

**PARK CITY MUNICIPAL CORPORATION  
 PLANNING COMMISSION  
 CITY COUNCIL CHAMBERS  
 October 25, 2017**



**AGENDA**

**MEETING CALLED TO ORDER AT 5:30PM**

**ROLL CALL**

**ADOPTION OF MINUTES OF October 11, 2017**

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

**STAFF BOARD COMMUNICATIONS AND DISCLOSURES**

**CONTINUATIONS**

<p>638 Park Ave – City Council Remand of a Conditional Use Permit (CUP) for a Private Event Facility Back to Planning Commission for Additional Review.  <i>Public hearing and continuation to November 29, 2017</i></p>	<p>PL-16-03225  <i>Planner            Grahn</i></p>	<p>99</p>
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**REGULAR AGENDA – Discussion, public hearing, and possible action as outlined below**

<p>11, 14, 17, and 24 Nakoma Terrace – Nakoma Condominiums- Second Amendment to First Amended and Restated Nakoma Condominium plat to create private and common ownership for four completed units.  <i>Public hearing and possible recommendation to the City Council on November 9, 2017</i></p>	<p>PL-17-03644  <i>Planner            Whetstone</i></p>	<p>100</p>
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<p>1887 Gold Dust Lane #201/202 – A plat amendment proposing to transfer approximately 129 square feet from Unit 201 to Unit 202 within the Gold Dust Plaza Condominiums.  <i>Public hearing and possible recommendation to the City Council on November 9, 2017</i></p>	<p>PL-17-03655  <i>Planner            Morlan</i></p>	<p>125</p>
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<p>1002 Woodside Avenue – A plat amendment proposing to combine the two existing lots addressed at 1002 Avenue into one lot of record.  <i>Public hearing and possible recommendation to the City Council on November 9, 2017</i></p>	<p>PL-17-03670  <i>Planner            Morlan</i></p>	<p>139</p>
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<p>Treasure Hill Conditional Use Permit, Creole Gulch and Town Lift Mid-station Sites – Sweeney Properties          Master Plan – PL-08-00370  <i>Public hearing and consideration of motion to continue public hearing to a future date</i></p>	<p>PL-08-00370  <i>Planner            Astorga</i></p>	<p>155</p>
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**AGENDA CONTINUES ON NEXT PAGE**

A majority of Planning Commission members may meet socially after the meeting. If so, the location will be announced by the Chair person. City business will not be conducted.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.

7695 Village Way- Empire Residences Conditional Use Permit for a 20 unit lodge building subject to requirements of the Village at Empire Pass Master Planned Development for Building 3, with one employee housing unit and one ADA unit.  
*Public hearing, discussion and continuation to November 29, 2017*

PL-17-03526 207  
*Planner  
Whetstone*

## **ADJOURN**

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PARK CITY MUNICIPAL CORPORATION  
PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS  
MARSAC MUNICIPAL BUILDING  
OCTOBER 11, 2017

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Preston Campbell, Steve Joyce, Laura Suesser, Doug Thimm

EX OFFICIO: Planning Director, Bruce Erickson; Francisco Astorga, Planner; Tippe Morlan, Planner; Polly Samuels McLean, Assistant City Attorney, Jody Burnett, Outside Counsel

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REGULAR MEETING

**ROLL CALL**

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioners Band and Phillips, who were excused.

**ADOPTION OF MINUTES**

September 27, 2017

Commissioner Joyce referred to page 5, third paragraph of the Work Session, and changed “reviewed the CUP for tis” to correctly read, “reviewed the CUP for **this**...”

Commissioner Joyce referred to page 8, middle of the middle paragraph and the sentence “Mr. Elliott stated that they originally looked at a project that a different outcome on the street”. He changed the sentence to read, “Mr. Elliott stated that they originally looked at a project that **had** a different outcome on the street.”

MOTION: Commissioner Thimm moved to APPROVE the Minutes of September 27, 2017 as amended. Commissioner Campbell seconded the motion.

VOTE: The motion passed. Commissioner Suesser abstained since she was absent on September 27<sup>th</sup>.

**PUBLIC COMMUNICATIONS**

There were no comments.

**STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES**

Director Erickson stated that the Planning Commission would have a second meeting on Wednesday, November 29<sup>th</sup>. The date is different than the normal second Wednesday of the month to avoid having to meet the night before Thanksgiving.

Planner Tippe Morlan reported that the Appeal for 352 Woodside on the Steep Slope CUP was scheduled for Tuesday, October 24<sup>th</sup>. The Planning Commission has the option to send a representative to the City Council meeting to be present for the discussion and/or to make a statement.

Commissioner Joyce stated that he would attend the City Council meeting on Tuesday, October 24<sup>th</sup> for the Appeal.

Planner Francisco Astorga reported that beginning December 15<sup>th</sup> China Bridge would begin its new parking program. Starting at 5:00 p.m. it will be paid parking with one hour free. The City will use a validation program for those attending City Council and Planning Commission meetings.

Chair Strachan disclosed that his office is across the street from 368 Main Street, an item on the agenda this evening. That would not affect his decision and his lease will probably expire before the project is completed.

**CONTINUATIONS (Public Hearing and Continue to date specified.)**

302 McHenry Avenue – A plat amendment requesting to combine the four existing lots located at 302 McHenry Avenue into one lot of record.

Planner Morlan reported that this item was being continued because the applicant was deciding whether or not to go to the Board of Adjustment to request a variance on the lot site, since the lot being created would be smaller than what is allowed in the zone. The Staff was working with the applicant on that determination.

Planner Morlan requested that the item be continued to a date uncertain.

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

MOTION: Commissioner Joyce moved to CONTINUE 302 McHenry Avenue plat amendment to a date uncertain. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

**REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION**

**NOTE:** The Treasure Hill portion of the Minutes is a verbatim transcript.

**1. Treasure Hill Conditional Use Permit, Creole Gulch and Town Lift Mid-station Sites – Sweeney Properties Master Plan (Application PL-08-00370)**

Chair

Strachan: How are we going to tackle things tonight, Francisco?

Planner

Francisco

Astorga: Well, I would like to just go over, briefly go over the Staff report that we prepared. I won't take long. At that point I'd love to answer any questions that you might have for Staff, and then we'll turn the time over to the applicant for their two presentations, I believe.

Chair

Strachan: All right. And I take it from the submittals that you're going to go over Refinement 17.2 and then what else? Just to get an idea of the time frames we're looking at.

Planner

Astorga: Exactly. It is to go over 17.2 and also to go over some of the exhibits that we prepared for the Commission, including the Planning Commission outstanding items list. Go over, briefly over utility capacity and then go over the hotel use approval.

Chair

Strachan: Okay.

Planner

Astorga: And the MPD.

Chair

Strachan: And then from the applicant's point of view, what presentations do you intend to give tonight?

Pat

Sweeney: We're going to have a presentation on phasing, staging and other construction related issues and questions, including soils.

Chair

Strachan: Okay. Great. Let's hit it.

Planner

Astorga: All right. So just to start out, this is Refinement 17.2 and its full update. So we spent a little bit more time reviewing that. We briefly presented that to you, but we didn't have, you know, enough time to fully understand what was going on. And that's why on this Staff report we expanded upon that. And it's basically the, the biggest portion of that is the elimination of Building 5D and 5B. If I get that right. And that's outlined in, in the Staff report, so I don't want to expand on that unless you have any major questions on that. The biggest effect of that Refinement is the massing and density that gets placed over Building 4B. As the orig-, not the original, but I'll call it Refinement 2008-2009 in 17.2, we're still looking at 394,000 square feet of development, so that the residential number didn't obviously come down. It was just shifted from one place to another.

The second portion is the exhibit that I prepared, this very colorful exhibit, and let's see if I have that page number. And the reason why I spent time on that, I think it's so important or critical, is that it takes page P16 that nobody wants to take a look at. It's just a huge Excel spreadsheet over a 24 x 36 inch set of plans. And it's a very hard time visualizing what's going where. So this exhibit that I prepared on page 114, it merges each, that page into the Refinement 17.2 site plan. So, it's purpose is to allow the Planning Commission to further understand building by building. As you can tell, it was broken down by each residential use, each commercial, as described by the applicant as either allotted commercial or support commercial, as well as it provides the number of its back of house accessory space, which does include any common and circulation areas. And here and there some buildings have parking. Other building is just simply part of the underground parking layout. So we did account for every, every square foot as indicated on that sheet. And we have that in front of you just to provide better graphic representation of what is being proposed. Obviously the number did not change from the proposal of 948,000 square feet of, of development.

If you have any suggestions on how I can make this exhibit a little better, you can go ahead and ask me. Suggestions that I have is perhaps we need to indicate building by building what's being proposed underground versus what's above ground. Currently, the exhibit just has all square feet within each specific building. Yes, we did find some errors in the Matrix, in the Excel spreadsheet, but it's not substantial as it's part of one category and not the other. We can go ahead and fix that, but I don't believe that that would change anything drastically at this point.

Commissioner

Joyce: Francisco, I, I found that to be really helpful. And I, you know, bookmarked that pretty quickly. One thing that would help me is there's so much information on there. As much as I'm not a big paper fan, if we could get a, you know, the, the full-sized version of that printed at some point, that would be really helpful, because I think I'd end up taking a lot of notes on it.

Planner

Astorga: Yeah, I have one right here and I take a lot of notes on it, too.

Commissioner

Joyce: Yeah.

Planner

Astorga: So we can make that for you.

Commissioner

Joyce: That would be great. Thank you.

Planner

Astorga: Going back to the Staff report real quick. The next section in the report is that we broke down the density of Refinement 17.2, as indicated under the section of Residential Density and then Support Commercial Space. The applicant makes an argument of having two separate categories in the term allotted commercial. That's the 19 UEs specified in the Master Plan, and then the Support Commercial. Staff, we disagree with that interpretation and, therefore, we find that they are over as they are proposing 37,813 square feet of commercial space. And we expanded upon that on page 54. And we've been consistent since we started reviewing this application on this argument made by Staff since June last year.

Regarding Lobby Space, it's very interesting, as we were able to locate the document titled the May 15, 1985 document. We do apologize for finding that document late. However, we were able to locate it. And we learn, we learn a lot of things from such, in that they, they had more density indicated on that. And that's why I believe that there was a specific density exhibit provided in the Master Plan that said no, it's not 209 UEs, it's 197. The, the interesting part of that document is that the Master Plan makes no mention of the term "Lobby Space", but this 1985 document does indicate a maximum number there. And we think, we believe, or we find that that was the reason that it was included on the very first sheet of the Master Plan, as it indicated that, that these four or five components are part of the approved document. So we wanted to put that in front of you as we just learned of, of such. And it does indicate a note on this specific document that says Lobby includes the following non-commercial support amenities: weight rooms, recreation rooms, saunas, administrative offices, storage, guest ski storage, guest meeting room, etc. So we've lined that up on page 55 of the Staff report.

Next we move on to discuss Accessory Space, as I just indicated. Accessory space includes, not by definition of the Land Management Code, but simply by the text indicated in the Master Plan Development LMC Section that accessory space includes back of house and also circulation and common space. There is some overlap between that and the lobby space. However, again, that is the reason that we find that that document was included in the approval documents, again outlined in the first page of the Master Plan.

Regarding parking spaces---and you can stop me if you have any questions at, at this stage.

Commissioner

Suesser: Yeah, can you just go over that again about how you think that this fact sheet and unit breakdown was included in the MPD approval.

Director

Erickson: Go ahead, let me answer Francisco, real quickly. Basically, it is Exhibit #2 to the Master Development Plan approval, so it is on the first page, Exhibit #2. It is included in the specific approval.

Commissioner

Suesser: And when was it located?



Director  
Erickson: What, about a month ago?

Planner  
Astorga: About that.

Director  
Erickson: So we received a substantial GRAMA request to provide information, and in the course of doing the GRAMA request through many, many boxes of information, Exhibit 2 to the Master Plan Development approval resurfaced, and that's the document you have in front of you.

Chair  
Strachan: And do we have any further history on that? What do we know about that?

Planner  
Astorga: Well, the document was prepared, I believe, by Mr. Woodruff. And it was obviously submitted by the applicant as part of their application back in the eighty, '85 when it, when it went through. So it's a very interesting document. I can pull it up or we could discuss it. It's, we also printed in your exhibits.

Commissioner  
Suesser: Yeah, we've read it.

Chair  
Strachan: Yeah, we've---

Planner  
Astorga: We're on page 116. And it outlines four categories for the Hillside properties. That's Creole Gulch and Town Lift Mid-Station. It talks about unit equivalents; that's the residential number. It talks about the square footage support commercial, square footage lobby, and the number of parking spaces. The Master Plan further clarified that this is, in the density exhibit, what would be the residential square feet---not square footage, but unit equivalent of the combined of 197 UEs. So that's why I believe---this document called it 207. After, as it went through, it was actually the other number, and that's why it was clarified. It is consistent with the square footage of support commercial, which is 19,000 square

feet. And then it does have the square footage for lobbies at 17,500. It further breaks down each site; the Creole Gulch and the Mid-Station.

The fourth category, it, it identified a number of parking spaces at 555. That number was, came about through simply applying a hotel room, the smallest category of hotel room, and then doing that calculation. It's doesn't help us out much as the parking plan---I'm sorry, the Master Plan had a specific finding of fact and development condition and parameter that said, that for parking they would either use the modified parking table, which is also found on this document---towards the end of it I did put a red outline of it, which is exactly---I'm on page 129, which is exactly what showed up on page 22 of the approval. So the Master Plan said they could either use this standard, which is the same one on Sheet 22, or the Standard of the LMC at the time of approval. We're looking at the 2004 LMC.

While we didn't expand much on parking on, on this Staff report, Staff, we find that the applicant is requesting to meet the parking of the modified parking table as indicated on page P16 of Refinement 17.2. Their proposal is less than what is, than what would be required in 2004. And I could expand on that. We are getting ready to provide that analysis in the future for you.

So the benefit of this document, the Sweeney Properties Master Plan Fact Sheet and Unit Breakdown, as Bruce just indicated is listed as a second item on the very first page of the Master Plan, is it allows us to find out what they were considering to be square footage for lobby, and also it tells us exactly where the 19,000 square feet of support commercial came from. Obviously, it doesn't help us for the parking as I just barely indicated. That's why the Master Plan was so specific in that Development Parameter and Condition, and also why the Master Plan, not just in the density exhibit towards the end of the report but throughout the report itself, it said this is the actual number at the Hillside properties.

Do you have any other questions regarding---

Chair

Strachan: Yeah, I have a ton, but I think I'll save them for later. That's a pretty important document to be finding---

Planner  
Astorga: We agree.

Chair  
Strachan: Where we are in this process. But I look forward to the Applicant's take on that document, as well. So, let's carry on unless there's questions so pressing they can't kind of wait for the questions time. All right.

Planner  
Astorga: I'm almost done. If I could find my place in the report so I don't lose my train of thought. The next item is Exhibit E. No, not E. It would be, I apologize. Trying to find the right exhibit. It's the exhibit, I called it the CUP and Master Plan Compliance sheet. This is an exhibit that I think is extremely helpful as it outlines Criteria 1 through 15 of the conditional use permit, and it merges with the Master Plan language. So I did not leave one paragraph out of that. So when we talk about utilities, for example, we can go back and review what the actual Master Plan said. The reason that I thought it would be helpful is because I think it's the framework for final action. We have to address both, compliance with the Master Plan, and mitigate impacts as indicated on Items 1 through 15. And that was the purpose of that exhibit.

The next paragraph, or the next portion, is that we've published a draft working copy of the Planning Commission outstanding items. We are calling it a, a draft or a working list because this is the first time that you're seeing it. So we would love to have your input on it to double-check to see if we missed anything or if something should be removed from such list. And obviously it is a working list. We will provide that for you throughout the next Staff report.

The next portion is the Utility Capacity. As the issue we have with Staff is the lack of specificity provided, specifically based on the language that was provided on the Master Plan. And we can discuss that if you'd like.

And the last item is the hotel use approval. The Master Plan did contemplate a hotel. It, it talks about its temporary transient type of use. And also, the same exhibit we were discussing earlier, the May 15<sup>th</sup>, 1985 Exhibit did discuss the, the hotel use. So we wrote up that specific analysis. Furthermore, the Master Plan had a requirement that the site itself had to be rezoned into Estate MPD designation, which took place in 1991. If we look at the 2004 Land Management Code, we look at the

Estate District, it does say that a hotel use is a conditional use permit. So we just try to clarify that for the Commission.

That's all I have as far as the Staff report. And I'll be more than happy to answer any questions, unless Bruce finds that I've missed anything tonight.

Chair

Strachan: Questions for Francisco? All right. Just turning back to that exhibit, the fact sheet, have you had a chance to really dig into that as much as you need to?

Planner

Astorga: We, we have.

Chair

Strachan: Yeah. All right.

Planner

Astorga: I, I believe that we have. The, for whatever reason, the exhibit had broken down Creole Gulch and Mid-Station into two phases for each one. But other than that, all the information matches what was written on the Staff report. Not just the breakdown but the analysis provided throughout the, throughout the report.

Chair

Strachan: So, Creole Mine Phase 1 and 2, and then Town Lift Mid-Station Phase 1 and 2, those aren't reflected. Those phases aren't reflected, though, in the MPD. They're just called Creole Mine and then Town Lift Mid-Station.

Planner

Astorga: Correct.

Chair

Strachan: Those aren't---Okay. Any under-, sorry, any understanding as to why they broke them down?

Planner

Astorga: I do not have that. I believe it could have been an, an early type of application submittal provided by, by the applicant. But I don't believe that

those two phases affect the phasing that was indicated or clarified towards the end of the Master Plan in that specific exhibit.

Commissioner

Suesser: And, and is there an explanation about why Lobby, a reference to Lobby wasn't included in the MPD if it was, since it's sort of expanded upon in this exhibit? Is there an understanding as to why the MPD itself didn't include that?

Planner

Astorga: No. There is no explanation, other than this is the benefit of this exhibit.

Chair

Strachan: You feel that this exhibit defines the lobby square footage, and so the MPD document that we've been working off for however many years doesn't need to say anything more?

Planner

Astorga: It, it would seem that that would be the only purpose of why this document was included as part of the Master Plan approval. Because the other four categories, the residential density, the Master Plan clarified it. Same thing with the support commercial and the parking.

Commissioner

Suesser: Is there a direct reference to this exhibit in the MPD?

Planner

Astorga: Yes. Page 1.

Director

Erickson: Page 1 of the Master Plan approval.

Commissioner

Suesser: References this specific exhibit?

Director

Erickson: Exactly.

Planner

Astorga: I can pull that up.

Commissioner

Suesser: That would be great.

Director

Erickson: So, Mr. Chairman, while you're looking that up. I, I don't think it's the Planning Department's intent to rely solely on this piece of information. It's the intent to continue to identify what was approved in 85/86, what the application in 2004 is intended to do, and compliance with the conditional use permit. So it is a piece of the puzzle. It is not the puzzle itself. And we don't---there are some anomalies in the numbers, there's some other stuff going on, but it was shown as an exhibit to the Master Development Plan. We consider it to be a piece of the puzzle in trying to clarify what was approved and what was not. That's the only purpose of this document.

Chair

Strachan: But it does seem to me it sheds pretty good light on what the intent was in terms of support commercial.

Director

Erickson: Yes. And it also assists us in the definition of nightly rental.

Planner

Astorga: So if I could show the exhibit. This is the very first page of the Master Plan. If we start looking at the first paragraph, the last sentence, it says the following plans and exhibit, in addition to this report and the project file, constitutes the complete development permit. Number one, it's the specific pages. And then the second one, Sweeney Properties Master Plan Document and Fact Sheet dated May 15, 1985 and subsequent amendments.

Chair

Strachan: We got everything else on that list?

Planner

Astorga: I don't believe that we have item Number 3, which is the 1985 application of the Master Plan.

Chair

Strachan: Pat, do you know where that is?

Pat

Sweeney: Yes.

Chair

Strachan: I think we should have a full MPD in front of us, don't you?

Pat

Sweeney: At this point I would, I'd like to say that what Francisco said is very interesting, but it's not factual.

Chair

Strachan: All right.

Pat

Sweeney: I personally wrote that, and it was part of an early application process that was amended and was---the plan with the two phases, etc., completely changed. So it's, it's totally out of context.

Chair

Strachan: I think we've got to get down to kinda brass tacks here and figure out what's the MPD document we're working off of. I mean, whether it's factual or not, we can sort out later. But, you know, you're looking at page 1 that says the following are part of the MPD approval, and it's got six thing listed here.

Pat

Sweeney: As amended, Adam. And those are facts that we'll have to establish. But I, I'm guessing that Francisco was pretty young when that happened. I was there. I, I wrote that. I know what the intent was, and it's different than what Francisco is representing. And we'll, we're not here tonight to address that. We will address it.

Chair

Strachan: And that's fine. I'm not asking you to address the substance of that tonight, but---

Pat

Sweeney: And it's, it's been available for 15 years in this process, so I'm not sure why it daylighted at this point, so.

Chair

Strachan: Yeah. Me neither. Me neither.

Commissioner

Thimm: Francisco, on the second page of the, the document that we're talking about, the Sweeney Properties Master Plan fact sheet and unit breakdown. The, in the red box at the bottom it speaks to the number of UEs, which doesn't match up with---and I don't know if you can, you know, it's the Sweeney Properties Master Plan density exhibit. The numbers don't match up. Do we have any idea why?

Planner

Astorga: Yeah. The, as the applicant has said and as written on the Staff report, the site could, could have accommodated a lot more density. And through that Master Plan Development that number was brought down and accepted by both the applicant and the Planning Commission. And as indicated on that sheet---it says it's 209, right?

Commissioner

Thimm: 207.

Planner

Astorga: 207. Right.

Commissioner

Thimm: Sorry.

Planner

Astorga: We're on page 116 of the Staff report. Right?

Commissioner

Thimm: Right.

Planner

Astorga: So, if you go back on your screen, there was a specific item Number 5 that was part of this approval, which says Sweeney Properties Master



Plan Density Exhibit. If we turn to it, it indicates that the density is 197. And it's not just on that specific chart that says that. It also, it reiterates that throughout the Master Plan, that the approved density is 1987.

Commissioner

Thimm: Okay. Which supersedes then, this? Page 2.

Planner

Astorga: Because of the discrepancy from 207 to 197, this is the reason why I believe they added Number 5 on this, on this, on the very first page of the Master Plan as shown on your screen. That's why they went of their way to say it's, this is the density.

Commissioner

Thimm: That is the exhibit. Okay.

Planner

Astorga: Correct.

Commissioner

Thimm: All right. Thanks.

Planner

Astorga: Does that make sense?

Commissioner

Thimm: It does. Thanks, Francisco.

Chair

Strachan: All right. Well, at some point I would like to understand what the applicant's view of what the entire MPD document is. And, and that may differ from what the City's is, but we should figure out what the bottom line document is that we're working off here, because it's going to guide our decision. So if you don't think that's factual, you give us the reasons why you don't think it should be looked at, or it should be ignored, or it should be included, that's fine. But I understand, Pat, that this is a long process and you've been through it with the City for many, many years. But you've got to understand that we're talking---

Pat

Sweeney: Adam, we're not---

Chair

Strachan: Hold on. Let me finish, Pat. You're bringing up to speed a bunch of new Planning Commissioners that aren't Staff. They haven't been working on this like you have. I apologize, but you've got to understand that we need, as Planning Commissioners, the document that is going to guide our decision. Just give it to us. If it's what we've already got, then just say that. This isn't hard. I'm not trying to back you into a corner. I'm just saying, give us the document you think guides our decision, and if it's different than Staff's then we'll work that out. Not hard.

Pat

Sweeney: Do you, do you want a response or---I'm not really sure what you want me to do, Adam. Just listen?

Chair

Strachan: If you think we've got it, let me know. Do we have it?

Pat

Sweeney: You've had all this information dating back, some of it, to the late '70s. Everything that is on that exhibit is factual, but the interpretation is not.

Chair

Strachan: Okay.

Pat

Sweeney: It is out of context and incorrect. And its conjecture. It's just made up.

Chair

Strachan: All right. I, I get that.

Pat

Sweeney: To make a point which is, is errant.

Chair

Strachan: All right.

Pat

Sweeney: That's our position. So, we will get you a written response to that, and if necessary we will address it before you in upcoming meetings.

Chair

Strachan: And I under-, and I appreciate that. And thank you for doing that. I understand there may be a difference in interpretation, but if you're telling me that Items 1 through 6 there are the complete set of, of controlling documents, then I think we're good. But I just want to make sure. I mean, we just found a document that's 35 almost plus years old, and if there's something else we don't have, regardless of how it's interpreted, we ought to get it.

Pat

Sweeney: All right. So let me point out one thing and then I think I'd like to get on with what we planned tonight. That was submitted to the City approximately 18 months in advance of the actual approval, and a lot of things changed during that time.

Chair

Strachan: I'm sure they did. Yeah. Yeah, I get it. And I understand there's going to be differences of interpretation. But we should know the history and you can walk us through it. I understand there were amendments, but I just think it's a little surprising that we're coming across that now.

Commissioner

Joyce: It's listed here.

Chair

Strachan: Yeah, when it's listed on page 1. And I'm not pointing fingers. I'm just saying we're going to get down to decision time here, and if we're not all singing from the same hymnal book, we're going to run into some problems down the road, I would imagine. All right.

Commissioner

Joyce: We need to be.

Chair

Strachan: Yeah.

Commissioner

Joyce: And I would, I would ask that---I mean, this says, you know, the Fact Sheet dated May 15<sup>th</sup>, 1985 and subsequent amendments. What we seem to have here is the copy of the Fact Sheet dated May 15<sup>th</sup>. If you have anything that shows any amendments that were made later on, I mean, that would be really helpful. I don't know if this is the amended version or there were no amendments or whatever, but it specifically says and subsequent amendments. So I'm just kind of looking for that as well.

Chair

Strachan: I agree. All right. That derailed us a little bit. Do we have any more questions, comments about that little finite issue? Okay. Francisco, anything more? The applicant wants to---

Planner

Astorga: No, other than we've provided, again, the working issues list from the Planning Commission. It's four pages. Obviously, we're putting you on the spot, but if you have any thoughts we would love to hear from you on those.

Chair

Strachan: Let's---

Planner

Astorga: It's page 139 through 142.

Chair

Strachan: I would probably recommend, although, you know, always open to discussion from the other Commissioners, but letting the public comment before we go over that because they have things to add to the list or things to take away from the list. So, why don't we defer that discussion until later.

Commissioner

Suesser: Yeah. And I'd like to reserve, you know, the right to amend that list as we go forward.

Chair

Strachan: Yeah, I think that's why it's a draft. Yeah. Francisco, that's not final, right?

Planner  
Astorga: That's not final.

Chair  
Strachan: I would hope not. It's very good but we've got a few more things that need to go on the list.

Planner  
Astorga: This, this is your list. It's your list, so.

Chair  
Strachan: Yeah. All right. Okay. All right. Pat, it's your floor and take it away.

Pat  
Sweeney: I'm Pat Sweeney, representing the applicant, MPE. To, to my right is Troy Thompson from Big D, a regional construction company. And to his right is Mike Plattis who is assisting with an animation that he's prepared.

Tonight Troy will cover staging, phasing and other construction related items. Followed by that, behind me is Tim Jones who is from Robinson Construction Company, which is a regional and national excavation company. And then behind me is Taylor Nordquist who is an engineer with Applied Geo-Technical Engineering Consultants, and he will talk about soils.

Director  
Erickson: Excuse me, Pat. Just one---do you have something that's supposed to be up on the screen we're not seeing?

Pat  
Sweeney: Yes.

Director  
Erickson: Okay. Can we get that sorted out, Mr. Astorga?

Planner  
Astorga: Yeah, we're just supposed to wait for that signal to kick in. I usually have these issues at the Santy, not here at Marsac.

Pat

Sweeney: I'll unplug it and plug it back in. So, Francisco---

Commissioner

Joyce: There we go.

Planner

Astorga: There you go, you got it

Pat

Sweeney: So I'm going, I'm going to let Troy---once again Troy Thompson from Big D take over. He might want to give you a little more information about himself. And, and then I will maneuver the outline and Mike Plattis will show an animation.

Troy

Thompson: Well, thank you. As Pat said, my name is Troy Thompson, Big D Construction. I'm the Executive Vice-President of Big D. And I've worked in the Utah area on many high profile projects over a 36-year career about. I've personally managed close to \$3 billion in projects. And I got involved with this---Big D is a regional contractor as Pat said. We have an office here in Park City and many, many jobs in the surrounding area. We have 9 regional offices so we, we work on all types of construction, including mountain construction. And I was introduced to this project back in 2003 or 2004. Mike and Pat Sweeney came to our office and, and we worked on a variety of plans of how to get this thing constructed and how we would go about doing that. And we've continued to do that from time to time over the years. And Pat has asked me tonight to come up here and speak to you all about how that might be accomplished and, and maybe draw some comparisons to some of the larger projects we build. So, I'll start with that. Now---and thank you very much for allowing us to be here for this presentation.

I think we want to cover in this first section, three important topics. One of those topics is how do we arrive at a workable phasing plan. And we're going to take you through that step by step, and hopefully you're understand and maybe even have some questions about how we've approached that. And then Pat's going to kind of take it over for a minute and we're going to talk about how do we arrive at a feasible ski access plan. And we'll show you some things that we've developed drawing-wise on that. And then I'll conclude with this on how, how do we create a

practical master staging plan. As, as you can imagine, these types of projects are difficult to stage and difficult to get into. And we've put some, a lot of thought in there for how that, that might happen. So, with that, I'd like Pat to pull up just kind of an overall view of the project and, and I'll walk through some of the, some of the important details.

So in this, in this rendering here, or this drawing, you'll notice that we've identified four distinct phases: Phase I, Phase 2, Phase 3 and Phase 4. And you'll see how that's working in a clockwise fashion. And that's--- some of the reasons that's important is because of the geography and topography of the mountain there, we need to start in Phase 1 on the very southern end, and we need to cut into that and develop a lay down area, and I'll talk about that here in a minute, and work our way back to the end of that, the far south end of that Phase I. And then from there we need to work on the, the excavation. That's going to take probably well into most of the season and beyond into a full year of working through that earthwork and cutting, cutting that, that wall and, and installing the retention devices and, and systems to be able to retain the wall, to be able to get down to the footing and foundation level, to be able to get down to the bottom of the parking garage level in that Phase I.

Commissioner

Joyce: Can I, can I ask a question just because it will help me with how you stage it.

Troy

Thompson: Sure.

Commissioner

Joyce: Do you do all of the excavation for the entire project or do you do the excavation for Phase 1 and then building Phase 1 and then---

Troy

Thompson: Sure.

Commissioner

Joyce: Build Phase 1 and then do the excavation for Phase 2. How, how does that flow?

Troy

Thompson: Yeah, that's very, that's a very good question, actually. And what we need to do---one of the, and I was going to get to this in a minute, but I'll bring it up now. So one of the really cool things about this project, unlike a project that say, you know, I recently did a project in Salt Lake City that was a 25-story tower and access to that site was everything had to come through a 16-foot gate. There was no staging. Zero. You had to go from a truck to a building. And in this plan---and that, that by the way, and many other projects that I have done downtown have a tremendous amount of earthwork that has to come out and walls that have to be retained. And that, that soil has to go somewhere. On this site, the designers and the geo-tech consultants have worked hand in hand together to be able to look at how this soil is moved around the site. And so, even though there's a million plus yards that need to be dug out or moved or whatever, that will, Phase 1 will open the door, the gateway for that, meaning roads will be cut in and, and flat areas will be created and construction roadways within the site will be created in such a way that the material can be moved to the upper end of the site. More, if we were looking at that lighter blue color, right at the very left side of where that stops there is kind of a flat area up there and a lot of the soil is going to be taken there, which will then later be taken up into that canyon to be placed into the, into the hole and leveled out up in there. So that, that work will start initially. Will the entire thing go at once, no. Mostly Phase 1 with some commitments to getting the, the roadway system and the approaches up to that flat spot to be able to get that dirt, and then start building some of the roadway systems to be able to then haul the dirt up into that canyon. Does that answer your question?

Commissioner

Joyce: I think so. So the thing that triggered that was just when you were saying it will be at least a season to, to move the dirt, you're really talking about Phase I. To, to clear out the starting roads and---

Troy

Thompson: Yeah, just Phase I. The other two---

Commissioner

Joyce: Just the dirt for Phase I.

Troy

Thompson: Yes.



Commissioner

Joyce: Plus kind of the infrastructure you just described. So, that's not a, that's not an excavate the project that, with that piece.

Troy

Thompson: That is not.

Commissioner

Joyce: Okay.

Troy

Thompson: That is not.

Commissioner

Joyce: Perfect. Thank you.

Troy

Thompson: You bet. So in Phase I, as you might well imagine if you've seen sections through these buildings, there's cuts coming down the mountainside and down into the garage level. And we would follow that with concrete operations as we work from the south working north. And we would try in that first year to get that, that, that earthwork done and the concrete done and the garage established so that could be a, an access later on for construction materials and men to be able to come through the garage underground and get to the, to the buildings to go vertical.

We would also anticipate in kind of a 1B phase of that first phase would be the lifts, understanding that we need to always keep the ski access open, and that we would then remove the lifts and install the new lifts. Kind of that, what I would call that second year.

Commissioner

Suesser: Could you just clarify what garage you're speaking about in Phase I.

Troy

Thompson: Yeah, so maybe---

Commissioner

Suesser: The garage under which, which building?

Troy

Thompson: Maybe our designer could come up and kind of point to where that is.

Commissioner

Suesser: The garage is under those buildings? Okay.

Architect

David

Eldridge: It's the, it's the garage underneath the One buildings.

Troy

Thompson: Yeah. It doesn't show the outline on there, but it's, yeah, right where the top of that arrow is, is kind of where the underground garage is.

Commissioner

Suesser: Those are townhouses there?

Troy

Thompson: Yes. Right.

David

Eldredge: Townhouses above the garage.

Pat

Sweeney: There's three, there's townhouse and flats there. The townhouses in 17.2 are located down by the existing neighborhood. They, they basically are behind the houses on Woodside.

Commissioner

Suesser: It's one big garage. It's not---each townhouse doesn't have a separate garage.

Pat

Sweeney: It's one, it's one big garage. And I'll invite David Eldredge up here if we want to get into some detail. But it's one garage that serves all of what we call the One buildings. IA or the six units that look like typical townhomes on about a lot and a half size home. And then behind that is 1B and 1C and those are flats, more, more of an urban type of architecture.

Commissioner

Suesser: Thanks for the clarification.

Commissioner

Joyce: And so when you said for your kind of 1B Phase of doing the lifts, so that says you're, you're pulling out the Town Lift and you're actually replacing it with a Cabriolet. And you're putting in the quad up to wherever the quad's going to go to. And so those become the functioning town lifts from that point on for development?

Troy

Thompson: Yeah, and we'll show you a ski access plan in a minute. So, there wouldn't be access through the project, obviously, until it's done. But there will be---all of the other runs would be open and there would be access to those.

Commissioner

Joyce: Okay.

Troy

Thompson: Yeah, so one, you know, one of the things just to take a step back. I want to talk a little bit more, more about the, the earthwork component of this, because if it were a typical project downtown or similar to another one I can think of. I did two 25-story buildings in Bellevue, Washington that had a five-story deep parking garage, you know, with about 300,000 yards of earth come out of that. Many, many truckloads. This thing, a million yards of dirt is probably 100,000 truckloads. We're going to avoid that because we're really figuring out ways to balance that earth on site. And so that's, to me that's an exciting thing for the City and the neighborhood that all of that traffic, that's a big component of construction, as Doug would know, on these projects. Taking all of that dirt, getting it out. It's kind of a dirty thing, you know. The wheels get dirty, it gets out on the streets. And so I'm kind of excited that that's, that's all going to be contained within the site, and part of our approach to this.

So back to that plan. After Phase 2 we would alongside the mountain there. There's some, some, quite a bit of retention and earthwork that has to happen. Work into that Phase 2 and that set of buildings. And then we would kind of turn the corner and work into Phase 3. And that's, that's got a very large garage component on it with a number of yards. I think it's approaching 6 or 700,000 yards that, that comes out of that particular hole. And a lot of that material will move up the mountain into that valley.

And then we would end with Phase 4. And what we're really thinking is that Phase 4 becomes the natural staging area while, until we get to that particular phase. So we would level out that area and treat that as the way we get into the project, the way we off load projects would be in there. And we're proposing that we would include some sort of berm using the natural earth, the geography and the topography that's there naturally. The, the hill kind of goes up and we would---after that reaches a certain height, we would, we would round that off and cut the backside of it out so it's going to provide a nice little noise barrier. A nice little barrier to sort of the construction and what's going on, you know, behind it.

Then we would finish up with Phase 4. Obviously, we would have to remove a portion of that berm to be able to access that, but we would do that very judiciously. And we would, we would landscape that---temporary landscaping to make that beautiful along that Lowell Avenue frontage.

Next, I guess, I want to talk a little bit about the fencing that gets a little bit tricky on a mountainside construction project. And, of course, I would really look at this as, as kind of two unique areas. The one is the area with the buildings, which would stay fully fenced in my mind. And when I say that, that's not literal because as Phase 1 and Phase 2 is those natural, as those walls got retained, you know, we put back the permanent landscape and so forth there, that, that would become---some of that fencing would go away. But that 11-acre site would be fenced. And then we would, we would also fence for more for safety and security reasons the upper area where the soil placement is going to go. And maybe, Pat, you can just draw some squiggly lines with your hand and show where the, where the roads to access placing of that soil, just, just to help everyone understand that.

So in this you can see that, that blue. What that's meant to graphically depict is where we would stockpile the soil, as I mentioned earlier. And then we would bring it up through this series of roads, haul roads to get that material up and place it in that, in that valley.

So, other than the 8' chain link fencing that we put around the site, we anticipate that we would need some, some tall 4 x 4 posts with some Halloween rope or something there to be able---and work with closely with the ski resort and the ski patrol to develop the right system and the right barriers for winter, and, and make sure that's safety and safely secured and chained as, as required.

I'd also like to kind of go into a little bit---I'm sure there's some questions on how people would get to this, how equipment would get to this site, and how all of that's done given the, you know, the tricky road access. What our plan is there is, is first of all, in terms of manpower, we would anticipate---obviously, this isn't going to be built all at once. It's going to be built in phases. Each one of these phases looking at other like construction projects that we do all the time, we would anticipate about 300 men at peak. And we, we have planned to bring those people in through, with a series of buses. Probably each would hold 30. We'd have three or four of those buses where we'd bus them in for a couple hours in the morning and a couple hours in the evening. We would start that process from a site that was, you know, outside the, the main city limits and lease or rent a piece of property to be able to have construction workers park off-site, and then we would bus them in each day.

We would also put a rigorous plan in place so that we would have staff on site that would watch for, for workers that tried to drive up and park either on Lowell or Empire. And we would quickly have those towed. So we're proposing that we police that ourselves as part of that. That's not uncommon to projects that we do in urban settings all the time. And we would propose to do that to make sure the residents aren't inhibited. We want to make sure there's, there's ample emergency access to the site. We're primarily using Lowell Avenue coming into the site and exiting the site, doing back down Lowell. So Empire would stay open and wouldn't have any construction traffic on it, so people could get up there. Emergency traffic could, could get up there at any time.

Commissioner

Joyce: Okay. Can I do another quick one?

Troy

Thompson: Sure.

Commissioner

Joyce: There's been some commentary in some of the meetings we've had before where we had a discussion, and I won't get the quote quite right, but it was like during peak ski season employees would be shuttled in, or something like this. One of the things that would be helpful. As, as you guys start kind of crafting these plans out, I mean you're kind of throwing this out. But somewhere from the applicant I would love to see specific

things written down as to what exactly it is that you're proposing in, in detail. So, because what you just said to me actually conflicts a little bit with what we've heard before. Because before was kind of fluffy. You said it more definitively. There, there were words in the, the earlier one about, you know, other than trips to do this and that kind of thing, it's like no, I, this is really important that we nail this down. So, as much as I appreciate you going through this---

Troy  
Thompson: Yeah.

Commissioner

Joyce: We need all this in written so that we can figure out whether we're disagreeing or putting in conditions that, in fact, you're fine with and agree with, but we just need them as conditions of approval for, for mitigation of the construction impacts.

Troy

Thompson: Yeah, I think Pat will---we've worked on this plan for months and there's not anybody here in this room that hasn't heard it or agreed with it. And, you know, we want to be really sensitive. This is, this is a large project and it needs to be done in a, in a proper and a classy way, and it needs to have minimal impact to the neighborhood. And that, that's what we're going to do. That's our plan and we can talk in as much detail as you want.

Commissioner

Joyce: Okay. And just for clarification. I mean, there were things about employees using the Cabriolet to get up. And the question is, you know, when you get done with your Phase IB, are the buses coming up on site into the entrance that you described, or are the buses dropping people off for the Cabriolet? We just keep kinda hearing a little---

Troy

Thompson: Yeah, that's, that's a great question.

Commissioner

Joyce: Bit of different things.

Troy

Thompson: And I, and I think, you know, what's happened is we've taken a lot of time here recently to really study it and refine the plan, is what I would call it. One of the reasons we want to get that parking garage done in Phase I, as there's an entrance and an access off Lowell there that we can then take people and, and trucks---it may or may not be buses. Or it may be small buses, shuttles I would call them, in and out of that parking garage and up into the work. And so, I don't see us using the Cabriolet. I know that's been thought of before.

Commissioner

Joyce: Yep.

Troy

Thompson: But I, but I think we've figured out some things as we've refined it and developed it.

Commissioner

Joyce: That's great. We've just kind of heard different things.

Troy

Thompson: Sure.

Commissioner

Joyce: And one of the things that the Planning Staff has asked of, of both the Commission and, and the applicant is the, a lot of this stuff was what I would describe as kind of soft and loose of, it seemed like it had the right intent but it didn't have enough description to really know for sure. And so it sounds like you guys are getting closer. So if you could just, you know, nail it down and write it down so that we can really review it and turn it into conditions of approval, that would be great. Thank you.

Troy

Thompson: Awesome. Thank you. So the next thing I just want to talk about a little bit is the staging area that obviously I talked about would be one of the first activities to cut in and develop that flat area there. The reason that's so important is we want to be able to get trucks. And when I say trucks, everybody's seen the typical truck getting off-loaded on a construction site. We can't have those trucks on Lowell. We can't have them waiting there. We can't have them sitting there. We can't have them staged there. So the idea is I'll be putting a person, a traffic control manager way

down the system, the road system, who, who---and, and I'll get into the details, so bear with me for a second here. But that person would, would allow, if that truck is scheduled, if he makes the time that he's scheduled, then he would be released to come up. And there would be as many as two or three trucks in that staging area being unload. As one got loaded, another one would be permitted to come up and the other one would leave. And that would be a very timed kind of construction event. It's something we do all the time in downtown applications where we have buildings with absolutely no staging area, and it's a just-in-time arrival. The truck pulls up, the crane lifts it off. It goes, the materials go into, into the project. So I'll talk about that a little bit more.

And so let's talk about Lowell Avenue for a minute.

Commissioner

Suesser: Are you talking about the trucks waiting, then, down at the Resort base.

Troy

Thompson: So they wouldn't be waiting. And that's where I'm kind of going next, and I wanted to get into, which is we---this is how we typically do it on every project in an urban setting when it's tight. We have a planning meeting the day before and we schedule every single delivery that's going to happen the following day. And they're given a window of time to hit. Now they know if they don't hit that window, if they're an hour late or an hour early, they will just be sent down the back way and they'll do a loop for 45 minutes or an hour, or we may send them home. They may have to come the next day and get on the schedule. It just has to be this way. These types of projects don't work any other way. You have to have a time. They have to meet it or they get kicked off and get sent to the next day.

Commissioner

Suesser: When you're talking about them making a loop, do you mean up Lowell and down Empire?

Troy

Thompson: No, no, no. I'm talking about, they would be sent on the, I forget the name of the road that goes over, over towards US40, yeah.

So a few other things about Lowell Avenue. The Sweeney's have committed to putting in this area, this area, 5' area just on the high side of the street that would, would be sort of a free zone that would help mitigate



any circumstances. You know, let's say you had a couple of trucks passing each other, although the street is wide enough, they would be able to pull off into that free area and get around and get by if needed. It would be an area in the winter time that if snow needed to be stacked up in that area so it didn't, didn't take the road and narrow it up with the snow berms, we could use it, utilize that area and keep the road the full width.

And I also believe that there's been an investment in Lowell. I think Granite Construction is doing it now, where the road section is being thickened anticipating future construction traffic, so that that road it's got a good section, a base section and a section of asphalt to be able to carry that traffic.

Commissioner

Suesser: Bruce, can you confirm that? I didn't realize that Lowell was being built up currently. I thought that would, that was coming if this project was approved.

Director

Erickson: Let me defer that for you, Commissioner Suesser. City Engineer Cassel is here and he'll respond.

Commissioner

Suesser: Okay.

Director

Erickson: Thank you. Sorry.

City Engineer

Matt

Cassel: The road is being built. Treasure did participate in the road and it's being built as they suggest, or said. Six inches of asphalt over 12" of road base, which is quite a thick road and meant for construction.

Commissioner

Suesser: You said Treasure participated. Meaning they participated to the cost of that project?

City Engineer

Cassel: Correct. So, a usual road would be 6 to 8 inches of road base and 4" of asphalt. And they participated for the extra asphalt and extra road base.

Planner

Astorga: And that was specified in the Master Plan. A Development Condition Parameter #8, Item A.

Commissioner

Suesser: Thank you.

Troy

Thompson: So the last thing I kind of want to talk about with construction equipment, deliveries and access is just so you can kind of get your minds around a project of this size, a phase of this size going. We would anticipate on peak days about ten trucks per hour. That would be the heaviest times when we were say doing a concrete pour where you had Redi-Mix trucks coming. When, when, on the days that you weren't pouring or hauling that, it, it would be substantially less than that. Some of the other things that we're implementing in our plan, just strategically to again doing everything we can to mitigate equipment, congestion and any of those kinds of things, that we would look at instead of driving Redi-Mix trucks into the site and into, you know, dirt roads and stuff and stirring up dust and mud, we're looking at things like what they call slick lines and pumping trailers, which would allow us to be able to pump concrete from a long distance and not have to drive those trucks into the site and do it closer to that staging area that we're talking about building in the first activity.

Commissioner

Joyce: I hate to keep jumping in, but just to keep this---

Troy

Thompson: No, go ahead.

Commissioner

Joyce: Going so I don't loop back on everything. When you talk about doing ten trucks an hour, one of the things that we were discussing is the challenges from a traffic standpoint of---especially during the winter when you have the peak hours of kind of load in, load out for the resort. And that's kind of a more of an 8:00 to 10:00-ish kind of thing. There was discussion about not allowing deliveries during those hours. Does that work with your plan? Is that something that you guys are accepting because it---

Troy

Thompson: What were the hours again?

Commissioner

Joyce: I can't, I think we were still kind of debating what they were. In fact, we had some different alternatives. But I'd have to go back and look at the traffic thing.

Troy

Thompson: I, I know our plan is to limit the hours. That wouldn't be the same as the working hours.

Commissioner

Joyce: Okay.

Troy

Thompson: We would limit the hours for deliveries for sure. But I, we haven't come up with that [inaudible].

Commissioner

Joyce: So let me just ask. When you go back, if you're looking at that.

Troy

Thompson: Sure.

Commissioner

Joyce: I mean it was a different discussion because it was traffic. But part of our traffic discussion was, was limiting, limiting the flow of traffic up into the construction site during, you know, load in and load out during the winter ski months.

Troy

Thompson: Yeah. Under-, understood. And if you can, when I talk about these traffic managers or traffic controllers, imagine when you go down to a freeway in the summer time and they're paving the project and they have a flagman with radios on each end and they allow cars through and that sort of thing. And they, they stop them on one side and let them go on the other. That's my vision of sort of the system that we would have in place down Lowell Avenue and beyond so that somebody's literally either holding the trucks somewhere that's approved. Not in the middle of the street, certainly, but we're holding and allowing those trucks into the site so

there's literally just one truck. They're not four or five trucks stacked up Lowell. It's you get in. There's two or three being unloaded. When one leaves another one comes. And so at any given time it, it's limited traffic. So, hopefully.

Commissioner

Joyce: That's fine. Again, but with what they'll probably run into is that area right there, especially coming up into Empire and then leaving Empire at the end of the day is even without your construction traffic it's already bottlenecked up. So now you're talking about, you know, throwing construction traffic up into what's already stopped. So, you know, you think of kind of free driving up because the guy got flagged on. And the answer is no, cars are already backed up quite a ways. I mean, we've seen that with, with some of the recommendations for fixing some of those intersections that---I mean, that's going to be years from now if it happens. So you just have to assume that at the peak hours we're, we're really at capacity on those roads.

Troy

Thompson: Yeah. Let me, let me throw something out there that we're working on and we think it's a viable plan. I don't want to take it to the bank tonight, but it's certainly what we're working on. And again, with working on this access through the berm and this staging area that I keep talking about, this off-loading area, we would, we would bring the trucks on site. We would unload them. They would turn around and they would come back out the same access. By doing that, they'll go back down Lowell so it's not coming up Lowell and going down Empire. Empire is the street with the, with the finger roads that go down below, and those could stay open all of the time in my mind through to Empire. So I don't---maybe that answers your questions.

Commissioner

Joyce: Yeah, the problem is, you come, you come down Lowell to the bottom of Lowell and you hang a right and you make a left on Empire. And there you are back into the middle of traffic again.

Troy

Thompson: Understood.

Commissioner

Joyce: And it's different, you know. And certainly you guys have done a very thorough traffic analysis so it's different in the morning than it is in the afternoon. But it all hinges on the, you know, the ski traffic. And it's pretty monstrous right now.

Troy

Thompson: And we, you know, another thing we would do is we typically work with the City, particularly on, on concrete pours, because that's when, that's when your large amount of traffic. We don't, we don't have earthwork going to and from. That's all on site. But typically what we do with the Redi-Mix trucks is we try to do that during off hours. And I don't know if the City will allow us to do it at night, but we love to pour at night. The reason is, nobody's driving on roads at night and we can bring those, that heavy run of trucks in and, and do the pour and then open up the next day. So, you know.

Commissioner

Joyce: Yeah, the, the---

Troy

Thompson: That, that's an idea, but we can certainly do that.

Commissioner

Joyce: Yep. Bring, bring that forward if you'd like. The challenge---you're, you're right stacked up against, you know, two faces of recreation---not recreational, residential neighborhoods. So the idea of, you know, bright lights and noise and trucks and pouring concrete and stuff. It would be one thing if you were in the middle of a commercial district in the City that pretty much empties out at night, but that ain't this. So, you know, I---

Troy

Thompson: And I think the working hours are 7:00 a.m. In, in the City, you know, a lot of times they'll start us at 6:00. And if that's not allowable, if we have to start at 7:00, that's fine too.

Commissioner

Joyce: So I guess I'll just---I don't want to get down, bogged down and slow you down on this.

Troy

Thompson: Yeah, sure.

Commissioner

Joyce: But applicant, please coordinate the traffic discussion we had with the plans you have for getting stuff in and out here so that we can kind of tie that up and not have inconsistencies. Thank you.

Troy

Thompson: You bet. Why don't we---I'm just going to touch on one more thing, which is kind of what we see as working hours. And then I'd like Pat to bring up his ski access plan. We'll go through that a minute. And then I'll, I want to show you our 3-D model and walk through a few more things. But would, you know, typical hours obviously during the, the off season would be probably something like 7:00 a.m. to 9:00 p.m. And winter hours would be much shorter. Something more like 7:00 a.m. to 6:00 p.m. We would not have any work events during major events like the Arts Festival, Sundance Festival, or holidays. We would, we would shut down as required for those events.

So with that, why don't we bring up Pat's model and we'll look through the ski access for a moment.

Commissioner

Suesser: So you anticipate construction through the winter season, then?  
Construction traffic and continuing---

Troy

Thompson: Yes.

Commissioner

Suesser: Construction as much as possible through the winter season, though?

Troy

Thompson: It would be limited hours so it won't be as heavy.

Commissioner

Suesser: 7:00 to 6:00. Okay.

Troy

Thompson: Obviously, in mountain resort areas you're doing as much as you can during the summer months, but there will be continued work through. It just will be limited.

Pat

Sweeney: Thanks, Troy. The exhibit that's up now shows some existing runs and what would be some future runs. And I'm going to explain how conceptually we intend to keep the ski system open. There will be some runs that will have to be closed because they go right through the middle of this project. But there will always be some runs open and the lift will always operate. And that's just not me saying that. There's some pretty serious agreements to that effect with Park City Mountain.

The south runs will, will be the mainstay during Phase 1 and Phase 2, because the north runs or the Creole side will be closed because it will be impossible to ski through construction site right here. When, in the first Phase its anticipated that the Town Run will be open in this manner. And I'll start at the top of Payday. I know you can't get there without going up the Payday lift, but it will be open in this manner, which is basically Quitting Time. And also a new portion of a new run that's easier grade that would be more amenable to beginner skiers. At some point during Phase 1, when the new lift improvements end, then these new runs from the top of Payday would be added. And the one run that a lot of locals use, you have to go through trees, but that will become a real run.

Then once Phase 1 and 2 are done, once 2 is done, which I'll show right there, at that point then we anticipate that they'll be runs back down the Creole side. The, the intent is on Phase 1, probably the second year, to put the new lift in, which is a quad from the project to the top of Payday.

Commissioner

Suesser: Would, excuse me, Pat. Would, would the Town Lift then stay in place for those first two years?

Pat

Sweeney: Well, the second year get replaced by a quad that takes that route. And then down, from the project down will be a Cabriolet.

Commissioner

Thimm: So is that the slash 1B that we were talking about earlier, then?

Pat

Sweeney: Yeah, that would be B. Phase 1 really has an A and B. The A is to get going, get off the street. And B would---the anticipation is that then B, then you would, you would put in the new lift and Cabriolet. And then at the end of 2 Phase, which is in blue right there.

Commissioner

Suesser: I guess, how much of a gap do you anticipate?

Pat

Sweeney: I think in, I'm not as good an expert like Troy, but I'm thinking Phase I, two to three years. Why don't I just let you answer that.

Troy

Thompson: Yeah. So that whole phase will take between two and three years. But the, the first year will be doing the earthwork and the concrete work to get the parking garage and the foundations. The second year, while the lifts are being done, then that's when the, the Phase 1 would actually be vertical. So they're going simultaneously. And then the lifts would start the second summer. So you'd have a summer and a winter, and then that second summer the lift would, would, would go in. The lifts would go in and be done in time for that second winter. And then the project would finish sometime into the third year on that first, that first Phase 1 and, 1A and 1B.

Commissioner

Joyce: So the, the quad lift the way its drawn on here, this is page 151 of our package. It goes kind of between the 1 and 2 buildings, and then between that and the 5 and 3 buildings. You've got better pictures. It's hard to see off of this because it doesn't have any of the buildings on there or anything. Yeah, so from a construction standpoint, it's going right up that kind of steep cliffscape next to building 5A. So does that say you have to have that retaining wall and everything for what would have been Phase 2 done before you can do Phase 1B? Does that make sense? If you bring up the picture. If you just---

Troy

Thompson: Yeah, I can see. I'm looking at Mike's model here.



Commissioner

Joyce: Okay.

Troy

Thompson: So I know exactly what you're talking about. The idea, the idea would be to start at the southern end of 1B and have the earthwork and shoring and retention activity be continuous. So as it got done with Phase 1 and moved past under the lift, then it would continue up into Phase 2 and just keep marching forward. So there may be a little overlap in phases there.

Pat

Sweeney: The other thing that I think you're getting at, Steve, is that we might need to move one of the towers on the existing Town that first year.

Commissioner

Joyce: Yeah, I'm just trying to, the---

Pat

Sweeney: In order to do that, that excavation.

Commissioner

Joyce: Yeah, because that's the hard part for me is trying to figure out, because you kind of have to have---it's not clear that the Town Lift could stay up as that cliffscape gets done, but you need the cliffscape done to put in the replacement lift, because it goes pretty straight up.

Troy

Thompson: One, one of the things---we've, we've certainly anticipated some of that and talked about it quite extensively, actually. And we would anticipate bringing somebody in like Doppelmayr. They, they were very good. I did the new Strawberry lift and the underground car storage facility, and the high speed quad at Snow Basin for Earl Holding just prior to the Olympics. And we brought Doppelmayr in and they did an amazing job. I mean, we had to do---bring towers in with helicopters and all kinds of things. But we, we do see a need to work through that specific, you know, those lift towers and so forth in that particular area. And we, we haven't gotten into great detail on that but we've recognized we've got some work to do there.

Commissioner

Joyce: Okay. Okay, thank you.

Pat

Sweeney: I think that, that finished up the ski system. And we can move back to Mike and you can move through his animation.

Troy

Thompson: So Mike's developed a series of slides here in sort of a 3-D format. As some of you may know, we, in the construction world these days we like to use the virtual world to sort of design and animate everything that we're doing all of the time to, to really understand everything and make sure it's, it's sequenced in the right way.

In this first slide you'll see sort of the outline of the project. And you'll see we've tried to represent in that orange color the, the berming that we anticipate to help shield the project, to help cut the noise down and, and so forth there in Phase 1. You'll also note that there's a private driveway up there and we recognize that there needs to be continued access to that private residence. And so we've indicated in sort of a pink, I would call it pink, maybe it's magenta or something else, but that's the access to that private residence.

Commissioner

Suesser: Can I just point out that in this image two homes on the corner of Empire going up to Lowell are missing from this, from this image, as well as a number of other, you know, homes along Empire and Lowell. And I just think it's important that because we're trying to look at the impact on this neighborhood that those, those homes are represented in this.

Troy

Thompson: Yes. We agree and apologize for that. These models are developed by taking a Google image. And as we all know, Google's not up, very up to, well, they're fairly up to date but not as up to date as we'd like them. So we, we will look at those and build those into the model and resubmit that to you.

Commissioner

Suesser: Great.

Troy

Thompson: So one of the things just as we go through these slides, I want to talk about communication. We found on these urban projects with residential neighborhoods adjacent that it's, that it's really important to do a, you

know, sort of a monthly newsletter just saying this is what's coming. This is the activities that are ongoing. So we plan to be very proactive with that. We, we plan to publish an access plan so everyone in the surrounding areas is, can see our traffic control plan and how we're accessing things. And if that were to change for any reason, we would notify well in advance of that change and make sure everyone is aware of that. We would obviously have a project website that would be updated weekly. And like I said before, we're going to establish limited delivery hours throughout the duration of the project.

This, this plan helps, you see, is Phase 1 coming to conclusion. You can see the buildings, you can see the flat area that we sort of development and the access represented in the blue drive approach through the berm. That may not be perfect. We've got to develop that with all the details, but that's trying to show what we're trying to accomplish there and develop that, that staging area behind the berm.

Then we'll move into Phase 2. And as I said, that earthwork operation will be continuous so we get all the retention of the mountain in place and develop that through Phase 2. We kind of turn the corner all, all the time. We'll also keep construction access; and, you know, that doesn't mean just dirt, dirty roads that create a lot of dust and mud. That means nice roads with, you know, six or eight inches of crushed rock to be able to drive traffic on that and not have a sort of a dirty site.

Then we would move into, turn the corner move into 3. This is where the, the deepest excavation and where there's a lot of, a large quantity of spoils that has to be hauled up the mountain as well.

And then you can see the final phase, Phase 4 coming into play there. Now some of the other things we think about in all of this is winter and how we manage that and deal with that. And we would propose that we're going to have equipment on site to do on the spot or quick snow removal when needed, when we have to do that prior to other, other maybe public equipment being able to get to it. We also would have an on-site street cleaning sweeping equipment. So again, with our graveled phasing staging area we don't, we anticipate mitigating a lot of that throughout the project. But should there be a little bit that goes out on the road we would have a sweeper there that would go out and clean it up immediately. So, we want to be proactive on that and be good neighbors. And generally we have some kind of ongoing meetings with the adjacent neighborhood,

whether it's commercial or residential, where we would, we would assimilate the information and understand maybe some of the, the things that are impacts or, you know, things that we could mitigate or, you know, adjust some of our activities. We would be very proactive and propose that we set something like that and get all the right stakeholders there to be able to have those conversations.

Is that the end of your slides, Mike? Okay. Any questions on those slides, or any---this format gives us the opportunity we can zoom in, zoom out, go 360. It just helps you kind of see the project a little bit better than maybe you could on a, on a flat sheet of paper.

Commissioner

Joyce: I know you've got some slides a little bit further on. I don't know if it's somebody else that's doing then that's going to talk about the little roads up---

Troy

Thompson: It is.

Commissioner

Joyce: Okay.

Troy

Thompson: Yes.

Commissioner

Joyce: Then I'll hold off on that. Thank you.

Troy

Thompson: Any other points that you want to make, Pat, or you want me to make?

Pat

Sweeney: I think we can, we can now turn it over to Tim Jones from Robinson Construction and talk about what Steve just referred to.

Commissioner

Thimm: If I could interrupt just for a quick minute. I was unaware that Troy Thompson and Mike Plattis were part of the presentation this evening. I have worked collaborative with them on projects primarily in the valley

over the years. That association will have no bearing on any decisions I'm a part of.

Chair

Strachan: Thanks, Doug.

Tim

Jones: My name is Tim Jones. I work with Robinson Construction. Pat asked us to take a look at this project about a year ago to kind of give him an evaluation of the excavation portion. We are an intermountain company that has done several commercial as well as industrial size projects. We certainly had the ability and in the past the experience of moving a million yards and, and placing it in engineered fill. That's kind of why Pat had us take a look at this. As Troy indicated, keeping the soil on site is very advantageous. It eliminates a lot of trucking traffic through the neighborhood, but it also allows the spoils to be utilized on the Creole run and kind of re-contour that. And with the design he's got he's done a pretty good job of it.

So while we're waiting for the outline to kind of pop up, I'll just start and we'll catch up when it shows up on the screen. Robinson Construction proposes to perform the foundation excavation and mass excavation using the typical excavation methods that entail using a large excavator and haul trucks to remove the soils. Earth filled ramps will be installed to facilitate the haul units. But where space is restricted, excavators will be used to elevate the material to location so that it can be loaded out. In the areas that border the proposed cliffscaping, the operation will work closely with the landscapers to ensure coordination of their work. We'll also evaluate, or have the soil engineers evaluate those cliffscapes to see what type of stabilization needs to be done, whether soil anchors or, you know, what other type of work has to be done in coordination with it.

In order to mitigate the potential dust, water trucks and off road water wagons will be used to wet the work zone. To prevent the pedestrians, skiers, mountain bikers from wandering into the work zone---could you pull up Exhibit 1---a safety fence will be installed around the perimeter, which is shown in the red. Troy mentioned it once before. But in addition to that safety fence, we'll install signing to warn anybody that it is a potential construction zone and just to keep out.

Go to that Outline 6. The fill operation on the Creole Run will begin at the bottom of the slope and work its way up the slope. We will begin by removing the top soil and we'll stockpile that topsoil at either the toe or off to the sides. And this topsoil will be later re-utilized to, to stabilize the slopes. Smaller vegetation such as grass and small brush shall be mixed with the topsoil. However, the larger vegetation such as trees and bigger brush will be mulched and used as erosion control on the slopes that have been disturbed by the embankment activities.

Commissioner

Joyce: So will you plan on doing that---how, how big is the acreage that you're, you know, is that the little---shoot, I'm looking at a different picture you've got here. The, you have a little area and a dashed black line a little further down. There we go. What, what area are we talking about when you're talking about clearing the topsoil and mulching the trees and stuff?

Tim

Jones: Pat, do you have a slide showing just the Creole fill or where we're talking about there.

Pat

Sweeney: Yes. I'll do that.

Tim

Jones: Okay. There you go. Okay, so the zone in green is where most of that fill material will go in.

Commissioner

Joyce: Okay. And so when you talk about clearing the topsoil and stuff, are you talking about clearing that entire area at the beginning of this work, or how is this going to flow. I couldn't tell kind of what the schedule of events was.

Tim

Jones: No. And we certainly don't want to expose that whole slope. So we just want to clear enough---and I'll get into this a little, a little more in detail, but clear just enough for the, the embankment we're building at that time.

Commissioner

Joyce: Okay.

Tim

Jones: And then once that, the zone is, is built to a certain elevation, we'll put the topsoil on it and then move on to the next one.

Commissioner

Joyce: Okay.

Tim

Jones: But that's a very good question. And I, I see your concern there.

Can you go to Exhibit 5, Pat? As demonstrated in Exhibit 5, we plan to use the King's Crown run, and that's where the squiggly line is going up, as our designated haul route. So we're going to have to close this down to any pedestrians, bikers, even skiers during the winter time because of that, because of that haul route. So they're going to be climbing up that, that King's Crown. And then as the material---we're going to start at the bottom and work our way up. And you can see that the ramp's coming across. And basically we're building a shelf or a ledge across that whole run. So we're going to be building these, these little roads to bring material in. And then once that level is attained, we're going to reclaim those roads and build another one. So there should only be one or two roads built across that hillside at any one time.

The embankment will progress up the Creole slope. New ramps will be installed from the King's Crown into the Creole slope. The previous used ramps will be reclaimed as needed. The embankment on the Creole slope will be performed at benches that will be keyed into the existing slope. Only the portion of the slope that will need to be disturbed for the current bench will have the topsoil stripped and vegetation removed. So we anticipate a bench to be anywhere from 15 to 20 feet high. So if you could imagine a section of about 20 feet on the Creole runs stripped off, and then we're going to build into that where we strip it off. And then once that bench is complete, take the topsoil and put it on the, the new surface of the slope.

Commissioner

Thimm: So is the idea then, as the bench is complete then to restore it and then continue on to the next bench further up?

Tim

Jones: Correct. Basically, we're trying to stabilize the slope as we go up. The embankment material will be hauled to the Creole slope using 6-wheel drive off-road articulated haul trucks. These trucks provide good traction in difficult terrain. All the haul routes will be maintained and dust mitigated by water wagons that will spray water to prevent dust. We'll be loading those water trucks with a couple 8,000 gallon stand tanks that will be strategically located on the project. The embankment material will be placed with a large dozer and lifts, and compacted with a sheep's foot compactor in order to attain the desired compaction, or as directed by the Soil Engineer. Now once the bench level has been attained, the new slope will have the topsoil placed. We're going to track walk it with a dozer. Seeding and mulching will be performed in order to stabilize the slope before we go on to the next bench.

During the excavation, the embankment process, the, the SWPPP, which is a storm water pollution prevention plan will be implemented to limit the discharge of storm water from the project. The SWPPP measures will be adjusted as needed as work progresses up the Creole slope. It is anticipated the embankment operation will be suspended during the ski season or when the weather conditions prevent a safe transport of material. Inclement weather could also prevent the desired compaction needed, so we don't want to do it if we have mud, frost, or anything like that.

We anticipate that we're going to need large trackhoes, several six-wheel drive articulated haul trucks. A couple dozers, several water trucks, sheep's foot compactor, and a motor grader. So the equipment on the job will probably be anywhere from ten when we get started to potentially 20 different pieces once we get to the top. The further up from the excavation we progress, the more equipment we'll need to, to maintain our hauls.

Commissioner

Suesser: Does that equipment stay on the site, or does it leave at the end of the day?

Tim

Jones: It, it will always stay on the site. It's off-road equipment so once it, once it arrives on the site it will stay on the site. In an effort to mitigate the noise from the construction equipment we plan on using what they call exhaust



scrubbers, which will be installed to muffle engine noise during the construction operation. And then during our evaluation, we anticipated 600 working days to excavate and place that material. And I want to emphasize that's working days and not calendar days, since we'll be suspending operations during, during the ski season and any other bad weather days that we may anticipate.

Can you pull up 7? Your outline 7.

Commissioner

Thimm: Is it 600 days for all four phases?

Tim

Jones: No. Well, yes, yes. That's for just, and I want to reiterate, that is just for the excavation.

Commissioner

Thimm: Right, I, I realize that, but I was just clarifying that all four phases you, you're anticipating about 600 working days, exclusive of non-working days, exclusive of shut-down days, that sort of thing.

Tim

Jones: Correct. Correct. And then, you know, it's anticipated we're going to need to do some blasting. And we'll employ this to remove large rocks or break up hard zones in our excavation. The blasting will be performed by current regulations. In order to limit the disturbance on nearby properties, the plan will be small and controlled and monitored to determine impacts on adjacent properties. And we feel that this is the safest way to remove rock. Blasting tends to be quicker and quieter and creates less dust than, you know, rock hammers or any other potential way of breaking up the rock. So, anyway.

Commissioner

Joyce: Do you anticipate the, the road that--you had that little squiggly road going up, I'll just refer it to that since I think we all realize what it's describing. Is that, is that a two lane road? I mean, because it seems pretty tight and squiggly going up that hill. Is that two-lane or one-lane?

Tim

Jones: We feel on the switchbacks it's going to have to be just a one, one-way traffic, but when it goes across we want to try to maintain two-way as much as possible. Two-way traffic.

Commissioner

Suesser: That's a lot of clearing.

Commissioner

Joyce: Yeah, that's what I was going to ask. Is that, is that clearing out, I mean, that seems like it's clearing a lot of new space. But I guess I'm confused. So you're clearing that road up, going up the switchback. And that's on the King's Crown ski run.

Tim

Jones: That's correct.

Commissioner

Joyce: And so you're going to have that in conditions so that for the, whatever it is, five months a year that the ski resort is open that, that you're not hauling stuff up there. Is that, is that what I heard?

Tim

Jones: During ski season we're going to shut down, and it's more for a safety reason that for to allow skiers on it. We're going to have to cut in some roads so that's going to be re-contoured in some way. So, I don't think it will make a very good ski run once that haul road is on there.

Commissioner

Joyce: And, and I guess it's a business question, but just, had Park City kind of gone, yeah, okay, we're fine with you re-contouring that ski run?

Tim

Jones: Well, it's just temporary.

Commissioner

Joyce: Well, I understand, but it's temporary for five or ten years or something like that. So it's a pretty long temporary.

Pat

Sweeney: I, I can answer that question, Steve. We have quite detailed, very vintage in some cases, but updated in the 2006, 2008 range, agreements with Park City Mountain that allow all this.

Commissioner

Joyce: Okay.

Pat

Sweeney: And the base agreements go back to 1981. And those are the agreements that really allowed skiing into Old Town.

Commissioner

Joyce: So I'm just---yeah, I'm a little confused, because when I looked back at the excavation plan that we had back when things were getting, moving along back in like 2009. It wasn't a very detailed plan but I thought what it was is there were no trucks driving up the hill. This was, there was talk about some sort of a conveyor kind of system. And a lot of the, the dirt was originally supposed to be dumped out on to like Payday and stuff like this. So, I mean, we've seen, you know, the original areas that were drawn out for, for receiving dirt. I don't think it even touched this area at all. I think it was all back over the hill in the original plan. So it seems like this excavation plan is changing pretty dramatically of where the dirt's going and how it's getting there and that kind of thing. So I'm, I apologize if I---I'm going to keep asking questions but it sounds like things, things have shifted quite a bit since what PCMR did.

Pat

Sweeney: Actually, I think they're pretty similar, Steve. I mean, you, you've got it. You have to understand what happened. First of all, we've, we've definitely taken it to another level of detail and evaluation. And it's important for everybody to understand that all, all of this is our land, and it's subject to agreements with the Park City Mountain Resort. And with the advent of the refinements of 17.2, we don't anticipate having to take any soil up, up further, although our agreements allow to place, allow us to place soil on the upper part of Payday. But once again, because of 17.2 we've reduced the amounts. And we can get all the amount that we anticipate excavating with a reasonable expansion factor into there that I outlined in yellow.

Commissioner

Joyce: So, so I guess that's one that I, I just think we need to get---there's, there's some math that pretty soon we need to understand. I mean, I just, I always start doodling the math out, and I keep getting to the one. I think the number we saw last time was that the little, the acreage in black there was 16 acres, is what I remember we saw before. I got at least one head nod here. So I do my quick math that says, you know, if we take a million cubic yards roughly, a 20% expansion, which was at the low end of what we heard, an acre---well, 16 acres will do 77,440 square yards, which says that it's almost 16 yards deep. Literally, if you took that 16 acres and built a, a 16 yard, 48-foot high wall up, so that doesn't, that doesn't round anything out or anything. That's literally every square foot of the 16 acres is 48 feet deep, with the minimal expansion. And that's another question that we've been waiting to hear back from. And I don't know if we'll get that from the geo-tech folks here. But, so when you said we're building this 15' bench, I don't understand a 15' bench when my math says it's gotta be 48' deep at least.

Pat

Sweeney: I, can I, let me address that and then I'll let Tim. First of all, Rob McMahon who's here, the Civil Engineer, has done an engineer's estimate on this. And I don't know, Rob, if you want to get into this conversation. You could tell us how much is it. I think it's now 810,000 cubic yards, unexpanded.

Rob

McMahon: Yeah. We're down to 812,000 yards after the refinement of 17.2. And the other thing to keep in mind is---

Commissioner

Joyce: Yeah, can you come up and be on the microphone so we can have the record.

Director

Erickson: So, Mr. Chairman, just to move things a little bit. It's important for us to hear the questions from the Planning Commission, but I think the back and forth may get more data out there that we're not prepared to record and get into any kind of record. So if we don't do quite so much back and forth we'll get the questions out there, get some clarity and move, move forward here. We have, we have a number of technical questions that underpin previous Planning Commission questions.

Chair

Strachan: I don't know. I think I might respectfully disagree with that. I, we're finally getting a site plan, or a phasing plan here, the likes of which we haven't seen before. And we're getting some specificity here. And we're going to have more questions, of course, after public comment, but these guys are all here, they're all prepared to answer questions. They are answering questions. We're getting it all on the record. I realize it's probably going to make Francisco's brain explode, but that's why we are recording all of these hearings verbatim, so we have minutes verbatim that we can go back and look at. I'm not worried about anything getting lost. And, so I will try to keep it as focused as we can, but I think we're, we're getting a little specificity here so I want to dive down into that a bit.

Go ahead.

Rob

McMahon: Hi, I'm Rob McMahon, Alta Engineering, and I penned the, the Construction Assessment Report. And just to keep it brief and narrow or focused on your question, Steve, the---in an effort to contour the placement zone to make a reasonable shape and ski run access into Old Town, an effort was made to shape that area of the 16 acres to accommodate the placement. It's a placement zone. And so the---if you can see the, we constructed a large, I guess, hill right at the top of upper Quitting Time. And the depth of that is, on the downhill side, approaches 65'.

Commissioner

Joyce: Okay.

Rob

McMahon: And so, and then as it goes, and the contours as they go down the hill, you know, it's an average depth of approximately 30 to 40 feet. But then it tapers down and accommodates the access into the project. So, your visualization of a rectangle is, you know, close to the approximation of that volumetrics, but shaping it to be a reasonable geometric feature, we put effort into that.

Commissioner

Joyce: Well, I, I kind of saw that in the last one, but I guess that would be something that would be interesting. The thing that threw me was when I

heard we're going to do 15' deep benches. And it's like, well, 15' is not terribly interesting when you're talking about, you know, it needs to be shaped out 40, 50, 60 feet deep. What does it mean to have a 15' bench? That's, that's nothing. And, and when Commissioner Thimm asked, you know, when you finish a bench are you going to re-landscape it, yes. It's like, well not 15' deep you're re-landscaping it. So I just, I kind of want to go through the math on some of these things. And I appreciate that. If, if there's any indication that you guys could give us that would kind of show---my big concern is if you're really starting at the bottom and building it 30 and 40 feet deep, then obviously the kinds of things that we need to be concerned about for erosion control and things like that are different that if you were building a six-foot pile of dirt or something like that. Because you're---I mean, the big challenge is you're putting 30 to 65 feet on the side of a hill that's like this, and that's a lot of loose soil that has to be just retained over and over again as you work your way up the hill. So I guess I'd like to understand a little bit more before we get done as to how that works.

And, and similarly, just for the math, and we don't have to answer this, but this is one that I still want to get. When I look at this little road, part of my question about is it a one-lane road or a two-lane road. Is, I apologize for the math, you said 600 working days. I heard earlier its 100,000 dump trucks. So that's 167 trucks a day, a working day. And if you worked 12 hours and from the minute you got there you started hauling things up the hill and you didn't haul the last one down until the last minute of 12 hours, you're still doing 14 an hour. And I'm just trying to envision this kind of parade of trucks getting loaded and moving up and down the hill at 14 an hour for 12 hours a day for 600 days. And all I'm doing is using the numbers you guys just threw out here. And I can't, I can't picture that working. So, at some point other than just these little squiggles, you gotta help me get past that. Because if the answer is it's really not 600 days, it's really 8 an hour and it's really 1200 days, that's important.

And so we don't have to do it tonight, and I apologize for dragging the public through this, but I just don't---

Pat  
Sweeney:

Steve, I think, I think very quickly we can address that. And I'm, I'm going to let these two guys do it. But I think the numbers that Troy was talking about is if it went down the street. I think that an articulating truck is more like 30 yards. So three times the size of a typical dump truck.

Tim  
Jones: That, that's correct. Off-road trucks hold a lot more capacity than a street legal truck.

Rob  
McMahon: And I believe if you do the math on the amount of excavation that's going into the placement zone, and Tim you can chime in on this. But I think you're estimating about 1500 yards a day of going up there and placing.

Tim  
Jones: I believe that is pretty close. Yes.

Commissioner  
Thimm: How many times a day? Sorry?

Rob  
McMahon: About 1500.

Commissioner  
Thimm: 1500 yards.

Pat  
Sweeney: Yards, cubic yards. And Taylor, who's next to me from Applied Geo-Technical Engineering Consultants, a geo-tech engineer, will get into how the lifts will go up. And I think they're going to go up not in 15' increments. They're going to be a lot less than that. But he'll be getting to that once Tim's through. But I think Tim might have a few other side comments.

Commissioner  
Thimm: Can I ask a question here. We talked about 812,000 cubic yards of dirt, right? Do we know what the percentage of that is actually suitable for placement in this location versus how much is actually going to have to come off the mountain? Or am I getting into the next---

Pat  
Sweeney: This is Taylor Nordquist. He's going to answer that.

Taylor  
Nordquist: Taylor Nordquist with Applied Geo-Technical Engineering Consultants. We've recently done some borings up on the hill that we'll show you later

on. And the majority of this material will be rock. Rock that has been excavated and crushed. And its essentially road base material. It's, most of it is very good material to be placed up there. We found small pockets of clay, so some of that material might not be as suitable as the rock is. However, a good majority of it should be very suitable to place on the hill.

Rob

McMahon: And just to, you know, address perhaps where you're going on that, I believe what, you know, until you get to final design we're really not going to know how to design or what the actual detailed parameters are going to be on building this geo-metric feature. But I believe that what will probably occur is that the, the structural integrity of the geo-metric feature will be determined through the final design. And the unusable material will be able to be dressing for the---on top of it. So there will be some sort of management of usable material versus the unusable material. Would that be close?

Pat

Sweeney: Yes. I think, I think Taylor's going to get into that in a little detail, but Tim, do you have anything else you want to add?

Tim

Jones: No, not at this time.

Pat

Sweeney: Okay. Obviously, we can all chime in as needed. So I'm going to turn it over to Taylor, if that's all right with you, Adam.

Chair

Strachan: Uh-huh.

Taylor

Nordquist: Taylor Nordquist with Applied Geo-Technical Engineering Consultants. Our company has been doing work in the Utah area for about 30 years. A fair amount of work also in the Park City area. A few example, not limited to these, but we did work for the Montage Resort up in Deer Valley. And also currently for the Apex Residences in the Canyons Village. So we have some experience in these rock conditions here in the Park City area. We've been working with the Sweeney's on this project for many years as well, giving them, some recommendations and consultation as to what



can be designed. Also working with David Eldredge whose been, whose been designing it.

What I'm going to talk about tonight stems main from a recent study that we've been doing up on the hill. You might have seen our drill rig and trackhoe up there over the last several weeks doing some exploration work on the property.

Let's move, Pat, to the site plan. So our investigation consisted of 11 test bits where we had a trackhoe up on the hill where we were digging to, to find out what was under the ground in a shallow regime. The areas on that map that are labeled TP and then a number, those are our test bits. So ten of those were in the cut area down low on the slope, and then 1, TP1 was up in the fill area at the top of the Creole drainage.

We also did three deep borings and those are labeled as B1, B2 and B3. And we drilled down anywhere from 70 to 100 feet in order to both determine the conditions of the soil above the rock, and also how deep the bedrock is, and also characterize the bedrock beneath.

Within our test pits and borings we found the bedrock to be anywhere from about 10 to 20 feet below the ground surface. The soil above the bedrock is predominantly a silty to clay gravel to sand with some cobbles and boulders. And then the bedrock that we found down deep was the Weber quartzite formation, which is what we expected. And the Weber quartzite---I guess before I go on to that I'll say that we did find several pockets of clay in the soil above, above the bedrock. So the Weber quartzite that we found was very hard, as is known with that formation. And it ranged in amount of fracturing. There were some portion of it that were highly fractured and some portions that were fairly, fairly competent. So that allowed us to really look at that and analyze that.

We also didn't find a water table at the bottom of our holes, again, up to 150 feet deep. We have placed some pipe for temporary monitoring of the water so that we can go back and measure as the seasons progress to see what kind of water conditions we have, especially in the spring.

Pat, let's move to the next slide. So I'm going to show you a cross section, a side view that's approximately at the Town Lift. The green dash line that you see is the current elevation of that hillside, with the black line being the proposed cut with the current drawings. Next slide, Pat. So

those red lines show three of our exploration areas. On the right is boring B2 and then the two on the left are some more shallow test bits. I've tried to get, and I show you an idea of where the soil might be by the two green lines. The top green line being the existing grade and the bottom green line being the approximate bedrock to soil interface. And so that kind of gives you a feeling for the material that we'll be pulling out. A good portion of that is this rock.

Now, one of the main purposes of our study is to really address the stability of this cut slope and rock. As we know it's fairly high and fairly steep. And so we're trying to look at the stability of that. As we looked into these cores, as well as some outcrops and old mine adits above the site, we've measured bedrock jointing that approximately follows those brown dashed lines. Now these, these joint angles are fairly, they're good news for this excavation in that, you know, the bedding plane of the material is approximately horizontal with near vertical joints as well. And the times when we'd really have issues with stability in the rock is when we have a joint that's sloping downhill and daylighting into the cut face. So since we really don't have any of those conditions, that gives us a lot of stability in the rock conditions. We're currently doing some laboratory testing and further analysis on the rock to verify the type of shoring and/or retaining devices that we'll need for the slope. However, we, we believe that it is feasible to do these cut slopes in these areas.

Let's go back, Pat, to the first slide with the site plan. I said that one of the main points of our investigation was to look at the feasibility of these cut slopes. We're also looking into the feasibility of the, of the fill slope up on the Creole drainage. So Pat, let's zoom over to TP1. The bottom left. So, again, we're looking at, you know, how stable is this essentially new mountain that we're building going to be. And, and that's where this benching comes into play that Tim was talking about. He mentioned those 15' benches. One of the biggest concerns---

Commissioner

Thimm: Are we looking at finished topography here?

Taylor

Nordquist: Yes, that is finished topography. One of our biggest concerns has been, you know, if we place that mountain on what's already there we think back to the way that that Creole drainage ski runs was probably built, where, you know, they most likely tore out the trees and mixed them up with the

soil and fill that's in that drainage. So our recommendation is clear away that fill and the debris and trees that have been buried, so that we're into good competent natural soils and bedrock. Then when we do these, these steps, or keying into that natural soil, as we're compacting onto that, that gives a very solid footing for this fill placement, if you will, so we don't have a sliding plane.

Now the question came into play, are we doing 15-foot thick lifts. Definitely, not. We definitely are going to be doing lifts on the order of a foot or two in order to get proper compaction and to make sure that this fill placement area is stable.

Any questions about that so far?

Chair  
Strachan: No.

Taylor  
Nordquist: I think, I think one other thing that I failed to mention, and I know it's come up in this Council before, is the issue of creep in the area. I know there was a report given by Bill Lund I think in 1979, where talked about the hillside having geological creep. Now this is a phenomenon that happens in essentially all mountains where the soil above the rocks slowly moves down the mountainside. So the fact that it is a mountain means, yes, that is happening. Mr. Lund also put in his report that in order to mitigate this creep a geo-technical engineer would need to design a retaining structure for any cut or fill slopes in the area, and that's exactly what we're doing here. So, we're looking into that and addressing that so that we can have stable slopes.

The other thing that we will need to do is to make sure there's proper drainage in the Spring. You know, even if we're outside of the static water table per se, we will have a good amount of Spring runoff, and it will create a lot of strength in the hillside if we have some horizontal drains going into the mountainside to allow that seeping water to come out without decreasing the stability of, of the slope.

And that's all I have.

Commissioner

Thimm: So, just looking at---there, there's a cross section up here earlier that showed, you know, the existing as well as proposed grade. And you spoke of the cut slope, which we've been, in these proceedings we've been referring to that, I think, as a cliffscape. Does your analysis talk about the stability of that and, and what can be anticipated there? And is there any hope for vegetation of any part of that cliffscape? I think that's been discussed as well.

Taylor

Nordquist: Definitely. Yes, those cliffscapes are stables. And the wonderful thing about this is with those near vertical natural joints, as it's excavated, those near vertical joints will stand out and it will excavate along those joints, which will give us an opportunity to put benches in. I think those benches are areas that will be ideal for vegetation, you know, where we have fairly steep natural looking cliffs with benches of vegetation in between.

Commissioner

Thimm: Thank you.

Chair

Strachan: All right.

Pat

Sweeney: Adam, I think that concludes our formal presentation.

Chair

Strachan: Okay. Great.

Commissioner

Joyce: Can I---one question. Were you going to talk about the kind of expansion rate at all that you expected once you've crushed the rock and everything?

Taylor

Nordquist: Yes, I failed to mention that. Thank you. We are currently running a test. We do not have a measured number yet. We do expect it to be somewhere around 20-25%, but as we have that number we will provide that.

Commissioner

Joyce: And that's---so you literally take the rock that you'd be getting out and you crush it and just it's literally just see what you get?

Taylor

Nordquist: Exactly.

Commissioner

Joyce: Perfect. Thank you.

Chair

Strachan: So are we done with the conveyor system? Is that no longer, is that obsolete?

Tim

Jones: We took a look at that, and since we're going to have to be doing a lot blasting, the rock size coming out after you blast it will be so inconsistent that we felt we'd have to crush everything before we put it on a conveyor, which isn't very practical. There just isn't enough room to, to run it through a crusher and then load it on to a conveyor.

Chair

Strachan: Okay. Any more questions? All right. Francisco, nothing further? Okay. I think what we'll do is we'll take a quick 10-minute break. We've been at this for a little better than two hours, and then we'll take public comment. All right.

## **Break**

Chair

Strachan: Call the October 11<sup>th</sup> Planning Commission meeting back to order. At this point we'll take public comment. And just as we do every time, let's get an idea of how many people intend to give public comment so we know whether we need to take a break in the middle. Two, three, okay, all right, a handful, we should be good. All right, let's open the public comment, and as we do this don't forget to sign in.

## Public Comment

Arnie

Rusten: Okay. I got a long email address. Sorry. Yeah, my name is Arnie Rusten. I live at 1058 Lowell Avenue. And by way of background I spent 40 years in civil and structural engineering. And during that period I spent a lot of time in meetings such as these representing both owners and applicant's, and also regulatory agencies.

We've had a lot of meetings on this and I'm really surprised at the lack of detail that we have been given. And I was somewhat encouraged today that I was going to hear something more, and I do think that what was given was still woefully inadequate for this type of project. Not nearly enough specifics, particularly about construction and the sequencing, and what it really will look like, and, and the timeline and how it's going to impact the City and the people in Park City. This applicant's approach has been one, I think, and obviously this has gone on for a long time, of flooding the information to the Planning Commission, which tends to become really overwhelming. And then rather than dealing with some of the specifics in these meetings, they tend to be very vague and then deflect questions and not providing any, any detailed information and answers. However, when projects go on they can claim that they had because they have submitted the material and you could have then, obviously, learned about it. I have seen this approach many times. I find it an approach that very seldom wins many supporters, but unfortunately it can be effective.

I wanted to make some construction comments. And the next one. Here is the project as shown in the rendering. And obviously some of the things I will talk about may be a little bit outdated, based on the information we got today. The fact of the matter is we're going to have this project here for over a decade, I think, as far as construction. And I think it will take a long time before it looks like what you see up here. It is an island relative to access. This, this concept of easily bringing up traffic on Lowell up and down, providing for staging and flagging and whatnot is really something that I find hard to believe is going to be workable.

It's going to put an enormous burden on the Park City community; not only us that live on Lowell and nearby, but the entire surrounding area. And post construction and after their finished the impacts will also be big. And I often ask myself, why in the world would you stay at a hotel or buy property where you will have such limited access. Likewise, why would anyone buy into and put in a retail business in their business area without

being able to get in and out easily. And then, as has been talked about before, without being able to attract outside customers. It just does not make sense to me.

Next. We just seen this. I took this off the Alta Engineering slide. I want to talk about the excavation and disposal just to give the public a little better view of what it is. You see it here. Volumes may be outdated now based on some lesser calculations. The total excavation volume may be less than that 868,000. Nevertheless, it's going to be an enormous excavation and mining project.

And the next one. The, the disposal area as I show here, or I shouldn't say I show, this is out of Alta Engineering. It may be an outdated drawing as well, but it's one that I found in the package. It's then showing a high volume of these sites, totals about 1.244057 cubic yards. A very precise number. But anyway, what I'm looking at, and I was very, very surprised hearing the geo-tech estimating that the swell factor was going to be between 20-25%. That surprises me. I have made statement, I know, in earlier meetings where I believe it's more likely to be between 40 and 60.

If you look at the literature. Next slide. This is an excerpt of the engineering tool books. If you look at the rock, rock [inaudible] factors that can be estimated between 75-80% unless you do something real, real significant relative to reducing and blending with smaller material. That, of course, is in itself an enormously noisy operation and can also be dusty. So that is also difficult. Another source here shows the same. This is for the rock type of limestone rock or quartzite rock of 60, 63 percent or so. I certainly believe it would be reasonable to expect that you should have at least 40%. But that's really beside the point, I think, relative to looking at what they're going to do, which is then disposing---next slide---on this site.

All right. Well, what I will be showing is an outline on the disposal area. I had intended to show this today because Commissioner Joyce had asked a question about this several meetings, or a meeting or so ago. And literally I felt, you know, at that time the applicant could have answered where, where the material is going because they had this, obviously, at hand, but they chose not to. To me, I think they do that because that would have been another detail to reveal to the public with then constructing this enormous mound that they're proposing.

As you see here these three areas, maybe this upper one, which is in lower left, will be eliminated which would have been on Payday run. Average fill thickness there of 5' down there past Drift Road down on Crown Point where this road will come up. It's going to be more like maybe 9' thick. And then, of course, this fill on the Creole site of over 30' in thickness. If they're then challenged later, you know, they could always point to this and say, well, this material was provided to you. Personally, I don't like those tactics.

The next one. Here is the Creole ski run. So you see what's going to be impacted is in an area significantly outside of this ski run. And the next slide there will show you. This is looking down Creole and the trees on each side, that then, obviously, will have to be cut down. I'm going to the next one. Halfway down, a little bit of it there, yeah, it could stand some fill, possibly, but certainly filling to the extent that they're providing. One more. This is looking up. And all these trees on the left and on the right will have to be removed in order to make room for, for this disposal site. The next one. Here we look from across looking to the west, Creole Ski Run. Next one. Close up. There's going to be, on the next one as outlined here, all of these trees will be gone to provide this mound that's going to be built. Next one. Here you see the existing landscape on the left outlined in green. And then the future here on the right where you see this mound having been constructed. And the next one. Close up here. I think it will be a long time until it looks like this. I also think the scale of the project and the color scheme blends real well and hides some of the reality of the ill-fitting complex.

Next one. Here you see the winter. Again, buildings really stand out. This is really not fitting. And the next one. This is the cliffscape. We talked about the terraced. Yeah, it will take a long time until you can get all of that done and get it growing. I don't care what you do, it will be looking like, I think, you see on the next slide here. Very likely a very ugly scar.

So that essentially my comment on the disposal. The other thing I want to talk about is, on the next one, is a comment on utilities. A few meetings ago it was stated that Lowell Avenue utilities such as the sewer line would have to be replaced. It was basically given a brief comment that it would just have to be replaced. Well, the residents on Lowell Avenue area has endured now nearly six months of disruption due to reconstruction and installation of the new sewer and water lines. I believe that many believe



it's plain and simply a shallow trench. However, what you see here is the true excavation of the sewer line at Lowell. In front of my house it's 17' deep. It occupies the entire street. So during this there will be no use of Lowell, at which point everything that's going to have to happen to this site will have to go on Empire Avenue, which we are hearing can't handle the trucks. So that will then have to be rebuilt, I presume prior to this, so that we can have that available. Again, a very big impact to the community. And how far does the utility and the utility impact extend? A few months ago Commissioner Campbell asked a question about the gas line. Will it need to be replaced all the way down to Kimball Junction. Again, there was no answer given. Next one. Here is some additional photos of Lowell Avenue. Next. Thank heaven we had a dry summer. It certainly was a nightmare. Next one. Here it is after it rained. I will say that there are several of the homeowners or those who rent out their homes along Lowell Avenue that have endured significant economic impacts due to this project. And having this repeated, it would be a tremendous economic loss again for them. Okay. Next one. This is Lowell Avenue down towards the Resort. Here is where this [inaudible] has been constructed. [Inaudible] you see how that's been constructed to limit speed on the traffic up Lowell or down Lowell. With the parking such as this there is no doubt in my mind that this will be incredibly affected. And on your right past the curb, this is the shoulder that is going to be opened up and constructed and paved so that you can have this side essentially a little bit of a passing lane. I believe that's nice in theory, but in my opinion, pretty ineffective. Next one. When I last showed you this photo the comment that was made was "you lose". And I'm afraid that the magnitude of this project, ill-fitting with the community with no viable access, creating enormous disruption to residents, businesses, and visitors for decades. It will truly be, we, the entire Park City community lose. Nobody wants this project except the applicant. Where are all the supporters and why have we not heard from them.

I urge the Commission to deny this application and work towards something much more reasonable. I don't know why and how it grew out of control. Someone should have put a stop to this a long time ago. It needs to be evaluated in the context of 2017 and with allowance for significant growth that we know we will see in this community. Basing decision today on what fit in 1985 is entirely inappropriate. Next one. Thank you for your time. I appreciate the opportunity to talk.

Chair

Strachan: Thank you.

John

Stafsholt: Okay. John Stafsholt, 633 Woodside. Going to just limit comments to what we saw tonight. A couple of things I just saw in his pictures that should be noted. One is the huge scars, 150' scars, we're showing them now with trees on them. Well, the scars, many of them are outside their construction boundary as it is. They're not allowed in the first place. So now we're going to tier them back outside the boundary. That's not allowed. He's talking about to put the disposal on site. All the trees that [inaudible], that will be gone. That's not allowed either. A big reason--- another thing is we've got the King's Crown project. Did you look at the nice road up the Bamberger Parcel? I don't think that's allowed. Just a few things I just saw there. So I'll try to keep it pretty quick.

We just listened to Big D and Robinson and their building plans. When the Sweeney's sell Treasure Hill, what guarantee is there that Big D will even be involved in the project. I don't think there's any, but we're listening to it anyway. And the ski system presentation, there's absolutely no guarantee that it will happen that way. Point 1 on the Cabriolet. The Sweeney's for years have said it's a main mitigator of construction personnel to mitigate traffic. It gives access to most of the construction workers to the site. Well, that means the Cabriolet must be built first. We can all agree on that. If it's not there it can't mitigate traffic. That means that for the Cabriolet to be built first the Town Lift base must be removed.

If you remove the Town Lift base that means you shut down the Town Lift prior to the start of the project. The quad lift they're proposing that goes into their project is centrally located in the project, and you gotta expect that can't be built until after the demolition, the dynamite, the excavation, the blasting, all that's done. So that means the Town Lift will not be active throughout much of the, at least the early part of the project. It's going to be closed with this plan.

Another Cabriolet point. I might have missed it, but who owns the Cabriolet and who operates it? I don't think Sweeney's operate the Cabriolet. So if you don't operate it how can you guarantee access and usage of the Cabriolet for their construction personnel if you don't operate it yourselves. So a point for that right now, if you want to ride up the Town Lift it costs over \$20. So, I don't know how much Vail is going to charge

the construction workers to ride the Cabriolet to get to their jobs. I don't know. Maybe this has worked out, but I doubt it.

With respect to the presentation on the haul route and material placement, I didn't see or hear one single word about toxic soils. Nothing. You know, this may be because the Sweeney's will want to ignore the toxic soils, but the citizens of Park City should not ignore the toxic soils. And the City cannot ignore the toxic soils because they have to protect the citizens. Going back a ways in a letter from Park City Municipal Corporation to Pat Sweeney dated December 15<sup>th</sup>, 2005; and remember we've been in the same CUP since 2004, but we have to keep reintroducing the same data. In this letter I'll quote some parts from the City because it's from the City itself. The purpose of this correspondence is to provide you with formal comment related to the AGECE Phase I Environmental Assessment for the Treasure Hill Subdivision. Okay. The AGECE Report summarized the results for eight discreet samples, 1 through 8, for the mine dumps that reside at the identified locations on Treasure Hill. This report documented the southeast adit, Creole Shaft, Creole adit. If you don't know an adit it's a horizontal entry to a mine. Having exceedingly high concentrations of lead and arsenic that exceed the USEPA health based risk, risk standards for both residential and industrial. Furthermore, the MPE report infers that these results coincide with natural occurring background levels. The City said this is not the case. As natural background levels have been established at 30 to 700 parts per million for lead, and 16 to 100 parts per million for arsenic. So the largest level that were showing in the only eight samples taken for lead was 380,000. The maximum is 1,000. That's 380 times the allowable amount. Another result for lead was 30 times the allowable amount, and that's in the southeast location which is closest to downtown Park City. Toxic soils in a water protection zone should be moved away. This regulated material should be moved off-site to protect the public. And as a reminder that the Sweeney's cannot possibly know what will happen because the Sweeney's have done no geo-technical work about the mine, existing mine adits and mine tunnels. They've done none.

To give you an example---I give you a reminder that the Montage did extensive geo-technical work and they found four mining, historic mining whatever, tunnels, adits, on their property. Then once they started excavation they found four more, even though they did all that. So they expected to move 40,000 cubic yards of regulated waste to Richardson Flats; they ended up moving an additional 40,000 cubic yards, which is

double the amount. And they were required to move it off site. We're not seeing anything going off site, possibly because they can't move it to Richardson Flats and Tooele is too far.

Okay. In another letter from Park City. Before I quote it I'll say first of all, the City remains committed to not inheriting any future environmental regulatory liability from mine impacts. Treasure is within the Spiro Drinking Water Protection Zone. The ground water at Treasure flow northeast. The Creole Mine adit from the grand entrance of Treasure goes northeast. It's several thousand feet and there is no geo-technical work. They don't know what they're going to find when they excavate, and there's no mention of this remediation that's going to come up. So a few select quotes from an August 2007 letter from the City. "Park City Municipal Corporation does not agree with strategy of transporting higher concentration mine waste, Creole adit 11,000 parts per million in lead, to a lower concentration site". The City doesn't agree with it. That's what all this is based on.

Next point. I'm picking quotes here. "The City must consider all pollution sources that have the potential to impact the water shed, thereby increasing the City's environmental regulatory exposure. Such exposure is a reality for Park City Municipal since we reside at the headwaters of two impaired water sheds that are listed on the 303D list and have affluent limits and goals". So this---we are right on the border a lot with our drinking water, and this if it contributes, will put us over. This could do it on its own. Another quote, "The City has found sediment from these catch basins that approach 1,000 parts per million lead and sometimes results in the material being characteristically hazardous, thereby needing to be disposed of within a permanent facility. The Richardson Flats has been a great resource for the City order to dispose of this waste. Even so, Park City Municipal recognizes that the Richardson Flats repository will be closed and this type of waste will have to be managed and disposed of according to its characteristics. Therefore, the City is making every effort to eliminate or minimize the NPS Waste Stream from the project to enter the storm water catch basins". Plus, it's going to be additional to the problems we already have. Another quote. "The overriding factor for PCMP is the Park City Municipal Corporation's Drinking Water Source Protection Plan ordinance detailed in Section 13-1-28, which considers the consolidation of Mine Waste within the drinking water source protection area as a potential pollution source. Park City Municipal Corporation is required to protect the drinking water source

protection areas in accordance with the Drinking Water Source Protection plan". This is my words. This does not meet that plan.

Park City---last quote and I'm done. "Park City Municipal Corporation does not believe that the plan considers the long term consequences that the City must inherit in the future". That's it. Thank you for your time.

Nikki

Deforge:

Good evening. I'm Nikki Deforge here speaking on behalf of THINC, a non-profit group of hundreds of Park City residents and businesses. Tonight, we would like to focus on some of the issues identified by the Staff in the October report, and also address other concerns that have been raised as a result of the applicant's recent submissions and, and some of the presentations tonight. So first, a word about MPD compliance. We appreciate the efforts of the Staff in the latest report to break out the language of the MPD approval, and organize it by relevant CUP criteria. We agree that this will better help guide and focus the CUP analysis and discussion. But, we again want to emphasize that compliance with the express conditions and requirements of the MPD approval is not merely a CUP issue, rather it is the first step in this process. Before we even get to the CUP criteria, the applicant must demonstrate that it has complied with each and every one of the conditions of the MPD approval; and lack of compliance with these conditions is not something that can somehow be mitigated. Either the applicant has complied with all of these MPD conditions and requirements or it has not. And if it has not, then the application cannot be approved as a matter of law no matter what mitigation is proposed.

The second issue we want to discuss is density. We fully support the Staff's conclusions that the maximum project density is fixed by the MPD and exceeded in many respects by the current Treasure Hill plans. This is now unequivocally established by the applicant's own May 15<sup>th</sup> 1985 MPD Fact Sheet that you were introduced to this evening, and it is attached to this recent Staff report.

Speaking of the support commercial space, that fact sheet demonstrates once and for all what the Staff, the Commission, and THINC have been saying all along, that the 19,000 square feet of support commercial approved for the project in the MPD already includes the 5% allowance provided for under the Code. The applicant is not entitled to an additional 5% kicker on top of that 19,000 square feet as it has claimed. In fact, the

MPD fact sheet states over and over again as shown on pages 120-122 of the packet that this is quote, “the total support commercial”. The applicant’s current Treasure Hill plans, therefore, exceed the total support commercial approved in the MPD by 18,813 square feet, or 18.81 commercial UEs.

Moving on to lobby space. We also agree with the Staff that the applicant’s MPD fact sheet fixes the maximum lobby space for the project at 17,500 square feet. The pertinent question then, is what does the term lobby space mean as you used in the MPD. The MPD fact sheet clearly shows that this so-called lobby space is precisely the same type of space that the applicant now variously refers to as circulation, accessory, and meeting space. And this gets a little bit down in the weeds, but let me take a crack at explaining why that is, and then we’ll follow up with this in writing to help you better distill the information.

Although the term Lobby was not defined in the governing 1985 Land Management Code, as the Staff notes, the term circulation space under that Code expressly included quote “lobbies outside of units, including lobby areas, that do not count as floor area of the unit or as commercial unit equivalents”. So we know that lobby space is the same as what is described as circulation space in that 1985 Code.

As for Accessory Space. Although the Staff is correct that the 1985 Land Management Code does not specifically define that term, the definition of Hotel in the 1985 Code does. It says, quote, “Accessory facilities may include a lobby, meeting rooms, recreation facilities, group dining facilities, and/or other facilities or activities customarily associated with hotels or hotel apartments. Now with that definition in mind, look again at the definition of lobby space in the MPD fact sheet. It says, quote, “Non-commercial support amenities, including specifically weight rooms, recreation rooms, saunas, administrative offices, storage, guest ski storage, guest meeting rooms, etc.” These are the very same type of hotel accessory facilities identified in the 1985 Land Management Code. The same is also true of the definition of Residential Accessory Space in the 2004 Land Management Code, as noted by the Staff. So here again, we know that lobby space includes accessory space and vice-versa.

As for Meeting Space. Remember that the applicant’s definition of lobby space that I just read from his fact sheet expressly includes quote, “meeting rooms”. The 1985 Land Management Code definition of hotel

accessory facilities likewise includes meeting rooms. So again, we know that the term lobby space in the MPD also includes a meeting space that they're claiming in their application. The MPD Fact sheet states that the quote, "total lobby space sought and, therefore, approved was 17,500 square feet". Yet, as the Staff notes, the applicant now seeks nearly 255,000 square feet in accessory and circulation space, which is more than 14 times what was approved in the MPD. And in addition, the applicant claims 16,214 square feet of meeting space for a total of over 271,000 square feet of circulation, accessory and meeting space, which was over 15 times the total approved space for these items in the MPD. Regardless of what the applicant calls it, the fact remains that the accessory, circulation and meeting space now claimed by the applicant is nothing more than the so-called lobby space claimed in its MPD Fact Sheet. And by the terms of the MPD, the applicant is entitled to a maximum of only 17,500 square feet of that space. That is what their fact sheet states over and over again; 17,500 total. And recall, that the MPD itself states that the approved densities are those attached as an exhibit and shall be limited to the maximums identified thereon. This is Exhibit 2 to the MPD. Now, even if the applicant could somehow argue that this 17,500 figure was not the maximum lobby, accessory, circulation, meeting space approved, the applicant still cannot possibly justify a figure more than 15 times the space it represented in the MPD. This tremendous expansion further corroborates the Staff's previous findings that the project as proposed in the CUP application is far, far greater in scope, density, mass, bulk scale and, therefore, impact than the project that was approved 30 years ago in the Master Plan.

The third issue is Open Space. These construction staging plans that we're seeing again highlight the utter failure of the applicant to comply with the condition of the Master Plan approval. Regarding open space, the MPD states as follows, "A key element of the proposed cluster approach is to preserve usable open space in perpetuity". The potential for the subdivision and scattered development of the hillside would have drastically affected the goal of preserving the mountain substantially intact and pristine. The MPD further provides that the proposed development concept locates buildings in areas to avoid cutting and removing significant evergreens existing on the site. Now contrast this goal of preserving the mountain substantially intact and pristine and avoiding the cutting and removal of trees with the applicant's construction plans that you saw tonight. As they have said, they're going to excavate between 800,000 to a million cubic yards of rock and dirt from this site, and part of

that excavation will be from the open space land itself in order to construct the permanent cliffscapes there. And then even after accounting for this conservative swell of 20- 25%, it appears that the applicant expects to dump over 1.2 million cubic yards of excavation debris over what is 16 acres of open space. And this is land that has been dedicated and rezoned as recreation open space. And that represents nearly one-third of the total recreation open space that was required for this entire project. And in doing so they will obliterate much of the plants, shrubs and trees on those 16 acres. And as was mentioned tonight, the reality is that this could actually be much greater if we have a less conservation swell factor.

So based on prior submittals, the applicant represented that over 1 million cubic yards of this material will be dumped into Creole Gulch alone. It will be interesting to see the before and after depictions, and elevations of the slopes and grading on Creole Gulch, as it does appear from these drawings that they're planning to effectively fill it in and regrade the entire hillside. So rather than retaining the existing slope as directed under CUP Criteria 15, or minimizing site grading as expressly required by the MPD, the applicant's current plans call for a complete transformation of the existing slope and an obliteration of Creole Gulch with its construction debris.

The irony of this is that the whole purpose of the clustered approach for this development, again, was to keep this mountain substantially intact and pristine with open space by dramatically increasing the mass and scale of this project. Excavating far more below grade in order to purportedly meet height restrictions, and then carving out the mountain rather than tucking the project into, into the mountain, the applicant is effectively defeating the purpose of this clustered approach. And at the end of the day the hillside open space will not remotely resemble the hillside that we see today if this project is approved. And it most certainly will not remain substantially intact and pristine. And even in the interim, the Hillside property that is zoned as recreation open space as we saw will be crisscrossed for years with numerous distribution roads, having 40' cross cuts and steep cuts, haul routes, machinery and construction vehicles. Exhibits four through five of the recent construction presentation plans that you saw tonight, which is on pages 153 and 154 of the packet show just how extensive these open space incursions and disturbances will be. Again, this is no intact or pristine open space any longer. What this is, is yet another example of the applicant purporting to mitigate one



impact, namely traffic, construction traffic, by instead creating a different, enormous impact under another CUP criteria, which is open space. That's not mitigation. That's just shifting impacts.

The applicant also says, but this is land that we own. Again, it's land that they were required to dedicate as open space for the public. They may own it, but it is not simply private property where which you can do whatever you want. This is recreation open space land that was required to be dedicated as a condition of approval.

As for the rest of the purported phasing, staging, construction presentation slides, I think as Commissioner Joyce said, all we have here is still the soft and fluffy stuff. We don't have the details. We don't have the measurables, we don't have the accountability yet by which we can measure any of this. And so we will defer additional comments on all of that until we hopefully get that detail.

Finally, a few more words about traffic. I did hear tonight---one, one word that I did hear tonight is that the Cabriolet will not be done until Phase 1B, which is at least one year after construction begins. So, obviously, that's not going to be a construction mitigation---construction traffic mitigation impact after all. Some more about this construction traffic. The MPD provides as follows, that Empire Avenue and Lowell Avenue will be the main access routes to the Creole Gulch site. As such, during construction, these roads---plural---will need to carry heavy traffic probably in the vicinity of up to 300 heavy trucks per day. In other words, the MPD required that both Empire and Lowell be utilized in order to share the burden of this heavy construction traffic from the project. This was surely due in part to the sheer number of heavy trucks that would be going back and forth. We've heard a little bit about that tonight. But also certainly due to the narrow width of both of these roads, and the fact that two heavy construction trucks simply cannot pass one another, particularly during the winter, and particularly when you add in the parked vehicles, pedestrians, the snow storage, the garbage trucks, and whatnot. As you saw in the slide that Arnie presented, even one construction truck on that road in the summer with nothing else on the road nearly took up the entire road itself.

The MPD further noted that neither road could then handle the weight of the construction vehicles and they would both need to be rebuilt in order to do so. The applicant was, therefore, given the opportunity to participate

in that rebuilding process in order to ensure that both roads could handle the construction traffic and both roads would be available to handle that construction traffic. So, the applicant has unfortunately declined to contribute to the rebuilding of Empire several years ago, and that road, therefore, cannot handle the construction traffic. So, now the applicant is proposing instead that all the construction traffic be routed solely to Lowell during MPD approval---excuse me, solely over Lowell. Obviously that would double the construction traffic on Lowell during, that was anticipated during the MPD approval, and require passage of two large construction vehicles on that very narrow and already largely impassable road. The applicant's failure to contribute to the rebuilding of Empire does not excuse it from complying with the construction traffic requirements of the Master Plan, namely that this construction traffic goes down both of these roads. And it most certainly does not justify forcing the residents along Lowell to bear the sole burden and the bottleneck of construction traffic from this project. We heard today that there is, they're looking at 10 trucks per day, which if it's on the same road means 20 trips per day. And that would be approximately two trucks every six minutes on this road for years. They say we can mitigate this by putting an extra 5' up on the uphill slope of Lowell, but that just, again, gets us back to where we were last winter when we saw all the pictures of the impassable roads and the cars going head to head because it was only one lane of traffic, and having to back down the other side.

The MPD also addresses the consequences of the applicant's failure to contribute to the reconstruction of Empire Avenue. It says this, "Because the reconstruction would be inconvenient to residents and the City, and because delays, impacts, and potential safety hazards would be created over and above normal City maintenance of existing streets, that action by the developer would be a new impact on City residents. So not only does the applicant's failure to help reconstruct Empire to bear its share of the construction traffic constitutes non-compliance with the MPD, it is also an impact that cannot be mitigated by simply rebuilding Empire once again now. As Commissioner Strachan aptly noted at the last meeting, this is quote, "a big problem for Treasure Hill".

As for road capacity, various Commissioners have expressed some bewilderment as to how the traffic reports and data could be interpreted to show adequate road capacity for increased construction and daily traffic, when the actual evidence on the ground clearly shows otherwise. We have attempted to explain the reason for this discrepancy in our various

comments and letters. And Ivan Hooper, the traffic expert for Avenue Consultants who was retained by THINC has also addressed that very issue in his reports. So rather than hearing it once again from the mouth of the lawyer, we thought it might be more compelling and helpful to hear it directly from Mr. Hooper. He is here tonight and is prepared to address the, the issue next and answer any questions about that topic that you might have for him.

And with that I will thank you all for your time and attention and your, your diligence and hard work on this project.

Ivan  
Hooper:

Good evening. My name is Ivan Hooper. Work for Avenue Consultants as was mentioned, and retained by THINC to provide a critique of, of the traffic analysis that's been performed to date, and just left us doing a little bit of our own analysis that I'll get to a little bit later. Before I talk too much about capacity, I want to bring up one concern that we've mentioned in our memos, but it's still---and it irks me a little bit, and that's regarding one of the trip reduction factors that's been assumed in the traffic analysis, specifically, the one that assumes that 43% of the hotel and condo town house, townhouse trips could be eliminated because they assume that 50% of the skiing will take place on site. To me, that seems a bit of a leap to assume that just because 50% of the skiing may occur on site, that that equates to that same percentage of trips, because obviously there are other trips that will be made by people that aren't ski trips. You know, going shopping or to meals or things like that. So to think that those trips just all magically disappear I think is, is a little short-sighted. So that's, like I say, one that continues to bother me a little bit, and I wanted to, to bring up.

Another thing that we've brought up quite a bit has been the capacity analysis. The, the traffic study assumes that the ideal conditions where the weather is great and there's no snow and things work pretty well with a couple of exceptions. And we've continued to mention the need to analyze the road, kind of the mid-block section away from the intersections where you get the narrow roads with the snow, you get the two vehicles crossing each other, and what the capacity there might, might be, and to analyze that in relationship to the, the trip generation of the development. You know, you heard previously about how the average road will carry about---or, the average capacity for a lane of road is 1800 vehicle, or passenger cars per hour per lane. And then that can---is typically then reduced by more than 50% when you take into account

traffic signals, stoplights, heavy vehicles, roadway grades, thing like that reduce that capacity to, to 500, 600 vehicles per hour per lane. And then when you throw in snowfall and the, just the narrowness of the road with only one vehicle being able to, to pass at a time, we estimate that the capacity of the road could be as low as 60 to 120 vehicles per hour. That's in, in both direction, which clearly is a very low number and a long way removed from an 1800 vehicles per hour. But we think that's, that's realistic and should be, or a number similar to that should be used in an analysis.

We've also heard that capacity is a difficult thing to measure. Last month you were told that 100 traffic engineers would come up with 100 different capacities, which may be true. You would hope that they would at least be similar enough that you could kind of get into that ballpark. But a number comes to mind that has been mentioned before, and that's the 2500 vehicles per day on a local road like Lowell and Empire. So we, we wanted to do our own analysis to see, or try to estimate what the volume is out there today and what it would be with the addition of the, of the development traffic.

So if you can go to the first slide. So, we're going to talk about all these things; the existing volumes, the, the daily vehicle trip generation by the site, background volumes, and then, you know, finally the daily volumes.

Go to the next one, please. So, part of the problem is we don't have good daily volumes for any of these roads. What we have are these intersection counts that were performed on, on Presidents Day weekend that were adjusted to reflect kind of an 85<sup>th</sup> percentile winter ski day. And so what we did is we, we just added the, the volumes to and from each intersection kind of on those midblock sections at each end of each intersection to see what the, kind of the segment volume would be through that area. And then we used the permanent count station that UDOT has out on SR224 to estimate what percentage of the daily trips occurred during the two peak hours for which we have data.

So if you can go to the next slide. So here's a graph showing the, the data for February 18<sup>th</sup>, 2017 on 224, which shows that the a.m. peak hour represents nearly 6% of the daily trips and the p.m. peak hour 8% of the daily trips, with a combined factor of about 14% of the daily trips during those two peak hours. So we then did the math on converting those segment volumes from the two peak hours to a daily volume. It's on the

next slide. So here, then, we just plotted those along the ac-, kind of along the length of the road with the Lowell Avenue chart on the left, the Empire on the right. We've put a red dash line there at kind of that magical 2500 vehicles per day. I'm not entirely certain where the roadway classification changes from a local road to a collector something, so it may not be applicable down low, but certainly I think above Manor, Manor and above I think it would be very applicable. And because we don't know what happens in between we just straight line between the two, the two intersections to account for where, you know, traffic adding or dropping in those areas. The best we can do with the data we have. But based on that assumption, it looks like we do have portions of Lowell Avenue that are currently over 2500 vehicles per day. And the lower side of Empire approaching Manor Way, that also gets close to that. In subsequent slides I'll just focus on the section from Manor Way and above, so you can see it a little more clearly. So on top of these volumes then in the traffic study they assumed, they were doing the analysis for a future condition so they assumed about a 26% growth in background volumes. So, oh, I, I got a little bit ahead of myself. Actually, if you can just go two slides ahead, and then we'll just go back and just change the order a little bit. I should have thought this out a little better. So we added on that 26% of growth, background growth that was assumed uniformly throughout the study area. And then to that we added the daily trip, our estimated daily trip generation from the, the project site. So you can go back, yeah, one. So this was not some information that was provided in the traffic study so we had to estimate this ourselves using the same methodology, the ITE Trip Generation Manual, and using daily rates there. In particular, the resort hotel didn't have daily rates so we used some comparisons. They had some Saturday rates, they had some, and some other hotel, so that was a bit of amalgamation of different sources there. The others are straight out of the, the manual. And so, then we applied trip, internal trip reduction of 16%, which is midway between the, the, I believe is 11% that they assume for a.m. and 22% they assume for p.m., and then the 10% Cabriolet reduction to get to---we use two different methods. IT has kind of an equation or an average rate, and we use---looked at both of them. They came out to be very similar at about nearly 2700 vehicle trips per day. So then again in the traffic study they assumed a split of 50/50 between Lowell and Empire. So we then added nearly 1350 trips, daily trips to, to both roads, which is the---two slides ahead, I guess, at this point. So her in the orange, the top bar, you can see represents the, the trips or the volumes with Treasure Hill. So you can see both roads are

pretty solidly well over that 2500 vehicle per day threshold. Yeah, so there's not, not a lot of wiggle room on a lot of this here.

So it seems, you know, clearly there's, there's a traffic problem if---if we're serious about the 2500 vehicles per day there's a serious traffic problem. If we go down to that hour level and looking at 60 to 120 vehicles per hour, there will be a problem as well. So, just, all illustrate that there are some, some major concerns with traffic performance, with, with the development of the site that are not reflected in the idealized traffic analysis that's been performed to date.

Thank you very much.

Chair

Strachan: Thank you.

Kyra

Parkhurst: I don't have too much to say today. But I would ask the Commission to not give too much serious thought to the excavation numbers and the Big D Construction numbers.

Director

Erickson: Go ahead and put your name on the record.

Kyra

Parkhurst: Oh, I'm sorry. I signed it. Kyra Parkhurst, Empire Avenue.

Director

Erickson: Sorry.

Kyra

Parkhurst: I feel that I would like to get Big D's email so that I could send you---I feel bad because I don't think you were given the proper information as far as the actual number of hours that construction wouldn't be going on, because we previously had talked about between 8:00 and 10:00 and 2:00 and 4:00. And that is a huge amount of time out of your construction day. So to estimate that oh, it will take three or four years to do this, well, if you're really cutting your days and then you take the holidays. And I don't know if you're aware of all the different holidays. And then the 600 days on excavation, you can't do it during mud season, during winter. I mean, all these years, I don't think they're very accurate and can be, you

know, adequately used. So I would like to send you the video that we did so you can have an accurate idea of what really goes on, on the street so that your field trip plans can be a little more accurate.

Then the only other thing I'm concerned about is I keep bringing up the safety of all the people walking on the street, and skiing on the street, and the kids on the street, and the strollers on the street. The berm is a great idea to kind of mitigate the noise, but it also at the same time mitigates visibility of trucks coming out of the development, and that is the major curve where everybody does a lot of walking from Empire and Lowell coming up around there to go down Crescent Tram. And that berm then might create a danger zone right there.

Again, also, the crushing of the stone, has any studies been done on how noisy that is, how long that will take? That's another whole problem. Then also, the last thing, one of the major things. Thirty-some years ago that this was supposed to benefit Main Street merchants. And I know, Pat, that was one of his things. He was like, but this will be great for Main Street merchants. Well, I think we really have inadequate numbers on how long the bridge will be closed, the ski runs will be closed, the ski lifts will be closed. Skiers are not going to want to come down over construction and bombs going off, and explosives going off to come to Main Street. For years and years and years Main Street is really going to be hurt. So, thank you.

Chair

Strachan: Thank you. All right. Any further---yeah.

Rob

Horacek: I'm Rob Horacek, 1415 Park Ave. I was just looking at the wall up here. I don't have anything prepared but I just wanted to say something quickly, that I find it interesting to look at the Park City, sorry, the Park City Municipal Goals and Mission Statements in the context of this discussion. And as I read some of the things off of the, the wall over here. Critical priorities of transportation and congested reduction. I won't get into details but we're very concerned with that. Clean soil plans. I'm also concerned about the unknown disruption of toxic soils, or introducing materials or contaminates into public drinking water. Historic Preservation is listed here. When I redo the windows on my condo I have to stay within historic, you know, rules and regulations. So I, I just find it interesting that there's nothing historic about the project, and I, I think it's obviously going

to change Town entirely forever. Middle income affordable housing. We already don't have enough housing for, for workers and this would have a lot more workers to find more housing for. Another one listed, Open space acquisition, preserving and enhancing the natural environment. Obviously, this is not doing that. It's in the face of those. Keeping Park City Park City. That's obviously not what this project is doing. Quality of life impact. This is not good for the residents.

Again, myself and everybody I know are very concerned about the project. A lot of other, I think, people in the community that are not publicly speaking up, but I think there is a large concern about the quality of life impact. And then the rest of the things listed here; natural setting, small town, sense of community and historic character. So I just wanted to try to keep---I just found it ironic to have these on the wall and I wanted to keep the, the discussion in the context of the guiding principles of the town. And as a resident I'm very concerned about the project, very against it, and want to try to keep these guiding values in, in the discussion. Thank you.

Neals

Vernagaard: Hi, Neals Vernagaard. I'm a full-time resident, 822 Lowell, right across the street. I just---I know you want to hear facts and figures, but sometimes you've gotta hear the emotion. Do you realize what a living hell you're asking the people on Lowell to sign up for? Six trucks, I mean, a truck every minute going past my house. We hear that blasting is going to be going on, but they're going to monitor my house. What does that mean? When my house falls down, are they going to come and tell me? I mean, really. What's going on here. I ask you---Kyra's going to send you, look at the pictures of what the roads really are like.

The, the applicant and Big D came and talked about all these nice things they're going to do for the community, but I ask you to put it a little bit in context. They've not talked to one of us. Not one of us on Lowell to ask us our opinions. Not once. This berm that's supposed to go up to, to knock down the noise, if you stand in my driveway, if you look up the hill, that berm is going to have to be 40' high. I mean it's kind of a joke.

The road, let's remember this road is now 3' narrower after construction. After you saw the work that, or the slides that Arnie did. It's 3' narrower than it was before the construction. Yes, it's now thicker, but you know, the City talks about well, we'll just make it five feet wider. They're not going to



make that part that they're going to make wider reinforced. It's just going to crush everything that they, they put in there right there. That road--- anybody with two eyes can see that that road does not support the construction, period. End of story.

This meeting was a real eye-opener for me tonight because it really does show what it's going to do to those people that try to live full-time on Lowell. It's going to be impossible. It's going to be a living hell. How you mitigate that, I have no idea, but something needs to be done. I have said over and over and over again that we want a win/win relationship, we want a win/win scenario. This is not win/win. This is win/crush, and I'm not talking about rocks. Thank you.

Chair

Strachan: Anyone else from the public wishing to speak? All right. Seeing no one we'll close the public hearing.

#### End of Public Comment

Chair

Strachan: Let's, let's just start with Commissioner Thimm, move left to right, and try to keep it in the context---we got some traffic info tonight in the context of the public hearing, but let's try to keep it to the presentation of the phasing plan and we will analyze the traffic stuff that we were given tonight when Francisco has a chance to look at it first, because I think that's the first time you've seen it, too. So, Commissioner Thimm, why don't you start us off?

Commissioner

Thimm: Okay. Well, I think I kind of spoke about a number of things in my questions, and I appreciate the, the ability to have, actually, the open forum and I'd like that to continue. I think the dialogue is helpful. In terms of looking at this we have the B17.2 plan and statistics that have been given to us. I found it informative. There's a very detailed spread sheet that talks to areas and that sort of thing. Now we all know that there is a, there is an existing approval in place. In terms of density the Sweeney Properties Master Plan density exhibit establishes that in terms of the UEs and, and that sort of thing. So we have a basis. What I think is missing here is we have a comparison between B17.2 and the 2009 plan. What I'm really looking for is a comparison to the Woodruff Plan. The approved plan. It seems like that has gotten sort of lost here in all these facts and

figures and that sort of thing. And I would really I like to see a comparison to the Woodruff Plan. And it's interesting, now that we've had a chance to look at the Sweeney Properties Master Plan fact sheet, there's actually square footage there that we can compare very, very directly. Didn't have it before. What we had before, I think was kind of guesstimated square footages based upon scaling off of old drawings. Now we have something with real numbers in it and I appreciate the fact that now it's at our disposal to uses. In terms looking at the areas and density, I still find tens of thousands of square feet difference in terms of where I think the appropriate ordinances, the pertinent ordinances get us to, compared to the numbers that are being asked for in these spreadsheets. And I think it's important to take these spreadsheets and look at them through the lens of the fact sheet.

In addressing the drawings, I look at it and I understand, okay, we have cut back from the 2009 Plan as we looked at B17.2 Plan in terms of any number of things. Area. We moved buildings around, we've actually moved massing, I think, to a better location. Moving some of the building mass up to Building 4, that really helps to cut out some of the congestion of massing that was down lower on the mountain. And that part of it, I think, has been done very well. What we're missing is, I think, looking at the stepping of the buildings with the topography and what the Woodruff Plan approval did versus just cutting this big huge bench into the side of the mountain and carrying everything away. So I think that the plans still need to be addressed.

There's, there's conversation in the Staff report about utilities, and the fact that proper analysis, detailed findings have yet to be made in terms of whether or not there's adequate utilities both wet and dry to this site. And they need to be addressed if there's going to be further disruption of traffic, because dry utilities or wet utilities are going to impact them. I think that part of this approval ultimately, or part of this process ultimately as it goes on is going to have to address whatever impact those have on the neighborhood. And I'm looking forward to the opportunity to see that.

And I guess the final analysis for me, is I would really like to see direct comparison to the Woodruff Plan.

Chair  
Strachan: Thank you. Commissioner Suesser.

Commissioner

Suesser: I'm just going to read from my notes that I made after going through the Staff report. Refinement 17.2 is not a substantial modification of the 2009 plans. I do not find it responsive to the concerns raised by this Commission and City Staff. 17.2 in terms of the density proposed fails to comply and far exceeds what was approved in the MPD in terms of commercial UEs and the accessory space. The maximum commercial UEs according to the MPD is 19 UEs. Refinement 17.2 proposes 37.81 UEs. Refinement 17.2 exceeds the maximum commercial UEs permitted by 18.81 UEs, or 18,800 square feet.

I reiterate the Staff note on page 58 of the packet that to date the applicant has failed to provide the required data for utility analysis to verify the source storage demands for the project.

And with regard to the approved use, the hotel use, I note that page 132 of the packet specifically says the units will be condominium or hotel rooms, and that the applicant---also, there would be a limited amount of support commercial. That was part of that new Facts Exhibit that we reviewed for this meeting.

I also reiterate and agree with all of Commissioner Thimm's comments.

Chair

Strachan: Okay. Thank you.

Commissioner

Suesser: Thanks.

Chair

Strachan: Okay, Commissioner Joyce?

Commissioner

Joyce: Yeah, I'm interested---I would love to hear next time the applicants addressing the Fact Sheet and things that we see on there, like lobby space, and how that kind of fits into it. If you have an amended version of it, I would love to see that.

You know, I have said from day one that I think support commercial is limited at 19 UEs, and that hasn't changed. In fact, it's much more clearly substantiated now. So I don't know how you could be complying with the

Master Plan and have anything more than 19,000 square feet, but I've said that before.

My big thing is we got to see the staging plans and the excavation. We're trying to get to the end here and I think between the Staff and the applicant, you guys, are trying to cooperate to get us there. I'm frustrated. I've voiced this before, but just we keep getting what I think of as soft fluffy stuff, you know, we'll try to do this, you know, and it changes from time to time. We've got to get down to conditions, and you can either let us just write them all out and decide what we think all of the limitations should be of, you know, when your work force is there and what hours you're working and all that kind of stuff, or you can work with Staff and start coming in with some more concrete things that would allow us to get there. I mean, we'll do it one way or the other, but I really think if we just kind of, or Staff just kind of creates what we think is the right thing. But there's just been so many things that we've seen where it's like, you know, we'll work to accommodate this. Well, good. How, how? Because I guarantee you, if it's important to mitigate that impact it's going to be a condition of approval. So we need to see more of that, and we're just not. In fact, I, I thought we kind of---we've heard plans that or, or discussion that gosh, we were really close to getting approval for this back in 2004 and then 2009. And I'm just, quite frankly, stunned to see that, you know, what I would think of as a simple question of what's the expansion rate of this incredible amount of earth that we're going to dig up; and the answer is---still 30 years into the project and multiple phases of going through approvals, the answer is still we don't know. We have a guess but we don't know. And it's like how were you close to doing that before and now all of a sudden we're seeing tonight a design for getting the dirt up the hill that's really different than anything we've ever seen before. And last meeting we saw that it's going to a different place we've never seen before.

We were told, I mean, I can go back to the old excavation plan and look at your own drawings of where you had dirt. Number one, you only identified about half of it, but a lot of it was going out on the Payday run. Now there's nothing really going on the Payday Run. I mean, I can go back through that, but it's changing dramatically. And I'm still stuck on---when I look at the fact that we went to recreation and open space for zoning, in the Master Plan document I get this, "Ultimately 97% of the Hillside parcels will be open space. This concept will prevent undue scarring of the hillside, protect its ridgeline and preserve it for recreational use as a

scenic backdrop to the Historic District". And so I'm just trying to line that up with---that was clearly the intent. It's written over and over in different parts of the Master Plan. And I'm trying to sync that up with we're going to take dozens of acres of it, basically mulch all the trees on it, and right now it's heavily forested, and then basically scar it. We've still got cliffscape that goes out into the recreational open space zoning. And I'm looking at the ROS zones, and I can't find anything in the allowed or conditional uses that begins to address this. And so I've asked if there's something that you guys can bring to the table that somehow convinces us that this is okay, other than that's just the plan you drew where the dirt goes, help me with that. Because everything I'm looking at that's written on paper says that's protected open space in a zone that was done as part of this plan. And you don't walk into recreation open space and, you know, cut down 20 or 30 acres worth of trees to put in roads to dump 60 feet of dirt. I mean, that's just not an allowed use. So help me with that because I don't want to spend a lot more time going into detail about where the squiggly road is going to go and how many dump trucks we're going to run up there if the answer is this isn't an allowed use. And so---and I'm trying. I have looked over and over to find this, and I can't find anything that would, that would imply that it is. And I'm just, I'm getting kind of frustration because we're getting close to a decision in theory. And just really, really basic questions that we've been asking for months, we're getting detail that kind of skirts around the issues. So help me help you guys, otherwise I just, I don't know how to evaluate something like this when we get a new excavation plan dropped---not excavation plan but where we dump the dirt and how we get it there. It's just broken to me.

Chair

Strachan: Thanks. Preston.

Commissioner

Campbell: I'm going to keep mine simple, and Bruce I'm going to ask you for some clarity on this one. And I'm piggybacking a little bit on what Steve said, but I know the definition of LOD, Limit of Disturbance, is pretty clear to me on a residential project, and I'm hoping you can help us understand exactly what it is here. I need to have an understanding of legally what they're allowed to do up there. It is not clear to me right now in the documents. So I'm hoping that Staff can give us some kind of very simple graphic that says this is the limit of disturbance. If they go outside of that--well, not if they do, but they're not allowed to go outside of it. And it looks to me like they're way outside of it. And I may be wrong. As Steve has

said, he's looking for some understanding of it. And I like the theory of putting it up there on the hill a whole lot better than bringing it all down on trucks. So I'd like to understand legally what are we allowed to permit them to do, and I don't have a clear understanding of that. So if that's something Staff could help us with.

Director

Erickson: Yeah, we'll drill down on that for the next meeting. In general, on this particular project there's more precision in the way the zoning is applied and the potential effects of the Sensitive Lands Ordinance in the ROS than the building limit line that is not defined in the MPD. So, we'll address that in the next Staff meeting. I have my notes here.

Commissioner

Joyce: Is the, is the building limit line that we see on the plans, is that actually the difference between the ROS zone and the Estate zone in the MPD.

Director

Erickson: Yes, I believe, I believe that the zone designation follows the limit line. Francisco and I will verify that.

Planner

Astorga: That's correct.

Commissioner

Joyce: Thank you.

Chair

Strachan: I don't have much to add. We are, we need to nail this down. I mean, we saw a construction and phasing plan tonight, but you know, Big D may not be the company that ultimately builds this. And so we need to have a written plan that is specific that says where the traffic managers are going to be stationed, how far away the trucks are going to be parked that are running slick lines of concrete up to the project, how many explosions they're going to be doing for how long. And that all has to be put down in writing on paper. Because it's--- I mean, just less than two months ago we were dealing with a plan that had Google maps of conveyor belts on it, and apparently that's out the window now. And still, nothing in writing about a phasing and construction plan with specific details. I appreciate we got some details tonight, but again, nothing in writing. So I can't stress that enough.

That really goes for everything. You know, all the traffic mitigation, all of the geo-tech analysis, the soils analysis. I mean, those have to be reduced to writing in final form so you can give them to us to decide. It's not fair to have us try to analyze a moving target and then change it. The conveyor system is a classic example. That was one of the things the applicant proposed as a mitigator to the construction traffic. That was what we've been operating on until tonight. Now we've seen an entirely new plan. So you can't move the ball. Give us a ball, give us your best ball, and we'll judge it fair, you know, strike or ball. But you can't say, we're going to pitch something, oh, now we've changed our mind. Not fair.

I also agree---I'd like to see an analysis of the Woodruff drawings compared to 17.2. I think that isn't a standalone comparison, but the comparison of the different project iterations starting with Woodruff, going through the 2009 plan, and then going through the 17.2 refinement would be good to see.

And that's really all I have, along with the comments of the other Commissioners.

Director  
Erickson:

So, Mr. Chairman, just in keeping with your previous direction to keep this moving, keeping the dialogue open, as Commissioner Thimm asked for as well, it is an advantage to us to have this open dialogue. So in keeping with that, there's a couple of other things that the Commissioners have asked for previously that directly respond to some of the comments from the people you have here tonight.

The first one is the Commissioners previously have requested to see some sort of document on the agreements between VRPCP and the applicant with respect to fill and cut placement. We have not seen that, and this one significantly affects that, consistent with Commissioner Joyce and everyone else's comments.

Since we have all of the geo-technical engineers and the construction managers here, we've never seen the answer from the Planning Commission whether the excavation volumes presented to the neat line include all the excavation for the topsoil stockpiling on the ski runs. So we don't know the volume of those grading plans, I don't think. Corollary to

that, the Commissioners asked, and I think Commissioner Thimm asked that whether the neat line excavation includes excavation for the foundations and not just the base platform. So we need to see that information.

We did see the movement on the conveyor today. I think consistent with Commissioner Campbell's previous comments and the Staff comments, there was nothing in the construction mitigation phasing plan about the timing of utilities. A lot of those utilities need to be in place before construction can go vertical, especially the tank and the source water line, and whatever other utilities. So the ability to use Lowell and Empire in year one may be affected by the delivery of the off-site utilities, consistent with Preston's, with Commissioner Campbell's previous discussions.

I also think, we talked around it a little this evening, but the Commissioners previously asked, especially when they've seen this phasing plan, what happens if the project doesn't continue. And the way the project is phased at this point, we're starting at the lowest point and we may never get to the biggest point. And we need to see how that break point happens if the downturn of the economy happens, if North Korea happens, whatever.

So, I just wanted to reiterate those out of that summary of Planning Commission comments previously and your comments this evening as long as we have the experts here. Being able to do that allows the public to hear the dialogue and also allows the experts to hear the dialogue directly, which I think is a benefit of getting this thing wrapped up and put to bed.

Thank you, Mr. Chairman. I'm sorry.

Chair

Strachan: No, no. I, I think that all of those comments are completely valid, and I don't think any Commissioner objects to them. Correct? So to the extent that you need the Planning Commission to incorporate those comments into a Commission directive, you just had it.

So with that, I think we are concluded for this evening, aside from a motion to continue.



Kyra

Parkhurst: Are we going to have two meetings in October and November, or we don't know?

Chair

Strachan: We don't know.

Commissioner

Thimm: Do we know when we're continuing this until?

Director

Erickson: Right now we're continuing to October 25<sup>th</sup>. That's the plan. That's the strategy. October 25 is the continuation date, and it will go to the first meeting in November. We've asked for the November 29<sup>th</sup> meeting. You guys have checked your schedule but it's not confirmed yet.

MOTION: Commissioner Thimm moved to CONTINUE the Treasure Hill CUP to October 25, 2017. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

**2. 368 Main Street - Plat Amendment to combine two existing parcels into one lot of record (Application PL-17-03665)**

Director Erickson presented this item in the absence of Anya Grahn, the Project Planner

Director Erickson stated that the plat amendment for 368 Main Street would incorporate the back 5' of the Chimayo building into the lot. Planner Grahn had provided an extensive Staff report and he assumed the Commissioners had read the report.

The Staff recommended forwarding a POSITIVE recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval outlined in the Staff report.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for 368 Main Street plat amendment, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 368 Main Street

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 – 368 Main Street

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 – 368 Main Street

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.

3. **7704 Village Way – A plat amendment requesting to combine the Lots 1 and 2 of the Village at Empire Pass Phase One Subdivision into one lot of record.** (Application PL-17-03620)

Planner Astorga presented this application in the absence of Kirsten Whetstone, the Project Planner.

Planner Astorga reviewed the application for a plat amendment combining Lots 1 and 2 of the Village at Empire Pass, Phase I subdivision. He understood that once the building is built and condominiumized, the list tracking the available UEs would be updated.

The Staff recommended that the Planning Commission forward a POSITIVE recommendation to the City Council for the Second Amendment to the Village at Empire Pass Phase One Subdivision according to the findings of fact, conclusions of law and conditions of approval outlined in the Staff report.

Commissioner Campbell stated that when Planner Whetstone compiled the spreadsheet of UEs, he had asked where the list would be kept and how it would be updated, and how much power it held. He wanted to know how those numbers are accurately reflected moving forward. Commissioner Campbell understood that his question may not be pertinent now, but he thought it was important to make sure the UEs are tracked accurately so they would have that information when everything is completed. He was concerned that the agreement might slip through the cracks.

Chair Strachan agreed that the spreadsheet needs to be updated every time an application is approved to make sure it reflects the accurate number. Planner Astorga noted that Exhibit K has a running date that changes every time the spreadsheet is updated.

Commissioner Campbell suggested that they make a formal request that every time an application affects the spreadsheet, an updated version is included in the packet and kept in the record.

Director Erickson stated that the Staff would make a finding of fact that each time the UEs are allocated, that the table is updated to reflect the current number.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the Second Amendment to the Village at Empire Pass Phase One Subdivision pursuant to the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 7704 Village Way

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 – 7704 Village Way

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 – 7704 Village Way

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.

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The Park City Planning Commission Meeting adjourned at 9:30 p.m.

Approved by Planning Commission: \_\_\_\_\_

## **Planning Commission Staff Report**

**Subject:** 638 Park Avenue  
**Author:** Anya Grahn, Historic Preservation Planner  
**Project Number:** PL-16-03225  
**Date:** October 25, 2017  
**Type of Item:** Continuation- City Council Remand of Planning Commission's Approval of a Conditional Use Permit (CUP) for a Private Event Facility

### **Summary Recommendations**

On September 27, 2017, the Planning Commission held a work session to discuss the remand of the appeal of the Conditional Use Permit (CUP) for a Private Event Facility at the Historic Kimball Garage at 638 Park Avenue and staff requested that the item be continued to October 25, 2017.

At the request of the applicant, Staff now recommends the Planning Commission conduct a public hearing and continue the item to November 29, 2017, to provide the applicant additional time to address Planning Commission's concerns.

### **Description**

**Applicant:** CPP Kimball LLC represented by Tony Tyler and Architect Craig Elliot  
**Location:** Historic Kimball Garage at 638 Park Avenue  
**Zoning:** Historic Recreation Commercial (HRC), Heber Avenue Subzone  
**Adjacent Land Use:** Residential single-family and multi-family; commercial  
**Reason for review:** Appeals of Planning Commission's decisions are reviewed by the City Council; City Council remanded this CUP back to the Planning Commission on March 30, 2017.

# Planning Commission Staff Report



**Subject:** Second Amendment to the First Amended and Restated Nakoma Condominiums Plat  
**Author:** Kirsten A. Whetstone, MS, AICP  
**Project #:** PL-17-03644  
**Date:** October 25, 2017  
**Type of Item:** Administrative – Condominium Plat

## Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Second Amendment to the First Amended and Restated Nakoma Condominiums plat, for duplex units 1 and 2 and individual units 7 and 8, 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.

## Topic

**Applicant:** Friends of Flagstaff, LLC  
**Location:** 11, 14, 17 and 24 Nakoma Terrace  
**Zoning:** Residential Development (RD) as part of the Flagstaff Annexation and Master Planned Development (MPD) and the Village at Empire Pass MPD  
**Adjacent Land Uses:** Residential development parcels of the Village at Empire Pass, Pod B1, and Open Space.

## Proposal

This is a request for approval of a Second Amendment to the First Amended and Restated Nakoma Condominiums plat for the duplex Units 1 and 2 and individual Units 7 and 8. This Second Amendment plat memorializes density (Units and Unit Equivalents) and configuration of constructed units and identifies areas of private and common ownership.

## Background

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the 1,655 acre 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 and amenities for each parcel. The Agreement was amended in March of 2007.

On September 11, 2002, the Planning Commission approved a Master Planned Development for the Flagstaff Mountain Resort Phase II. This Master Planned Development included eighteen (18) detached single-family dwelling units utilizing 27 Unit Equivalents (UEs) on the Northside Village Subdivision II, Lot B (aka Nakoma); 25

townhouse multi-unit dwellings utilizing 37.5 UEs on Northside Village Subdivision II, Lot C; and a twenty-two (22) condominium multi-unit building utilizing 33 UEs on Northside Village Subdivision II, Lot D. Lot C has been developed as Ironwood at Deer Valley, Lot D has been constructed as the Grand Lodge at Deer Valley.

The Planning Commission approved an amendment to Lot B on October 27, 2004, in which the UE count on Lot B increased from 27 to 45, while maintaining the same footprint and maximum house size requirements as previously approved (3,000 square foot footprint with a maximum house size of 5,000 square feet).

The Planning Commission approved an MPD amendment to Lot B on October 26, 2005, in which the unit locations and the road alignment were reconfigured, while maintaining the same footprint and maximum house size requirements as previously approved.

On July 6, 2006, the City Council approved the Nakoma Condominiums record of survey located on Lot B. That record of survey (Condominium Plat) platted the first 8 units (Units 9-16) plus additional land. The condominium plat for the remaining units (1-8, 17 and 18) was approved by the City Council on September 20, 2007.

A second amendment to the MPD for Lot B was approved by the Planning Commission on April 23, 2008. That amendment allowed for the combination of units 17 and 18 into a single unit of 7,500 square feet and further allowed the distribution of the square footage to the other un-built units. Units 1-16 still have a maximum footprint of 3,000 square feet while unit 17 (combined unit) is allowed a maximum footprint of 5,000 square feet. The total Unit Equivalent count remained unchanged and cannot exceed 45 UEs (90,000 square feet).

On April 23, 2008, the Planning Commission approved a third amendment to the MPD to Lot B to remove the 5,000 square foot cap on the total square footage of each unit while maintaining the total square footage cap for the project (45 Unit Equivalents or 90,000 square feet of total square footage). That amendment would allow for variations in size from 4,300 to 5,750 square feet and also maintain the cap of 3,000 square feet on the footprint. An exception to both the maximum house size and footprint was allowed with the combination of units 17 and 18. In this case, the maximum square footage would be 7,500 square feet with a footprint of 5,000 square feet. The 2,500 square feet lost from the combination of 17 and 18 can be redistributed through the other units. An amended plat was also approved in conjunction with the Third MPD Amendment.

The First Amended and Restated Nakoma Condominiums plat was recorded on December 31, 2008. A plat note on each of the previous condominium plats required the re-platting once the units were constructed to show to actual unit configuration.

On November 11, 2009, the Planning Commission approved a Fourth Amendment to the MPD for Lot B. The Fourth Amended MPD allowed the following:

- Units 1 and 2 combined into a duplex configuration, maximum footprint of 6000 square feet.
- Unit 17 (previously combined with unit 18 into one larger unit) with an option to become a duplex, returning the unit count back 18. As a duplex, footprint increases from 5,000 square feet to 6,000 square feet.
- Reduce minimum unit size from 4,300 to 4,000 square feet.
- Maintain maximum unit size at 5,750 square feet (except if unit 18 is not constructed as a duplex with unit 17 and 17 can be 7,500sf).
- Maximum cap of 45 Unit Equivalents remain.

On May 20, 2010, the City Council approved the First Amendment to the Amended and Restated Nakoma Condominiums plat to define private and limited common area for units 9 through 16. This First Amendment plat was recorded on May 22, 2012.

On August 22, 2017, the City received a completed application for the Second Amendment to the First Amended and Restated Nakoma Condominiums plat for the duplex Units 1 and 2 and individual Units 7 and 8. This Second Amendment plat memorializes the size and configuration of constructed units and identifies areas of private and common ownership. Units 3, 4, 5 and 17 remain undeveloped at this time.

**Analysis**

The zoning for the subdivision is Residential Development subject to the following criteria:

	<b>Permitted</b>	<b>Existing</b>
Height	28' (+5' for pitched roof)	Meets 28' (+5 for pitched roof)
Front setback	20', 25' to front facing garage	Meets 20', 25' to front facing garage
Rear setback	15' from Lot B boundary	50' minimum for unit 1, 80' minimum for Unit 2, in excess of 100' for Units 7 and 8)
Side setbacks	12' from Lot B boundary	Meets or exceeds 12'
Parking	Two spaces required	Two spaces in garages are provided

In addition, the MPD restricts Lot B units 1-16 to a 3,000 square foot footprint with a maximum house size between 4,300 square feet and 5,750 square feet (whether considered Basement or Floor Area by LMC definition), plus 600 square feet for a garage. Combined, Units 1 and 2 may have a building footprint of 6,000 square feet. Unit 17 may have up to 7,500 square feet of total floor area (again, whether Basement or Floor Area as defined by the LMC) with a footprint not to exceed 5,000 square feet. The 17 units represent the irrevocable consumption of 45 Unit Equivalents, which is the maximum Unit Equivalents assigned to this project.

The platted units 1, 2, 7 and 8 include the following: Total Floor Area (includes basements as required by the Development Agreement), Unit Equivalents and Building Footprint:

Unit #	Total Floor Area	Unit Equivalents	Building Footprint
Unit 1	4,712 square feet	2.356	2,095 square feet
Unit 2	4,712 square feet	2.356	2,095 square feet
Unit 7	5,463 square feet	2.732	2,993 square feet
Unit 8	5,463 square feet	2.732	2,993 square feet

Each unit has a garage less than 600 square feet that is not included in the total unit size. None of the units exceed the maximum unit size of 5,750 square feet. Units 1 and 2 have a combined footprint of 4,190 square feet (not including decks, exterior stairways, or the common courtyard between the units) which does not exceed the 6,000 square feet allowed. Units 7 and 8 each have a footprint of 2,993 square feet which is less than the 3,000 square feet allowed for each.

The Total Unit Equivalents consumed in these four units is 10.176 UE (20,350 sf). With the 20.70 UE from the First Amendment there are now a total of 30.876 UE platted between the 4 Units of this plat and the previous 8 Units. There are 14.124 UE (28,248 square feet) remaining for units 3, 4, 5, 6 and 17.

Staff finds good cause for this condominium plat as it is consistent with the development pattern envisioned in the amended MPD, the 14 Technical Reports, and the previous requirement that the units be re-platted once constructed to memorialize density (Units and UE) and configuration.

**Department Review**

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

**Notice**

On October 10, 2017 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record and on the Utah Public Notice website on October 7, 2017.

**Public Input**

Staff has not received any public input at the time of this report.

**Alternatives**

- The Planning Commission may forward a positive recommendation to the City Council for the Nakoma Condominiums Second Amendment to the Amended and Restated Nakoma Condominium plat as conditioned or amended, or

- The Planning Commission may forward a negative recommendation to the City Council for the Nakoma Condominiums Second Amendment to the Amended and Restated Nakoma Condominium plat and direct staff to make Findings for this decision, or
- The Planning Commission may continue the discussion on the Nakoma Condominiums Second Amendment to the Amended and Restated Nakoma Condominium plat.

### **Significant Impacts**

There are no significant fiscal or environmental impacts from this application. Platting the condominium units to reflect the as-built situation allows the units to be sold.

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

The plat would not be in compliance with the amended Master Planned Development and previous plat requirements.

### **Good Cause**

There is good cause for this Second Amended plat to memorialize the size and configuration of these units in order to describe the private and limited common areas and to record the total Unit Equivalents utilized by these four units as stipulated by the Flagstaff Annexation and Development Agreement and the Village at Empire Pass Master Planned Development.

### **Recommendation**

Staff recommends the Planning Commission hold a public hearing for the Second Amendment to the First Amended and Restated Nakoma Condominiums plat, for duplex units 1 and 2 and individual units 7 and 8, 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**

Ordinance

Exhibit A – Proposed plat

Exhibit B – First Amended and Restated Nakoma Condominium plat

Exhibit C – Existing conditions

Exhibit D – Aerial photo

Exhibit E – Photos of site



**Draft Ordinance No. 2017-XX**

**AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE FIRST AMENDED AND RESTATED NAKOMA CONDOMINIUM PLAT LOCATED AT 11, 14, 17 AND 24 NAKOMA TERRACE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Nakoma Condominiums, located at 11,14,17 and 24 Nakoma Terrace, have petitioned the City Council for approval of the Second Amendment to the First Amended and Restated Nakoma Condominium plat; and

WHEREAS, on October 10<sup>th</sup>, the property was properly posted and legal notice was sent to all affected property owners; and

WHEREAS, on October 7<sup>th</sup>, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2017, to receive input on the Second Amendment to the First Amended and Restated Nakoma Condominium plat;

WHEREAS, the Planning Commission, on October 25, 2017, forwarded a recommendation to the City Council; and,

WHEREAS, the City Council on November 9, 2017, held a public hearing and took final action on the plat amendment; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Second Amendment to the First Amended and Restated Nakoma Condominiums record of survey plat consistent with the Flagstaff Annexation and Development Agreement.

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 Second Amendment to the First Amended and Restated Nakoma Condominium 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 11, 14, 17 and 24 Nakoma Terrace.
2. The Nakoma Condominiums are located in the RD-MPD zoning district.
3. The City Council approved the Flagstaff Mountain Development Agreement/Annexation Resolution 99-30 on June 24, 1999 and amended it in March of 2007. The Development Agreement is the equivalent of a Large-Scale Master

Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities.

4. On September 11, 2002, the Planning Commission approved a Master Planned Development for the Flagstaff Mountain Resort Phase II (Pod B-1).
5. The approved Flagstaff Mountain Resort Phase II MPD includes a maximum density assignment and conceptual site design for eighteen (18) detached single family units utilizing not more than 27 Unit Equivalents on Northside Village Subdivision II, Lot B (aka Nakoma Condominiums).
6. The Planning Commission approved an MPD amendment to Lot B on October 27, 2004, in which the UE count on Lot B increased from 27 to 45, while maintaining the same footprint and maximum house size requirements as previously approved.
7. The Planning Commission approved a second amendment to the Nakoma Master Planned Development on April 23, 2008. That amendment allowed for the combination of units 17 and 18 into a single unit of 7,500 square feet and further allowed the distribution of the square footage to the other un-built units. Units 1-16 still have a maximum footprint of 3,000 square feet while unit 17 (combined unit) is allowed a maximum footprint of 5,000 square feet. The total Unit Equivalent count remained unchanged and cannot exceed 45 UEs (90,000 square feet).
8. On April 23, 2008, the Planning Commission approved the third amendment to the MPD to remove the 5,000 square foot cap on the total square footage of each unit while maintaining the total square footage cap for the project (45 Unit Equivalents or 90,000 square feet of total square footage). That amendment would allow for variations in size from 4,300 to 5,750 square feet and also maintain the cap of 3,000 square feet on the footprint. The approved maximum building footprint for the units 1-16 detached single-family units on Northside Village Subdivision II, Lot B, is 3,000 square feet with a maximum house size between 4,300 square feet and 5,750 square feet (whether considered a Basement or Floor Area by LMC definition). An additional 600 square feet is allowed for a garage.
9. Unit 17 may be up to 7,500 square feet of total floor area (again, whether Basement or Floor Area as defined by the LMC) with a footprint not to exceed 5,000 square feet.
10. On November 11, 2009, the Planning Commission approved a Fourth Amendment to the MPD. The Fourth Amended MPD allows the following:
  - Units 1 and 2 combined into a duplex configuration, maximum footprint of 6,000 square feet.
  - Unit 17 (previously combined with unit 18 into one larger unit) with an option to become a duplex, returning the unit count back 18. As a duplex, footprint increases from 5,000 square feet to 6,000 square feet.
  - Reduce minimum unit size from 4,300 to 4,000 square feet.
  - Maintain maximum unit size at 5,750 square feet (except if unit 18 is not constructed as a duplex with unit 17 and 17 can be 7,500sf).
  - Maximum cap of 45 Unit Equivalents remain.
11. The proposed amended record of survey is consistent with the approved and amended Master Planned Development for the Flagstaff Mountain Resort Phase II and the previous condominium plats requiring a re-platting of the units.

12. Units 1 and 2 each consist of 4,712 square feet in total floor area, including basements but not including the garages. Units 7 and 8 each consist of 5,463 sf in total floor area not including the garages.
13. Each unit has a garage less than 600 square feet and therefore no excess garage area is included in the total unit size.
14. These units do not exceed the maximum unit size of 5,750 square feet.
15. Units 1 and 2 each have a building footprint of 2,095 sf. The combined footprint is 4,190 square feet (not including decks, exterior stairways, or the common courtyard between them) which does not exceed the 6,000 square feet allowed.
16. Units 7 and 8 each have a footprint of 2,993 square feet which is less than the 3,000 square feet allowed for each.
17. The Total Unit Equivalents consumed in these four units is 10.176 UE (20,350 sf). With the 20.70 UE from the First Amendment there are now a total of 30.876 UE platted between the 4 Units of this plat and the previous 8 Units. There are 14.124 UE (28,248 square feet) remaining for units 3, 4, 5, 6 and 17.
18. Two parking spaces are required and provided for each unit.
19. The Flagstaff Density Summary already indicates that a total of 18 units and 45 UE are platted in the Nakoma development. The Summary is updated when certificates of occupancy are issued.

Conclusions of Law:

1. There is good cause for this amended condominium plat.
2. The amended condominium plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed amended condominium plat.
4. Approval of the amended condominium 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 amended condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the amended condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is submitted in writing and approved by the City Council.
3. All conditions of approval of the Flagstaff Annexation and Development Agreement, as amended, and the Flagstaff Mountain Resort Phase II (Pod B-1) Master Planned Development, as amended, and the Northside Village Subdivision II plat shall continue to apply.
4. All applicable notes, easements and requirements of the First Amended and Restated Nakoma Condominium plat continue to apply and shall be shown and noted on this plat prior to recordation.

**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 – Condominium plat

# EXHIBIT A

## SURVEYOR'S CERTIFICATE



I, Charles Galati, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 724899 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the aforesaid, this Second Amendment to First Amended Condominium Plat of the NAKOMA CONDOMINIUMS, a Utah Expandable Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

Charles Galati, L.S. #724899 DATE \_\_\_\_\_

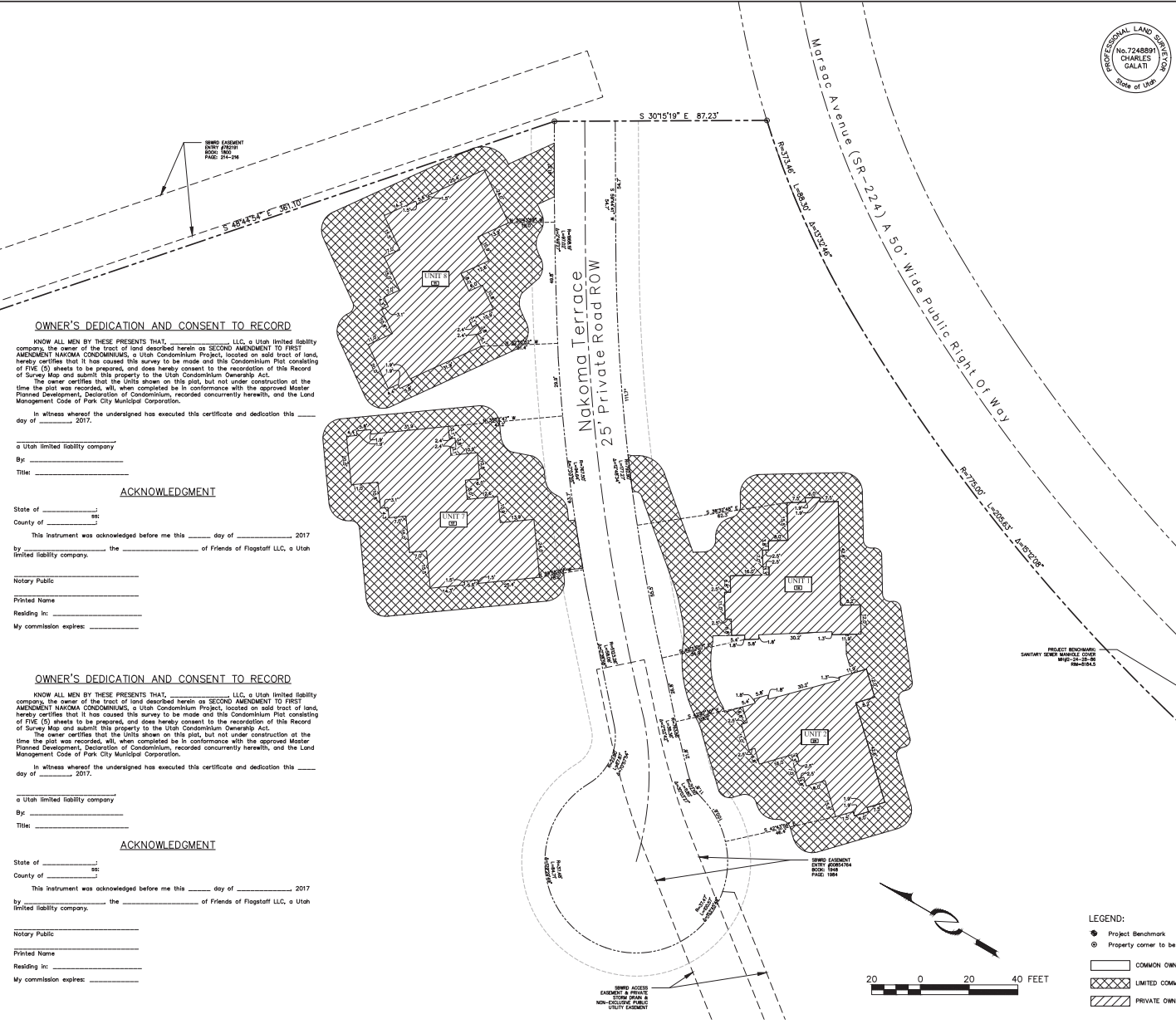
## BOUNDARY DESCRIPTIONS

A portion of Lot B, Northside Village Subdivision S, according to the official plat of record and on file in the office of the Summit County Recorder, recorded June 28, 2002, as Entry No. 623453 being more particularly described as follows:  
A parcel of land located in the northwest quarter of section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the west-southwest corner of Lot B, Northside Village Subdivision S, recorded June 28, 2002 as entry number 623453, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; said point being West 147.24 feet coincident with the section line and North 072°49' East 1342.04 feet from an aluminum pipe and one of the northwest quarter corner of said section 28 and running thence coincident with said Lot B northeasterly along said line, North 25°50'38" East a distance of 776.89 feet; thence South 48°44'54" East for a distance of 260.14 feet; thence South 30°12'19" East a distance of 872.25 feet to the western boundary of Meriso Avenue Right of Way, recorded June 28, 2002, as entry number 623453, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah; said point also being on the boundary of said Lot B on a non-tangent curve to the left having a radius of 373.46 feet, of which the radius point bears South 47°25'00" East; thence along the westerly boundary of Meriso Avenue Right of Way the following (7) courses: (1) continuing westerly along the arc of said boundary, a distance of 88.30 feet through a central angle of 132°46' to a point on a tangent curve to the left having a radius of 775.00 feet, of which the radius point bears South 60°45'42" East; thence (2) along the arc of said curve 205.03 feet through a central angle of 151°20'; thence (3) South 142°21'00" West 235.22 feet to a point on a tangent curve to the right having a radius of 1175 feet, of which the radius point bears North 72°32'00" West; thence (4) along the arc of said curve 178.22 feet through a central angle of 84°12'55" to a point on a tangent curve to the left having a radius of 372.06 feet, of which the radius point bears South 67°16'24" East; thence (5) along the arc of said curve 146.05 feet through a central angle of 223°34" to a point on a tangent curve to the right having a radius of 1095.60 feet, of which the radius point bears North 89°45'08" West; thence (6) along the arc of said curve 304.14 feet through a central angle of 125°04'; thence (7) South 135°04' East 43.28 feet to a point on the south-southwest boundary of said lot B thence coincident the following (x) courses: (1) continuing northeasterly along said line, North 69°33'48" West a distance of 130.22 feet; thence (2) North 20°26'14" East a distance of 296.23 feet; thence (3) North 35°43'21" West for a distance of 536.94 feet to the point of beginning.

## NOTES:

- A Third Amendment to Declaration of Condominium for Nakoma (together with the original Declaration and First and Second Amendments thereto, the "Declaration") is being recorded concurrently herewith in accordance with the Utah Condominium Act. All development within the Nakoma Condominium project is subject to the Declaration.
- Unless otherwise approved by Park City (i) the footprint for each Unit on this plat shall not exceed 3,000 square feet; (ii) the current maximum house size is 5,750 square feet inclusive of all living space inside the exterior walls, whether finished or unfinished; crawl space is excepted; (iii) no Unit shall be less than 4,000 square feet; and (iv) each Unit may have a garage containing up to 600 square feet (any garage in excess of 600 square feet shall be applied against the maximum square footage allowed for the apartment Unit). The total Unit Equivalents developed in the Nakoma Condominium Project shall not exceed 45. The provisions of this Note shall amend and supersede the provision of notes of prior plats of Nakoma that are inconsistent with these provisions.
- All Common Area and Facilities are dedicated as a non-exclusive easement to Park City Municipal Corporation, Snyderville Basin Water Reclamation District (SBRWD), Park City Fire Protection District, Summit County and the Nakoma Owners Association, Inc. for the purpose of providing access for utility and drainage installation, use, and maintenance and eventual replacement.
- Nakoma Units 1-8 are served by private wastewater lateral lines. The Empire Pass Master Homeowners Association, Inc. (the "Master Association") shall be responsible for the maintenance and replacement of all utility sewer laterals serving the Nakoma Units within the plat. The cost of such maintenance and replacement shall be paid by Nakoma Owners Association, Inc. as part of the Common Expenses.
- At the time of any resurfacing of Nakoma Court, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District Standards.
- There are Limited Common Areas and Facilities which are appurtenant to each Unit, shown hereon, for the purpose of providing Unit owners with added privacy and the exclusive right to use and occupy such land surrounding their respective Unit. The use of all Limited Common Areas is described in more detail in the Declaration of Condominium.
- Access to the units is by private roads and is not warranted by Park City.
- All property corners to be set along the perimeter boundary as shown hereon.
- Except as expressly amended by this First Amendment, the Amended and Restated Condominium Plat shall remain in full force and effect and shall not be canceled, suspended, or otherwise abrogated by the recording of this First Amendment.
- The dimensions of the private spaces and square footage calculations are based upon drawings supplied by Jack Thomas Architects, P.C. The square footages shown on this plat are calculated in accordance with the Utah Condominium Act and the Declaration. Such calculations typically differ somewhat from the square footage determined by the architect or others using a different method of determining unit size.
- Certain spaces on the plat are designated as "Non-Excavated Areas". Such spaces may not be occupied and may not be converted to living space. Non-Excavated Areas shall not be included in calculating the square footage of a Unit for any purpose, including calculation of the maximum house size as set forth in Note 2, above, or the calculation of Unit Equivalents.
- All conditions of approval of the Flagstaff Mountain Resort Phase II (Pod B-1) Master Planned Development, as amended (including without limitation the MPD Amendment dated November 11, 2009 which, among other things, allows Units 1 and 2 to be built on a duplex, and allows Unit 17 to be built as either a single unit or as a duplex containing Units 17 and 18), and the Northside Village Subdivision II plat shall continue to apply.



### OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT \_\_\_\_\_ LLC, a Utah limited liability company, the owner of the tract of land described herein as SECOND AMENDMENT TO FIRST AMENDED NAKOMA CONDOMINIUMS, a Utah Condominium Project, located on said tract of land, hereby certifies that it has caused this survey to be made and this Condominium Plat consisting of FIVE (5) sheets to be prepared, and does hereby consent to the recording of this Record of Survey Map and submit this property to the Utah Condominium Ownership Act. The owner certifies that the Units shown on this plat, but not under construction at the time the plat was recorded, will, when completed be in conformance with the approved Master Planned Development, Declaration of Condominium, recorded concurrently herewith, and the Land Management Code of Park City Municipal Corporation.

In witness whereof the undersigned has executed this certificate and dedication this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

By \_\_\_\_\_  
a Utah limited liability company

Title: \_\_\_\_\_

### ACKNOWLEDGMENT

State of \_\_\_\_\_, ss: \_\_\_\_\_  
County of \_\_\_\_\_, ss: \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by \_\_\_\_\_ the \_\_\_\_\_ of Friends of Flagstaff LLC, a Utah limited liability company.

Notary Public  
Printed Name \_\_\_\_\_  
Reading In: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

### OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT \_\_\_\_\_ LLC, a Utah limited liability company, the owner of the tract of land described herein as SECOND AMENDMENT TO FIRST AMENDED NAKOMA CONDOMINIUMS, a Utah Condominium Project, located on said tract of land, hereby certifies that it has caused this survey to be made and this Condominium Plat consisting of FIVE (5) sheets to be prepared, and does hereby consent to the recording of this Record of Survey Map and submit this property to the Utah Condominium Ownership Act. The owner certifies that the Units shown on this plat, but not under construction at the time the plat was recorded, will, when completed be in conformance with the approved Master Planned Development, Declaration of Condominium, recorded concurrently herewith, and the Land Management Code of Park City Municipal Corporation.

In witness whereof the undersigned has executed this certificate and dedication this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

By \_\_\_\_\_  
a Utah limited liability company

Title: \_\_\_\_\_

### ACKNOWLEDGMENT

State of \_\_\_\_\_, ss: \_\_\_\_\_  
County of \_\_\_\_\_, ss: \_\_\_\_\_

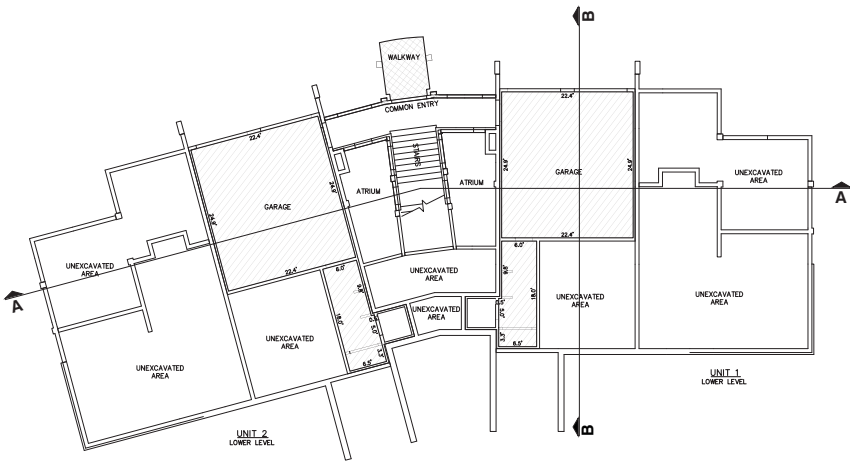
This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by \_\_\_\_\_ the \_\_\_\_\_ of Friends of Flagstaff LLC, a Utah limited liability company.

Notary Public  
Printed Name \_\_\_\_\_  
Reading In: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

- LEGEND:
- Project Benchmark
  - Property corner to be set
  - COMMON OWNERSHIP
  - ▨ LIMITED COMMON OWNERSHIP
  - ▩ PRIVATE OWNERSHIP

SECOND AMENDMENT TO FIRST AMENDED  
CONDOMINIUM PLAT  
**NAKOMA CONDOMINIUMS**  
A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE NORTHWEST QUARTER OF SECTION 28  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH

 (435) 649-9447 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street, P.O. Box 2664, Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2017 BY <u>S.B.W.R.D.</u>	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 CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL ON 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. _____
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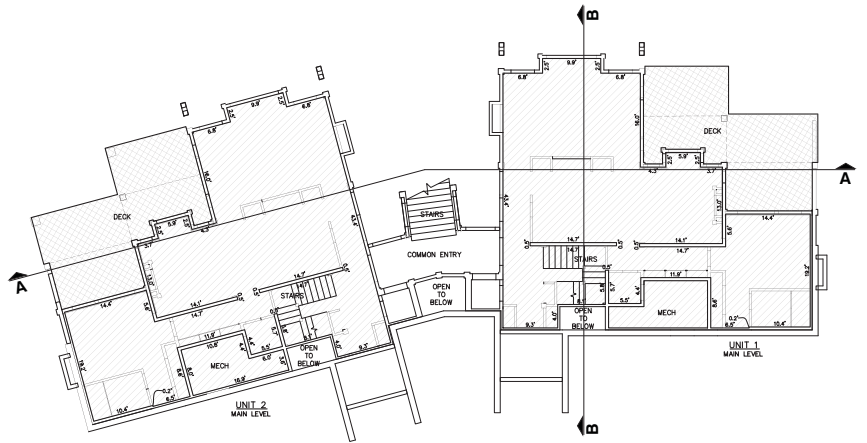


1 LOWER LEVEL - UNITS 1 & 2  
SCALE: 1" = 10'



**UNIT #1 SQUARE FOOTAGE TABLE**

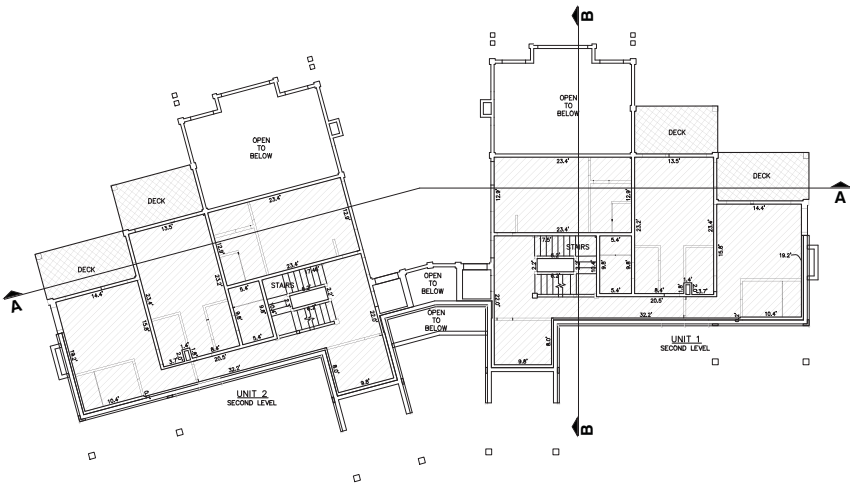
LEVELS	SQUARE FOOTAGE
LOWER	696 SF
MAIN	1683 SF
SECOND	1353 SF
THIRD	980 SF
GARAGE	558 SF



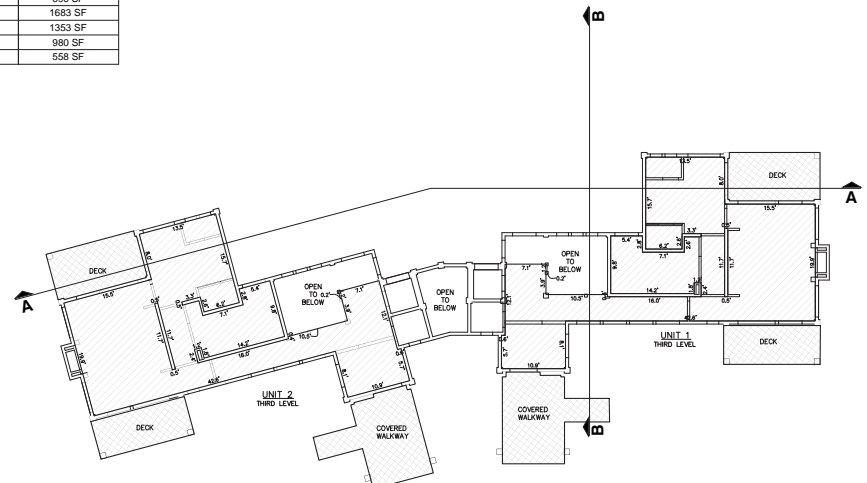
2 MAIN LEVEL - UNITS 1 & 2  
SCALE: 1" = 10'

**UNIT #2 SQUARE FOOTAGE TABLE**

LEVELS	SQUARE FOOTAGE
LOWER	696 SF
MAIN	1683 SF
SECOND	1353 SF
THIRD	980 SF
GARAGE	558 SF



3 SECOND LEVEL - UNITS 1 & 2  
SCALE: 1" = 10'



4 THIRD LEVEL - UNITS 1 & 2  
SCALE: 1" = 10'

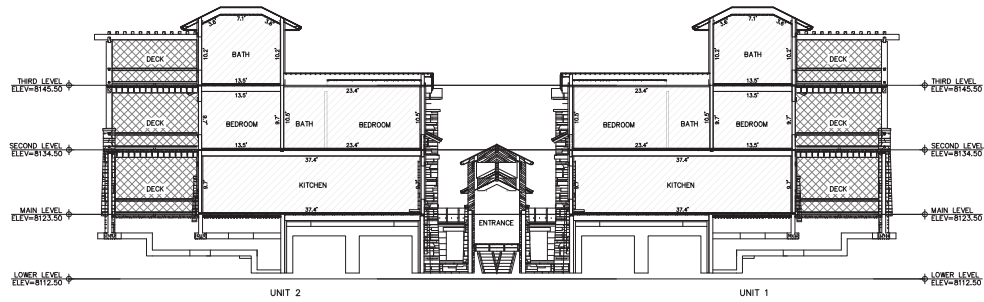
RECORD OF SURVEY PLAT  
**NAKOMA PHASE TWO - UNITS 1&2**

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

JOB NO.: 10-03-17 FILE: \\x:\emph\dwg\ar\plst\2017\100317.dwg PAGE 2 OF 5

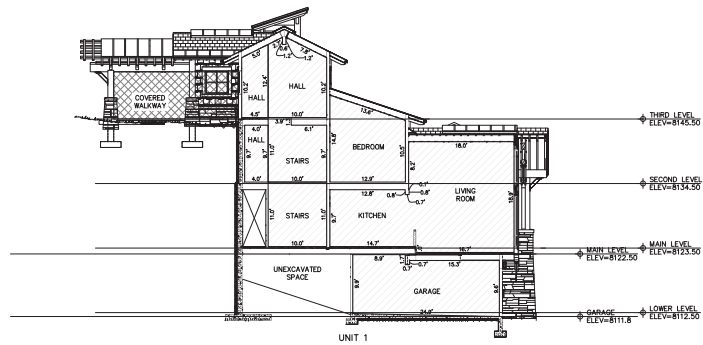
RECORDED  
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
AT THE REQUEST OF \_\_\_\_\_  
FEE \_\_\_\_\_ RECORDER \_\_\_\_\_  
TIME \_\_\_\_\_ DATE \_\_\_\_\_ ENTRY NO. \_\_\_\_\_

8/5/17



**A** BUILDING SECTION - UNITS 1 & 2  
SCALE: 1" = 10'

- COMMON AREA
- PRIVATE OWNERSHIP UNIT
- LIMITED COMMON OWNERSHIP



**B** BUILDING SECTION - UNIT 1  
SCALE: 1" = 10'

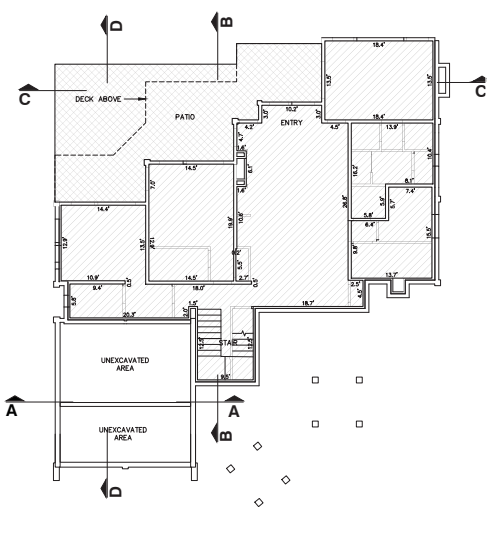
RECORD OF SURVEY PLAT

# NAKOMA PHASE TWO - UNITS 1 & 2

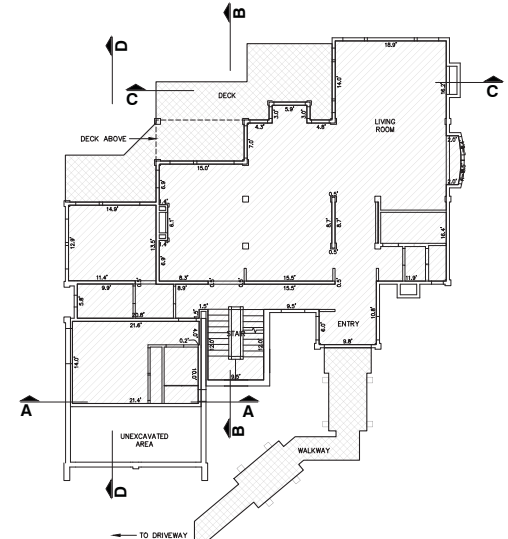
A UTAH PROJECT

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

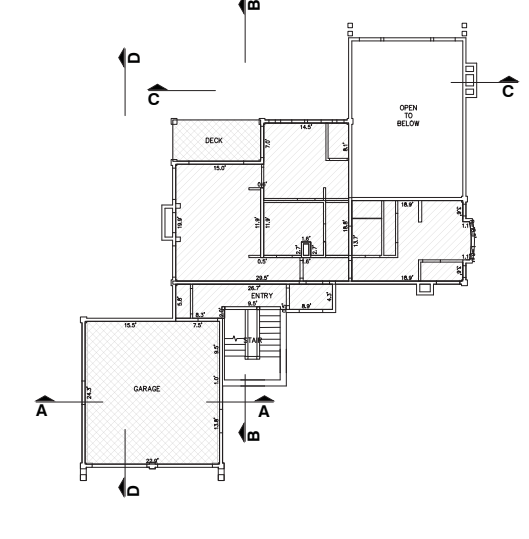
JOB NO.: 10-03-17	FILE: \\cmprh\dwg\wp\plot 2017\100317.dwg
RECORDED	
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED	
AT THE REQUEST OF _____	
FEE _____	RECORDER _____
TIME _____	DATE _____ ENTRY NO. _____



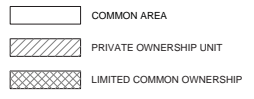
1 LOWER LEVEL - UNIT 7  
SCALE: 1" = 10'



2 MAIN LEVEL - UNIT 7  
SCALE: 1" = 10'

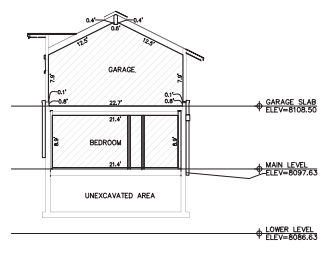


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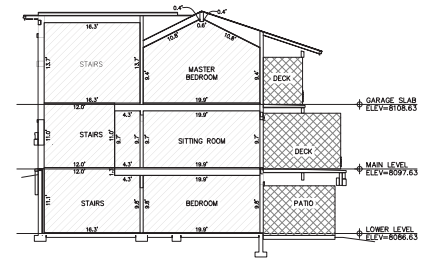


UNIT SQUARE FOOTAGE TABLE

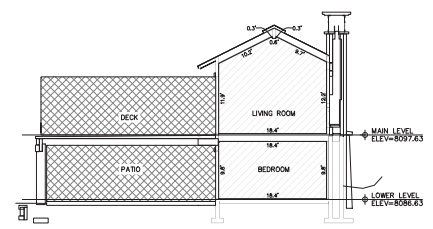
LEVELS	SQUARE FOOTAGE
LOWER	1,970 SF
MAIN	2,425 SF
UPPER	1,068 SF
GARAGE	558 SF



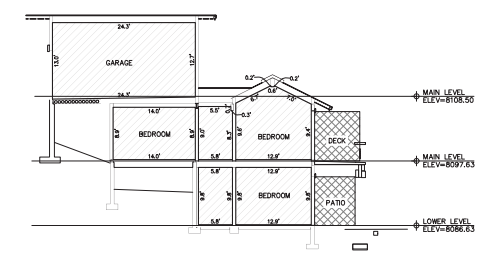
A BUILDING SECTION - UNIT 7  
SCALE: 1" = 10'



B BUILDING SECTION - UNIT 7  
SCALE: 1" = 10'



C BUILDING SECTION - UNIT 7  
SCALE: 1" = 10'



D BUILDING SECTION - UNIT 7  
SCALE: 1" = 10'

# RECORD OF SURVEY PLAT

## NAKOMA PHASE TWO - UNIT 7

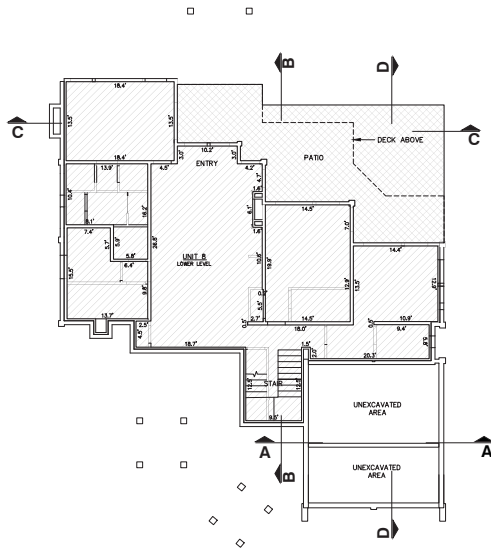
A UTAH PROJECT  
LOCATED IN SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,  
PARK CITY, SUMMIT COUNTY, UTAH

JOB NO.: 10-03-17 FILE: X:\mptm\dwg\sum\plat\_2017\100317.dwg PAGE 4 OF 5

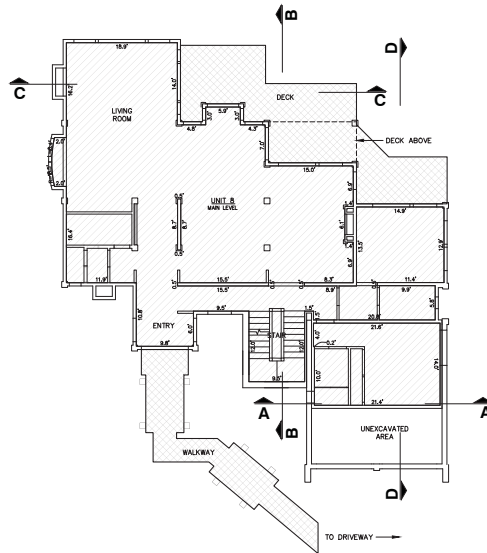
RECORDED  
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
AT THE REQUEST OF \_\_\_\_\_  
FEE \_\_\_\_\_ RECORDER \_\_\_\_\_  
TIME \_\_\_\_\_ DATE \_\_\_\_\_ ENTRY NO. \_\_\_\_\_

8/10/17

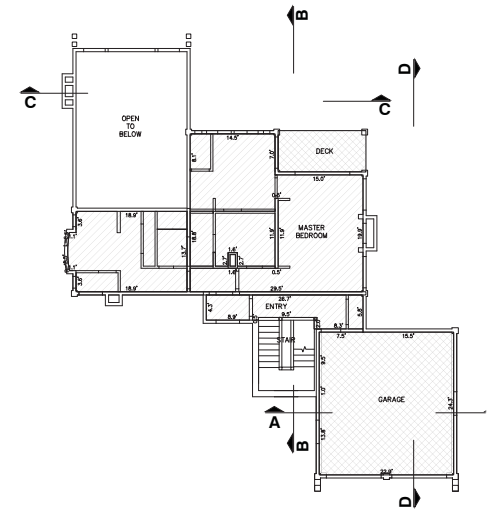




1 LOWER LEVEL - UNIT 8  
SCALE: 1" = 10'



2 MAIN LEVEL - UNIT 8  
SCALE: 1" = 10'

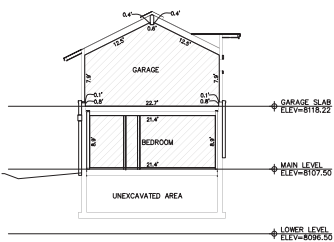


3 UPPER LEVEL - UNIT 8  
SCALE: 1" = 10'

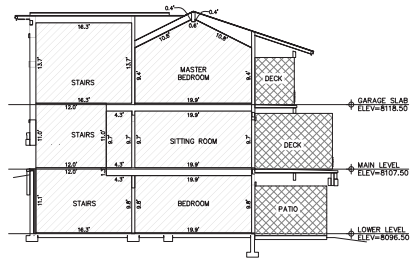


UNIT SQUARE FOOTAGE TABLE

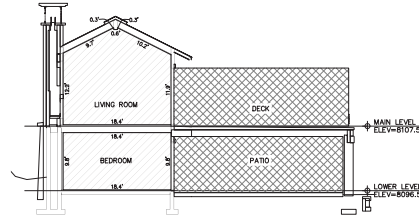
LEVELS	SQUARE FOOTAGE
LOWER	1,970 SF
MAIN	2,425 SF
UPPER	1,068 SF
GARAGE	558 SF



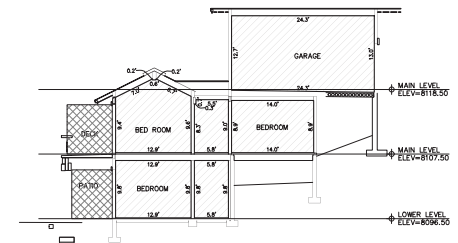
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SCALE: 1" = 10'



B BUILDING SECTION - UNIT 8  
SCALE: 1" = 10'



C BUILDING SECTION - UNIT 8  
SCALE: 1" = 10'



D BUILDING SECTION - UNIT 8  
SCALE: 1" = 10'

# RECORD OF SURVEY PLAT

## NAKOMA PHASE TWO - UNIT 8

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

JOB NO.: 10-03-17 FILE: K:\Empire\dwg\unit\unit 2017\100317.dwg

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF \_\_\_\_\_

FEE \_\_\_\_\_ RECORDER \_\_\_\_\_

TIME \_\_\_\_\_ DATE \_\_\_\_\_ ENTRY NO. \_\_\_\_\_

# EXHIBIT B



### SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner(s), this First Amended and Restated Condominium Plat of the NAKOMA CONDOMINIUMS, a Utah Expandable Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown herein is correct.

*John Demkowicz* 12-2-08  
DATE

### BOUNDARY DESCRIPTION

Lot 8, NORTHSIDE VILLAGE SUBDIVISION, 8, according to the official plat thereof recorded June 28, 2002, as Entry No. 622453 in the office of the Summit County Recorder.

Unit No. 9, 10, 11, 12, 13, 14, 15, & 16 contained within NAKOMA CONDOMINIUMS, a Utah Condominium Project, as the same is identified in the Condominium Plat recorded in the office of the Summit County Recorder on AUGUST 22, 2006, as Entry No. 788157, and as further defined and described in the Declaration of Condominium, Conditions and Restrictions and Bylaws of the NAKOMA CONDOMINIUMS, a Utah Condominium Project, recorded in the office of the Summit County Recorder on August 22, 2006, in Book 1811, at page 1764, as Entry No. 788156, (as said Map and Declaration may be amended and/or supplemented).

Together with the apartment unit-based ownership interest in said Condominium Project's Common Areas and Facilities in accordance with attached Declaration and Survey Map and the Utah Condominium Ownership Act.

Less and Excepting any and all outstanding oil and gas, mining and mineral rights, etc., together with the right of the proprietor of a vein or lode to extract his ore there from should same be found to penetrate or intersect the premises, and right of ingress and egress for the use of said rights.

### OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT FRIENDS OF FLAGSTAFF, LLC, a Utah limited liability company, the owner of the tract of land described herein as FIRST AMENDED AND RESTATED NAKOMA CONDOMINIUMS, a Utah Condominium Project, located on said tract of land, hereby certifies that it has caused this survey to be made and this Condominium Plat consisting of TWO (2) sheets to be prepared, and does hereby consent to the recording of this Record of Survey Map and submit this property to the Utah Condominium Ownership Act.

The owner certifies that the units shown on this plat, but not under construction at the time the plat was recorded, will, when completed be in conformance with the approved Master Planned Development, Declaration of Condominium, recorded concurrently herewith, and the Land Management Code of Park City Municipal Corporation.

In witness whereof the undersigned has executed this certificate and dedication this 3<sup>RD</sup> day of DEC, 2008.

Friends of Flagstaff LLC,  
a Utah limited liability company  
By *Jack Thomas*  
Partner

### ACKNOWLEDGMENT

State of Utah  
County of Summit

This instrument was acknowledged before me this 3rd day of December, 2008  
by Jack Thomas the Partner of Friends of Flagstaff LLC, a Utah limited liability company.  
*Jack Thomas*  
Notary Public  
Teri Ekstrom  
Printed Name  
Reading in Summit County  
My commission expires: 1/10/2012

### OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT NAKOMA S, LLC, a Utah limited liability company, owner of Unit 8 of NAKOMA does hereby consent to the recording of this Record of Survey Map.

In witness whereof the undersigned has executed this consent this 5th day of December, 2008.

NAKOMA S, LLC,  
a Utah limited liability company  
By *Paul B. Polisco*  
Title: MANAGER

### ACKNOWLEDGMENT

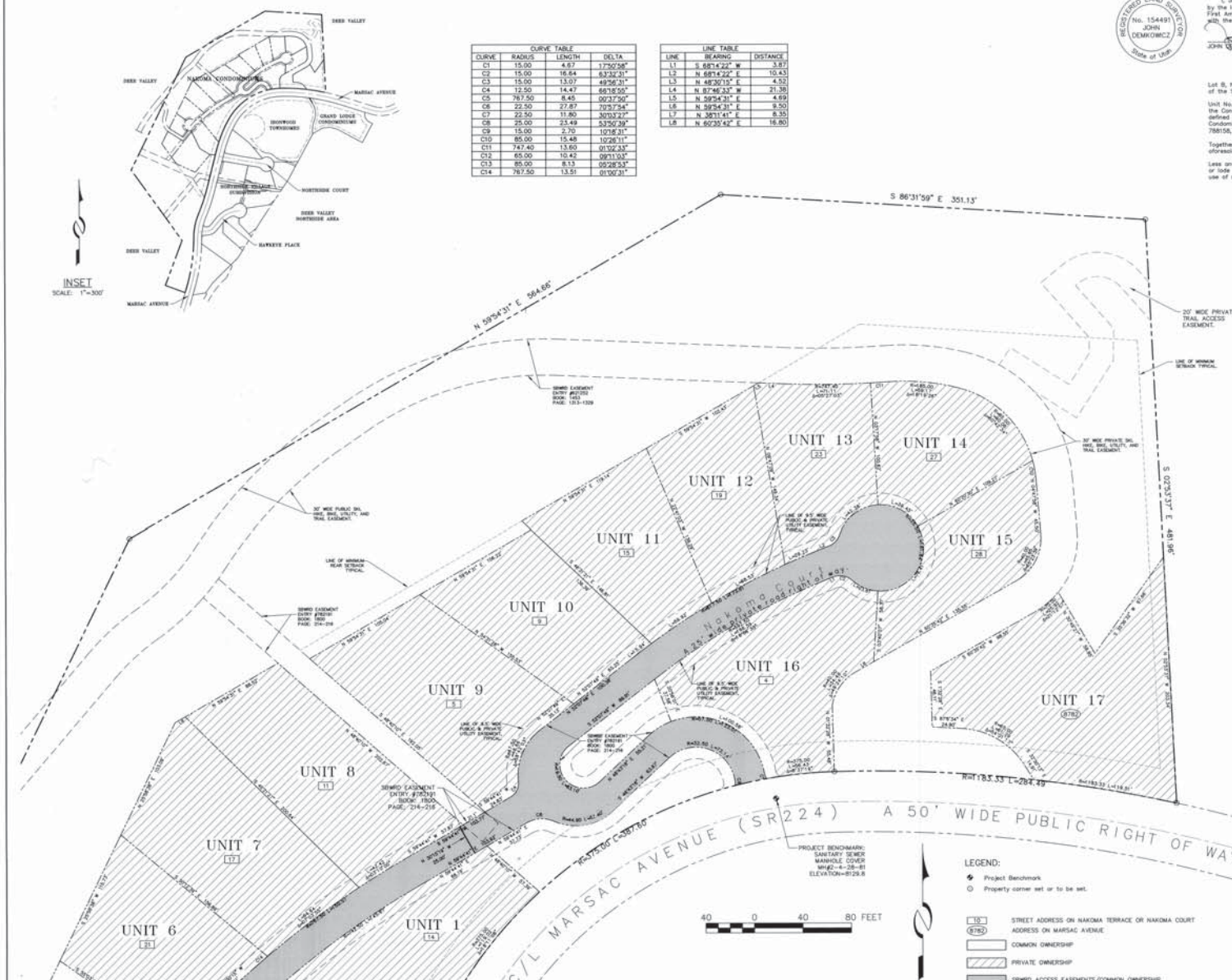
State of Utah  
County of Summit

This instrument was acknowledged before me this 5th day of December, 2008  
by Paul B. Polisco the Manager of NAKOMA S, LLC, a Utah limited liability company.  
*Paul B. Polisco*  
Notary Public  
Danette Dani Locher  
Printed Name  
Reading in Heber City, UT  
My commission expires: 7-21-12

## FIRST AMENDED AND RESTATED CONDOMINIUM PLAT NAKOMA CONDOMINIUMS

A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE NORTHWEST QUARTER OF SECTION 28  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH

CURVE TABLE				LINE TABLE		
CURVE	RADIUS	LENGTH	DELTA	LINE	BEARING	DISTANCE
C1	15.00	4.97	17.50298°	L1	N. 88°14'22" W.	3.87
C2	15.00	16.94	62.92931°	L2	N. 88°14'22" E.	10.43
C3	15.00	13.07	49.3631°	L3	N. 48°30'13" E.	4.52
C4	12.50	14.47	66.15262°	L4	N. 87°56'32" W.	21.36
C5	767.50	8.45	09°27'50"	L5	N. 59°54'31" E.	4.69
C6	22.50	27.87	79°37'54"	L6	N. 59°54'31" E.	9.50
C7	22.50	11.80	30°33'27"	L7	N. 30°11'41" E.	6.50
C8	25.00	23.49	53°50'39"	L8	N. 60°30'42" E.	16.80
C9	15.00	2.70	10°18'31"			
C10	65.00	15.45	10°06'11"			
C11	747.40	13.80	00°32'43"			
C12	65.00	10.42	09°31'33"			
C13	65.00	8.13	09°28'53"			
C14	767.50	13.51	01°00'31"			



- LEGEND:
- Project Benchmark
  - Property corner set or to be set.
  - STREET ADDRESS ON NAKOMA TERRACE OR NAKOMA COURT
  - ADDRESS ON MARSAC AVENUE
  - COMMON OWNERSHIP
  - PRIVATE OWNERSHIP
  - SEMI-ACCESS EASEMENTS/COMMON OWNERSHIP



**Alliance Engineering Inc.**  
CONSULTING ENGINEERS, LAND PLANNERS, SURVEYORS  
323 Main Street, P.O. Box 2884, Park City, Utah 84302-2884  
(435) 649-8487

**SNYDERVILLE BASIN WATER RECLAMATION DISTRICT**  
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 6<sup>th</sup> DAY OF December, 2008 A.D.  
BY *B. S. W. R. D.*

**PLANNING COMMISSION**  
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 12<sup>th</sup> DAY OF December, 2008 A.D.  
BY *[Signature]* CHAIRMAN

**ENGINEER'S CERTIFICATE**  
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 27<sup>th</sup> DAY OF December, 2008 A.D.  
BY *[Signature]* PARK CITY ENGINEER

**APPROVAL AS TO FORM**  
APPROVED AS TO FORM THIS 30<sup>th</sup> DAY OF December, 2008 A.D.  
BY *[Signature]* PARK CITY ATTORNEY

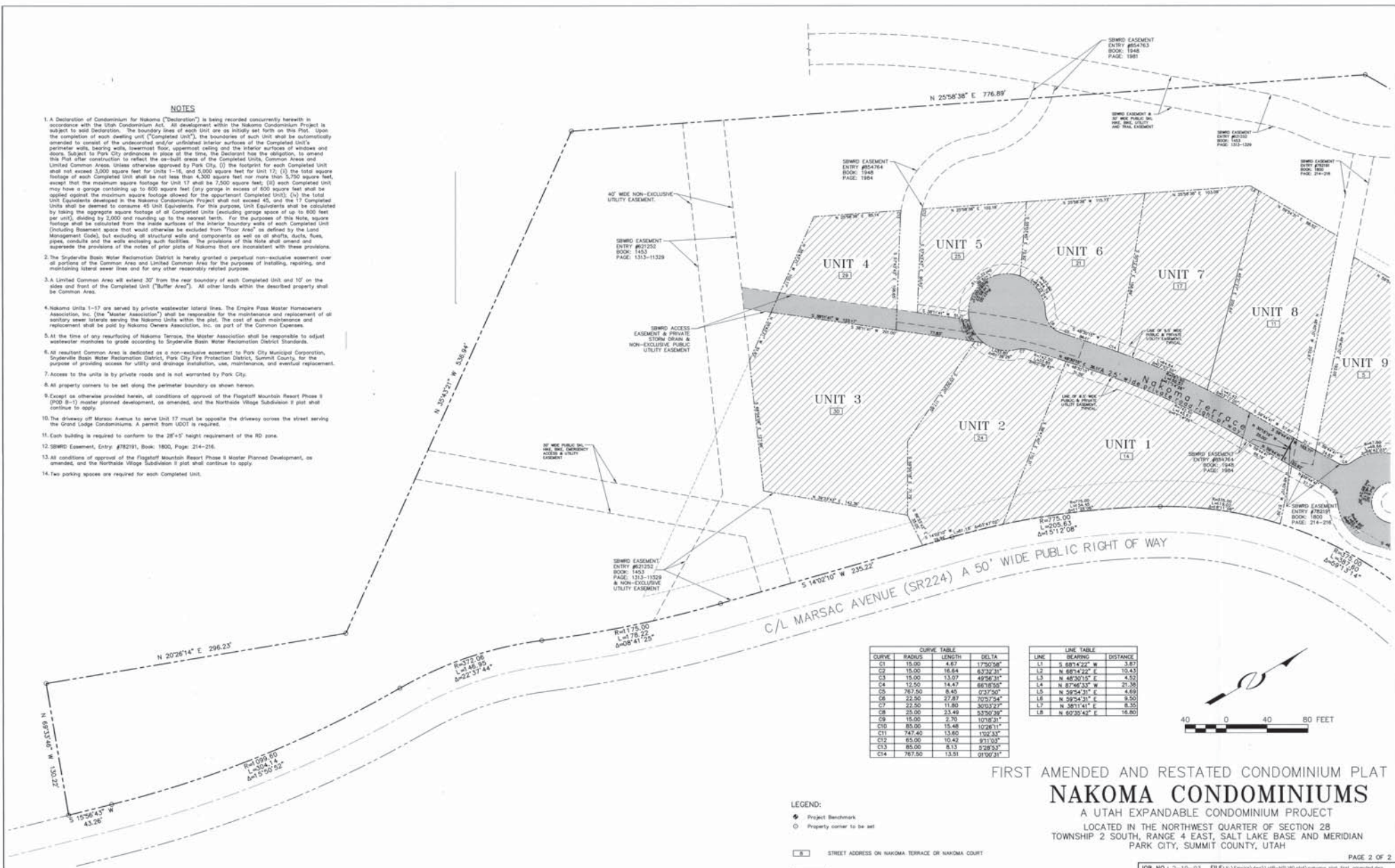
**CERTIFICATE OF ATTEST**  
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 29<sup>th</sup> DAY OF NOV, 2008 A.D.  
BY *[Signature]* PARK CITY RECORDER

**COUNCIL APPROVAL AND ACCEPTANCE**  
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 29<sup>th</sup> DAY OF NOV, 2008 A.D.  
BY *[Signature]* MAYOR

**RECORDED**  
# 861927  
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Highland Title Agency DATE 12-2-08 TIME 3:59 PM BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
FEE \$72.00 *[Signature]* RECORDER

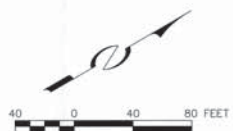
**NOTES**

1. A Declaration of Condominium for Nakoma ("Declaration") is being recorded concurrently herewith in accordance with the Utah Condominium Act. All development within the Nakoma Condominium Project is subject to said Declaration. The boundary lines of each Unit are as initially set forth on this Plat. Upon the completion of each dwelling unit ("Completed Unit"), the boundaries of such Unit shall be automatically amended to consist of the undecorated and/or unfinished interior surfaces of the Completed Unit's perimeter walls, bearing walls, basement floor, apartment ceiling and the interior surfaces of windows and doors. Subject to Park City ordinances in place at the time, the Declarant has the obligation, to amend this Plat after construction to reflect the as-built areas of the Completed Units, Common Areas and Limited Common Areas. Unless otherwise approved by Park City, (i) the footprint for each Completed Unit shall not exceed 2,000 square feet for Units 1-16, and 3,000 square feet for Unit 17; (ii) the total square footage of each Completed Unit shall be not less than 4,300 square feet nor more than 5,750 square feet, except that the maximum square footage for Unit 17 shall be 7,500 square feet; (iii) each Completed Unit may have a garage containing up to 600 square feet (any garage in excess of 600 square feet shall be applied against the maximum square footage allowed for the apartment Completed Unit); (iv) the total Unit Equivalents developed in the Nakoma Condominium Project shall not exceed 45, and the 17 Completed Units shall be deemed to consume 45 Unit Equivalents. For this purpose, Unit Equivalents shall be calculated by taking the aggregate square footage of all Completed Units (including garage space of up to 600 feet per unit), dividing by 2,000 and rounding up to the nearest tenth. For the purposes of this Note, square footage shall be calculated from the inside surfaces of the interior boundary walls of each Completed Unit (including Basement space that would otherwise be excluded from "Floor Area" as defined by the Land Management Code), but excluding all structural walls and components as well as all shafts, ducts, flues, pipes, conduits and the walls enclosing such facilities. The provisions of this Note shall amend and supersede the provisions of the notes of prior plats of Nakoma that are inconsistent with these provisions.
2. The Snyderville Basin Water Reclamation District is hereby granted a perpetual non-exclusive easement over all portions of the Common Area and Limited Common Area for the purposes of installing, repairing, and maintaining lateral sewer lines and for any other reasonably related purpose.
3. A Limited Common Area will extend 30' from the rear boundary of each Completed Unit and 10' on the sides and front of the Completed Unit ("Buffer Area"). All other lands within the described property shall be Common Area.
4. Nakoma Units 1-17 are served by private wastewater lateral lines. The Empire Pass Master Homeowners Association, Inc. (the "Master Association") shall be responsible for the maintenance and replacement of all sanitary sewer laterals serving the Nakoma Units within the plat. The cost of such maintenance and replacement shall be paid by Nakoma Owners Association, Inc. as part of the Common Expenses.
5. At the time of any reworking of Nakoma Terrace, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District Standards.
6. All resultant Common Area is dedicated as a non-exclusive easement to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Protection District, Summit County, for the purpose of providing access for utility and drainage installation, use, maintenance, and eventual replacement.
7. Access to the units is by private roads and is not warranted by Park City.
8. All property corners to be set along the perimeter boundary as shown herein.
9. Except as otherwise provided herein, all conditions of approval of the Flagstaff Mountain Resort Phase II (2000 B-17) master planned development, as amended, and the Northside Village Subdivision II plat shall continue to apply.
10. The driveway off Marsac Avenue to serve Unit 17 must be opposite the driveway across the street serving the Grand Lodge Condominiums. A permit from SDOT is required.
11. Each building is required to conform to the 28'+5" height requirement of the RD zone.
12. SEWRD Easement, Entry #782191, Book: 1800, Page: 214-216.
13. All conditions of approval of the Flagstaff Mountain Resort Phase II Master Planned Development, as amended, and the Northside Village Subdivision II plat shall continue to apply.
14. Two parking spaces are required for each Completed Unit.



CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	15.00	4.67	1750.548
C2	15.00	16.84	6372.231
C3	15.00	13.07	4956.311
C4	15.00	14.47	6818.500
C5	787.50	8.45	972.500
C6	22.50	27.87	7073.744
C7	22.50	11.80	2033.228
C8	25.00	23.49	3330.260
C9	15.00	2.70	1078.211
C10	85.00	15.48	1028.111
C11	747.40	13.80	1508.331
C12	85.00	10.42	811.031
C13	85.00	8.13	528.531
C14	787.50	13.51	9150.211

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 68°14'22" W	3.87
L2	N 58°14'22" E	10.43
L3	N 48°20'15" E	4.52
L4	N 87°46'32" W	21.38
L5	N 59°24'31" E	4.69
L6	N 59°24'31" E	9.50
L7	N 38°11'41" E	6.50
L8	N 60°20'42" E	16.80



- LEGEND:**
- Project Benchmark
  - Property corner to be set

- ▭ STREET ADDRESS ON NAKOMA TERRACE OR NAKOMA COURT
- ▭ COMMON OWNERSHIP
- ▨ PRIVATE OWNERSHIP
- ▭ SEWRD ACCESS EASEMENTS/COMMON OWNERSHIP

FIRST AMENDED AND RESTATED CONDOMINIUM PLAT  
**NAKOMA CONDOMINIUMS**  
 A UTAH EXPANDABLE CONDOMINIUM PROJECT  
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 28  
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
 PARK CITY, SUMMIT COUNTY, UTAH

(435) 440-8487  
**Alliance Engineering Inc.**  
 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS  
 212 Main Street P.O. Box 2094 Park City, Utah 84060-2094

JOB NO.: 2-10-03 FILE: K:\Empire\Map\1418-Nakoma\Nakoma plat first amended.dwg  
**RECORDED**  
 ENTRY NO. **00861927**  
 22/01/2008 03:58:43 PM BY: 18814-1281  
 DA: 18814-1281  
 REC'D BY: 18814-1281  
 FEE RECORDER



- NOTES:
1. EXISTING TOPOGRAPHY SHOWN IS FROM AS-BUILT, FIELD SURVEY AND INFORMATION PROVIDED BY THE ARCHITECT
  2. LOCATION OF UTILITIES TO EXISTING BUILDINGS TO BE CONFIRMED, CONTACT BLUE STAKES



(435) 648-9467

STAFF:  
MARSHALL KING  
MICHAEL DEMKOWICZ  
JUAN CARRASCO

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS  
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664


DATE: 8/21/17

Existing Conditions Map  
NAKOMA PHASE 2  
NAKOMA CONDOMINIUMS

FOR: FRIENDS OF FLAGSTAFF LLC  
JOB NO.: 10-03-17  
FILE: X:\Empire\dwg\ar\plot2017\100317.dwg

SHEET  
1  
OF  
1



 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84002-2664</small>	<small>(435) 648-9467</small>	<small>STAFF: MARSHALL KING JUAN CARRASCO</small>	<small>AERIAL PHOTOGRAPHY EXHIBIT NAKOMA PHASE 2 NAKOMA CONDOMINIUMS</small>	<small>SHEET 1 OF 1</small>
	<small>DATE: 8/2/17</small>	<small>FOR: FRIEND OF FLAGSTAFF LLC. JOB NO.: 10-03-17 FILE: X:\Empire\dwg\an\plot2017\100317.dwg</small>		



UNITS 1 & 2 (14 & 24 Nakoma Terrace) – looking northwesterly

**RECEIVED**  
**AUG 22 2017**  
PARK CITY  
PLANNING DEPT.



UNITS 1 & 2 (14 & 24 Nakoma Terrace) – looking southeasterly

**RECEIVED**

**AUG 22 2017**

PARK CITY  
PLANNING DEPT.



Unit 7 (17 Nakoma Terrace) – looking northwesterly

**RECEIVED**  
**AUG 22 2017**  
PARK CITY  
PLANNING DEPT





Unit 7 (17 Nakoma Terrace) – looking southeasterly

**RECEIVED**  
**AUG 22 2017**  
PARK CITY  
PLANNING DEPT.



Unit 8 (11 Nakoma Terrace) – looking northwesterly

**RECEIVED**  
**AUG 22 2017**  
PARK CITY  
PLANNING DEPT.



Unit 8 (11 Nakoma Terrace) – looking southeasterly

**RECEIVED**  
**AUG 22 2017**  
PARK CITY  
PLANNING DEPT.

SECOND AMENDMENT TO FIRST AMENDED AND RESTATED  
NAKOMA CONDOMINIUMS  
UNITS 1, 2, 7 and 8

(11, 17, 14, Nakoma Terrace)

August 21, 2017

PROJECT INTENT

Nakoma is a residential condominium project located on Lot B of the Northside Village Subdivision II, recorded June 28, 2002 within the Empire Pass development. It is located west of Marsac Avenue and Deer Valley's Northside chairlift as well as the Grand Lodge and Ironwood Townhome development.

The First Amended and Restated Nakoma Condominiums, recorded December 31, 2008 define 17 units for future construction and broadly identify unit lines and area for each building. Units 9-16 have been constructed and the private ownership of the individual units has been defined in the First Amendment to First Amended and Restated Nakoma Condominiums, recorded May 22, 2012.

The current application is for the Second Amendment to First Amended and Restated Nakoma Condominiums and will further define the private ownership of the duplex unit 1 and 2 and the individual units 7 and 8 by showing the floor plans, dimensions and area of private ownership for each building.





PLANNING DEPARTMENT

# Planning Commission Staff Report

**Subject:** Gold Dust Plaza Condominiums Units 201 & 202, First Amended Plat  
**Author:** Tippe Morlan, Planner II  
**Date:** October 25, 2017  
**Type of Item:** Legislative – Plat Amendment

<b>Project Number:</b>	PL-17-03655
<b>Applicant:</b>	Richer Development Services
<b>Location:</b>	1887 Gold Dust Lane Units 201 & 202
<b>Zoning:</b>	General Commercial
<b>Adjacent Land Uses:</b>	Office and Commercial Uses
<b>Reason for Review:</b>	Plat Amendments require Planning Commission review and City Council approval.

### Proposal

The applicant is proposing to adjust Units 201 and 202 of the Gold Dust Plaza Condominiums located at 1887 Gold Dust Lane to transfer approximately 129 square feet from Unit 201 to Unit 202. This proposal reconfigures both units on the plat to reflect the manner in which the space was remodeled in the past removing a portion of the wall between the units.

### Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Gold Dust Plaza Condominiums Units 201 and 202, First Amended plat located at 1887 Gold Dust Lane 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.

### Background

**December 26, 1974** – The subject property was included as Lot 17A of the Prospector Square subdivision recorded on December 26, 1974.

**June 3, 1994** – The Prospector Square Resubdivision of Lots 17A, 17B, and 18A was recorded and included the subject property.

**December 17, 1999** – The Fuegi Replat combining Lots 17A and 17C of the Prospector Square subdivision was recorded and included the subject property.

**April 20, 2000** – The Gold Dust Plaza Condominium Conversion was approved by the City Council creating 8 separate units within the office building located at 1887

Gold Dust Lane, which was under construction at the time. This condominium plat was recorded on July 10, 2000.

**October 23, 2002** – Based on Building Permit B02-08063 issued on October 23, 2002, it would appear that a previous tenant constructed the units in the manner proposed on the plat with the removal of a portion of the wall between Units 201 and 202.

**August 31, 2017** – The City received a Plat Amendment application for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended. The application was deemed complete on September 22, 2017 and is the subject of this report.

### **Purpose**

The purpose of the General Commercial (GC) District is to:

- A. allow a wide range of commercial and retail trades and Uses, as well as offices, Business and personal services, and limited Residential Uses in an Area that is convenient to transit, employment centers, resort centers, and permanent residential Areas,
- B. allow Commercial Uses that orient away from major traffic thoroughfares to avoid strip commercial Development and traffic congestion,
- C. protect views along the City's entry corridors,
- D. encourage commercial Development that contributes to the positive character of the City, buffers adjacent residential neighborhoods, and maintains pedestrian Access with links to neighborhoods, and other commercial Developments,
- E. allow new commercial Development that is Compatible with and contributes to the distinctive character of Park City, through Building materials, architectural details, color range, massing, lighting, landscaping and the relationship to Streets and pedestrian ways,
- F. encourage architectural design that is distinct, diverse, reflects the mountain resort character of Park City, and is not repetitive of what may be found in other communities, and
- G. encourage commercial Development that incorporates design elements related to public outdoor space including pedestrian circulation and trails, transit facilities, plazas, pocket parks, sitting Areas, play Areas, and Public Art.

### **Analysis**

The purpose of the proposed plat amendment is to transfer approximately 129 square feet of area from Unit 201 to Unit 202. The Management Committee of Gold Dust Plaza Condominiums Owners Association has provided a Certification of Vote indicating that greater than 75 percent of the Unit Owners have given consent to the proposed amendment (Exhibit D). The proposed change will not affect the use of the units. Both units currently have a general office use which is an allowed use in the GC zone.

The proposed changes were constructed in approximately 2002 and are interior to the existing structure. These changes do not alter any features of the building relating to building height or setback requirements. The proposed change to both units requires a

portion of the existing common wall to be removed to allow an access to the newly created space, and creates a new common wall line between the units. This proposal does not change the size of the overall common area for the development. There is a difference of 1 square feet which may be attributed to change in the amount of space the wall is taking up between the units. The size of the subject property is as follows:

	Existing	Proposed
<b>Unit 201</b>	994 SF	866 SF
<b>Unit 202</b>	1109 SF	1238 SF
<b>Total</b>	2103 SF	2104 SF

Parking is also maintained since the overall FAR and use of the building are not changing. The parking requirements for Gold Dust Plaza fall under the Prospector Square Subdivision regulations which have been based on a maximum density of 2.0 FAR with zero lot line development since it was first platted in 1974. The existing parking for the Prospector Square Subdivision contains thirteen (13) shared lots with 1,096 total spaces intended for common use and satisfies parking requirements for this development.

**Good Cause**

Staff finds good cause for this Plat Amendment as conditioned. The proposed plat amendment memorializes the reconfiguration of Units 201 and 202 and would not cause an increase in the overall size or impact to the site. No changes have been or will be made to the existing building on the site.

**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 issues were brought up at that time.

**Notice**

On October 11, 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 October 11, 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 positive recommendation to the City Council for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat as conditioned or amended; or

- The Planning Commission may forward a negative recommendation to the City Council for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat.

### **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 plat would remain as is and would not reflect changes which have been made to Units 201 and 202 of the Gold Dust Plaza Condominiums in approximately 2002.

### **Summary Recommendation**

Staff recommends the Planning Commission hold a public hearing for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

### **Exhibits**

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

Exhibit B – Applicant Project Narrative

Exhibit C – Aerial Photograph with 500' Radius

Exhibit D – Gold Dust Condominiums Management Committee Letter

Exhibit E – Gold Dust Plaza Condominiums Plat



**Ordinance No. 17XX**

AN ORDINANCE APPROVING THE GOLD DUST PLAZA CONDOMINIUMS UNITS 201 & 202, FIRST AMENDED PLAT LOCATED AT 1887 GOLD DUST LANE 201& 202, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1887 Gold Dust Lane Units 201 and 202 have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on October 11, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 11, 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 25, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on October 25, 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, there is good cause and it is in the best interest of Park City, Utah to approve the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat located at 1887 Gold Dust Lane 201/202.

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

**SECTION 1. APPROVAL.** The Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 1887 Gold Dust Lane Units 201 & 202.
2. The property is in the General Commercial (GC) District.
3. Adjacent land uses are office and commercial uses.
4. The subject property consists of Units 201 and 202 of the Gold Dust Plaza Condominiums which were recorded in 2000.

5. Based on Building Permit B02-08063 issued on October 23, 2002, it would appear that a previous tenant constructed the units in the manner proposed on the plat with the removal of a portion of the wall between Units 201 and 202.
6. The subject property was included as Lot 17A of the Prospector Square subdivision recorded on December 26, 1974.
7. The Prospector Square Resubdivision of Lots 17A, 17B, and 18A was recorded on June 3, 1994 and included the subject property.
8. The Fuegi Replat combining Lots 17A and 17C of the Prospector Square subdivision was recorded on December 17, 1999 and included the subject property.
9. The Gold Dust Plaza Condominium Conversion was approved by the City Council on April 20, 2000 creating 8 separate units within the office building located at 1887 Gold Dust Lane, which was under construction at the time. This condominium plat was recorded on July 10, 2000.
10. On August 31, 2017, the City received a Plat Amendment application for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended. The application was deemed complete on September 22, 2017 and is the subject of this report.
11. The applicant is proposing to transfer approximately 129 square feet of private area from Unit 201 to Unit 202.
12. The Management Committee of Gold Dust Plaza Condominiums has provided a Certification of Vote indicating that greater than 75 percent of the Unit Owners have given consent to the proposed amendment.
13. The proposed change will not affect the use of the units. Both units currently have a general office use which is an allowed use in the GC zone.
14. The proposed changes are interior to the existing structure and do not alter any features of the building relating to building height or setback requirements.
15. The proposed changes to the units have already been constructed. The proposed plat memorializes the as built condition of Units 201 and 202.
16. This proposal does not change the size of the overall common area for the development.
17. Unit 201 is currently 994 square feet in size and will become 866 square feet in size.
18. Unit 202 is currently 1109 square feet in size and will become 1238 square feet in size.
19. Parking is also maintained since the overall FAR of the building is not changing, and the parking requirements are not changing.
20. The parking requirements for Gold Dust Plaza fall under the Prospector Square Subdivision regulations which have been based on a maximum density of 2.0 FAR with zero lot line development since it was first platted in 1974.
21. The existing parking for the Prospector Square Subdivision contains thirteen (13) shared parking lots with 1,096 total spaces intended for common use and satisfies parking requirements for this development.
22. 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. All other conditions of approval and platted requirements for the Gold Dust Plaza Condominiums continue to apply and shall be noted on the plat.

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

PASSED AND ADOPTED this 9<sup>th</sup> day of November, 2017.

PARK CITY MUNICIPAL CORPORATION

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

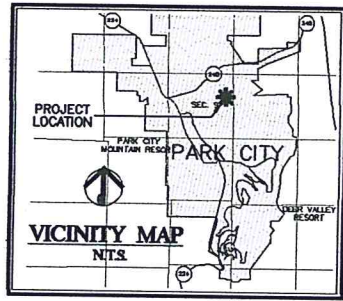
ATTEST:

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

APPROVED AS TO FORM:

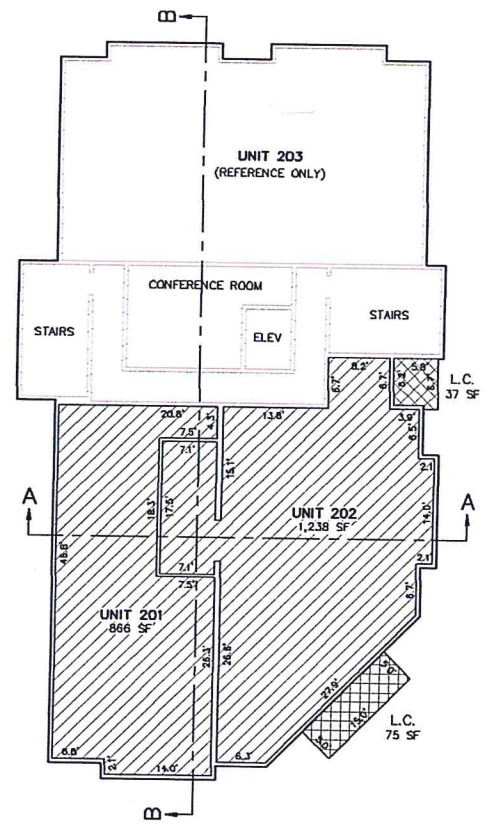
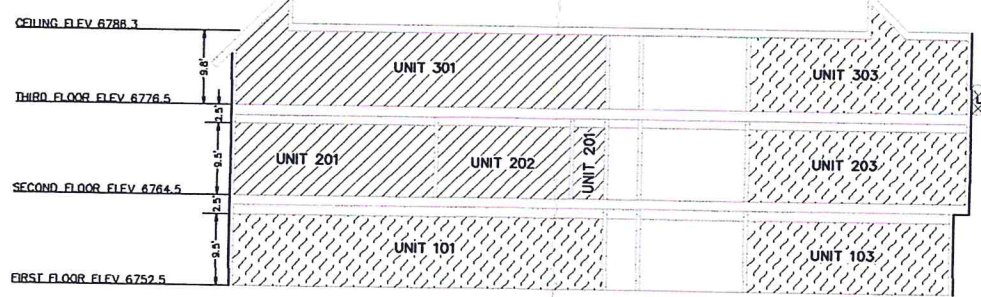
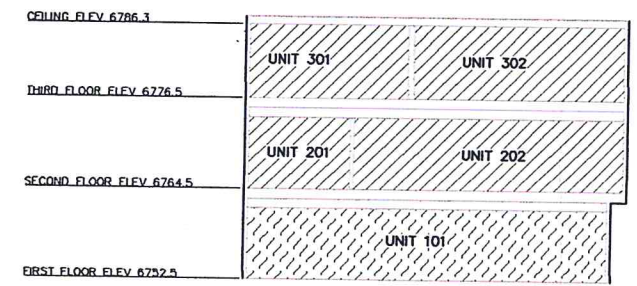
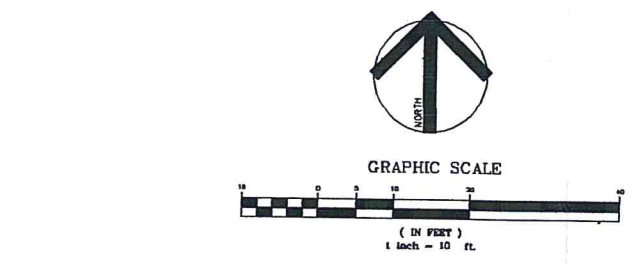
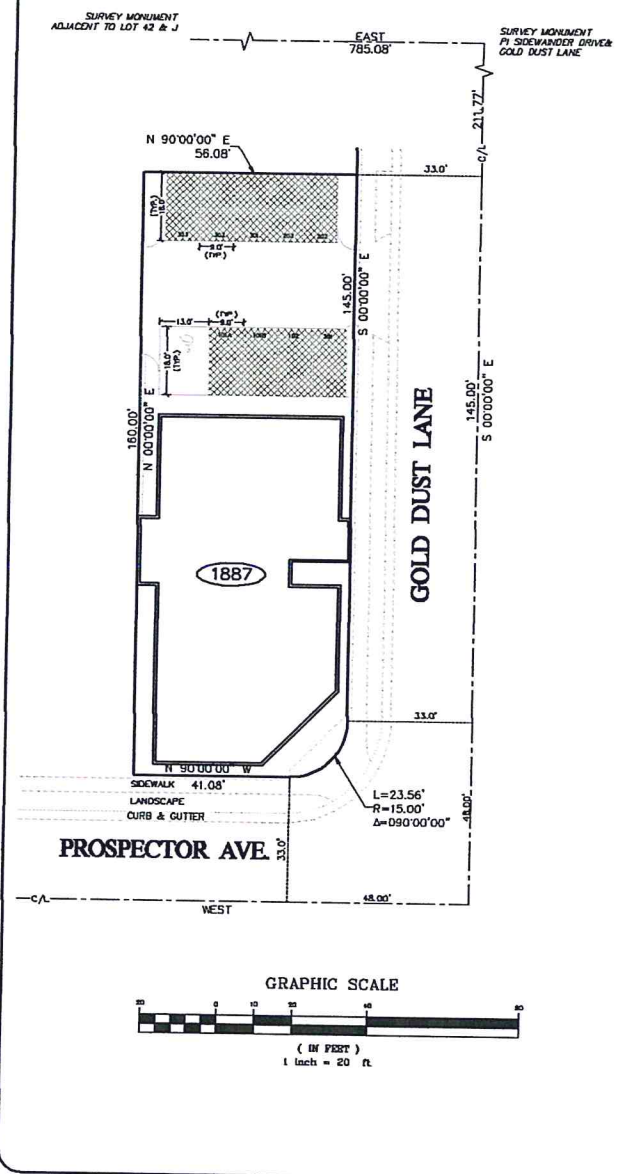
\_\_\_\_\_  
Mark Harrington, City Attorney

**Attachment 1 – Proposed Plat**



# CONDOMINIUM PLAT GOLD DUST PLAZA CONDOMINIUMS UNITS 201 & 202, FIRST AMENDED

- A UTAH CONDOMINIUM PROJECT -  
A CONDOMINIUM PROJECT LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 9,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,  
PARK CITY, SUMMIT COUNTY, UTAH



**OWNERS DEDICATION AND CONSENT TO RECORD**  
KNOW ALL MEN BY THESE PRESENT THAT UTAH GOLD DUST, LLC, THE OWNER OF THE HEREBY DESCRIBED TRACT OF LAND, TO BE HEREAFTER KNOWN AS "GOLD DUST PLAZA CONDOMINIUMS, UNITS 201 & 202, FIRST AMENDED", CONSENT TO THE RECORDED OF THIS CONDOMINIUM PLAT, SUBDIVIDING THE LAND INTO PRIVATE AREAS, COMMON AREAS AND FACILITIES, LIMITED COMMON AREAS AND FACILITIES AND ESSENTIALS.  
IN WITNESS WHEREOF, OWNER HAS SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017  
UTAH GOLD DUST, LLC, BY: LUKE WILLIAMS, ITS MANAGER

**ACKNOWLEDGMENT**  
STATE OF UTAH )  
                  ) ss.  
COUNTY OF SUMMIT )  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017, PERSONALLY APPEARED BEFORE ME LUKE WILLIAMS, 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/SHE IS THE MANAGER OF UTAH GOLD DUST, LLC AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER ON BEHALF OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID LUKE WILLIAMS ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.  
NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY, \_\_\_\_\_ STATE

**OWNERS DEDICATION AND CONSENT TO RECORD**  
KNOW ALL MEN BY THESE PRESENT THAT RICKER DEVELOPMENT SERVICES, INC. THE OWNER OF THE HEREBY DESCRIBED TRACT OF LAND, TO BE HEREAFTER KNOWN AS "GOLD DUST PLAZA CONDOMINIUMS, UNITS 201 & 202, FIRST AMENDED", CONSENT TO THE RECORDED OF THIS CONDOMINIUM PLAT, SUBDIVIDING THE LAND INTO PRIVATE AREAS, COMMON AREAS AND FACILITIES, LIMITED COMMON AREAS AND FACILITIES AND ESSENTIALS.  
IN WITNESS WHEREOF, OWNER HAS SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017  
RICKER DEVELOPMENT SERVICES, INC. BY: ROBERT RICKER, ITS PRESIDENT

**ACKNOWLEDGMENT**  
STATE OF UTAH )  
                  ) ss.  
COUNTY OF SUMMIT )  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017, PERSONALLY APPEARED BEFORE ME ROBERT RICKER, 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/SHE IS THE PRESIDENT OF RICKER DEVELOPMENT SERVICES, INC. AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER ON BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID LUKE WILLIAMS ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.  
NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES: \_\_\_\_\_  
RESIDING IN \_\_\_\_\_ COUNTY, \_\_\_\_\_ STATE

- NOTES:**
1. Located Within: The Northeast 1/4 of Section 9, Township 2 South, Range 4 East, Salt Lake Base & Meridian, Park City, Summit County, Utah.
  2. Project Benchmark Elevation = xxxxx'. Top center of a sanitary sewer manhole in Park Avenue, as shown hereon.
  3. This Plat amends Units 201 & 202 of "Gold Dust Plaza Condominiums", on file and of record in the office of the Summit County Recorder, Entry Number 568740.
  4. Covenants, Conditions, Restrictions, Requirements, Easements, or any items previously associated with the property described herein remain in effect.
  5. The Units of this Condominium are served by a Common Private Lateral Wastewater Line. The "GOLD DUST PLAZA CONDOMINIUM OWNERS ASSOCIATION" shall be responsible for Ownership, Operation and Maintenance of all Common Private Lateral Wastewater Lines.
  6. Additional Units are shown hereon for reference only. For information on any unit other than Units 201 and 202, please see "GOLD DUST PLAZA CONDOMINIUMS", as recorded in the office of the Summit County Recorder, Entry No. 568740.
  7. All conditions of GOLD DUST PLAZA CONDOMINIUMS plat shall continue to apply.

**LEGAL DESCRIPTION**  
All of Units 201 and 202, Gold Dust Plaza Condominiums, together with according to the official plat thereof on file and of record in the office of the Summit County Recorder, Entry Number 568740.

**SURVEYORS CERTIFICATE**  
I, Gregory R. Wolbach, of Park City, Utah, Certify that I am a Licensed Professional Land Surveyor, and that I hold License No. 187788, as prescribed by the laws of the State of Utah, and that I have performed a Survey of the heresay described property.  
I further certify that this Record of Survey is a correct representation of the lands surveyed and has been prepared in conformity with the minimum standards and regulations of the law and as specified in Section 57-8-13 of Chapter 8, Condominium Ownership Act, Utah Code Title 57, Real Estate.  
Gregory R. Wolbach \_\_\_\_\_  
PROFESSIONAL LAND SURVEYOR  
NO. 187788

**Evergreen Engineering, Inc.**  
Civil Engineering • Land Surveying • Land Planning  
1670 Bonanza Drive • Suite 104  
Park City, Utah • 84060  
Phone: 435.648.4667 • Fax: 435.648.5218  
E-mail: office@evergreen-eng.com

**CITY ENGINEER**  
THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2017.  
CITY ENGINEER \_\_\_\_\_

**SNYDERVILLE BASIN WATER RECLAMATION DISTRICT**  
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2017.  
BY: \_\_\_\_\_  
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

**CITY PLANNING COMMISSION**  
APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2017.  
CHAIR \_\_\_\_\_

**APPROVAL AS TO FORM**  
APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2017.  
CITY ATTORNEY \_\_\_\_\_

**COUNCIL APPROVAL & ACCEPTANCE**  
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2017.  
MAYOR \_\_\_\_\_

**CERTIFICATE OF ATTEST**  
I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2017.  
CITY RECORDER \_\_\_\_\_

**RECORDED**  
No. \_\_\_\_\_  
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
RECORDED AND FILED AT THE REQUEST OF \_\_\_\_\_  
COUNTY RECORDER \_\_\_\_\_



SHEET 1 OF 1  
PLAT DATE: AUGUST 11, 2017  
BY: GREGORY R. WOLBACH  
© 2017 Evergreen Engineering, Inc.

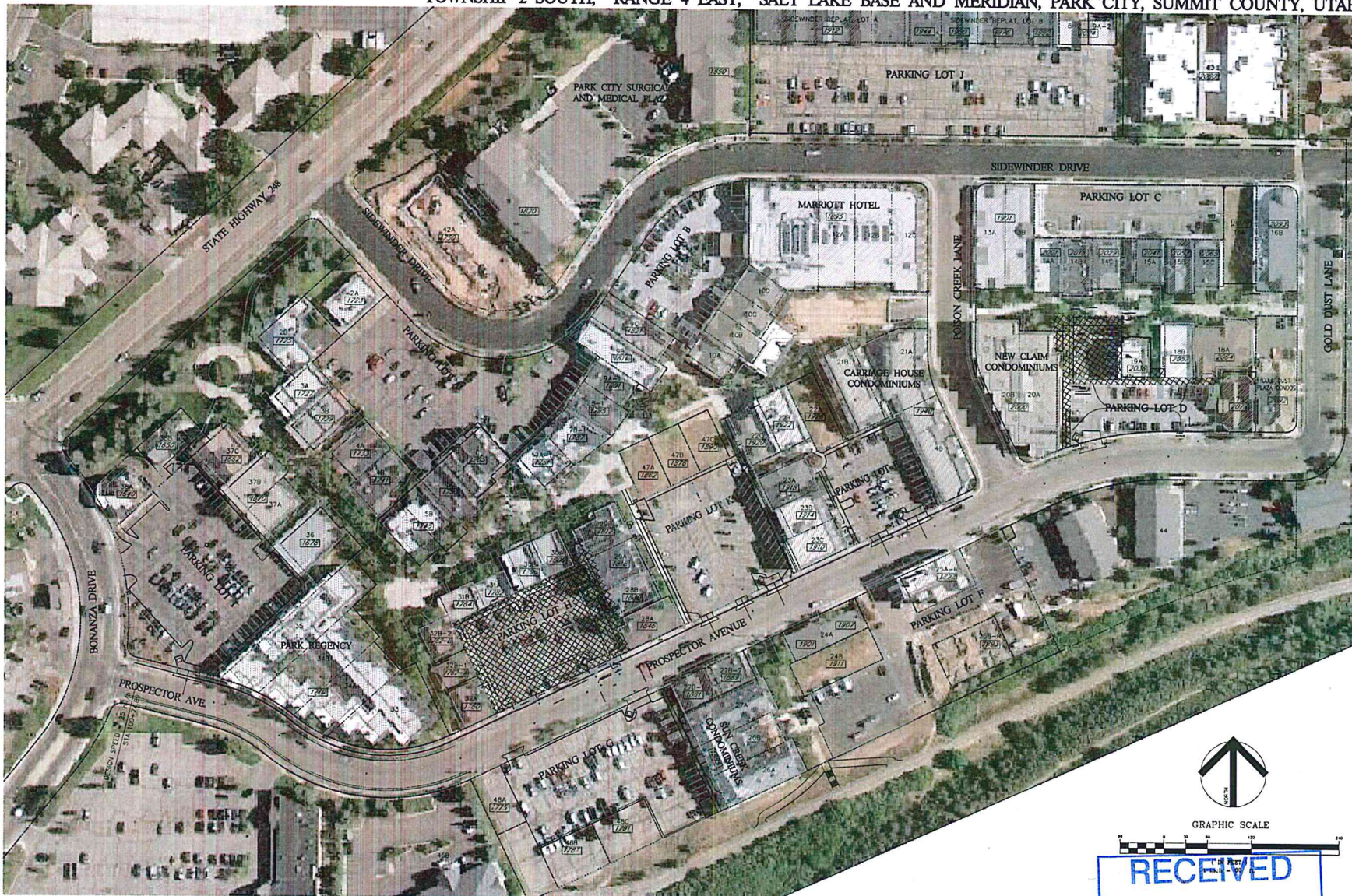
## Gold Dust Plaza Replat

Replating of Gold Dust Plaza Unit #201 and Unit #202. The demising wall between the two condominium units has been reconfigured to increase the size of unit #202 and decrease the size of unit #201.



# PROSPECTOR SQUARE PHASE 1 - PARKING LOTS D & H

A MIXED USE PROJECT LOCATED IN THE NORTHEAST 1/4 OF SECTION 9,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



GRAPHIC SCALE



RECEIVED

SEP 22 2017

PARK CITY  
DEPT.

WHEN RECORDED, RETURN TO:

Katharine Noble, Esq.  
Haymond Law  
1526 W. Ute Blvd., Suite 203  
Park City, UT 84098

**MANAGEMENT COMMITTEE CERTIFICATION OF VOTE**

Reference is hereby made to the Declaration of Condominium and Declaration of Covenants, Conditions and Restrictions for Gold Dust Plaza Condominiums, a Utah Condominium Project, dated July 5, 2000 (the "Declaration"). Capitalized terms used herein but not otherwise defined shall have the same meaning as set forth in the Declaration.

Reference is further made to an amendment to the Map of the Gold Dust Condominiums as set forth on **Exhibit A** (the "Map Amendment"). Pursuant to Section 26.1 of the Declaration, Members can effect such an amendment to the Map with the approval and consent of Unit Owners having not less than seventy five percent (75%) of the undivided interest in the Common Area and Facilities. Section 26.1 of the Declaration further requires that any amendment so authorized requires the recordation of an instrument executed by the Management Committee certifying that such a vote has occurred.

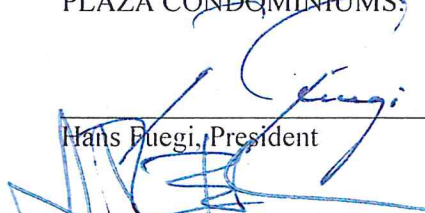
In connection therewith, the members of the Management Committee hereby certify and attest to the following:

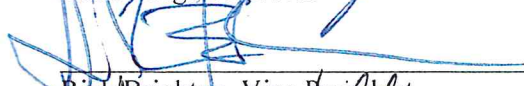
1. All of the members of the Management Committee are set forth below:
  - a. Hans Fuegi, President
  - b. Rick Brighton, Vice President
  - c. Jan Wilking, Secretary/Treasurer
  
2. The Management Committee has received the written approval and consent of Unit Owners having not less than seventy five percent (75%) of the undivided interest in the Common Area and Facilities to the Map Amendment.

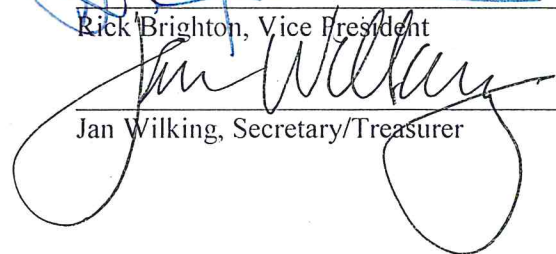
Under penalties of perjury, the undersigned declares that they have authority to sign this document on behalf of the Management Committee.

IN WITNESS WHEREOF, the members of the Management Committee have executed this Management Committee Certification of Vote as of this 27 day of August, 2017.

MANAGEMENT COMMITTEE OF GOLD DUST  
PLAZA CONDOMINIUMS:

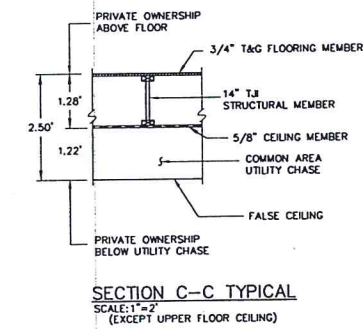
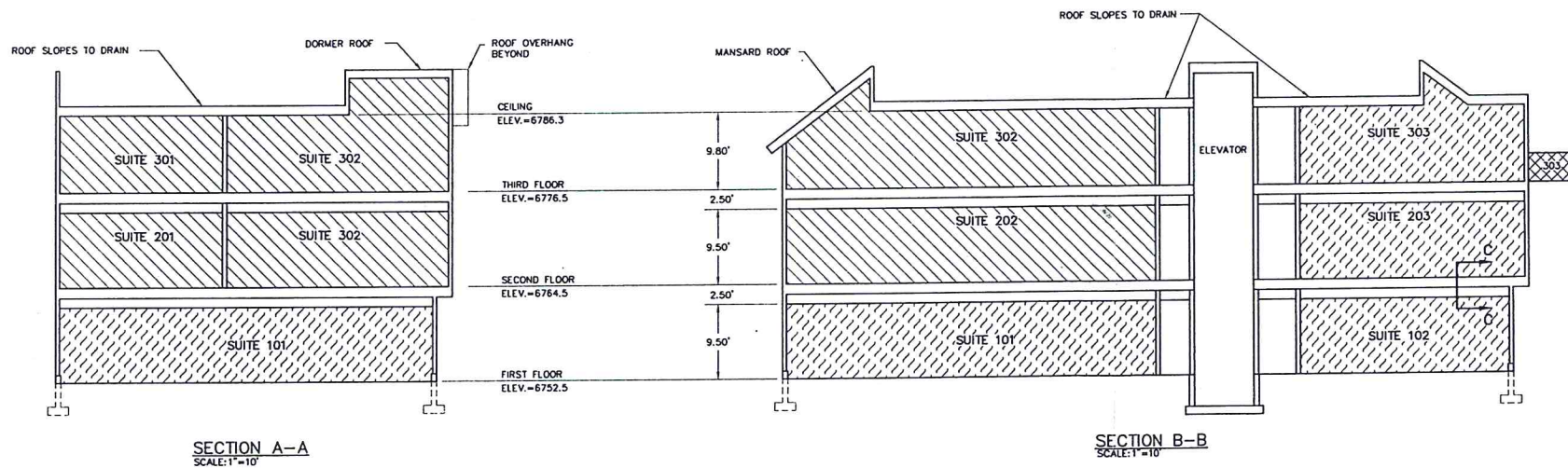
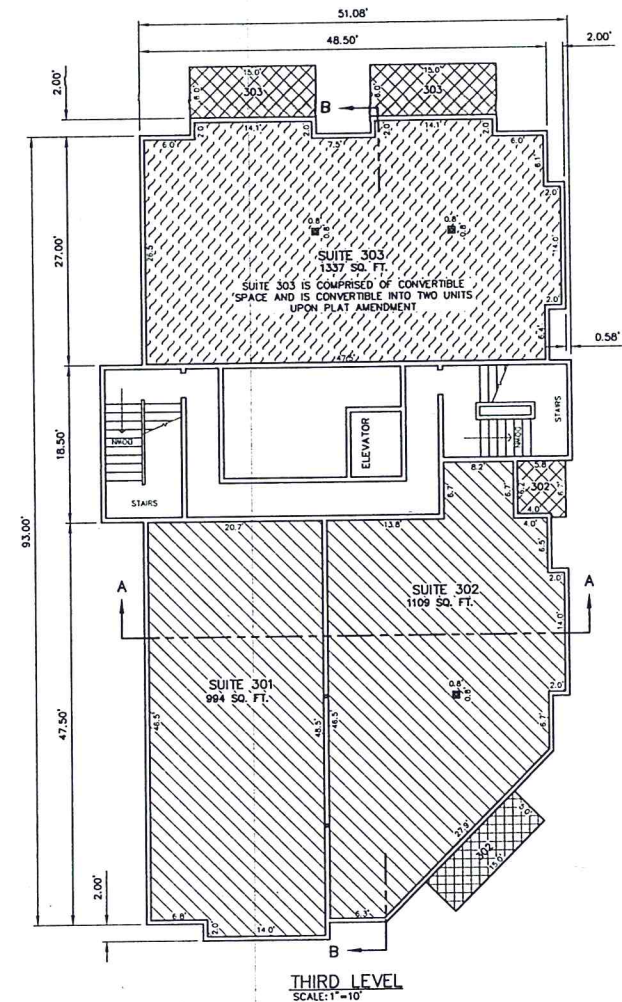
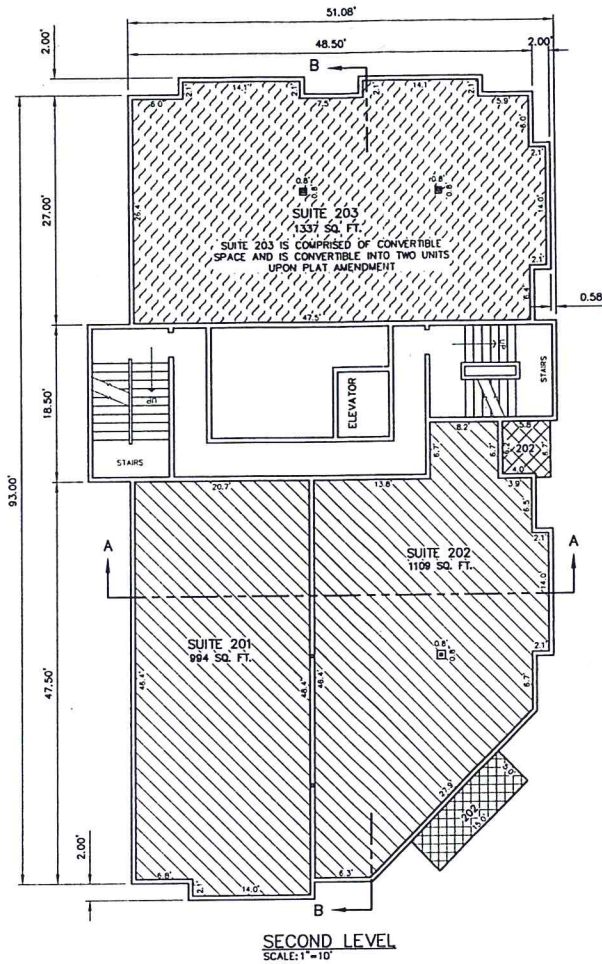
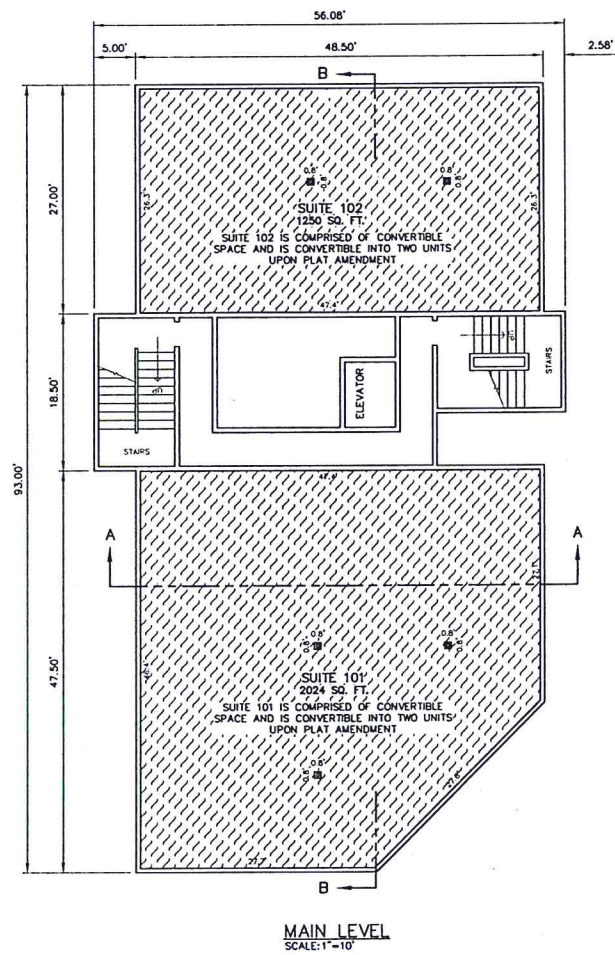
  
\_\_\_\_\_  
Hans Fuegi, President

  
\_\_\_\_\_  
Rick Brighton, Vice President

  
\_\_\_\_\_  
Jan Wilking, Secretary/Treasurer







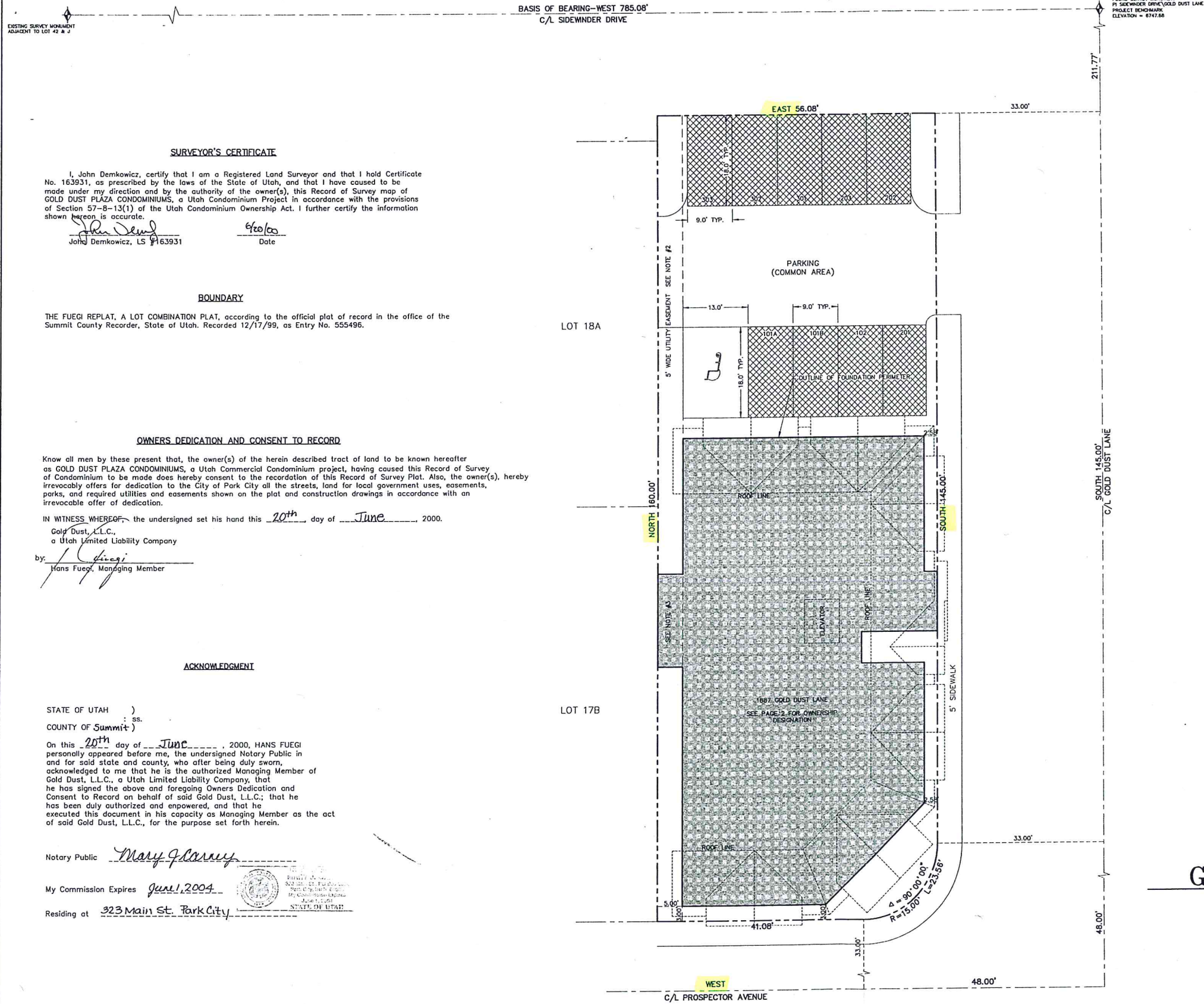
**GOLD DUST PLAZA CONDOMINIUMS**  
A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 9  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE  
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

- LEGEND**
- COMMON AREAS AND FACILITIES
  - LIMITED COMMON AREAS & FACILITIES
  - PRIVATE COMMERCIAL AREAS
  - CONVERTIBLE SPACE

JOB NO: 7-11-97 Y:\D41\DWG\SRV\PLAT97\PL-F2

#568740 RECORDED  
STATE OF UTAH COUNTY OF SUMMIT AND FILED  
AT THE REQUEST OF Coalition Title  
DATE 02-10-2009 TIME 8:25 AM BOOK --- PAGE ---  
FEE 9.00 RECORDER Debra M. Denny Deputy



**SURVEYOR'S CERTIFICATE**

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163931, as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner(s), this Record of Survey map of GOLD DUST PLAZA CONDOMINIUMS, a Utah Condominium Project in accordance with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act. I further certify the information shown hereon is accurate.

*John Demkowicz*  
John Demkowicz, LS #163931  
Date 6/20/00

**BOUNDARY**

THE FUEGI REPLAT, A LOT COMBINATION PLAT, according to the official plat of record in the office of the Summit County Recorder, State of Utah. Recorded 12/17/99, as Entry No. 555496.

**OWNERS DEDICATION AND CONSENT TO RECORD**

Know all men by these present that, the owner(s) of the herein described tract of land to be known hereafter as GOLD DUST PLAZA CONDOMINIUMS, a Utah Commercial Condominium project, having caused this Record of Survey of Condominium to be made does hereby consent to the recordation of this Record of Survey Plat. Also, the owner(s), hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this 20<sup>th</sup> day of JUNE, 2000.

Gold Dust, L.L.C.,  
a Utah Limited Liability Company

by: *Hans Fuegi*  
Hans Fuegi, Managing Member

**ACKNOWLEDGMENT**

STATE OF UTAH )  
                  ) ss.  
COUNTY OF Summit )

On this 20<sup>th</sup> day of JUNE, 2000, HANS FUEGI personally appeared before me, the undersigned Notary Public in and for said state and county, who after being duly sworn, acknowledged to me that he is the authorized Managing Member of Gold Dust, L.L.C., a Utah Limited Liability Company, that he has signed the above and foregoing Owners Dedication and Consent to Record on behalf of said Gold Dust, L.L.C.; that he has been duly authorized and empowered, and that he executed this document in his capacity as Managing Member as the act of said Gold Dust, L.L.C., for the purpose set forth herein.

Notary Public *Mary Flannery*

My Commission Expires June 1, 2004

Residing at 323 Main St. Park City

**GENERAL NOTES:**

1. ALL TIES SHOWN ARE PERPENDICULAR.
2. THE 5' WIDE AREA OF NO STRUCTURES APPLIES ONLY TO THAT PORTION OF LOT 17A WHICH IS ADJACENT TO LOT 18A.
3. A STAIR TOWER FOR INGRESS/EGRESS CIRCULATION MAY EXTEND TO THE WEST PROPERTY LINE ACROSS THE 5' WIDE UTILITY EASEMENT.
4. THE DIMENSIONS OF THE PRIVATE COMMERCIAL AND CONVERTIBLE SPACE SQUARE FOOTAGE CALCULATIONS ARE BASED ON MEASUREMENTS IN THE FIELD. MINOR VARIATIONS MAY OCCUR. IT IS THE INTENT THAT THE PRIVATE OWNERSHIP AREA OF THE UNITS WILL BE AS CONSTRUCTED.
5. THE GOLD DUST PLAZA BUILDING IS SERVED BY A COMMON SANITARY SEWER LATERAL. THE OWNERSHIP AND MAINTENANCE IS THE RESPONSIBILITY OF GOLD DUST PLAZA HOMEOWNERS ASSOCIATION.

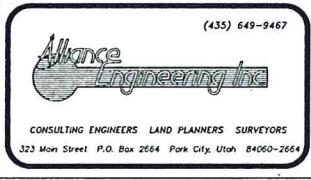
**LEGEND:**

PROPERTY ADDRESS: 1887 GOLD DUST LAKE

- SURVEY MONUMENT
- COMMON AREAS AND FACILITIES
- LIMITED COMMON AREAS & FACILITIES

RECORD OF SURVEY MAP  
**GOLD DUST PLAZA CONDOMINIUMS**  
A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 9 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



**SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT**  
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 21<sup>ST</sup> DAY OF JUNE, 2000 A.D.  
BY *[Signature]*  
S.B.S.I.D.

**PLANNING COMMISSION**  
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 28<sup>th</sup> DAY OF JUNE, 2000 A.D.  
BY *[Signature]*  
CHAIRMAN

**ENGINEER'S CERTIFICATE**  
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 21<sup>ST</sup> DAY OF JUNE, 2000 A.D.  
BY *[Signature]*  
PARK CITY ENGINEER

**APPROVAL AS TO FORM**  
APPROVED AS TO FORM THIS 6<sup>TH</sup> DAY OF JUNE, 2000 A.D.  
BY *[Signature]*  
PARK CITY ATTORNEY

**CERTIFICATE OF ATTEST**  
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 2<sup>nd</sup> DAY OF APRIL, 2000 A.D.  
BY *[Signature]*  
PARK CITY RECORDER

**COUNCIL APPROVAL AND ACCEPTANCE**  
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 20<sup>th</sup> DAY OF APRIL, 2000 A.D.  
BY *[Signature]*  
MAYOR

JOB NO.: 7-11-97 FILE: Y:\D41\DWG\SRV\PLAT97\PL-F1  
#568740 RECORDED  
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Coalition Title  
DATE 02-10-2000 TIME 8:54 AM BOOK --- PAGE ---  
FEE 5.00 RECORDER *[Signature]*

## Planning Commission Staff Report

**Subject:** Robison Plat Amendment  
**Author:** Tippe Morlan, Planner II  
**Date:** October 25, 2017  
**Type of Item:** Legislative – Plat Amendment

<b>Project Number:</b>	PL-17-03670
<b>Applicant:</b>	Rich Robison
<b>Location:</b>	1002 Woodside Avenue
<b>Zoning:</b>	Historic Residential (HR-1)
<b>Adjacent Land Uses:</b>	Residential – Single-family dwellings
<b>Reason for Review:</b>	Plat Amendments require Planning Commission review and City Council approval.

### Proposal

The proposed Robison Plat Amendment seeks to combine two existing lots addressed at 1002 Woodside Avenue into one lot of record. The site consists of the entirety of Lots 31 and 32 of Block 4 of Snyders Addition. There is an existing significant historic structure at this address. The home was constructed in 1910 with various significant rear additions constructed between 1958 and 1995. The property line between the two existing lots bisects the structure. Both lots consist of 1,875 square feet and will create a lot of 3,750 square feet in size.

### Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Robison Plat Amendment located at 1002 Woodside Avenue 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.

### Background

**1910** – The original significant historic home was constructed on this site.

**1958-1995** – There were several additions made to the house between 1958 and 1995. Based on City records, these additions include a garage with a bedroom built on top in 1992, an entryway porch addition in 1982 allowed with setback variances approved by the Board of Adjustment, and the construction of a greenhouse in 1981 as allowed by the Board of Adjustment.

**September 19, 2017** – The City received a Plat Amendment application for the Robison Plat Amendment. The application was deemed complete on September 29, 2017.

**Purpose**

The purpose of the HR-1 District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

**Analysis**

The purpose of this plat amendment is to combine two existing lots addressed at 1002 Woodside Avenue into one lot of record. These lots are 25 feet by 75 feet each and 1,875 square feet in size. The new proposed lot will be 3,750 square feet in size, with a lot width of fifty feet.

There is an existing significant historic structure at this address constructed in 1910 with significant rear additions constructed between 1958 and 1995. The applicant has indicated that they would like to renovate the entire home and need to remove the interior lot line which bisects the structure before any work can be done. Since this property is in the HR-1 district, a Historic District Design Review will be required and the renovations need to comply with the Historic District Design Guidelines.

**HR-1 Requirements**

All City documentation indicates that the existing home is a single-family dwelling which is an allowed use in the HR-1 district. The minimum lot area for a single-family dwelling is 1,875 square feet, and the minimum lot area for a duplex is 3,750 square feet. A duplex is allowed as a conditional use which would be need to be reviewed and approved by the Planning Commission. With the proposed lot of 3,750 square feet, either a single-family dwelling or a duplex would be an allowed use at this location. The duplex would have to meet applicable conditional use permit review criteria and mitigate potential impacts.

The minimum lot width in this zone is 25 feet. The proposed lot meets the requirements of this zone at 50 feet in width. The proposed lot will also be 75 feet deep. These measurements determine the minimum setback requirements which are as follows:

	<b>Required</b>	<b>Existing</b>
<b>Front Yard</b>	10 feet	8 feet
<b>Rear Yard</b>	10 feet	2.5 feet

<b>Side Yard</b>	5 feet	North: 6 feet South: 0 feet
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The maximum building footprint for a lot this size is 1,519 square feet according to the building footprint formula illustrated in Table 15-2.2 of the Land Management Code (LMC). The existing footprint exceeds this number at approximately 2,182 square feet; however, according to LMC Section 15-2.2-4, existing historic structures within the HR-1 zone which do not comply with certain lot and site requirements including building footprint and setback requirements are valid complying structures.

**Encroachments**

Along the north side of this property, the neighboring house at 1010 Woodside Avenue encroaches over the shared property line with this property by up to 6 inches for approximately 20 feet. Since structures on both properties are historic, with the house encroaching onto this property designated as a landmark historic site, an encroachment agreement will be required.

**Good Cause**

Staff finds good cause for this plat amendment in that it will clean up the property lines at this location and resolve any issues created by the extraneous lot line running through the property and through the existing house. This amendment will allow the property owner to make improvements and changes to the existing house as allowed by the LMC and Historic District Design Guidelines. Snow storage easements will be required and encroachments shall be resolved.

**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. A Historic District Design Review application will need to be submitted for review by Planning Staff prior to issuance of building permits.

**Department Review**

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

**Notice**

On October 11, 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 October 11, 2017, according to requirements of the Land Management Code.

**Public Input**

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

**Alternatives**

- The Planning Commission may forward positive recommendation to the City Council for the Robison Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Robison Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Robison Plat Amendment.

**Significant Impacts**

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

**Consequences of not taking recommended action**

The subject property would remain as two separate lots and the existing house would continue to have a lot line running through it.

**Summary Recommendation**

Staff recommends the Planning Commission hold a public hearing for the Robison Plat Amendment 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
- Exhibit C – Existing Plat
- Exhibit D – Applicant’s Project Description
- Exhibit E – Site Photographs
- Exhibit F – Aerial Photographs with 500’ Radius

**Ordinance No. 2017-XX**

AN ORDINANCE APPROVING THE ROBISON PLAT AMENDMENT LOCATED AT 1002 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1002 Woodside Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on October 11, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 11, 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 25, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on October 25, 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 Robison Plat Amendment located at 1002 Woodside Avenue.

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

**SECTION 1. APPROVAL.** The Robison 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 1002 Woodside Avenue.
2. The property consists of Lot 31 and Lot 23 of Block 4 of Snyders Addition.
3. The property is in the Historic Residential (HR-1) District.
4. There is an existing significant historic structure at this address.
5. The existing home was constructed in 1910 with significant rear additions constructed between 1958 and 1995.
6. The property line between the two existing lots bisects the structure.

7. The applicant proposes to combine the subject lots into one lot of record.
8. Both existing lots consist of 1,875 square feet and are 25 feet by 75 feet each.
9. The proposed lot is 3,750 square feet.
10. The minimum lot area in the HR-1 District is 1,875 square feet for a single-family dwelling. The minimum lot area for a duplex is 3,750 square feet.
11. The proposed lot meets the minimum lot requirements for both a single-family dwelling and a duplex dwelling.
12. A single-family dwelling is an allowed use in the HR-1 District. A duplex is a conditional use.
13. The minimum lot width in the HR-1 District is 25 feet.
14. The proposed lot width is 50 feet, which meets the minimum lot width requirement.
15. The proposed lot depth is 75 feet.
16. Front and rear yard minimum setback requirements are 10 feet each and 20 feet total. Side yard minimum setbacks are 5 feet each and 10 feet total.
17. Existing setbacks are 8 feet in the front yard, 2.5 feet in the rear yard, 6 feet in the north side yard, and 0 feet in the south side yard; however, the structure is a valid, complying structure since existing historic structures within the HR-1 zone which do not comply with setback requirements are valid complying structures according to LMC Section 15-2.2-4.
18. The maximum building footprint for a lot this size is 1,519 square feet.
19. The existing footprint exceeds this number at approximately 2,182 square feet, but is a valid, complying structure since existing historic structures within the HR-1 zone which do not comply with certain lot and site requirements including building footprint are valid complying structures according to LMC Section 15-2.2-4.
20. The applicant does not intend to increase the building footprint with any remodels.
21. Along the north side of this property, the neighboring house at 1010 Woodside Avenue encroaches over the shared property line with this property by up to 6 inches for approximately 20 feet.
22. The house encroaching onto this property is designated as a landmark historic site.
23. A Historic District Design Review application is required for any changes proposed to the existing site.
24. 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 all new construction.
4. An encroachment agreement is required with the neighboring property owner(s) at 1010 Woodside Avenue for the portion of the neighboring house which crosses into this property.
5. A10 foot wide public snow storage easement will be required along Woodside Avenue and along 10th Street.

**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

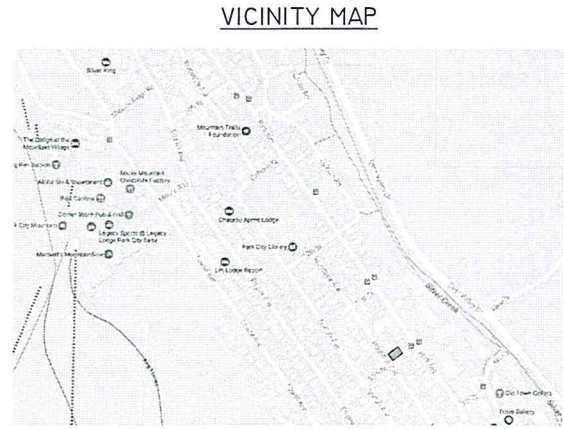
ATTEST:

\_\_\_\_\_  
City Recorder

APPROVED AS TO FORM:

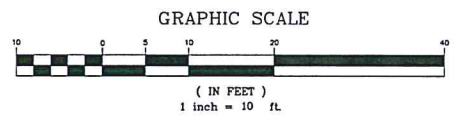
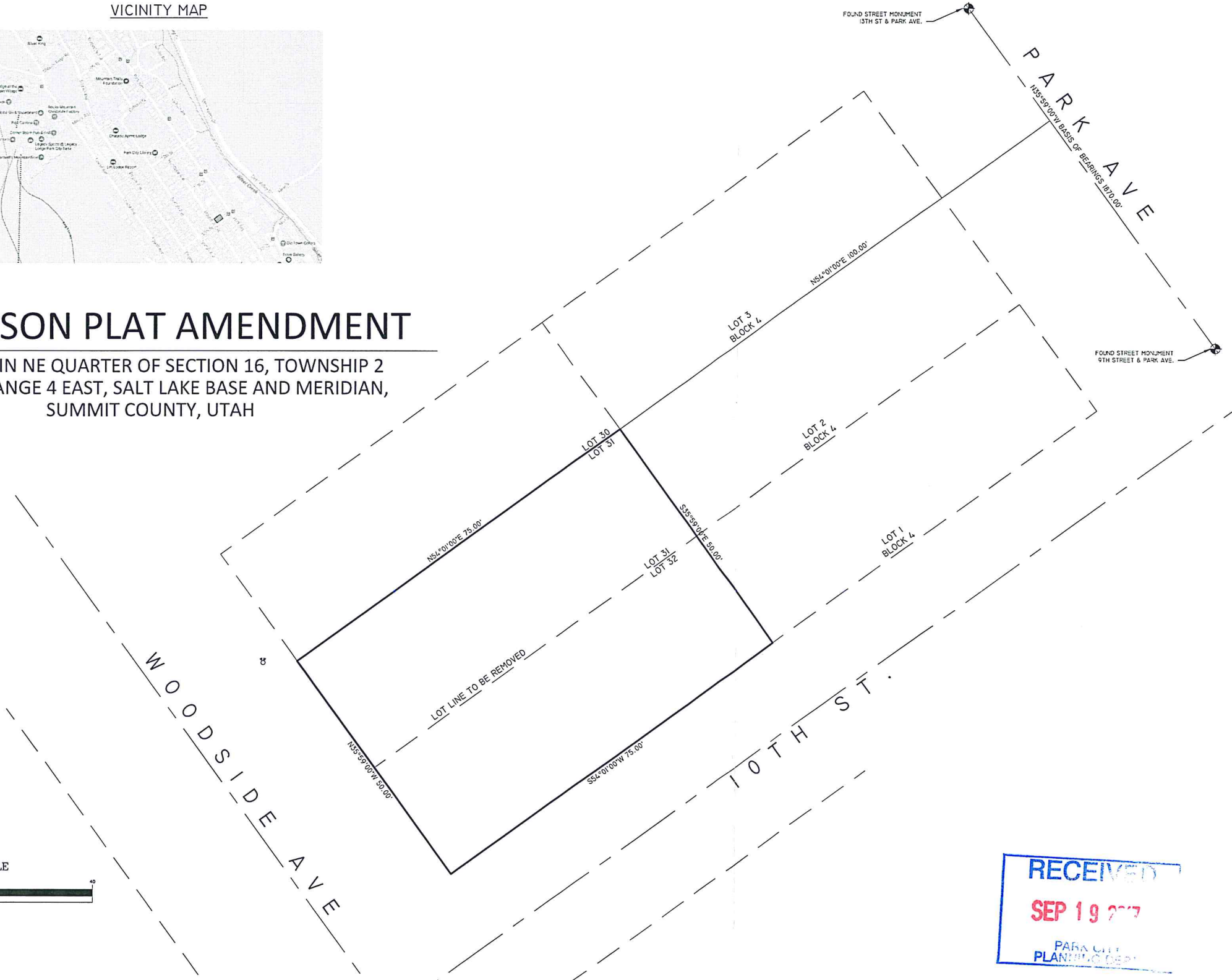
\_\_\_\_\_  
Mark Harrington, City Attorney

**Attachment 1 – Proposed Plat**



# ROBINSON PLAT AMENDMENT


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



**SURVEYOR'S CERTIFICATE**

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, CHAD A ANDERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 7736336 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

I FURTHER CERTIFY THAT THIS PLAT AMENDMENT WAS PREPARED BY ME AND UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE PARK CITY MUNICIPAL CORPORATION.

  
 CHAD ANDERSON  
 PROFESSIONAL LAND SURVEYOR

DATE \_\_\_\_\_

**DEED DESCRIPTION**

ALL OF LOT 31 AND ALL OF LOT 32, BLOCK 4, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

**BOUNDARY DESCRIPTION**

ALL OF LOT 31 AND ALL OF LOT 32, BLOCK 4, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

**BASIS OF BEARING**

THE BASIS OF BEARING IS NORTH 35°59'00" WEST BETWEEN THE SURVEY MONUMENT IN THE INTERSECTION OF PARK AVENUE AND 9TH STREET AND THE SURVEY MONUMENT IN THE INTERSECTION OF PARK AVENUE AND 13TH STREET

**OWNER'S DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT I (WE) THE UNDERSIGNED OWNER(S) OF THE TRACT(S) OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS THE ROBINSON PLAT AMENDMENT, DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

FEE OWNER (OR AGENT) \_\_\_\_\_ PRINTED NAME \_\_\_\_\_ DATE \_\_\_\_\_

FEE OWNER (OR AGENT) \_\_\_\_\_ PRINTED NAME \_\_\_\_\_ DATE \_\_\_\_\_

**ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ } s.s.  
 COUNTY OF \_\_\_\_\_ }

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF \_\_\_\_\_, IN SAID STATE OF \_\_\_\_\_, THE SIGNER OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

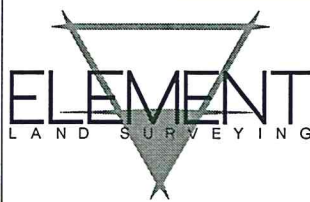
MY COMMISSION EXPIRES: \_\_\_\_\_

SIGNATURE - NOTARY PUBLIC \_\_\_\_\_  
 RESIDING IN \_\_\_\_\_ COUNTY, \_\_\_\_\_

SEAL \_\_\_\_\_



ELEMENT LAND SURVEYING 2296 SOUTH 270 EAST, HEBER CITY UT 84032 801-592-5975 & 801-657-8748

	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS. ON THIS _____ DAY OF _____ 2017.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ 2017.	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE. ON THIS _____ DAY OF _____ 2017.	APPROVAL AS TO FROM APPROVED AS TO FORM. ON THIS _____ DAY OF _____ 2017.	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL. ON THIS _____ DAY OF _____ 2017.	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL. ON THIS _____ DAY OF _____ 2017.	RECORDER STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ PAGE _____ TIME _____ BOOK _____ FEE _____
	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CHAIRMAN	PARK CITY ENGINEER	PARK CITY ATTORNEY	PARK CITY RECORDER	MAYOR	_____



SYMBOL LEGEND	
---	DEED LINE
—	SURVEY BOUNDARY
x-x	FENCE
△	SET REBAR WITH CAP (7736336)
○	FOUND REBAR (AS NOTED)

**SURVEYOR'S CERTIFICATE**

I, CHAD A. ANDERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 7736336, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE HEREIN DESCRIBED PARCEL AND THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

CHAD A. ANDERSON - PLS \_\_\_\_\_ DATE \_\_\_\_\_



**SURVEYOR'S NARRATIVE**

THE PURPOSE OF THIS SURVEY IS TO PROVIDE EXISTING CONDITION INFORMATION TO AID IN THE REMODEL OF THE CURRENT RESIDENCE. SURVEY WAS PERFORMED IN MAY, 2017.

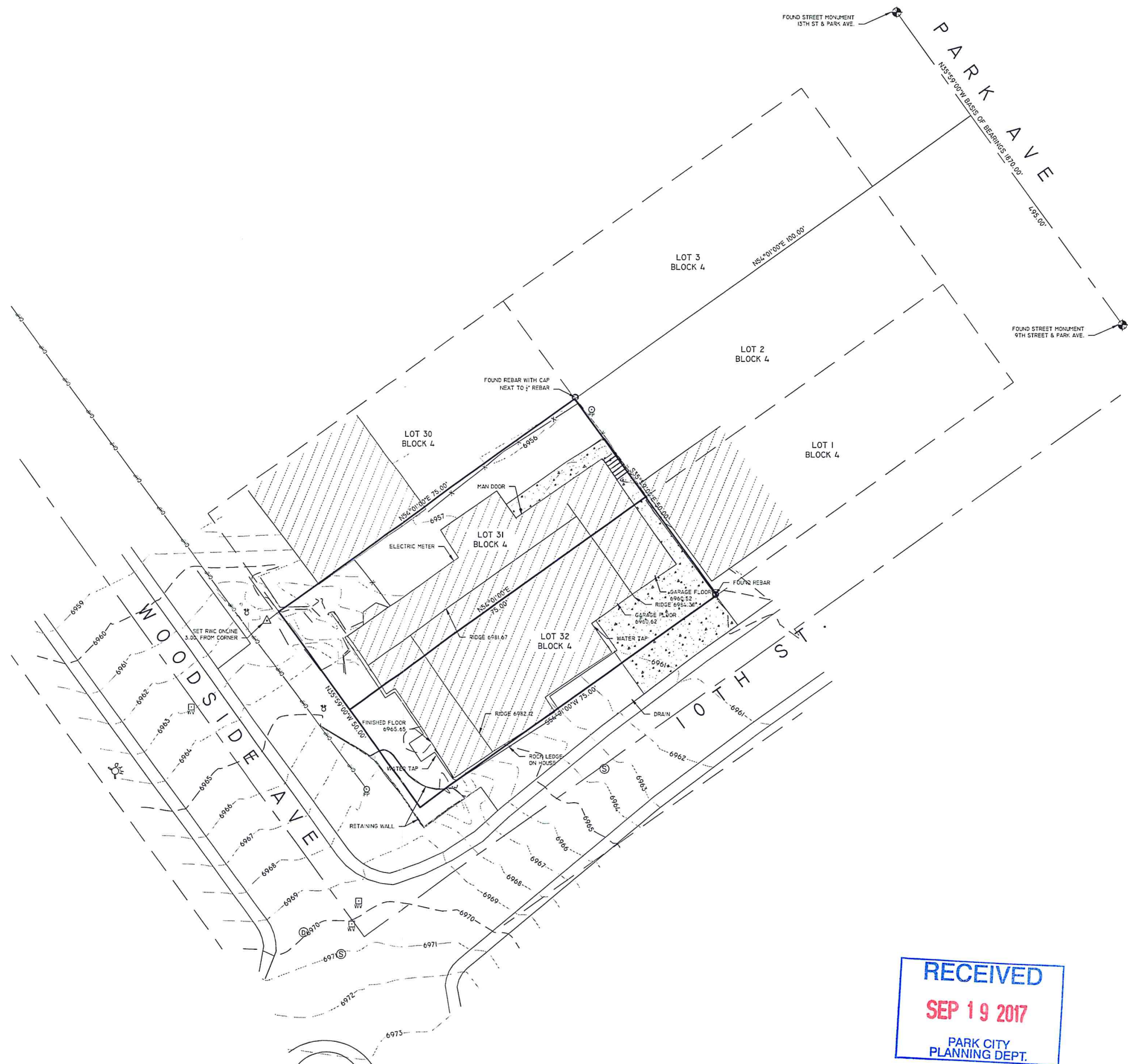
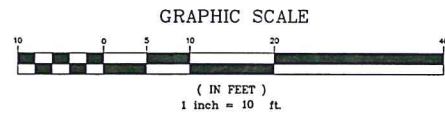
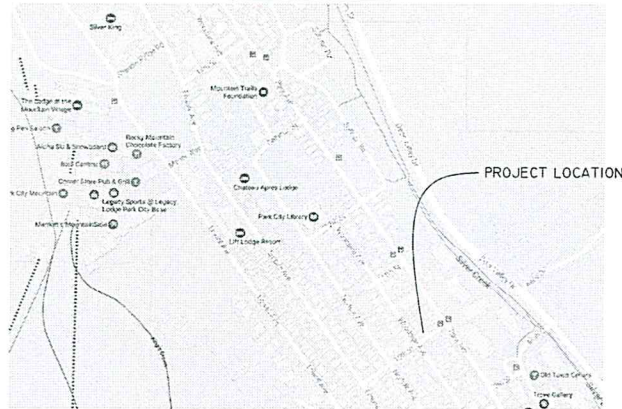
**DESCRIPTION**

**LOT 31 & 32**  
 ALL OF LOTS 31 & 32 OF THE BLOCK 4, OF THE SNYDER'S ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY  
 AREA = 0.086 ACRE

**BASIS OF BEARINGS**

BASIS OF BEARINGS: N45°59'00"W MEASURED BETWEEN FOUND STREET MONUMENTS AS SHOWN HEREON.

**VICINITY MAP**



**ELEMENT**  
 LAND SURVEYING  
 WWW.ELEMENTSURVEYING.COM 2296 SOUTH 370 EAST, HEBER CITY, UT 84032  
 (801) 592-5975

**BOUNDARY SURVEY**

SUMMIT COUNTY  
 IN THE NE 1/4 OF SEC 16, T6S, R4E, SLB38M

RICH ROBISON

LOTS 31 & 32, BLOCK 4,  
 SNYDER'S ADDITION TO PARK CITY



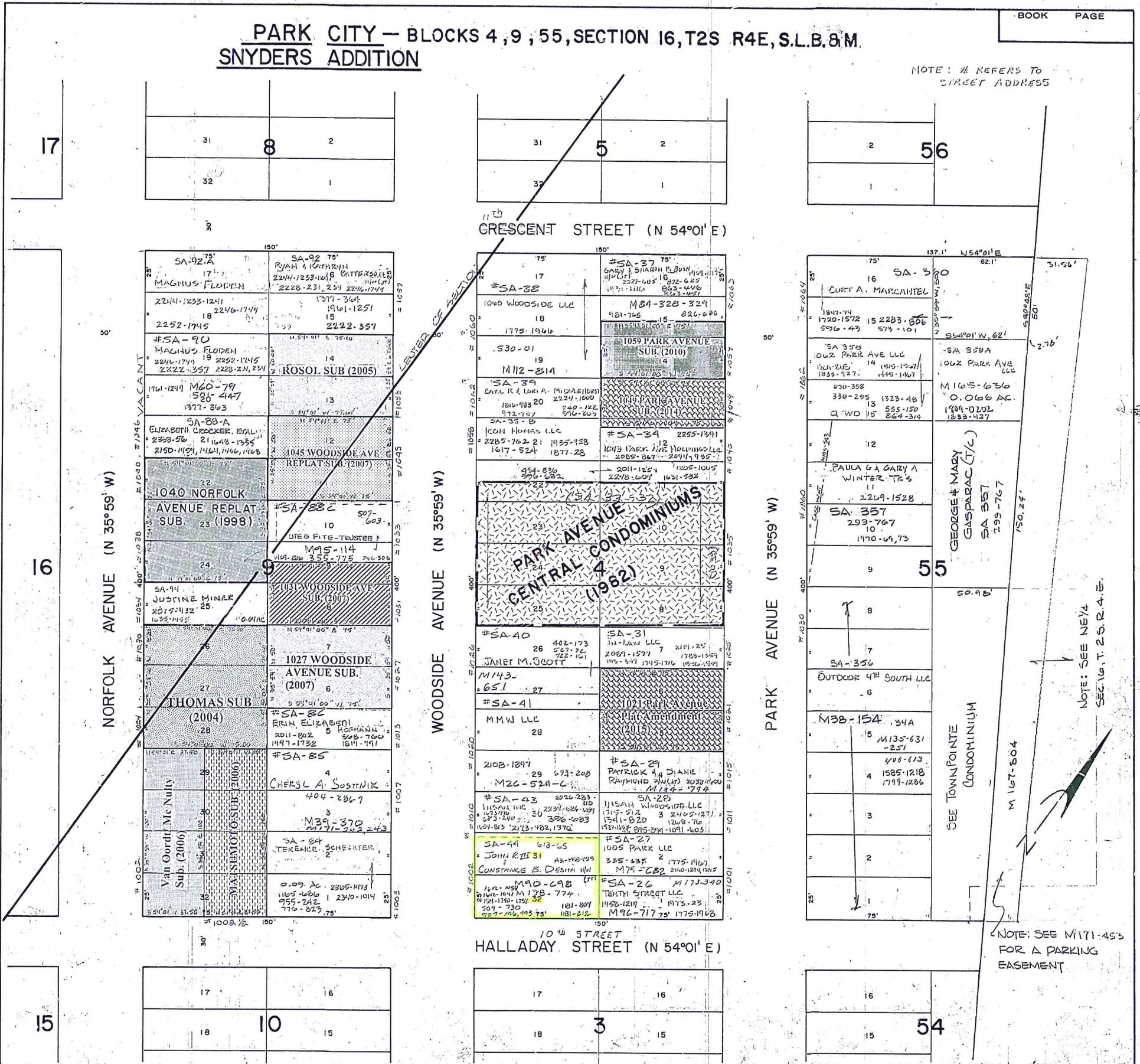
PROJECT NO.	17-05-103
SHEET	1 OF 1



**PARK CITY - BLOCKS 4, 9, 55, SECTION 16, T2S R4E, S.L.B. 8.M.**  
**SNYDERS ADDITION**

BOOK PAGE

NOTE: # REFERS TO STREET ADDRESS



Approved	REVISIONS - DATE AND INITIAL (In Pencil)
Utah State Tax Comm	2015 7 15
Date	By

**SUMMIT COUNTY, UTAH**

SCALE  
 ONE INCH = 40' FEET  
 BOOK PAGE

NOTE: SEE M171-453 FOR A PARKING EASEMENT

**Written Statement:** for 1002 Woodside, we will be renovating the entire home. The entire inside will be gutted and redone. The outside will be painted. The slopping glass roof line will be raised and we are putting a roof deck on there.

1002 10th St

- Site Photographs

N



RECEIVED  
 SEP 19 2017  
 PARK CITY  
 PLANNING DEPT.

West



RECEIVED  
SEP 19 2017

PARK CITY  
PLANNING DEPT.

ES

X 1010 Woodside Ave Park City, Utah



Google, Inc.

Google

RECEIVED  
SEP 19 2017  
PARK CITY  
PLANNING DEPT.



NW



