<b>60</b>	<b>n/a</b>		<b>built to date (on mtn)</b>	
<b>Remaining UE/Units/AUE</b>		<b>41</b>		<b>168</b>	<b>46.80</b>	<b>196.258</b>	<b>8</b>	<b>n/a</b>			

### Affordable Housing

MF Totals by POD only aprvrd or platted (not SF lots)	Units Approved	Units Platted	UE Approved	UE Platted	MF Units as PUD	Total MPD	Total off	Total on Mtn	Total off	Total on
						AUE required	Mtn AUE required	AUE required	Mtn AUE built	Mtn AUE built
A (not including Lot 3 and Tower CUP)	258	258	327.8	324.77	35					
B1	41	40	82.4	81.972	17					
B2 (plus 174 hotel rooms) not including B2East	94	84	183.6	182	0					
<b>A, B1, B2</b>	<b>393</b>	<b>382</b>	<b>593.8</b>	<b>588.742</b>	<b>52</b>	<b>118.9</b>	<b>94.175</b>	<b>24.725</b>	<b>89</b>	<b>16.675</b> <b>13.225</b>

% of MF units total in Pods A, B1 and B2 that are in POD A (MPD requires minimum of 50%)

67.54%

SF- Single family lot/house

MF- Multi-family/condominium units

PUD- Planned Unit Development Style MF

EHU- Employee Housing Unit (no min number)

AUE- Affordable Unit Equivalent (1 AUE = 800 sf)

UE- Unit Equivalent (1 UE = 2,000 sf residential)

ADA- American Disability Act required units

VEPN- Village Empire Pass North Subdivision plat

CO- Certificate of Occupancy (hotel rooms counted as 1 CO total)