



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
January 8, 2020**

PUBLIC NOTICE IS HEREBY GIVEN that the PLANNING COMMISSION of Park City, Utah will hold its Regular Planning Commission Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Wednesday, January 8, 2020.

MEETING CALLED TO ORDER AT 5:30 PM.

1.ROLL CALL

2.MINUTES APPROVAL

- 2.A. Consideration to Approve the Planning Commission Meeting Minutes from December 11, 2019.
[PC Minutes 12.11.19](#)

3.PUBLIC COMMUNICATIONS

4.STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5.REGULAR AGENDA

- 5.A. Land Management Code Amendment for Master Planned Development in LMC 15-6. PL-19-04400
A) Public Hearing and B) Possible recommendation to City Council on January 16, 2020
[Staff Report and Ordinance](#)
- 5.B. 158 Ridge Avenue -- Conditional Use Permit -- The Applicant Seeks to Obtain a Nightly Rental Conditional Use Permit for the Single-Family Dwelling in the Historic Residential-Low Density Zoning District. PL-19-04378
(A) Public Hearing (B) Possible Action
[158 Ridge Avenue Nightly Rental Conditional Use Permit Staff Report](#)
[Exhibit A: King Ridge Estates Subdivision Plat](#)
[Exhibit B: Applicant Statement](#)
[Exhibit C: 2009 Conditional Use Permit Final Action Letter](#)
[Exhibit D: 2014 Conditional Use Permit Final Action Letter](#)
[Exhibit E: Public Input](#)
- 5.C. 2784 American Saddler Drive -- Plat Amendment -- The Applicant Proposes Combining Lots 11 and 12 of the Fairway Meadows Subdivision in the Residential Development

Zoning District. PL-19-04391

(A) Public Hearing (B) Possible Recommendation for City Council's Consideration on January 16, 2020

[2784 American Saddler Drive Plat Amendment Staff Report](#)

[Exhibit A: Fairway Subdivision Lot 11 Amended Plat](#)

[Exhibit B: Neighborhood Consent to Combine Lots 11 and 12](#)

[Exhibit C: Fairway Meadows Subdivision Plat](#)

- 5.D. 1274 Park Avenue -- Plat Amendment -- The Applicant Proposes Amending the Alpine Retreat Plat to Add a Single Car Garage, Accessed from Sullivan Road, with an Upper Level Studio for the Significant Historic Single Family Dwelling Located at 1274 Park Avenue. PL-19-04386
(A) Public Hearing (B) Possible Recommendation for City Council's Consideration on January 16, 2020
[Alpine Retreat @ Park City Condominium Plat Amendment Staff Report](#)
[Exhibit A: Alpine Retreat @ Park City Condominium Plat](#)
[Exhibit B: Proposed Alpine Retreat @ Park City Unit 1, Amended Condominium Plat](#)
[Exhibit C: Facade Easement](#)
[Exhibit D: Alpine Retreat HOA Approval](#)
- 5.E. 7058 Silver Lake Drive -- Plat Amendment -- The Applicant Proposes Amending the Area of Disturbance for Lot 1 of the Evergreen Subdivision in the Residential Development Zoning District. PL-19-004378
(A) Public Hearing (B) Possible Recommendation for City Council's Consideration on January 16, 2020
[Evergreen -- Lot 1 Amended Plat Staff Report](#)
[Exhibit A: Evergreen Subdivision Plat](#)
[Exhibit B: Ordinance No. 94-42](#)
[Exhibit C: Ordinance No. 95-17](#)
[Exhibit D: Ordinance No. 02-06](#)
[Exhibit E: Evergreen - Lot 1 Amended Plat](#)
[Exhibit F: Evergreen Subdivision 1995 Plat Amendment](#)
[Exhibit G: Evergreen Architectural Committee Approval Letter](#)
- 5.F. 802 Empire Ave – Subdivision– The Applicant is Requesting to Combine Multiple Parcels into a New Two (2) Lot Subdivision. PL-18-03949.
(A) Public Hearing (B) Possible Recommendation to the City Council on January 30, 2020
[Empire Staff Report](#)
[Exhibit A: Planning Director Determination Letter](#)
[Exhibit B: Record of Survey and Topographic Map](#)
[Exhibit C: Driveway Exhibit](#)
- 5.G. 802 Empire Ave –Conditional Use Permit – The Applicant is Requesting to Construct a Shared Driveway Over the Platted Unbuilt City Right-of-Way. PL-19-04113.
(A) Public Hearing (B) Possible Action
[Empire Ave Staff Report](#)

[Exhibit A: Proposed Driveway Exhibit](#)

- 5.H. 322 Park Avenue – Plat Amendment – The Applicant is Requesting to Combine Two (2) Lots into One (1) Larger Lot. PL-19-04345
(A) Public Hearing (B) Possible Recommendation to the City Council on January 30, 2020
[Park Ave Staff Report](#)
[Exhibit A: Applicant's Project Description](#)
[Exhibit B: Record of Survey and Topo Map](#)

6.ADJOURN

A majority of PLANNING COMMISSION members may meet socially after the meeting. If so, the location will be announced by the PLANNING COMMISSION 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 Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org

***Parking validations will be provided for meeting attendees that park in the China Bridge parking structure.**

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
DECEMBER 11, 2019

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, Sarah Hall, John Kenworthy, Mark Sletten, Doug Thimm, Christin Van Dine

EX OFFICIO: Planning Director Bruce Erickson; Hannah Tyler, Planner; Alexandra Ananth, Planner; Caitlyn Barhorst, Planner; Rebecca Ward, Planner; Mark Harrington, City Attorney

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ROLL CALL

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

APPROVAL OF MINUTES

November 13, 2019

Commissioner Thimm referred to page 40, second paragraph, the sentence, "Commissioner Thimm complimented the applicant on a great job, and she was glad the business would continue". In addition to the gender error, he thought it was Commissioner Suesser and not himself who made that comment.

Commissioner Kenworthy referred to page 27 and corrected the sentence, "Commissioner Kenworthy withdrew is motion" to correctly read "...withdrew **his** motion".

MOTION: Commissioner Hall moved to APPROVE the Minutes of November 13, 2019 as amended. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planner Caitlyn Barhorst reported that the Planning Department had updated the notice signs for all the planning applications. The signs can be reused and they are more noticeable than the previous signs.

Chair Phillips noted that in the past he was one who had complained about the signs. He saw the new signs in the Planning Department last week and they are much better than the paper signs. They look more professional and are more noticeable and durable.

Director Erickson reported that the contractor had started work on repairing the roof of the Judge Mining and Smelting Building under the auspices and funding of the Empire Pass Master Owners Association. The stabilization work is being done while the other details are being worked out.

Commissioner Thimm asked about the value of the contractor. Director Erickson replied that it is an EPMOA contract and he was unaware of the value.

Commissioner Sletten disclosed that he has a good friendship with the applicant for 7697 Village Way; however, it will not impact his decision this evening.

Commissioner Kenworthy disclosed that he has had several discussions with several groups inquiring about his desire to be an owner or landlord on the medical marijuana cannabis applications. He chose not to be involved in any way now or in the future on any applications with the State. Commissioner Kenworthy felt comfortable not recusing from the related item on the agenda this evening.

Commissioner Thimm disclosed that he would be recusing himself from the National Abilities Center item because his firm is the architect of record for that project.

Chair Phillips recalled that in a previous meeting the Planning Commission discussed a potential site visit up the Mine Road over Guardsman. Director Erickson stated that at a later meeting it was determined that the Commissioners would visit Twisted Branch Road individually with the Planner. Commissioner Kenworthy had taken advantage of that opportunity. The Commissioners should contact Planner Ananth to schedule a time.

Commissioner Hall asked if the Planning Commission would hold both regular meetings in January. Director Erickson replied that two meetings were scheduled at this point.

CONTINUATIONS – (Public Hearing and Continue to date specified)

- 5.A. 802 Empire Ave – Subdivision– The Applicant is Requesting to Combine Multiple Parcels into a New Two (2) Lot Subdivision. (Application PL-18-03944)

The Planning Department requested that this item be continued to January 8, 2020.

Commissioner Phillips opened the public hearing. There were no comments. Chair Phillips closed the public hearing.

MOTION: Commissioner Van Dine moved to CONTINUE 802 Empire Avenue Subdivision to January 8, 2020. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

- 5.B. 802 Empire Ave –Conditional Use Permit – The Applicant is Requesting to Construct a Shared Driveway Over the Platted Unbuilt City Right-of-Way. (Application PL-19-04113)

Chair Phillips opened the public hearing.

John Demkowitz, owner of the property adjacent to 802 Empire Avenue, asked if he should have a received notification that this item was on the agenda.

Planner Alexandra Ananth stated that the decision to continue was made prior to sending out the notices. The property owners will be noticed for the January 8th meeting.

Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to CONTINUE the 802 Empire Avenue CUP to January 8, 2020. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

- 5.C. 322 Park Avenue - Plat Amendment - The Applicant is Requesting to Combine Two (2) Lots, Lots 27 and 28 Block 11, into One (1) Larger Lot. (Application PL-19-04345)

Commissioner Sletten stated that he would be recusing himself from this item.

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

MOTION: Commissioner Thimm moved to CONTINUE the 322 Park Avenue Plat Amendment to January 8, 2020. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously. Commissioner Sletten was recused.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

8.A. 1000 Ability Way – Development Agreement – The Commission will consider ratifying the Development Agreement for the National Ability Center Master Planned Development. (Application PL-16-03096)

Commissioner Thimm recused himself and left the room.

Planner Rebecca Ward stated that this item was a continuation from the November 13th meeting for the National Ability Center Development Agreement to memorialize the Master Planned Development the Planning Commission approved in March 2019.

Planner Ward noted that the Development Agreement memorializes two phases of construction for the National Ability Center. Phase 1 is underway with the equestrian center, program services building addition. There is also a new community and programs building, recreation center, and camping area with parking.

Planner Ward stated that a second lodge will be constructed in Phase II, which is scheduled to begin in 2024.

Planner Ward reported that the MPD Conditions of Approval require two agreements that NAC and the City enter into the before the Development Agreement is recorded. One is a water agreement that transfers water rights to the City and that has been completed. A draft agreement that is attached as an exhibit to the Development Agreement will be executed and recorded.

Planner Ward explained that the Housing Authority approved the plan that the Planning Commission forwarded with a positive recommendation on November 13, 2019. They unanimously approved the two exceptions that the National Ability was requesting in the Housing Mitigation Plan. The final plan was also attached as an exhibit to the Development Agreement.

The Staff found that the Development Agreement meets all requirements of the Code. It was reviewed and approved by the City Attorney's Office. The Staff requested that the Planning Commission ratify the Development Agreement for the National Ability Center.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Sletten moved to RATIFY the Development Agreement for the National Ability Center Master Planned Development at 1000 Ability Way. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously. Commissioner Thimm was recused.

Commissioner Thimm returned to the meeting.

8.B. 675 Round Valley Drive -- Conditional Use Permit -- The Park City Fire District Proposes to Construct a 7,983-square-foot Fire Station on Lot 4 of the Park City Medical Campus in the Community Transition Zoning District. (Application PL-19-04357)

Planner Ward reported on an application from the Park City Fire District to locate a fire station on Lot 4 of the Park City Medical Campus. Lot 4 is directly across the street from the Summit County Health Building and the Peace House.

Planner Ward stated that on December 5, 2019, Intermountain Health Care submitted a letter approving the location of the fire station on Lot 4, as well as approving the plans under the design guidelines for the Campus.

Planner Ward remarked that the fire station is a one-story structure at approximately 8,000 square feet, which is smaller than the other buildings on the site. The fire station was proposed for a staff of four people. The proposal provides extra parking spaces. The Staff finds that the proposal conforms with the Land Management Codes.

Planner Ward stated that in the Community Transition Zone, because the Park City Medical Campus was granted the density bonus, there were a few additional requirements for this project. One of the requirements is that parking be screened from the road and the highways. She noted that the landscaping plan include berms to

screen the parking. Another additional requirement comes from the Annexation Agreement regarding fire prevention measures for the Campus. Planner Liz Jackson was working with the Fire Marshal, Eric Hales, on Fire-Wise Landscaping, and the proposed landscape plan aligns with the Fire-Wise Landscaping Code.

Planner Ward noted that a third requirement is an additional 300-foot setback from Highway 40 as part of the density bonus under the Community Transition Zone. The plans comply with the setback requirement.

Planner Ward stated that the Fire District was proposing this conditional use permit in order to complete the purchase of the property. The City currently owns Lot 4. The fire station will not be constructed for up to five years. For that reason, the Fire District requested that the Planning Commission add Finding of Fact #73 and Condition of Approval #30 so the plan approved this evening would not expire until January 1, 2025.

The Staff found that the proposed plan complies with the Community Transition Zone requirements, as well as the plats, the Annexation Agreement, and the Medical Campus Design Guidelines.

Chair Phillips understood that the fire station would not be built for several years; however, he wanted to know if the station was designed to accommodate potential future expansion.

Paul Hewitt, Chief Fire Marshal, stated that this fire station would fill out the Fire District and staff up to 4 firefighters. However, he anticipated starting with two firefighters. He did not expect growth beyond four firefighters and he did not think they would need a ladder truck.

Commissioner Hall noted that there was a maximum of four firefighters but five bedrooms. Mr. Hewitt replied that they typically overbuild slightly for additional space. Sometimes the firefighters have a ride along, which requires the need for an extra bedroom.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

Commissioner Kenworthy was comfortable adding Condition of Approval #30.

MOTION: Commissioner Sletten moved to APPROVE the Conditional Use Permit for 675 Round Valley Way, the Park City Fire District Building, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as contained in the Staff report and as amended to add Finding of Fact #73 and Condition of Approval #30. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 675 Round Valley Drive

1. Fire Station #39 is proposed to be constructed on Lot 4 of the Park City Medical Campus, a 157-acre Campus located in the northwest quadrant of Quinn's Junction (HWY 40 and SR 248).
2. On January 1, 2007, City Council passed Ordinance No. 06-84 and annexed the Park City Medical Campus into City limits.
3. On January 1, 2007, the City, the Burbs, LLC, IHC Health Services, Inc., and the United States Ski and Snowboard Association entered into an Annexation Agreement, which established the Community Transition Zoning District within a Master Planned Development for the site (Summit County Recorder Entry 802747).
4. On January 1, 2007, City Council approved the IHC/USSA/Burbidge Annexation plat (Summit County Recorder Entry No. 802746), which established the Community Transition Zoning District within a Master Planned Development for the Campus.
5. On January 11, 2007, City Council approved the Subdivision Plat for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility (Summit County Recorder Entry No. 802749), which created five lots of record.
6. On May 23, 2007, the Planning Commission approved the Intermountain Healthcare Master Planned Development, which established uses and density for the Campus.
7. On July 31, 2008, City Council approved the Subdivision Plat (Second Amended) for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility (Summit County Recorder Entry No. 859976), which delineated eleven Lots of record for the Campus.
8. On October 8, 2014, the Planning Commission approved an amended Intermountain Healthcare Master Planned Development, to locate Peace House, a non-profit organization that assists victims of domestic violence, on Lot 8 and to identify Lot 4 for Public Municipal Use and Essential Services.
9. On July 11, 2016, City Council approved the Subdivision Plat (Third Amended) for the

Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility (Summit County Recorder Entry No. 1067219), which split Lot 8 to create a new Lot 12 in order for Peace House to be constructed on Lot 8.

10. On December 22, 2017, the City and IHC Health Services, Inc. entered into the Development Agreement for the Intermountain Healthcare (IHC) Master Planned Development (MPD), as amended, Located on Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of the Second and Third Amended Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Subdivision Plats Located at Round Valley Drive, Park City, Summit County, Utah to memorialize the approved Master Planned Development, as amended (Summit County Recorder Entry 1086017).

11. On November 29, 2018, City Council approved the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility – Fourth Amendment Amending Lot 4 (Summit County Recorder Entry No. 1107497), which split Lot 4 to create a new Lot 13 in order to separate Lot 4 for development of a fire station.

12. On October 9, 2019, the Planning Commission amended the Intermountain Healthcare Master Planned Development to approve a 20,000-square-foot ambulatory surgery center for Lot 6 and a 28,000-square-foot addition for support medical use on Lot 1.

13. The developer and City are in the process of updating and recording a Development

Agreement to reflect the October 9, 2019 approval in increased density.

14. Fire Station #39 is located at 675 Round Valley Drive.

15. Fire Station #39 is a one-story, 7,983-square foot structure that includes an apparatus bay; a fitness room; five bedrooms; three bathrooms; electrical, storage, shop, and turnout rooms; a decontamination room; a medical room; office space; laundry/storage; and a dining, kitchen, and group area.

16. The Park City Medical Campus is located in the Community Transition (CT) Zoning District within a Master Planned Development.

17. The purposes of the CT Zoning District include low-density public use relating to community health.

18. Essential services like a fire station are a Conditional Use in the CT Zoning District.

19. Fire Station #39 is accessed by Round Valley Drive, a public road.

20. There is no minimum Lot size in the CT Zoning District.

21. Fire Station #39 is proposed to be located on Lot 4 (Parcel Number IMPCMC-4-4AM-X), a 2.5-acre Lot within the Park City Medical Campus.

22. The base Density of the CT Zoning District is one (1) unit per twenty (20) acres.

23. The Commission may approve a Density bonus of up to three (3) units per acre if applicants meet applicable criteria outlined in LMC § 15-2.23-4.

24. On October 9, 2019 the Commission approved a Density bonus for the Park City Medical Campus of up to three (3) units per acre.

25. The Density bonus requirements that apply to Lot 4 of the Park City Medical Campus include a 300-foot Frontage Protection Zone from the closest edge of the highway Right-of-Way (HWY 40).
26. The Density bonus requirements that apply to Lot 4 of the Park City Medical Campus include a requirement that parking be screened.
27. On November 9, 2018, the Planning Commission approved the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility – Fourth Amendment Amending Lot 4 and determined in Finding of Fact 14 that Fire Station #39 Density would not count against the Park City Medical Campus Density.
28. The CT Zoning District requires 25-foot Front, Side, and Rear Setbacks. The Fire Station #39 Front and Side setbacks are 25 feet. The Rear Setback is 50 feet to meet requirements for wetlands protection.
29. Fire Station #39 must be set back at least 300 feet from HYW 40 to protect the City's eastern entry corridor, pursuant to the Density bonus granted to the Campus.
30. Two driveways connecting the Fire Station to Round Valley Drive and a sidewalk in the Front Setback are allowed pursuant to Front Setback exceptions outlined in LMC § 15-2.23-3(C).
31. The CT Zoning District has a 28-foot Building height maximum.
32. The highest point of the Fire Station is 27 feet above Existing Grade.
33. Exterior walls may be sided with up to three different materials per building; the Fire Station #39 design features two materials per wall.
34. The Applicant proposes to install photovoltaic panels on the roof.
35. Solar energy systems must be incorporated into the roof plan design or architectural features of the structure.
36. Solar energy systems must be mounted flush to the roof plane and shall use nonreflective finishes such as an anodized finish.
37. Fire Station #39 and the Parking Area lighting must comply with the Land Management Code.
38. The Annexation Agreement ¶ 5 acknowledges significant wildland interface issues on the Campus and required a fire protection and emergency access plan for the initial Campus development. Firewise landscaping is proposed for the fire station site.
39. Parking Areas with fewer than 50 spaces in the CT Zoning District must have an Interior Landscaped Area equivalent to 10% of the Parking Area.
40. Fire Station #39 contains 13,672 square feet of total Parking Area and driveways with 2,168 square feet of parking landscape, for a total of 15% parking landscape.
41. The property owner must provide adequate snow storage on-Site that is equivalent to fifteen percent (15%) of the total Hard-Surfaced Area.
42. The total Fire Station #39 parking and driveway area is 13,672 square feet. 2,510 square feet are provided for snow storage for a total of 18.3% snow storage.
43. No landscape obstruction is allowed in excess of two feet (2') in height above Street

Grade within the Sight Distance Triangle.

44. Fire Station #39 is designed to accommodate four employees per shift.

45. According to a Planning Director determination, the required Fire District parking is calculated as a Public Institution Use, requiring one space per 1,000 square feet of floor area for a total of 8 parking stalls.

46. Fire Station #39 will provide 10 total parking stalls, one of which will be an ADA parking stall.

47. Driveways requiring five or more parking spaces must be a minimum of 24 feet wide but cannot exceed 30 feet in width. The proposed Fire Station driveways are 26 feet wide at their narrowest and 28 feet wide at their broadest.

48. New construction must provide at least three (3) bicycle parking spaces or 10% of the required off-Street Parking Spaces, whichever is greater, for the temporary storage of bicycles. The Planning Director waived this parking requirement because of the required gear fire station staff is required to take to work each shift.

49. The Fire Station #39 generator is proposed to be located outside of the building and is screened from public view on Round Valley Drive by the western façade.

50. There is no Significant Vegetation on Lot 4.

51. The proposed Fire Station is located on Lot 4 of the Park City Medical Campus. Lot 4 is a 2.5-acre property and is similar in size to the surrounding properties on the Campus, including Summit County Health, which is located across Round Valley Drive on a 3.09-acre lot; Peace House, which is also across Round Valley Drive on a 3.63-acre lot; and Physician's Holdings, which is located across Round Valley Drive to the north of Lot 4 on a 3.4-acre lot.

52. The 7,983-square-foot Fire Station will be much smaller than the other buildings on the Campus. Summit County Health and Physician's Holdings are each approximately 25,000 square feet. Peace House is approximately 37,000 square feet.

53. The Fire Station is designed to accommodate four employees per shift and will not have a detrimental impact on traffic in the area. Emergency response vehicles will temporarily impede traffic for important public safety purposes. No mitigation is recommended.

54. According to the Park City Fire District, the fire station location in the Quinn's Junction area is an important site in order to reduce the volume of calls to Station #31 and Station #37, to lessen response times, and to enhance inter-facility transport because of the station's proximity to the Park City Hospital.

55. The Fire Station plans provide a pedestrian crosswalk across Round Valley Drive to the front entrance of the Fire Station. Two driveways that connect to the front and rear of the apparatus bay are proposed to maximize circulation of emergency response vehicles.

56. The Medical Campus was designed under the Quinn's Junction Joint Planning Principles, General Plan, Volume II, pages 264-265, which required that the Campus be designed to arrange development in a way that protects sensitive lands like wetlands

and slopes. Additionally, to obtain the Density bonus for the CT Zoning District, the Campus must maintain at least 80% Open Space. As a result, each structure on the Campus contains a significant Open Space buffer between lots.

57. The Fire Station was designed under the Park City Health Campus Design Guidelines. Staff reviewed the plans for consistency with Campus design principles. IHC also reviewed the design and plans. On December 5, 2019, IHC submitted a letter approving the proposed design and plans.

58. The Park City Medical Campus preserves 84.31% Open Space. Development of the fire station will slightly reduce this number to 82.95%. However, the total Campus Open Space will still exceed the 80% Open Space requirement for the approved Campus Density bonus.

59. Lot 4 is 108,913 square feet with 23,741 square feet of hardscape surfaces. Landscaping and preservation of existing vegetation totals 85,172 square feet, preserving 78% of Open Space on site.

60. Fire Station #39 signs must comply with the Park City Sign Code, Title 12.

61. The plans as submitted do not indicate issues of vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site.

62. Emergency response vehicles are exempt from the City Noise Ordinance under Park City Code § 6-3-10.

63. Deliveries to the Fire Station are planned to be delivered to the rear service entrance (the north-facing façade). The proposed Fire Station trash and recycling bins are located outside of the building on the northwest corner and are screened from Round Valley Drive by the extended western façade.

64. Park City Municipal Corporation currently owns Lot 4 and intends to sell the property to the Park City Fire District, contingent upon the Commission's approval of this Conditional Use Permit.

65. Setbacks from wetlands shall extend a minimum of fifty feet (50') outward from the delineated wetland Ordinary High Water Mark.

66. The Fourth Amended plat indicates the 50-foot setback required due to wetlands in the area.

67. The fire station design adheres to the 50-foot wetland setback.

68. There are no known physical mine hazards or historic mine waste on the site and the Campus is not located within the City's Soil Ordinance.

69. Goal 1: Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods. Objective 1A: Direct complimentary land use and development into existing neighborhoods that have available infrastructure and resource capacity.

70. The proposed Fire Station is collocated with important community services on the Park City Medical Campus, including the Park City Hospital, Peace House, and Summit County Health.

71. Goal 6: Climate Adaptation – Park City will implement climate adaptation strategies to enhance the City’s resilience to the future impacts of climate change. Objective 6A: Prepare for probable scenarios that could threaten health, welfare, and safety of residents. Implement climate adaptation strategies to become more resilient to wildfire.

72. Location of a fire station on the Medical Campus serves an important community need.

73. The Fire Station #39 Conditional Use Permit is obtained to secure Fire District ownership of Lot 4. Fire Station #39 will not be constructed for several years, potentially for as many as five years.

Conclusions of Law – 675 Round Valley Drive

1. The Application complies with all requirements of the Land Management Code;
2. The Use will be Compatible with surrounding Structures in Use, scale, mass, and circulation;
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval – 675 Round Valley Drive

1. All IHC Master Planned Development standards and conditions of approval apply to this Conditional Use Permit.
2. Fire Station #39 is subject to the Annexation Agreement the City, the Burbs, LLC, IHC Health Services, Inc., and the United States Ski and Snowboard Association entered into on January 1, 2007 (Summit County Recorder Entry 802747).
3. Fire Station #39 is subject to the Development Agreement for the Intermountain Healthcare (IHC) Master Planned Development (MPD), as amended, Located on Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of the Second and Third Amended Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility Subdivision Plats Located at Round Valley Drive, Park City, Summit County, Utah, as amended, entered into by the City and IHC Health Services, Inc. on December 22, 2017 to memorialize the approved Master Planned Development, as amended, on the Campus through 2017 (Summit County Recorder Entry 1086017).
4. Fire Station #39 is subject to the Master Planned Development approved by the Commission on May 23, 2007, as amended by the Commission on October 8, 2014, January 13, 2016, and October 9, 2019.
5. Fire Station #39 is subject to the IHC/USSA/Burbidge Annexation plat (Summit County Recorder Entry No. 802746); Subdivision Plat for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility (Summit County

Recorder Entry No. 802749); the Subdivision Plat (Second Amended) for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility (Summit County Recorder Entry No. 859976); Subdivision Plat (Third Amended) for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility (Summit County Recorder Entry No. 1067219); and the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility – Fourth Amendment Amending Lot 4 (Summit County Recorder Entry No. 1107497).

6. Fire Station #39 must maintain a 300-foot setback from HWY 40 and SR 248 pursuant to the CT Zoning District bonus Density requirements.

7. Fire Station #39 parking must be screened from entry corridor Areas with landscaping berms.

8. The solar energy system must be incorporated into the roof plan design or architectural features of the structure and consist of non-reflective panels and mounting equipment such as an anodized finish.

9. All exterior lights must conform to the City lighting ordinance. Parking Area lighting shall be on a timing system to allow for minimal lighting when the facility is not open. The timing system and building security lighting shall be approved by staff prior to issuance of a certificate of occupancy.

10. The Annexation Agreement ¶ 5 acknowledges significant wildland interface issues on the Campus and required a fire protection and emergency access plan for the initial Campus development. The Applicant shall landscape the site with firewise landscaping as shown on the plans approved by the Commission.

11. No landscape obstruction is allowed in excess of two feet (2') in height above Street Grade within the Sight Distance Triangle.

12. All exterior mechanical equipment must be Screened from public view.

13. The refuse storage facilities must be on-Site and accessible from a Public Street. Refuse storage must be Screened, enclosed, and properly ventilated. The loading and unloading of goods must take place entirely on the Site. Loading areas must be Screened from general public view.

14. All utilities, lines or facilities, public or otherwise, constructed or installed on Lot 4 for the benefit of the lots within the subdivision shall be underground, nonexclusive and, except as and to the extent otherwise evidenced by the grant of an easement therefore, within the public utilities easements shown on the second amended plat.

15. At no time may any permanent structure or other obstruction, which unreasonably interferes with the maintenance, repair or replacement of any such utilities, lines or facilities, be located within the public utility easement without the prior written approval of the service provider affected thereby.

16. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the areas provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping elements.
17. Final utility, storm water, and grading plans must be approved by the City Engineer and SBWRD prior to Building Permit issuance.
18. Any wetlands delineation older than five (5) years shall be updated and submitted to the City prior to building permit issuance for development on the lots. All required Corps of Engineer approvals and permits shall be submitted prior to issuance of a building permit on the lots.
19. All development, such as buildings and parking areas, proposed on these lots shall comply with LMC required wetlands protection buffer areas in effect at the time of the building permit application.
20. The lot is over 1.0 acre and will be required to meet the requirements of the Separate Storm Sewer System (MS4) Storm-Water Program.
21. Lot 4 may require a privately owned and operated wastewater ejector pump for wastewater service.
22. Fire Station #39 signs must comply with the Park City Sign Code, Title 12 and the Park City Medical Campus Master Sign Plan, MSP-16-00045.
23. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site must be mitigated.
24. Setbacks from wetlands shall extend a minimum of fifty feet (50') outward from the delineated wetland Ordinary High Water Mark.
25. Exterior building materials and colors and final design details must be in substantial compliance with the elevations, color and material detail exhibits reviewed by the Planning Commission on December 11, 2019.
26. The final building plans, parking lot details and landscaping, and construction details for the project shall meet substantial compliance with the drawings reviewed by the Planning Commission on December 11, 2019.
27. Utility and grading plans must be approved by the City Engineer prior to Building Permit issuance.
28. A Construction Mitigation Plan must be approved by staff as a condition precedent to issuance of a Building Permit.
29. A storm water run-off and drainage plan must be submitted with building plans and approved prior to issuance of a Building Permit. The plan shall follow Park City's Storm Water Management Plan and the project shall implement storm water Best Management Practices.
30. This Conditional Use Permit shall expire on January 1, 2025 if the applicant has not yet obtained a building permit for Fire Station #39.

8.C. 729, 741, 751, 755 Rossie Hill Drive – Subdivision – Lilac Hill East Subdivision Proposes a Major Subdivision of One (1) Lot Containing Three (3) Historic Structures into five (5) Lots of Record. Lot 1 Contains 5,253 Square Feet, Lot 2 Contains 7,327 Square Feet, and Lot 5 Contains 6,176 Square Feet. (Application PL-19-04332)

Planner Caitlyn Barhorst reviewed a map and identified the location of the proposed Lilac Hill East Subdivision. She noted that the Planning Commission recently approved the Condominium Plat directly adjacent on the Lilac Hill Subdivision. She clarified that they were two separate projects.

Planner Barhorst stated that the three existing historic houses are referenced as 622, 652, and 660 Rossie Hill Drive on the Park City Historic Sites Inventory; however, these are not actual addresses because the historic houses do not have addresses. Planner Barhorst clarified that the proposed addresses are 755, 729, 741 respectively; as two of the historic addresses are actual street address numbers of condo across the street.

Planner Caitlyn presented photos with the historic addresses, the survey showing the approximate location of the existing houses, and a historic map to show context of Rossie Hill. She also presented concept massings provided by the GIS Department showing the existing houses with the proposed road.

The Staff found good cause for this subdivision plat. Some type of subdivision is required to create these lots; otherwise no rehabilitation can occur without the subdivision plat.

The Staff recommended that the Planning Commission review the proposed Subdivision and conduct a public hearing, waive the preliminary plat requirement, and forward a positive recommendation to the City Council on January 9, 2020.

Planner Barhorst stated that one requirement is to have the Snyderville Water Reclamation District approval in place. The extension agreement crosses over City owned property which requires City Council approval. The Staff was working on obtaining those approvals. It was unrelated to the subdivision action this evening.

Planner Barhorst stated that a major proposed condition of approval requires a 10' setback from the proposed driveway easement. It will not affect the buildable lot square footage. It was simply to allow for more open space and separation between the structures.

Planner Barhorst reported on public comment that was received. There were twelve letters in a packet and some public comment was included in the Staff report. The neighbors were requesting added conditions of approval.

Chair Phillips referred to the aerial view showing the shared driveway. Planner Barhorst stated that in the original proposal the driveway width was 25'. This item was continued and in that time the Staff and the applicant worked on minimizing the driveway width to the minimum required 20' to reduce the amount of paving. The Staff and applicant also worked through other site design iterations showing the differences of driveway access. Planner Barhorst noted that the iterations show there is no other way to access this site without creating more pavement, driveway cuts, or grade change. She remarked that access off of lower Rossie Hill was the best solution. Commissioner Sletten thought it was a better solution because of traffic on the sharp curve.

Chair Phillips opened the public hearing.

Robert Gurss stated that he and his wife are full-time residents at 654 Rossie Hill Drive. He is also a volunteer and member of the Park City Museum and has an interest in preserving Park City's unique mining history. Mr. Gurss stated that along with many of his neighbors, they have urging for the City to adopt rules that will lead to the preservation of the historic mining era homes on Rossie Hill Drive, while retaining the historic context and open space surrounding those homes. Mr. Gurss stated that the prior rezoning of this land to HR-L was an important step in that regard.

As addressed in the comments in the Staff report, the neighbors believe this proposed subdivision is a good step forward. It will consist of only five lots; three containing the original mining homes with additions and only two additional lots with single-family homes. Mr. Gurss believed that limiting the subdivision in that way is critical because it will help preserve the setting for the historic homes by minimizing density on the properties. It will also limit the number of additional vehicles using the Rossie Hill/Deer Valley Drive intersection. Along with others in the neighborhood, it has been suggested that the ordinance be amended to ensure no further subdivisions in the future.

Mr. Gurss noted that the proposed subdivision includes the single driveway on the lower portion of Rossie Hill Drive to serve all five lots. This will help in keeping with historic preservation. It will also reduce the traffic on the hairpin turn on Rossie Hill Drive. Also, to the extent appropriate, if the ordinance can be amended to make absolutely clear that the subdivision is contingent upon there being a single driveway with only lower Rossie Hill entrance, that would be very helpful.

Mr. Gurss pointed out that all the lots are already subject to HRL and the Historic District Design Review. This will limit the two additional lots to single family homes, limit the size and height of those homes and the additions to the historic homes, and ensure that all designs are compatible with the original mining era homes. Mr. Gurss remarked that height limits are especially important to prevent new construction from overwhelming these very small historic homes.

Diane Bernhardt stated that this area and this property has been before the Planning Commission since 2016. She noted that a rezone was originally requested for the BLM parcels because they wanted to get ahead of the development of those parcels as a City and a community to figure out the vision. Ms. Bernhardt remarked that much of the BLM land has been rezoned from its existing zone to an open space zone. This specific area was rezoned to HRL. Ms. Bernhardt appreciated that the applicant and the City took a lot of time and effort to create a design that would please the neighborhood. In the last effort in 2017 the neighbors urged the City not to add driveway cuts on the upper part of Rossie Hill because of the steep pitch, its blindness during the winter, and the icy road. She believed this design was ideal to address their concerns.

Ms. Bernhardt stated that many of the neighbors would like to add a condition of approval that specifies exactly where the entrance to all the lots would be located. If possible, they would like to see just the five lots. Therefore, they were also requesting a condition that would prevent further subdivision.

Allison Kitching, a resident at the Portico Condominiums at 678 Deer Valley Loop. She lives close to these properties and was pleasantly surprised with the proposal presented this evening. Ms. Kitching believed it was a good outcome for the neighborhood. She reiterated the requests from the previous speakers to keep the one access point on the lower side of the road; and to limit the subdivision to the currently proposed five structures.

Beth Fratkin wanted to know what would happen if they try to preserve the historic houses and a whole wall falls down. She asked if facades would go up. Ms. Fratkin was curious because she lives in one of the historic houses.

Ms. Fratkin questioned whether anything could be preserved because the structures are not sound.

Chair Phillips replied that there are guidelines and a strict process for preservation. There is a good chance that the structures will be panelized and rebuilt to some degree.

He believed that was the best process because otherwise the structures would fall down and be lost forever.

Chair Phillips closed the public hearing.

Planner Barhorst was willing to add the proposed plat notes that the subdivision cannot be further subdivided; and to clarify that the driveway easement is the access for all five lots. Commissioner Sletten noted that the neighbors wanted to specify that access would be on the lower entry access point. Planner Barhorst clarified that the current driveway easement on lower Rossie Hill is the one access point for all five lots. She would add a plat note to that effect.

Commissioner Thimm noted that the subdivision map shows the driveway. He asked if the condition of approval could simply say that the driveway is to match the subdivision map. Chair Phillips thought they could leave it and just assure the public that the project needs to be built to that easement as shown on the map. He believed that would accomplish what the neighbors were requesting. Chair Phillips pointed out that if anything changes, it would need to come back to the Planning Commission.

Chair Phillips stated that he has been on the Planning Commission throughout the entire process and knows that the community has stayed very engaged. He believed this was a good solution that came about in part because of public comment and community involvement over the years.

Planner Barhorst stated that in terms of a plat note regarding no further subdivision, if further subdivision was proposed it would be required to come back to the Planning Commission.

Commissioner Kenworthy informed Ms. Fratkin that there is a Historic Preservation Board that will review the historic structures as they do with all Landmark Structures. He explained that these three structures are designated Landmark and all three will go through the same process as every Landmark building in Old Town.

Chair Phillips stated that as much as they see this throughout town, these three historic structures are more visible and very unique in how they sit on the land. He remarked that not having individual driveways might hopefully limit the amount of alterations to these homes. Planner Barhorst agreed since the additions would only be allowed on the rear. The front character would be maintained.

Chair Phillips asked if they were changing the conditions of approval or whether they would rely on the plat to address the suggestions by the public. Planner Barhorst replied that the conditions of approval could remain as written in the Staff report.

City Attorney Harrington thought the Planning Commission should clarify whether they wanted to add the no further subdivision. The majority of Commissioners preferred to include that as a condition of approval.

Commissioner Hall proposed to add Conditions #10 and #11 to expressly prohibit further subdivision and to address the single access entry point.

MOTION: Commissioner Hall moved to WAIVE the preliminary plat requirement for the Lilac Hill East Subdivision pursuant to LMC 15-7.1-3; and to forward a POSITIVE recommendation to the City Council for the final subdivision plat on January 9, 2020 based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance, and as amended to add Conditions #10 and #11. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Lilac Hill East Subdivision

1. The property is located at All of Government Lots 29 & 30, Section 15 of Township 2 South, Range 4 East, Salt Lake Base and Meridian. It was formerly known as the 15th house on the rear south side in Deer Valley, Park City previously addressed under PC-546; and also, as the 13th and 14th houses south side in Deer Valley, Park City previously addressed under PC-547.
2. The site is within the Historic Residential- Low Density (HRL) Zoning District.
3. The proposed Subdivision Plat creates five (5) Subdivision Lots out of two existing Government lots.
4. The application for the Lilac Hill East Subdivision was deemed completed on September 23, 2019.
5. The three (3) existing houses on the site are all designated as Landmark on the Park City Historic Sites Inventory (HSI).
6. All three (3) Historic Structures were likely constructed in the 1890s, and prior to 1907.
7. The properties were initially constructed on mining claims, and the land came to be held by the Bureau of Land Management (BLM).
8. In November 2018, the BLM granted a land patent to Richard Dennis, Pamela Ann Fisher, and Paula Marie Bond for the property.
9. The land was rezoned from RM to HRL through Ordinance 2017-05.

10. There are no known previous applications found for the property as the houses do not have street address numbers.
11. The Historic Sites referenced as 652 and 660 Rossie Hill Drive on the City's Historic Sites Inventory are the addresses of two condominiums to the southeast of this site. 652 Rossie Hill Drive is the street address number of Unit 2 of the Tahoma Condominiums (TAHOMA-2); and 660 Rossie Hill Drive is the street address number of Unit 1 Building 1 of the Quicksilver Condominium (QS-1).
12. At the November 13, 2019 Planning Commission meeting, the item was continued to December 11, 2019.
13. The proposed Subdivision Plat creates five (5) Lots of record from the existing legal description containing 0.79 acres. The proposal is as follows:
 - a. Lot 1: Proposed address of 741 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 660 Rossie Hill Drive and containing 5,253 sq ft.
 - b. Lot 2: Proposed address of 729 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 652 Rossie Hill Drive and containing 6,566 sq. ft.
 - c. Lot 3: Proposed address of 755 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 622 Rossie Hill Drive and containing 7,327 sq. ft.
 - d. Lot 4: Proposed address of 751 Rossie Hill Drive. Contains 7,437 sq. ft,
 - e. Lot 5: Proposed address of 747 Rossie Hill Drive. Contains 6,176 sq. ft.
14. A portion of Rossie Hill Drive cuts across the northeast corner of the site (1,146 sq. ft) as well as across the south portion of the site (275 sq. ft). Both portions of Rossie Hill Drive will be dedicated to the City with this Subdivision Plat, and the street dedication shall be noted on the recorded plat,
15. The wood slat fence, wood path, planter box, and shed encroach into the neighboring property PC-750-1-X that is owned by the City. The applicant shall either remove the encroachments or enter into an encroachment agreement prior to recordation of this Subdivision Plat.
16. The minimum Setbacks for Lot 1 are:
 - a. Side: 5ft for a total of 18ft
 - b. Front/ Rear: 15ft for a total of 30ft
17. The minimum Setbacks for Lot 2 are:
 - a. Side: 5ft for a total of 14ft
 - b. Front/ Rear: 15ft for a total of 30ft
18. The minimum Setbacks for Lot 3 are:
 - a. Side: 10ft for a total of 24ft
 - b. Front/ Rear: 12ft for a total of 25ft
19. The minimum Setbacks for Lot 4 are:
 - a. Side: 10ft for a total of 24ft

- b. Front/ Rear: 12ft for a total of 25ft
- 20. The minimum Setbacks for Lot 5 are:
 - a. Side: 10ft for a total of 24ft
 - b. Front/ Rear: 10ft for a total of 20ft
- 21. The Maximum Building Footprint for each Lot are:
 - a. Lot 1: 1955,16 square feet
 - b. Lot 2: 2270.04 square feet
 - c. Lot 3: 2427.1 square feet
 - d. Lot 4: 2448.36 square feet
 - e. Lot 4: 2182.52 square feet
- 22. Single-family dwellings are an allowed use in the HRL District. The minimum Lot Area is 3,750 square feet. The proposed Lots meet the minimum Lot Area. The minimum width of a Lot is thirty-five (35'), measured fifteen feet back from the Front Lot Line. The proposed Lots meet the minimum Lot width.
- 23. The proposed shared driveway with utilities is required to be a minimum of twenty feet (20') wide. The access road grades are proposed to be less than fourteen percent (14%).
- 24. Current standards would prohibit any roads over ten percent (10%) from being converted to public Rights of-Way. Neither Planning nor Engineering staff would recommend accepting any part of the private drive as a public Right-of-Way in the future.
- 25. Staff finds in order to mitigate the impacts of the paved twenty (20) foot wide driveway, a setback of ten feet (10') from the Driveway Easement should be required, per Condition of Approval #5. The applicant has agreed to this Condition of Approval.
- 26. The City Engineer will require the applicant to grant one (1) – ten-foot (10') snow storage easements along the south property line along Rossie Hill.
- 27. The Site is not located within the Sensitive Lands Overlay District.
- 28. The Site is not located within the Soils Ordinance Boundary.
- 29. All development shall comply with the applicable LMC Requirements.
- 30. A Subdivision Plat is necessary in order for the three (3) Historic Sites to be developed.
- 31. On October 30, 2019, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on October 26, 2016, according to requirements of the Land Management Code. At the November 13, 2019 Planning Commission meeting, this item was continued to December 11, 2019.
- 32. All findings within the Analysis section and the recitals above are incorporated herein as Findings of Fact.

Conclusions of Law – Lilac Hill East Subdivision

1. There is good cause for this Subdivision.
2. The Subdivision is consistent with the Park City Land Management Code and applicable State law regarding lot subdivisions.
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 – Lilac Hill East Subdivision

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. The applicant shall dedicate the portions of the property that consist of Rossie Hill Drive to the City as part of this Subdivision Plat.
4. A ten foot (10') wide public snow storage easement will be required along the south side of Rossie Hill Drive.
5. All Lots shall have a ten (10') foot setback from the Driveway Easement.
6. The wood slat fence, wood path, planter box, and shed encroach into the neighboring property PC-750-1-X that is owned by the City. The applicant shall either remove the encroachments or enter into an encroachment agreement prior to recordation of this Subdivision Plat.
7. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
8. 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.
9. Drives (private road I Fire Department access road) shall provide twenty feet (20') wide of clear space to meet Fire Code. If parking impacts this twenty feet (20') wide clear space, it will not be allowed and shall be signed "No Parking". Roads less than twenty-six feet (26') wide shall be marked "No Parking" on both sides of the road. Fire District access shall be noted and identified on the recorded plat.
10. This property shall not be further subdivided.

11. The Driveway Easement from lower Rossie Hill Drive shall be the single vehicular access for all five (5) Lots.

8.D. Portions of Parcel 17 and 18 – Zoning Map Amendment – Request for a zone change for Eight (8) Tracts of Bureau of Land Management (BLM) Owned Land in the Rossie Hill, Mellow Mountain Road and Marsac 100 Area to Recreation Open Space (ROS) In Order to Preserve the Undeveloped Lots as Open Space. (Application PL-19-04356)

Planner Alexandra Ananth reviewed the proposal to rezone eight tracts of land consisting of BLM Parcels 17, Tract 1 through 4; and Parcel 18, Tract 1, 2, 6, and 7. This item was a zoning map amendment.

Planner Ananth reported that the parcels are owned by the Bureau of Land Management, and they are all former mining claims. None of these parcels contain any buildings or structures. The existing zoning varies on the various parcels and include Residential development, Estate, Historic Residential Low Density, and Residential Development Medium Density. The City was proposing to rezone all of these tracts to open space.

Planner Ananth stated that while the Staff was doing their analysis, they decided to remove parcel 17, Tract 3 from this rezone request. Tract 3 is a long sliver that crosses multiple zoning designations; including what appears to be private property. For that reason, the Staff chose not to rezone those sites to ROS at this time. It will be considered at a future date.

Planner Ananth reviewed the proposed zoning map showing the parcels in question. The area in green and outlined in yellow would be rezoned to ROS. She noted that the table included in the Staff report talks about the development potential on these lots. Parcel 17, Tract 1 has enough lot area to develop one residential unit; however, there are no roads to access that lot. Parcel 17, Tract 2 and Tract 4 are too small for any residential units. Parcel 18, Tract 1 could contain two units. Tract 2 has number of options; two units, a duplex, a triplex, or a multi-unit dwelling by a CUP. Tract 6 and 7 are also too small to be developed with residential units.

Director Erickson clarified that the development potential would be under the current zoning; not under the proposed ROS. With ROS the development potential is taken away from those properties. Planner Ananth agreed. The ROS zoning district only allows for conservation activity.

Staff found good cause for the zoning map amendment. It will preserve existing open space open space that serves as trails, wildlife, and view corridors. It will not cause undue harm to adjacent property owners. It will preserve the character of the existing neighborhood and further the health, safety, and welfare of the Park City community.

Planner Ananth noted that a number of public comment emails were included in the Staff report. One email came in after the Staff report was prepared and that email was provided to the Commissioners this evening. All the public comments were in favor of the proposed rezone.

The Staff recommended that the Planning Commission review the zoning map amendment, conduct a public hearing, and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance.

Chair Phillips opened the public hearing.

Kristen Gentile, a resident at 555 Deer Valley Drive, conveyed her support for open space of these two tracts of land. As someone who lives on Deer Valley Drive, she uses this sliver of land to access trails. Ms. Gentile requested that the Planning Commission approve this request for open space.

Diane Bernhardt pointed out that besides the emails, a petition was also included in the Staff report. She estimated that at least 60 signatures were collected in support of this zoning map amendment. Ms. Bernhardt commented on Tract 2 and stated that at the time the original Lilac Hill Subdivision was created, the developer, who was also the developer of Lilac Hill East, committed to a \$75,000 bond, which would sunset in three years, to put in stairs to help keep pedestrians off the hairpin turn. Ms. Bernhardt believed there was approximately one year left on the bond. She thought it would be nice if they could work with the developer in the new area to convince him as a community to potentially renew the \$75,000 bond, since it will benefit the developer and the community.

Allison Kitching, a resident at 670 Deer Valley Loop Drive, supported Parcels 17 and 18 becoming permanent open space. The developer was nice enough to offer to create stairs on Parcel 18, Tract 2 and she would like to take him up on that offer for the community. She lives right there and watches people walk up and down in the winter and falling up and down the hill. It would be wonderful to have stairs so everyone could go around the hairpin turn. It is dangerous and prohibits being a more walkable town. Ms. Kitching requested that the City encourage the applicant to put in the stairway before the bond expires.

Chair Phillips closed the public hearing.

Commissioner Hall asked City Attorney Harrington for his thoughts on the stairway. Mr. Harrington had no thoughts regarding this action because it is a legislative recommendation. However, Heinrich Deter had provided an update to the City Manager and they will keep track of it within the year and come back to the Planning Commission if necessary.

Commissioner Kenworthy asked if the ROS zone allows for aerial transportation if there is a need in the future. He specifically referred to Parcel 17, Tract 4. Director Erickson replied that the general answer is yes because a lot of the ski area operations are in ROS zones.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the BLM Land; Portions of Parcel 17 and 18, seven tracts, specifically excluding Tract 3, based on the Findings of Fact and Conclusions of Law as found in the draft ordinance. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Zoning Map Amendment

1. The properties are identified as BLM Parcel 17 Tracts 1-4 and BLM Parcel 18 Tracts 1, 2, 6 and 7.
2. The properties are currently zoned Residential Development (RD), Estate (E), Residential Development-Medium Density (RM) and Historic Residential-Low Density (HRL).
3. These tracts of land are former mining claims and contain no buildings and have historically been used for recreation and passive open space (conservation) purposes including serving as wildlife habitat.
4. These tracts of land are located off of Mellow Mountain Road, Rossie Hill Drive/Deer Valley Loop, and Marsac Avenue.
5. The City is proposing to rezone the land to Recreation Open Space (ROS) in order to maintain these sites as Recreation Open Space resources.
6. There is limited vehicular access to many of these sites and the City has not expressed an intent to develop any of these sites therefore the long-term plan would be to manage these sites as passive recreation use with wildlife and conservation benefits.
7. It is expected that at some point in the future the BLM will dispose of these sites under a competitive bidding procedure although the timing of the disposal remains unclear.

8. The ROS District lists Conservation Activity as an allowed use.
9. The Residential Development District allows for up to three Residential Units per acre so Parcel 17 Tract 1 could support residential development containing one (1) unit. However, this lot is currently land locked with no access to a road.
10. Parcel 17 Tract 2 is in the RD District but is too small to support residential development.
11. Parcel 17 Tracts 3 and 4 are in the Estate District and are too small to support residential development as the minimum lot size is three acres per dwelling unit.
12. Parcel 18 Tract 1 is located in the Historic Residential-Low Density (HRL) District where the minimum Lot Area is only 3,750 square feet therefore this track could support up to two dwelling Units.
13. Parcel 18 Tract 2 is zoned Residential –Medium Density (RM) and could support two Single Family Dwellings, a Duplex or a Triplex by-right, or a Multi-Unit Dwelling by Conditional Use Permit. Due to the number of significant Mining Era Cottages in this immediate area preserving these remaining mining claim tracts from development will help maintain the historic context of this neighborhood.
14. Parcel 18 Tracts 6 and 7 are both small parcels but together almost create a large enough parcel for one residential unit. However, these two tracts, together with Tract 2 and Tract 4 (already zoned ROS) create a view corridor up Rossie Hill Drive and past Coalition View Court worth preserving.
15. The Zoning Map Amendment to ROS is appropriate in that the zone change will meet City Council's goals of protecting undeveloped lands, conserving a connected, healthy network of open space for continued access to and respect for the Natural Setting, to conserve natural resources and to preserve community character consistent with the General Plan.
16. There is Good Cause for this Zoning Map Amendment as the amendment will preserve existing open space that serves as trails, wildlife and view corridors.

Conclusions of Law – Zoning Map Amendment

1. There is Good Cause for this Zoning Map Amendment as the amendment will preserve existing open space that serves as trails, wildlife and view corridors.
2. The Zoning Map Amendment is consistent with the Park City General Plan and the Park City Land Management Code.
3. The Zoning Map Amendment is consistent with applicable State law.
4. Neither the public nor any person will be materially injured by the proposed Zoning Map Amendment.
5. Approval of the Zoning Map Amendment does not adversely affect the health, safety and welfare of the citizens of Park City.

8.E. 7697 Village Way - Empire Residences First Amended and Restated Condominium Plat - The building is currently under construction and the applicant is proposing the following amendments: reconfiguration of Units 102, 103, 302, 402, 403, and 601; reconfiguration of the storage units on the garage level; and assignment of the Commercial Space on Level P1 and Level 1 for property management purposes. There are no proposed changes to the Unit Equivalents, Parking Spaces provided, or Building Footprint as a part of the proposed Condominium Plat. Because every sheet of the existing Empire Residences Condominium Plat is being amended, the applicant is proposing to retire the existing Condominium Plat and to replace it with the new Empire Residences First Amended and Restated Condominium Plat. (Application PL-19-04362)

Lynn Paden and John Seastrand were present to represent the applicant.

Planner Tyler reviewed the condominium plat amendment for the Empire Residences first amended and restated condominium plat. An existing plat was approved by the City Council in February 2018. This plat would retire the existing plat and create a new condominium plat.

Planner Tyler explained that new owners purchased some of the units and some reconfiguration is planned.

Planner Tyler clarified that the chart identified 40 required parking spaces. However, the analysis section in the Staff report did not mention a 25% reduction in the parking requirements per the Village at Empire Pass MPD. The reduction was reflected in the Findings. Planner Tyler noted that the 33 parking spaces provided exceeds the parking requirement by three spaces.

The Staff found this application to be consistent with the previous approvals and recommended that the Planning Commission forward a positive recommendation to the City Council on December 19, 2019.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for 7697 Village Way - Empire Residences First Amended and Restated

Condominium Plat, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 7679 Village Way

1. The property is subject to the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007.
2. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities for the annexation area.
3. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (VEP MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area. The MPD (also known as the Mountain Village) was later amended to include Pod B2 (Montage and B2 East).
4. The Mountain Village (Pods A, B1 and B2) was approved for a maximum of 785 UE of multifamily (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units.
5. To date approximately 382 multi-family units (588.742 UE) (of which 52 are PUD style units) and 16 single family units have been platted and/or built (including the One Empire Pass units currently under construction) within Pods A, B1 and B2.
6. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. Building 5 is under construction as One Empire Pass. Lodge buildings still to be approved within Pod A are: Tower Residences (Building 1), Building 3 (subject property) and Building 4.
7. There is sufficient density remaining within the VE MPD for the proposed 21 units (24.5 UE).
8. Approximately 540 certificates of occupancy have been issued for the entire Flagstaff Annexation and Development area (Pods A, B1, B2, and D). According to the Annexation and Development Agreement, 15 AUE of affordable housing obligations come due for each 150 UE certificates of occupancy. The next housing obligation trigger point is 600 UE

certificates of occupancy, when 60 AUE are required to be complete. As of now 104 affordable units are completed and have certificates of occupancy (89 units are off-mountain and 15 units are on-mountain).

9. As part of the Empire Residences CUP 1.1 AUE (880 sf) is required by the subdivision plat for this lot. The affordable unit consists of 880 sf (not including dedicated storage areas) and is designated as private area and can be sold as an affordable unit or used for long term rental to qualified workers consistent with the Flagstaff Housing Mitigation Plan and applicable housing resolutions.

10. The property is located at 7697 Village Way.

11. Access to the property is from Village Way, a private street.

12. The property is subject to subdivision plat notes that require compliance with the Flagstaff Annexation and Development Agreement, approval of a Conditional Use Permit for each lodge building prior to issuance of a building permit, a declaration of condominium and a record of survey plat prior to individual sale of units, membership in the Empire Pass Master HOA, a 20' snow storage easement along the street frontages, water efficient landscaping, and various utility and maintenance provisions.

13. A Conditional Use Permit (CUP) for the building was approved on January 10, 2018.

14. The Empire Residences Condominium Plat Amendment was approved by City Council on February 1, 2018.

15. On October 21, 2019, the City received an application for the Empire Residences First Amended and Restated Condominium Plat Amendment. The application was deemed complete on October 31, 2019.

16. On November 7, 2019 the City Council held a Study Session to consider the Historic

Preservation obligations of Developers under the Flagstaff Development Agreement and compliance responsibilities.

17. At the November 7, 2019 Study Session, Council was presented with a Planning Department Staff Report which summarized an October 2019 report by SWCA Environmental Consultants titled Historic Preservation Plan Update for Flagstaff Mountain Resort in Park City.

18. The October 2019 SWCA Report and the November 7 Staff Report identified current

deficiencies in historic preservation obligations and mitigation and/or maintenance work needed (Nov. 7 Staff Report Tables 2-5 and 9), identified additional suggested historic preservation work needed (Nov. 7 Staff Report Table 6), and found that immediate stabilization was needed on the Judge Mining and Smelting Building before the coming

winter.

19. No decisions were made by Council at the November 7, 2019 Study Session and Council stated that the issues would be further addressed at a future work session. However, Council indicated that preservation of the historic mine site structures was a priority for the Council. Also, that applications before the Planning Commission should continue to be addressed on a case-by-case basis.

20. City Council stated at the November 7, 2019 Study Session their desire to proactively work with responsible parties via a new Memorandum of Agreement to achieve compliance with the obligations of the Flagstaff Annexation and Development Agreement and Technical Reports 5 & 6, including continuing maintenance.

21. The currently proposed Memorandum of Agreement (MOA) has not yet been executed and its terms have not yet been finalized.

22. In the currently proposed MOA, developers Storied and REDUS agree in paragraph 3(b) to provide \$40,000 each into escrow for costs incurred by the Association to stabilize the Judge Mining and Smelting Building. This amount has not yet been determined to be adequate.

23. The proposed condominium plat memorializes the density, size and configuration of units to be construction in one phase and identifies areas of private, common and limited common ownership.

24. The building is currently under construction and the applicant is proposing the following amendments: reconfiguration of Units 102, 103, 302, 402, 403, and 601; reconfiguration of the storage units on the garage level; and assignment of the Commercial Space on Level P1 and Level 1.

25. Based on the unit sizes, a minimum of 30 parking spaces are required when taking into consideration the 25% parking reduction required by the Flagstaff Development Agreement and MPD.

26. An underground parking structure provides 30 parking spaces, including 2 ADA spaces, as well as limited common storage areas for each unit. Three surface spaces are provided for a total of 33 parking spaces.

27. Each unit has one assigned limited common parking space and the remaining spaces are common.

28. The plat is consistent with the approved Village at Empire Pass Master Planned Development and the Empire Residences Conditional Use Permit in terms of density, height, uses, setbacks, and parking.

29. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of building permits for buildings within the Mountain Village. This property is also subject to these documents, in addition to any declaration of condominium and CCRs recorded with the condominium plat.

Conclusions of Law – 7679 Village Way

1. There is good cause for this condominium plat.
2. The 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 condominium plat.
4. Approval of the 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 – 7679 Village Way

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. Conditions of approval of the Village at Empire Pass Master Planned Development (MPD) and the Empire Residences Conditional Use Permit (CUP) apply to this plat and a note shall be added to the plat prior to recordation referencing that conditions of approval of the Village at Empire Pass MPD, Village at Empire Pass North Subdivision, and the Empire Residences CUP continue to apply to this condominium plat.
4. All applicable recorded public utility and access easements shall be indicated on this condominium plat prior to recordation.
5. The deed restricted employee housing unit (EHU) shall be a minimum of 880 sf, exclusive of additional storage area to be dedicated to this unit, to meet the plat note requirement of 1.1 AUE for this lot. One AUE is equivalent to 800 sf according to the Development Agreement. The ADA unit shall be platted as common area.
6. A deed restriction for the EHU unit, acceptable to the City, shall be recorded prior to plat recordation. The deed restriction shall outline and resolve any issues or concerns that may have come up on other affordable units platted as private. The plat shall note that the EHU is subject to a deed restriction.
7. The CCRs shall limit the HOA dues related to the deed restricted employee housing unit (EHU) in order to ensure the Unit remains affordable. The CCRs shall reflect a lower parvalue to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
8. The ADA unit shall be platted as Common Area.

8.F. 2080 Gold Dust Lane and 2211 Sidewinder Drive - Zone Change - The Applicant is Proposing a Zone Change for Parcels PCA-3-3002-1 and PCA-3-3002-1A, also known as 2080 Gold Dust Lane and 2211 Sidewinder Drive, from Residential Development (RD) to General Commercial (GC). (Application PL-19-04353)

Michael Demkowitz with Alliance Engineering, Stanton Jones, and Curtis Sorensen with Modern Utah were present to represent the applicant.

Planner Ananth reviewed the application for 2080 Gold Dust Lane and 2211 Sidewinder Drive. The proposal was for a zoning map amendment. The site consists of three parcels; The Silver Mountain Sports Club, as well as two parcels that make up additional parking area for the Sports Club. The parking parcels are accessed through the Prospector Condominiums parking area. A green arrow on the image shown represented the access off of Sidewinder into that parking area. The applicant was requesting to rezone these three lots from Residential Development to General Commercial.

Planner Ananth reported that the applicant had also submitted a concurrent subdivision application. If this rezone is approved, they would move forward with the subdivision. However, if this rezone is continued, Planner Ananth recommended continuing the subdivision application to a later date.

Planner Ananth presented a slide showing the proposed zoning map amendment. She reiterated that the change would be from Residential to General Commercial, which would extend an existing contiguous General Commercial District.

Planner Ananth stated that some of the primary issues with this project relate to parking and access. In 2000, a CUP increased the floor area of the Sports Club and added a swimming pool, as well as 23 parking spaces, for a total of 78 parking spaces. This met the parking requirement in effect at the time based on the building occupancy and in conjunction with the Prospector Square Condominiums, which the health club was then associated with. However, it is no longer associated with the condominium buildings.

Planner Ananth reported that the current parking requirement for a commercial facility is five stalls per 1,000 square feet of floor area, which equates to 144 parking stalls for the site based on the building size. The applicant has agreed to maintain 78 parking stalls for the health club use. They would do that by providing underground parking on the new lot when it is redeveloped. Planner Ananth believed that a parking study would

help analyze whether the existing parking meets the actual parking demand, given the great disparity between the existing 78 spaces and what would be required.

Planner Ananth stated that access through the Prospector Square residential condominium parking area was also concerning.

Planner Ananth remarked that density was another issue with this upzone. The proposed General Commercial District allows for more density than the residential district zone. Planner Ananth noted that the Silver Mountain Sports Club would require a CUP under either zone. However, the residential development zone allows for one unit as an allowed use, or up to three units with an MPD on the vacant parking parcels. The General Commercial Zone allows for development based on FAR and could support a building up to 57,000 square feet provided the applicant could meet all other requirements on site.

Planner Ananth stated that if the applicant is to move forward with redeveloping these lots, it is likely that both an MPD and a CUP would be required for the redevelopment of Lot 2 based on the proposed building size.

Planner Ananth summarized that the applicant was proposing to expand but maintain the General Commercial District. The allowed density for the vacant parking parcel would be in keeping with the surrounding neighborhood if the impacts could be mitigated. An additional density where transit and services exist would generally help support those services and makes good land use planning sense, particularly if deed restricted or life cycle housing units are included in future development. The neighborhood is already mixed-use and walkable. Share parking may be appropriate for this site.

Planner Ananth stated that the concern with this project is that similar with many other neighborhoods in Park City, two of the greatest threats to this relatively affordable neighborhood is gentrification and the proliferation of nightly rentals. Safety is a concern with the location being near an intersection, and with access through a residential parking lot. The Planning Department recommended a parking study be submitted for the Sports Club to help get a better understanding of whether the existing 78 stalls are sufficient to meet the parking demand; as well as how many stalls they might consider adding. The City would want to ensure that any new development has access to the rail trail, and that the neighborhood is protected from the development impacts.

Planner Ananth reported that the alternatives for the Planning Commission after conducting a public hearing is to forward a positive recommendation to the City Council;

forward a negative recommendation to the City Council and direct Staff to make findings for that action; or to continue discussion on the zoning map amendment to a date certain and provide input to the Staff and applicant on additional information required in order to make a recommendation.

Mike Demkowitz, representing the applicant, felt the General Commercial was a good zone change and would be more consistent with the adjacent General Commercial across the street on Gold Dust Lane. Since the Sports Club is a commercial facility, it would be more consistent with the General Commercial Zone rather than the Residential Development Zone. Mr. Demkowitz stated that the applicant has committed to providing housing for the need of the community, whether it be rentals or affordable housing units, as part of his building plans. It is good location for additional rentals and units because it is on the Rail Trail and the existing bus service is readily available. Mr. Demkowitz remarked that the applicant was working through utility designs with the Utility Departments and the Snyderville Basin Sewer District and the Water Department. He was confident that any issues could be easily resolved. Mr. Demkowitz felt here was good cause to rezone this parcel to the General Commercial Zone.

Commissioner Thimm understood that nightly rentals were a permitted use in the underlying zone as well as the proposed zone. Planner Ananth explained that the concern is that it might negatively impact the existing residential neighborhood. The goal is to make sure there is a balance when they look at projects that may allow nightly rentals, even if it is allowed in the underlying zone.

Director Erickson stated that he and Planner Ananth were dealing with a number of things that would be allowed with the zone change; not just the underlying land use. Commissioner Thimm understood there could potentially be more density, but the use does not change with the rezone. Planner Ananth pointed out that the General Plan calls out neighborhood protections and being wary of the number of nightly rentals that already exist in that neighborhood.

Commissioner Kenworthy asked what other effects they were looking at for the Rail Trail. Planner Ananth replied that it would primarily be maintaining access to the Rail Trail should that lot be developed.

Commissioner Van Dine felt strongly about submitting a traffic study and parking study. Her child went to daycare across the street from the subject property and that street is very crowded. She disputed the Staff report saying that there was no parking problem because there are bad parking problems. Commissioner Van Dine stated that to say that Silver Mountain Sports Club does not take over the street parking was inaccurate from her experience from spending time in that area. Commissioner Van Dine was not

willing to approve the zone change request without first seeing a parking and traffic study. That area has significant walking traffic and she was concerned about adding more density. Children from the condos walk through that neighborhood to get to school and it was important to do the studies to understand the actual impacts.

Commissioner Van Dine clarified that she was asking for a parking study for the Sports Club and a traffic study related to the added density.

Stanton Jones, representing the applicant, clarified that they were not asking for approval for density at this time. They were only requesting a zone change to be consistent with the neighbors across the street. As the owner of the Silver Mountain Sports Club, he monitors parking on a daily basis. Mr. Jones stated that he could almost guarantee that no one ever parks on the street. They always have open parking spaces in the parking lot. Mr. Jones stated that the parking and traffic problems Commissioner Van Dine had mentioned are not generated by the Sports Club or its members. He believed the traffic problems were due to Sidewinder being the shortcut to get around the highway.

Chair Phillips opened the public hearing.

Zach Rapaz stated that he lives in Building 6 of the Prospector and he agreed with Commissioner Van Dine that the parking lot is very full. If a building is built there without adequate parking, he could foresee a problem of people parking on the street on Sidewinder. Mr. Rapaz noted that he is new to Park City. He purchased his condo in July and this was his first public meeting. Mr. Rapaz thought the traffic from the intersection at Gold Dust Lane could also be an issue. People park on the street because the parking lots fill up in all the commercial areas. He remarked that currently Gold Dust Lane is a buffer from the mixed-use to the residential neighborhood. Mr. Rapaz pointed out that in addition to nightly rentals, many people live full-time in the Prospector units and parking can be an issue, especially in the winter when spaces are lost due to snow. He was unsure how much density would be added, but whatever the amount, it would not make parking or traffic better. Mr. Rapaz encouraged the Planning Commission to think about the traffic and how the buffer zone separates the residential from the commercial in that area.

Allison Kitching stated that she has been a member of the Silver Mountain Sports Club for five years. In that time, she has never had to park on the street. Ms. Kitching knows that people do park on the street but there are other businesses nearby and she thought those businesses may contribute to the street parking. She has never had an issue finding a parking space at the Sports Club but assumed that some club members may choose to park on the street even if there are spaces in the parking lot.

Kristin Gentile stated that she is a member of the Silver Mountain Athletic Club and like Ms. Kitching she has never encountered a parking issue. Ms. Gentile remarked that she goes to the gym in the mornings, evenings, and on the weekends. She supported Mr. Jones' statement that they do a good job of maintaining the parking for members.

Chair Phillips closed the public hearing.

Commissioner Sletten thought the location was too important to rely solely on anecdotal evidence about parking. A traffic study might be overkill but he thought a parking study was important. Commissioner Hall concurred.

Chair Phillips agreed that it was a big enough change to require appropriate attention. If they allow this change it will be permanent. In 20 years they could potentially tear down the building and no one knows what else they could build in its place. Chair Phillips thought it was important to keep all these factors in mind when considering a significant zoning change.

Chair Phillips requested additional analysis to see how this would impact the neighboring units. Height was another issue to consider.

City Attorney Harrington understood that the Commissioners were looking for additional information in conjunction with the third alternative, which is a continuation with further direction to Staff and the applicant.

Commissioner Thimm noted that they were avoiding island zoning, which was favorable. They were also dealing with contiguous zones. He pointed out that this was also contiguous with the RD zone. Commissioner Thimm understood that three deed restricted housing units were mentioned in the Staff report. Mr. Jones replied that the plan is to put in 17 units; of which three would be deed restricted or work force housing.

Commissioner Thimm stated that in his opinion, changing the zone would change the intensity of the use. He did not believe they knew enough without further data to agree that rezoning would be appropriate. Commissioner Thimm remarked that the necessary additional data included a parking study, as well as a traffic study of Sidewinder and the intersections, in particular. He thought the parking analysis should be done in a way that takes into account transportation demand management (TDM) strategies; as well as the potential for shared parking. However, he did not think it should take into account the potential of shared parking that the ownership of this parcel would not have control over, because that could change and result in a problem in the neighbor. Commissioner Thimm suggested that the additional information key

into that in terms of a parking analysis to help the Commissioners understand the impacts of the change and intensity.

Commissioner Thimm stated that if the applicant was willing to limit the plan to 17 units as presented, it should be included as a condition of approval if this item is continued. He believed 30 units could be placed on this site based on the allowed volume, and he supported a limit on units as the applicant's agreed upon intention.

Commissioner Thimm referred to the three deed restricted units. If this comes back to the Planning Commission, he would like a discussion on the targeted AMI in terms of work force housing.

Commissioner Hall recalled a previous applicant who was doing development in this area and did not intend to have nightly rentals. That applicant opted to put a restriction to prohibit nightly rentals. Commissioner Hall felt that eliminating nightly rentals would help integrate the housing into the community. She asked if this applicant or the other Commissioners would consider prohibiting nightly rentals.

Commissioner Kenworthy agreed with his fellow Commissioners that they were putting the cart before the horse until they have the requested additional information.

Chair Phillips shared the Staff's concerns related to access through the condominium lot. He believed that intensity could be magnified and cause additional impacts. Chair Phillips thought that was another factor to consider.

Mr. Jones stated that if someone in Unit 6, which is an adjoining property, has problems with the parking, it has nothing to do with the Silver Mountain Sports Club. The issue is with the parking availability for the condo building. Mr. Jones pointed out that neither building provides parking for the other. Both have an easement through each other's parking lots. They have a good relationship with each other, but they do not park in each other's spaces.

Mr. Jones noted that a second item this evening was for the subdivision plat, which is separate from the GC zoning request. The purpose of the subdivision is to clean up the plats and to change three existing parcels into two lots. Mr. Jones requested that the Planning Commission consider the subdivision request this evening.

Planner Ananth clarified that her analysis for the subdivision was done under the assumption of the General Commercial Zone. Therefore, it was not analyzed under the existing zone. She suggested that the Planning Commission could move forward with

the subdivision plat this evening; or continue it as well. Commissioner Thimm suggested that the Commissioners have that discussion when they move to that item.

Director Erickson suggested that the Planning Commission continue this item to a date uncertain to give the Staff and the applicant the opportunity to provide the requested information.

MOTION: Commissioner Thimm moved to CONTINUE the 2080 Gold Dust Lane and 2211 Sidewinder Drive Zone Change to a date uncertain. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

8.G. 2080 Gold Dust – Subdivision Plat – The Applicant is requesting to create Silver Rail Subdivision, a Two-Lot (2) Subdivision from Three (3) Existing Parcels. (Application PL-04352).

Planner Ananth reviewed the application to create a two-lot subdivision subdividing off the parking areas, Parcels 2 and 3, from the Sports Club. Lot 1 is the Sports Club and Lot 2 is the parking area.

Planner Ananth stated that the issues are similar to the issues that existed on the zone change request. The access is through the condominium parking area, which is the existing situation with access to the parking area. Planner Ananth remarked that one concern is that a significant portion of the existing parking spaces would be removed from being associated with the Sports Club. If the lot is ever sold to a different owner, it could bring the Sports Club into potential non-compliance with parking.

Planner Ananth remarked that the commercial recreation facility would remain on Lot 1 and would require CUPs under either the Residential Development or Commercial Development zone. The applicant will likely seek to develop a mixed-use building on Lot 2; however, no plans for Lot 2 have been submitted to the Planning Department at this time. The applicant will need to address parking and access issues.

Planner Ananth believed the Planning Commission would revisit the project at plans for Lot 2 move forward because the need for an MPD as well as a CUP is anticipated.

Planner Ananth stated that the Planning Commission had three alternatives this evening. They could forward a positive recommendation to the City Council on the two-

lot subdivision; forward a negative recommendation to the City Council with direction to draft Findings for their decision; or continue to a date uncertain.

Commissioner Thimm noted from the prior discussion that Planner Ananth had analyzed this subdivision based upon the new zone. Planner Ananth clarified that her Staff report analyzed this project under the Commercial Zone. However, she did have an analysis that was done for the last project under the RD zone. She noted that the residential zone generally allows for single and two-family dwelling units. Based on its lot size, this lot could support one unit as an allowed use as a by-right use; or up to three with an MPD under the existing residential zone.

Commissioner Thimm asked if there was adequate analysis for the underlying zone. Planner Ananth answered yes.

Commissioner Hall noted that if the Planning Commission proceeds with this application this evening, the Findings talk about a simultaneous application and the conversion from residential to general commercial. She asked if the Findings should be amended to clarify that the zoning had not yet been changed because the previous application was continued.

City Attorney Harrington suggested that the Planning Commission review the Findings and direct the Staff to make any amendments related to the zone change before the report is finalized for the City Council Meeting. The Commissioners could also direct Staff to amend the Findings but request to review the Findings before it is forwarded to the City Council.

Commissioner Thimm asked the applicant for the compelling reason to move ahead with the subdivision plat since the zone change had been continued. Mr. Jones explained that the subdivision did not depend on the commercial zoning change. There are three parcels under the same owner and the Silver Mountain Sports Club controls all three parcels. There is a 10' swath on the other side of Lot 2 that is connected to Lot one. Mr. Jones clarified that he was trying to make two plats. Currently, it is three parcels which is very confusing for everyone as to which parcel is which. Mr. Jones stated that even if the requested zone change to GC is denied, he would still be requesting the subdivision plat. The intent is to have two plats and two parcels instead of three parcels and two plats.

After reading through the Findings of Fact, Conclusions of Law, and Conditions of Approval, Planner Ananth did not believe any of them needed to be amended. City Attorney Harrington noted that Finding #2 needed to be changed because it references

General Commercial. Commissioner Van Dine noted that Finding #5 also mentions the GC zone.

Commissioner Hall asked if they could add a Finding of Fact stating that the zone was still Residential Development and not General Commercial. City Attorney Harrington did not recommend any Findings that reference a potential zone.

Planner Ananth suggested striking Finding #5. Commissioner Sletten asked if Finding #9 was still required. Planner Ananth thought Finding #9 should be stricken.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

Commissioner Hall asked if there would be a reciprocal easement agreement between the two lots going forward. Mr. Jones replied that an easement agreement already exists. He owns both lots and they need 19 spaces to fulfill their required 78 parking spaces. It is currently used as overflow parking. They would still have two lots. The difference is that there would not be three parcels. Mr. Demkowitz pointed out that there is already an existing access easement through the adjacent parking lot from Sidewinder to the back lot on the south end. That easement was granted in 1997 and it is still in effect. There would be no changes to that easement agreement.

Chair Phillips could not find any reason not to approve the subdivision plat this evening. The Commissioners agreed.

Planner Ananth summarized the changes to the Findings of Fact. Finding #2 would be edited to remove the reference to General Commercial. Findings #5 and #9 would be removed entirely.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the 2080 Gold Dust Subdivision Plat to create a 2-lot subdivision from the 3 parcels, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance, and as amended per the discussion this evening. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 2080 Gold Dust - Subdivision Plat

1. Summit County Parcels No. PCA-3-3002-1, PCA-3-3002-1-A and PCA-3-3002-1, make up a 2.93-acre site located at 2080 Gold Dust Lane and 2211 Sidewinder Drive.
2. 2080 Gold Dust Lane is improved with a Commercial Recreational Facility which requires a CUP in the Residential Development District.
3. 2211 Sidewinder Drive contains 26 parking stalls for the Silver Mountain Sports Club.
4. 2080 Gold Dust Lane received two (2) Conditional Use Permits over the years as they made improvements to the Club including in 1996 to add an Outdoor Swimming Pool and hot tub; and in 2000 to increase the floor area by 7,636 square feet, to construct a new swimming pool with seasonal cover and to add 23 net new parking spaces. The Sports Club met the parking requirement in effect at the time.
5. On October 15, 2019, the applicant submitted a simultaneous application to subdivide the 2.93-acre site into two (2) lots.
6. No plans for the development of Lot 2 have been submitted to the City to date.
7. Any development on Lot 2 will need to meet the requirements of the Land Management Code.
8. Assuming impacts can be mitigated, it is considered good planning practice to allow for infill development in existing neighborhoods where transit and services exist, particularly if deed restricted units are included in future development.
9. The applicant has been encouraged to work with the City's Planning and Engineering Divisions as plans develop for Lot 2 and to replace existing Silver Mountain Sports Club Parking on Lot 2 within the new development. A parking study for the Sports Club will be required for the development of Lot 2.
10. The Planning Department notes both Lot 1 and Lot 2 are located within the Soils Ordinance Boundary and future development of Lot 2 must comply with LMC 11-15.

Conclusions of Law – 2080 Gold Dust Subdivision Plat

1. There is Good Cause for the Subdivision Plat. The proposed Lot 1 would continue to operate as a health club and Lot 2 would create a legal lot of record from two lots and facilitate infill development in an area where transit and services exist.
2. The Subdivision Plat is consistent with the 2014 Park City General Plan and the Park City Land Management Code including Sections 15-7.1-3(C) and 15-12-15(B)(4) and (9) and applicable State Law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Subdivision Plat.
4. Approval of the Subdivision Plat does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval – 2080 Gold Dust Subdivision Plat

1. The City Planner, 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 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. Lots 1 and 2 of the Silver Rail Subdivision Plat shall not be further subdivided in the future.
4. Both Lot 1 and Lot 2 are located within the Soils Ordinance Boundary and future development of Lot 2 must comply with LMC 11-15.
5. Any future development of Lot 2 shall include parking to replace the 26 surface stalls that currently exist on Lot 2 for the Sports Club unless a Parking Study is submitted that justifies a reduction to the existing parking.

8.H. Land Management Code (LMC) Amendment – Medical Cannabis Land Use Regulations, Including LMC 15-1-11 to Outline Administrative Permit Requirements; to Create an Overlay Zone to Allow Medical Cannabis Production Establishments Subject to Issuance of a Utah Department of Food and Agriculture License, an Administrative Permit, and a Business License; and LMC 15-15 to Define Medical Cannabis Pharmacy, Medical Cannabis Production Establishment, Primarily Residential Zoning District, and Main Street Parks. (Application PL-19-04379)

Planner Ward reported that this item was proposed LMC amendments for the State Medical Cannabis program that will be implemented in March 2020. The State has preempted most local land use with these medical cannabis facilities, but there are a few opportunities in the Code to cater the facilities to Park City.

Planner Ward stated that the State Legislature, under the Agricultural Code, established production establishments, which include the cultivators, processors, and testing labs for medical cannabis. The Department of Agriculture licensed aid cultivators, but none of them are proposed for Summit County. They may increase the number of licenses over the coming years, but the City will not see an application for a cultivator. Planner Ward noted that the State did not set a cap on the number of processors or testing labs they will be licensing. Under State Code, production establishments are a permitted use in all industrial and agricultural zones in a city, unless the City selects a zone for these establishments.

Planner Ward explained that because Park City does not have any agricultural zones, the production establishments are placed in the Light Industrial Zoning District right in the center of town. She noted that Park City's Light Industrial Zoning District is unusual because it has a lot of residential units within the District. Some of the complaints from communities that have cultivators and processors is that an order emits from some of these establishments.

Planner Ward stated that the Staff was recommending a temporary overlay zone to make sure that if the City receives applications for a processing facility or testing lab, that it would not be located in the Light Industrial Zone next to the residential area. The Staff recommended an overlay zone over the Baingo-Wortley property north of State Road 248, which was shown in yellow. Planner Ward stated that it was a temporary overlay zone because there may be an opportunity to move it to a more remote area after the City is finished annexing City-owned property.

Planner Ward remarked that the Baingo-Wortley property is surrounded by open space. It is across the street from the Quinn's Junction Water Treatment Plant. Additionally, the property is subject to the Frontage Protection Zone and the Entry Corridor Protection Overlay. Therefore, if anything were located there, it would need to be setback from SR248 and there would be height restrictions.

Planner Ward reported that the State Legislature also established 14 Medical Cannabis Pharmacies that will be regulated by the Department of Health. She noted that the City had not received applications for these pharmacies; however, they have had several inquiries about locating a pharmacy within the City. Planner Ward remarked that per the State, Medical Cannabis Pharmacies are a permitted use in all zones, except for zones that are primarily residential. She noted that most of the zones in Park City that are primarily residential are obvious because they have "residential" in the name of the zone. Planner Ward noted that there are a few outlier zones, such as the Light Industrial Zone with the North Horse Apartments. There are 100 condo units to the south of that zone as well. The Community Transition Zone has the Park City Heights residential development with over 200 proposed residences. The Historic Recreation Commercial Zone has several condos in that zoning district.

The Staff recommended that due to the primarily residential zoning districts, that the City create a definition in the Code that includes the Light Industrial Zone east of Bonanza Drive. It would include the Community Transition Zoning District south of State Road 248; as well as the Historic Recreation Commercial Zone.

Planner Ward reported that the State Legislature also created proximity requirements to buffer medical cannabis facilities from churches, schools, libraries, parks. The Staff was proposing to amend the Land Management Code to define a Main Street Park so it is clear when an applicant comes in where on Historic Main Street those buffers would be delineated. Areas with benches and gathering spaces would be considered a park and a buffer would be created from those locations.

Planner Ward stated that the Staff also recommended amending the LMC to clarify that a local administrative permit would be required for any medical cannabis applicant. An amendment would also include definitions for a production establishment and a pharmacy to clarify that an administrative permit would be required through the Planning Department, a business license under Title IV, and to incorporate the State definitions of those terms.

Commissioner Sletten asked about access to the Baingo-Wortley property. Planner Ward replied that access would be off of SR248 and a road would need to be constructed. Director Erickson noted that there is an existing access road off SR248 at the Richardson Flat intersection, and that intersection is scheduled for signalization at some point in the State Capital Improvement Plan. Park City Heights has contributed funding to that signal light. Director Erickson remarked that there is already a road and a portion of the UDOT right-of-way accesses Baingo-Wortley. It is also known as the Gordo Parcel and the City has used it for material disposal in the past.

Director Erickson stated that Planner Ward had written the amendment to clarify that the primary residential designation is specifically for medical cannabis primary residential. It does not affect underlying zoning.

Commissioner Hall wanted to know why the Baingo-Wortley parcel was chosen. Director Erickson replied that it was chosen because of distance from the primary residential areas.

Director Erickson thought the area between Snow Creek and Fresh Market would be a possible location for a pharmacy. There is already a liquor store in that area and the medical cannabis is being regulated similar to liquor in terms of distances from public uses. One suggestion was a shopping mall but it was too close to the Rail Trail, which is a State Park. Director Erickson remarked that the Staff was also reviewing the Vibrancy Ordinance on Main Street and looking at putting a potential pharmacy on the second level in the Historic District rather than on the first level. Commissioner Kenworthy noted that the City of Boulder implemented an ordinance requiring all pharmacies to be on the second floor.

Commissioner Kenworthy stated that the pharmacies still need to be 600 feet from residential. Until that distance is reduced by State law, Main Street will not be a feasible location. Director Erickson remarked that the Staff was working through the State Code to understand whether something like the Parkite is considered a primary residence. He noted that State Code is not clear in addressing condominiums and hotels in primary residential. That would need to be addressed at the next level.

Commissioner Van Dine pointed out that the medical profession in Utah does not know what to do about medical cannabis. They have had no guidance and everyone is trying to avoid it because the State has not decided how to manage it with the providers.

Commissioner Hall asked if there would be other implications within the Code if they change Main Street Parks to include all the walkways. City Attorney Harrington offered to double-check to make sure, but he believed the Staff tried to isolate these definitions within the application of this ordinance.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council regarding the proposed Medical Cannabis Land Use Regulation Amendments to the Land Management Code as found in the draft ordinance. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission Meeting adjourned at 7:45 p.m.

Approved by Planning Commission: _____



Planning Commission Staff Report

Subject: PL-19-04400 Land Management Code Amendment § 15-6 Master Planned Development
Author: Hannah M. Tyler, AICP, Senior Planner
Date: January 8, 2020
Type of Item: Legislative – LMC Amendment

PLANNING DEPARTMENT

Summary Recommendations

The Planning Department requests the Planning Commission open a public hearing, review the proposed Land Management Code (LMC) amendments, and forward a positive recommendation for City Council's consideration on January 16, 2020.

Description

Project Name: LMC Amendments regarding Master Planned Developments
Applicant: Planning Department
Proposal: Revisions to the Land Management Code

Reason for Review

Amendments to the LMC require Planning Commission recommendation and City Council adoption. City Council action may be appealed to a court of competent jurisdiction per LMC § 15-1-18.

Background

On December 5, 2019, the Affordable Housing and Planning Department staff held a work session with City Council to present the [Final Report](#) concluded by the City's consultant, Cascadia Partners ([December 5, 2019 Staff Report](#) and [Audio](#)). Prior to retaining Cascadia partners, the Affordable Housing and Planning Department had proposed LMC Amendments to incentivize Affordable Housing development. Please reference the [May 9, 2018 City Council staff report](#) for background of the previous LMC Amendment proposal.

Cascadia Partners was retained in 2019 at the direction of City Council to assist City staff in determining if LMC Changes could actually "move the needle" on incentivizing the development of Affordable Housing by both Public and Private entities. On December 5, 2019, City Council reviewed the Final Report and gave staff direction to pursue the following LMC changes:

- LMC Amendments for Master Planned Developments (MPDs) to be completed as soon as possible (for consideration tonight):
 - Zone Required Setbacks
 - Open Space Reduction
 - Master Planned Affordable Housing Development Parking Requirements to match existing Master Planned Development standards
- LMC Amendments for MPDs to be completed after additional study, consultation, and outreach (at a later date):

- Maximum Building Height
- Parking Reductions or alternative Parking Requirements

The LMC implements goals, objectives and policies of the General Plan to maintain the quality of life and experiences for residents and visitors and to preserve the community's unique character and values. These proposed LMC amendments were reviewed for consistency with the General Plan. The General Plan outlines Park City's community goals and values as it pertains to Affordable Housing:

- **Core Value: Sense of Community**
 - **Housing Toolbox:** Consider zoning and regulatory incentives for housing diversity thresholds (decreased parking requirements, density bonus, etc.)
 - **Goal:** Create a diversity of primary housing opportunities to address the changing needs of residents.
 - **Strategies:**
 - Increased density that might allow for Affordable/Attainable Housing.
 - Revise zoning codes to permit a wider variety of compatible housing types within Park City neighborhoods.
 - **Goal:** Increase affordable housing opportunities and associated services for the workforce of Park City.
 - **Strategies:**
 - Update incentives for density bonuses for affordable housing developments to include moderate and mixed income housing.

Analysis

Planning staff and the Affordable Housing team have collaborated to create Land Use controls with the intent of incentivizing Affordable Housing Development. It is likely that the proposed changes may have more effect on public-private partnerships that direct private sector development. This Staff Report does not include evaluation of the influence of other State or Federal programs. Below, staff has provided analysis and redlines for each amended section of LMC § 15-6:

LMC § 15-6-5(C) Setbacks:

Boundary Setback Requirements for Master Planned Developments: The current MPD Requirements require a minimum twenty-five foot (25') Setback around the exterior boundary of an MPD on Parcels greater than one (1) acre in size. However, the Planning Commission has the authority to decrease the required perimeter Setback in order to provide desired architectural interest and variation.

The Cascadia Partners Final Report contemplated development on parcels ranging from 0.5 acres to 2 acres. Cascadia Partners determined that the twenty-five foot (25') Setback on a one (1) acre or less parcel would not only make the parcel less developable, but also would likely result in a project that was out of character in most instances with the neighboring properties because most neighboring properties would be using the lesser (in most cases) Zone Required Setbacks. In most Zoning Districts, one (1) acre parcels would be infill development on either vacant lots or the result of a redevelopment.

City Council directed staff to eliminate the requirement of the twenty-five foot (25') boundary Setback for certain parcels developed as part of an MPD in order to be consistent with those studied by Cascadia Partners. The result is that parcels less than two (2) acres comply with the underlying Zone Required Setbacks. No changes to the Setbacks for MPDs within the Historic Districts are proposed. Staff also made a spelling correction.

15-6-5(C) Setbacks:

1. The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels ~~one (1)~~ two (2) acres or larger in size. The Planning Commission may decrease the required perimeter Setback from twenty five feet (25') for MPD applications ~~one (1)~~ two (2) acres or larger to the zone required Setback if it is necessary to provide desired architectural interest and variation.
2. For parcels less than one (1) acre in size and located inside the HRM, HR-1, HR-2, HR-L, HRC, and HCB Districts, the minimum Setback around the exterior boundary of an MPD shall be determined by the Planning Commission in order to remain consistent with the contextual streetscape of adjacent Structures.
3. For parcels less than one (1) acre in size and located outside of the HRM, HR-1, HR-2, HR-L, HRC and HCB, the minimum Setback around the exterior boundary of an MPD shall be determined by the Planning ~~Commission~~ Commission and shall be no less than the zone required Setback.
4. In all MPDs, for either the perimeter setbacks or the setbacks within the project, the Planning Commission may increase Setbacks to retain existing Significant Vegetation or natural features or to create an adequate buffer to adjacent Uses, or to meet historic Compatibility requirements.
5. The Planning Commission may reduce Setbacks within the project boundary, but not perimeter Setbacks, from those otherwise required in the zone to match an abutting zone Setback, provided the project meets minimum Uniform Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria set forth in Section 15-6-5(D).

LMC § 15-6-7(F) PARKING

Off-Street Parking: With input from Cascadia Partners, City Council has directed staff to create a level playing field between standard MPDs and Affordable Housing MPDs. The current Parking Requirement for Affordable Housing MPDs (1 per bedroom) typically turns out far greater than that of a standard MPD which is one of the greatest deterrents to using the current section of Code. Staff will match the standard MPD Off-Street Parking Requirements which are based on the uses defined in [LMC § 15-3-6 Parking Ratio Requirements for specific Land Use Categories](#). Staff does not foresee any negative consequences to regulating Parking Requirements in this manner as this is typical of all developments.

~~**F. PARKING-OFF-STREET PARKING.** Off-Street parking will be required at a rate of one (1) space per Bedroom.~~

- ~~(1.) The number of Off-Street Parking Spaces in each Master Planned Development shall not be less than the requirements of this Code, except that the Planning Commission~~

may increase or decrease the required number of Off-Street Parking Spaces based upon a parking analysis submitted by the Applicant at the time of MPD submittal. The parking analysis shall contain, at a minimum, the following information:

- a. The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.
- b. A parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy parking.
- c. Parking needs for non-dwelling Uses, including traffic attracted to Commercial Uses from Off-Site.
- d. An analysis of time periods of Use for each of the Uses in the project and opportunities for Shared Parking by different Uses. This shall be considered only when there is Guarantee by Use covenant and deed restriction.
- e. A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.
- f. Provisions for overflow parking during peak periods.

The Planning Department shall review the parking analysis and provide a recommendation to the Commission. The Commission shall make a finding during review of the affordable MPD as to whether or not the parking analysis supports a determination to increase or decrease the required number of Parking Spaces.

- (2) The Planning Commission may permit an Applicant to pay an in-lieu parking fee in consideration for required on-site parking provided that the Planning Commission determines that:

- a. Payment in-lieu of the on-Site parking requirement will prevent a loss of significant open space, yard Area, and/or public amenities and gathering Areas;
- b. Payment in-lieu of the on-Site parking requirement will result in preservation and rehabilitation of significant Historic Structures or redevelopment of Structures and Sites;
- c. Payment in-lieu of the on-Site parking requirement will not result in an increase project Density or intensity of Use; and
- d. The project is located on a public transit route or is within three (3) blocks of a municipal bus stop.

The payment in-lieu fee for the required parking shall be subject to the provisions in the Park City Municipal Code Section 11-12-16 and the fee set forth in the current Fee Resolution, as amended.

LMC § 15-6-7(G) Open Space

Open Space Minimums: The current MPD regulations require that all Master Planned Affordable Housing Developments contain a minimum of fifty percent (50%) Open Space. The Planning Commission may reduce the minimum Open Space to 40% in exchange for project enhancements. In regular MPDs (those subject to 15-65) many projects are ultimately awarded a reduction in the minimum Open Space requirement by the Planning Commission in exchange for project enhancements.

Cascadia Partners reported that the existing Open Space minimums are high and that more Open Space doesn't always lend to better projects or community enhancements. In many cases, lesser and centralized or communal Open Spaces have greater impacts than Open Space that is achieved through required Setbacks. Examples of centralized and communal Open Spaces are the 1450-1460 Park Avenue and Woodside Park Phase I (located at 1333-1353 Park Avenue) Affordable Housing Projects.

Examples of Affordable Housing Projects: Centralized / Communal Open Space
1450-1460 Park Avenue *Woodside Park Phase I*



City Council directed staff to reduce the minimum Open Space requirement. Staff is recommending a reduction in the Open Space requirement for Master Planned Affordable Housing Developments to thirty percent (30%) and that at least fifteen percent (15%) of the minimum Open Space shall be Usable Open Space (see new definition later in analysis).

OPEN SPACE. ~~All Master Planned Affordable Housing Developments shall contain a minimum of thirty percent (30%) Open Space with at least fifteen percent (15%) Usable Open Space as defined in LMC Chapter 15-15. fifty percent (50%) of the Parcel shall be retained or developed as open space. A reduction in the percentage of open space, to not less than forty percent (40%), may be granted upon a finding by the Planning Commission that additional on or~~ Off-Site amenities, such as playgrounds, trails, recreation facilities, bus shelters, significant landscaping, or other amenities are encouraged. ~~will be provided above any that are required. Project open space may be utilized for project amenities, such as tennis courts, Buildings not requiring a Building Permit, pathways, plazas, and similar Uses.~~ Open sSpace may not be utilized for Streets, roads, or Parking Areas.

LMC § 15-15 DEFINED TERMS

Staff has added the following definition for Usable Open Space as directed by City Council.

USABLE OPEN SPACE. An unobstructed portion of a lot which is landscaped and developed for active or passive recreational and leisure use, and is conveniently located and accessible. In a Master Planned Development, Usable Open Space shall be intended to serve all the units of a project and shall be accessible and convenient to all units.

Process

Amendments to the Land Management Code require Planning Commission recommendation and City Council adoption. City Council action may be appealed to a court of competent jurisdiction per LMC § 15-1-18.

Department Review

This report has been reviewed by the Legal Department, Affordable Housing and Community Development Department.

Notice

Legal notice of a public hearing was posted in the required public spaces and public notice websites and published in the Park Record on December 21, 2019 per requirements of the Land Management Code.

Public Input

Public hearings are required to be conducted by the Planning Commission and City Council prior to adoption of Land Management Code amendments.

Recommendation:

The Planning Department requests the Planning Commission open a public hearing, review the proposed Land Management Code (LMC) amendments, and forward a positive recommendation to City Council on January 16, 2020.

Exhibits

Exhibit 1 – Draft Ordinance

Exhibit A – LMC § 15-7-5 Master Planned Development Requirements
Exhibit B – LMC § 15-7-6 Master Planned Affordable Housing Development
Exhibit C – LMC § 15-15 Defined Terms

Exhibit 1 – Draft Ordinance

Ordinance No. 2019-XX

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, AMENDING MASTER PLANNED DEVELOPMENT REQUIREMENTS, SECTION 15-6-5; MASTER PLANNED AFFORDABLE HOUSING DEVELOPMENT, SECTION 15-6-7; AND DEFINED TERMS, SECTION 15-15.

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Land Management Code implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors and to increase affordable housing opportunities and associated services for the workforce of Park City.; and

WHEREAS, the City reviews the Land Management Code on a regular basis and identifies necessary amendments to address planning and zoning issues that have come up; to address specific LMC issues raised by Staff, Planning Commission, and City Council; and to align the Code with the Council’s goals; and

WHEREAS, Park City has an interest in creating a diversity of primary housing opportunities to address the changing needs of residents and finds incentives for affordable housing developments essential to the City’s long term community well-being; and

WHEREAS, these proposed Land Management Code (LMC) amendments were reviewed for consistency with the recently adopted Park City General Plan.

WHEREAS, the Park City General Plan includes Goal 7 that states, “Create a diversity of primary housing opportunities to address the changing needs of residents.” Goal 8 states, “Increase affordable housing opportunities and associated services for the workforce of Park City.” and Community Planning Strategy 8.4 states “Update incentives for density bonuses for affordable housing developments to include moderate and mixed income housing.”

WHEREAS, Park City has an interest in developing and incentivizing private sector development of affordable housing within City Limits; and the purpose of the master planned Affordable Housing Development is to promote housing for a diversity of income groups by providing Dwelling Units for rent or for sale in a price range affordable by families in the low-to-moderate income range.

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meeting on January 8, 2020 and forwarded a _____ recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on January 16, 2020; and

WHEREAS, it is in the best interest of the residents and visitors of Park City, Utah to amend the Land Management Code to be consistent with the values and goals of the Park City General Plan and the Park City Council; to protect health and safety and maintain the quality of life for its residents and visitors; and to create a diversity of housing options for all income levels.

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

SECTION 1. APPROVAL OF AMENDMENTS TO TITLE 15 – Land Management Code Chapter 15-6-5 Master Planned Development Requirements. The recitals above are incorporated herein as findings of fact. Chapter 15-6-5 of the Land Management Code of Park City is hereby amended as redlined in Exhibit A.

SECTION 2. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15-6-7 Master Planned Affordable Housing Developments. The recitals above are incorporated herein as findings of fact. Chapter 15-6-7 of the Land Management Code of Park City is hereby amended as redlined in Exhibit B.

SECTION 3. APPROVAL OF AMENDMENTS TO TITLE 15 - Land Management Code Chapter 15-15 Defined Terms. The recitals above are incorporated herein as findings of fact. Chapter 15-15 of the Land Management Code of Park City is hereby amended as redlined in Exhibit C.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 16th day of January, 2020

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

Exhibits

Exhibit A – LMC § 15-7-5 Master Planned Development Requirements

Exhibit B – LMC § 15-7-6 Master Planned Affordable Housing Development

Exhibit C – LMC § 15-15 Defined Terms

Exhibit A – LMC § 15-6-5 Master Planned Developments

15-6-7 MASTER PLANNED DEVELOPMENTS

All Master Planned Developments shall contain the following minimum requirements. Many of the requirements and standards will have to be increased in order for the Planning Commission to make the necessary findings to approve the Master Planned Development.

(...)

C. SETBACKS.

1. The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels ~~one (1)~~ two (2) acres or larger in size. The Planning Commission may decrease the required perimeter Setback from twenty five feet (25') for MPD applications ~~one (1)~~ two (2) acres or larger to the zone required Setback if it is necessary to provide desired architectural interest and variation.
2. For parcels less than one (1) acre in size and located inside the HRM, HR-1, HR-2, HR-L, HRC, and HCB Districts, the minimum Setback around the exterior boundary of an MPD shall be determined by the Planning Commission in order to remain consistent with the contextual streetscape of adjacent Structures.
3. For parcels less than one (1) acre in size and located outside of the HRM, HR-1, HR-2, HR-L, HRC and HCB, the minimum Setback around the exterior boundary of an MPD shall be determined by the Planning ~~Commission~~ Commission and shall be no less than the zone required Setback.
4. In all MPDs, for either the perimeter setbacks or the setbacks within the project, the Planning Commission may increase Setbacks to retain existing Significant Vegetation or natural features or to create an adequate buffer to adjacent Uses, or to meet historic Compatibility requirements.
5. The Planning Commission may reduce Setbacks within the project boundary, but not perimeter Setbacks, from those otherwise required in the zone to match an abutting zone Setback, provided the project meets minimum Uniform Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria set forth in Section 15-6-5(D).

(...)

HISTORY

Adopted by Ord. 02-07 on 5/23/2002

Amended by Ord. 04-08 on 3/4/2004

Amended by Ord. 06-22 on 4/27/2006

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 10-14 on 4/15/2010

Amended by Ord. 11-05 on 1/27/2011

Amended by Ord. 11-12 on 3/31/2011

Amended by Ord. 13-23 on 7/11/2013

Amended by Ord. 15-36 on 6/25/2015

Amended by Ord. 2016-44 on 9/15/2016

Amended by Ord. 2017-46 on 8/17/2017

Exhibit B – LMC § 15-6-7 Master Planned Affordable Housing Development

15-6-7 MASTER PLANNED AFFORDABLE HOUSING DEVELOPMENT

A. PURPOSE. The purpose of the master planned Affordable Housing Development is to promote housing for a diversity of income groups by providing Dwelling Units for rent or for sale in a price range affordable by families in the low-to-moderate income range. This may be achieved by encouraging the private sector to develop Affordable Housing.

Master Planned Developments, which are one hundred percent (100%) Affordable Housing, as defined by the housing resolution in effect at the time of Application, would be considered for a Density incentive greater than that normally allowed under the applicable Zoning District and Master Planned Development regulations with the intent of encouraging quality Development of permanent rental and permanent Owner-occupied housing stock for low and moderate income families within the Park City Area.

B. RENTAL OR SALES PROGRAM. If a Developer seeks to exercise the increased Density allowance incentive by providing an Affordable Housing project, the Developer must agree to follow the guidelines and restrictions set forth by the Housing Authority in the adopted Affordable Housing resolution in effect at the time of Application.

C. MIXED RENTAL AND OWNER/ OCCUPANT PROJECTS. When projects are approved that comprise both rental and Owner/occupant Dwelling Units, the combination and phasing of the Development shall be specifically approved by the reviewing agency and become a condition of project approval. A permanent rental housing unit is one which is subject to a binding agreement with the Park City Housing Authority.

D. MPD REQUIREMENTS. All of the MPD requirements and findings of this section shall apply to Affordable Housing MPD projects.

E. DENSITY BONUS. The reviewing agency may increase the allowable Density to a maximum of twenty (20) Unit Equivalents per acre. The Unit Equivalent formula applies.

F. PARKING-OFF-STREET PARKING. ~~Off-Street parking will be required at a rate of one (1) space per Bedroom.~~

~~(1.) The number of Off-Street Parking Spaces in each Master Planned Development shall not be less than the requirements of this Code, except that the Planning Commission may increase or decrease the required number of Off-Street Parking Spaces based upon a parking analysis submitted by the Applicant at the time of MPD submittal. The parking analysis shall contain, at a minimum, the following information:~~

- ~~a. The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.~~
- ~~b. A parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy parking.~~
- ~~c. Parking needs for non-dwelling Uses, including traffic attracted to Commercial Uses from Off-Site.~~

- d. An analysis of time periods of Use for each of the Uses in the project and opportunities for Shared Parking by different Uses. This shall be considered only when there is Guarantee by Use covenant and deed restriction.
- e. A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.
- f. Provisions for overflow parking during peak periods.

The Planning Department shall review the parking analysis and provide a recommendation to the Commission. The Commission shall make a finding during review of the affordable MPD as to whether or not the parking analysis supports a determination to increase or decrease the required number of Parking Spaces.

- (2) The Planning Commission may permit an Applicant to pay an in-lieu parking fee in consideration for required on-site parking provided that the Planning Commission determines that:
 - a. Payment in-lieu of the on-Site parking requirement will prevent a loss of significant open space, yard Area, and/or public amenities and gathering Areas;
 - b. Payment in-lieu of the on-Site parking requirement will result in preservation and rehabilitation of significant Historic Structures or redevelopment of Structures and Sites;
 - c. Payment in-lieu of the on-Site parking requirement will not result in an increase project Density or intensity of Use; and
 - d. The project is located on a public transit route or is within three (3) blocks of a municipal bus stop.

The payment in-lieu fee for the required parking shall be subject to the provisions in the Park City Municipal Code Section 11-12-16 and the fee set forth in the current Fee Resolution, as amended.

G. OPEN SPACE. All Master Planned Affordable Housing Developments shall contain a minimum of thirty percent (30%) Open Space with at least fifteen percent (15%) Usable Open Space as defined in LMC Chapter 15-15. ~~fifty percent (50%) of the Parcel shall be retained or developed as open space. A reduction in the percentage of open space, to not less than forty percent (40%), may be granted upon a finding by the Planning Commission that additional on or~~ Off-Site amenities, such as playgrounds, trails, recreation facilities, bus shelters, significant landscaping, or other amenities are encouraged. ~~will be provided above any that are required. Project open space may be utilized for project amenities, such as tennis courts, Buildings not requiring a Building Permit, pathways, plazas, and similar Uses.~~ Open sSpace may not be utilized for Streets, roads, or Parking Areas.

H. RENTAL RESTRICTIONS. The provisions of the moderate income housing exception shall not prohibit the monthly rental of an individually owned unit. However, Nightly Rentals or timesharing shall not be permitted within Developments using this exception. Monthly rental of individually owned units shall comply with the guidelines and restrictions set forth by the Housing Authority as stated in the adopted Affordable Housing resolution in effect at the time of Application.

HISTORY

Adopted by Ord. 02-07 on 5/23/2002

Amended by Ord. 06-22 on 4/27/2006

Amended by Ord. 09-10 on 3/5/2009

Exhibit C – LMC § 15-15 Defined Terms

15-15 DEFINED TERMS

USABLE OPEN SPACE. An unobstructed portion of a lot which is landscaped and developed for active or passive recreational and leisure use, and is conveniently located and accessible. In a Master Planned Development, Usable Open Space shall be intended to serve all the units of a project and shall be accessible and convenient to all units.

HISTORY

Amended by Ord. [2016-44](#) on 9/15/2016

Amended by Ord. [2018-24](#) on 5/31/2018

Amended by Ord. [2018-27](#) on 5/31/2018

Amended by Ord. [2018-55](#) on 10/23/2018

Amended by Ord. [2018-55](#) on 10/23/2018

Amended by Ord. [2019-06](#) on 5/16/2019

Amended by Ord. [2019-30](#) on 5/30/2019

Planning Commission Staff Report



Subject: 158 Ridge Avenue
Project: PL-19-04380
Author: Rebecca Ward
Date: January 8, 2019
Type of Item: Administrative – Nightly Rental Conditional Use Permit

Summary Recommendation

Staff recommends that the Planning Commission review the proposed Nightly Rental Conditional Use Permit for 158 Ridge Avenue in the Historic Residential – Low Density (HRL) District, conduct a public hearing, and consider approving the Conditional Use Permit according to the findings of fact, conclusions of law, and conditions of approval outlined in this report.

Description

Applicant: Trail Runner, LLC; William Sundermeier
Location: 158 Ridge Avenue
Zoning District: Historic Residential - Low Density (HRL)
Adjacent Land Uses: Residential
Reason for Review: The Planning Commission reviews and approves Conditional Use Permits

Proposal

The Applicant requests that the Planning Commission review the proposal for a Nightly Rental Conditional Use Permit for 158 Ridge Avenue, a three-bedroom Single-Family Dwelling constructed in 2018 in the HRL District.

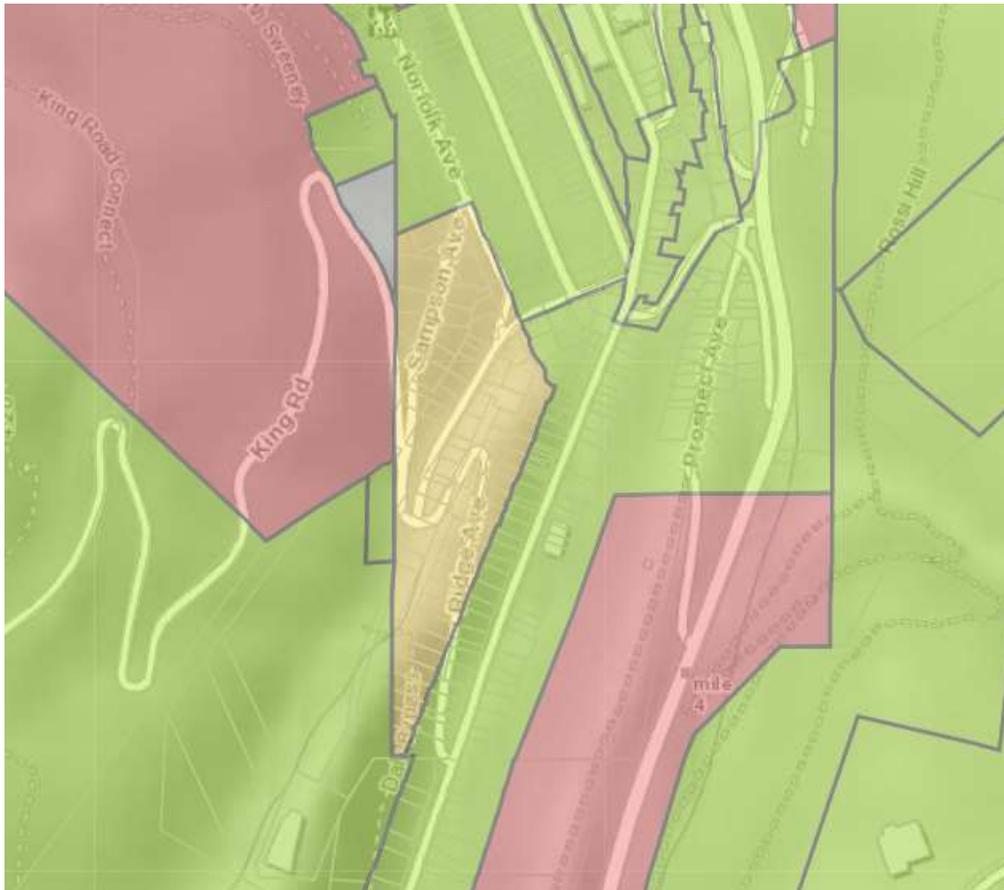
Background

On October 25, 2007, the City Council adopted Ordinance 07-74, approving the three-lot King Ridge Estates Subdivision (Summit County Recorder Entry 847041; Exhibit A). 158 Ridge Avenue is Lot 3 of the subdivision. Sole access to 158 Ridge Avenue is over a private driveway that was constructed in the platted, un-built Ridge Avenue right-of-way.

Analysis

The Land Management Code defines a Nightly Rental as “[t]he rental of a Dwelling Unit or any portion thereof . . . for less than thirty (30) days to a single entity or Person. Nightly Rental does not include the Use of Dwelling Units for Commercial Uses.” [LMC § 15-15-1](#). Nightly Rentals require a Conditional Use Permit in the HRL District for properties south of platted 2nd Avenue, west of Upper Norfolk and Daly Avenues, and east of King Road, an area highlighted in yellow on the Park City Nightly Rental Zones map below. [LMC § 15-2.1-2\(B\)\(1\)](#).

Park City Nightly Rental Zoning Map – Yellow Indicates HRL District & Required CUP



A Conditional Use is defined in [LMC § 15-15-1](#) as a land use that, because of its unique characteristics or potential impact, is allowed only if certain measures are taken to mitigate or eliminate the potential impacts. The Land Management Code requires the Planning Commission to review sixteen criteria when considering whether or not a proposed Conditional Use mitigates impacts. [LMC § 15-1-10\(E\)](#). The criteria are outlined below, followed by staff analysis.

1. **Size and location of the Site.**

No unmitigated impacts

Size: The LMC does not require a maximum or minimum size for Nightly Rental properties or dwellings.

158 Ridge Avenue is a 2,945-square-foot home with three bedrooms on a 0.17-acre lot. The potential Nightly Rental occupancy is limited by the existing size and emergency escape and rescue opening standards of the International Residential Code. If the Nightly Rental Conditional Use Permit is approved, the Applicant must also secure a Nightly Rental Business License prior to renting the property. Through the Business License application process, the Building Department will complete an inspection and will determine maximum occupancy for the rental to ensure that the appropriate

emergency escape and rescue openings are provided.

Location: 158 Ridge Avenue is located in an area identified in the Park City General Plan as a preferred area for Nightly Rentals because of its proximity to Park City Mountain Resort.¹

2. Traffic considerations including capacity of the existing Streets in the Area.
Condition of Approval Recommended



One of the purposes of the HRL District is to “[r]educe density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity.” [LMC § 15-2.1-1\(A\)](#). 158 Ridge Avenue is accessed by either King Road or Daly Avenue to Ridge Avenue, which is a substandard street. Six total residences are accessed by Ridge Avenue. The yellow star on the map to the left indicates the location of 158 Ridge Avenue.

158 Ridge Avenue and the two other properties to the south that are also part of the King Ridge Estates subdivision are accessed over a private driveway that was constructed in the platted, unbuilt Ridge Avenue right-of-way, shown in blue on the map to the left.

Due to substandard streets and access limited to a private driveway constructed in the platted, unbuilt Ridge Avenue right-of-way, staff recommends Condition of Approval 6 to restrict vehicles for the Nightly Rental to two. This Condition of Approval is further supported below in Section 5, *Location and amount of off-Street parking*.

3. Utility capacity, including Storm Water run-off.
No unmitigated impacts

158 Ridge Avenue is currently used as a private residence. If the Commission grants the Nightly Rental Conditional Use Permit, the Single-Family Dwelling will continue to be used as a residence with minimal change to utility capacity and storm water run-off.

¹ General Plan, Vol. 1, p. 71, Objective 7C.

4. Emergency vehicle Access.
No unmitigated impacts

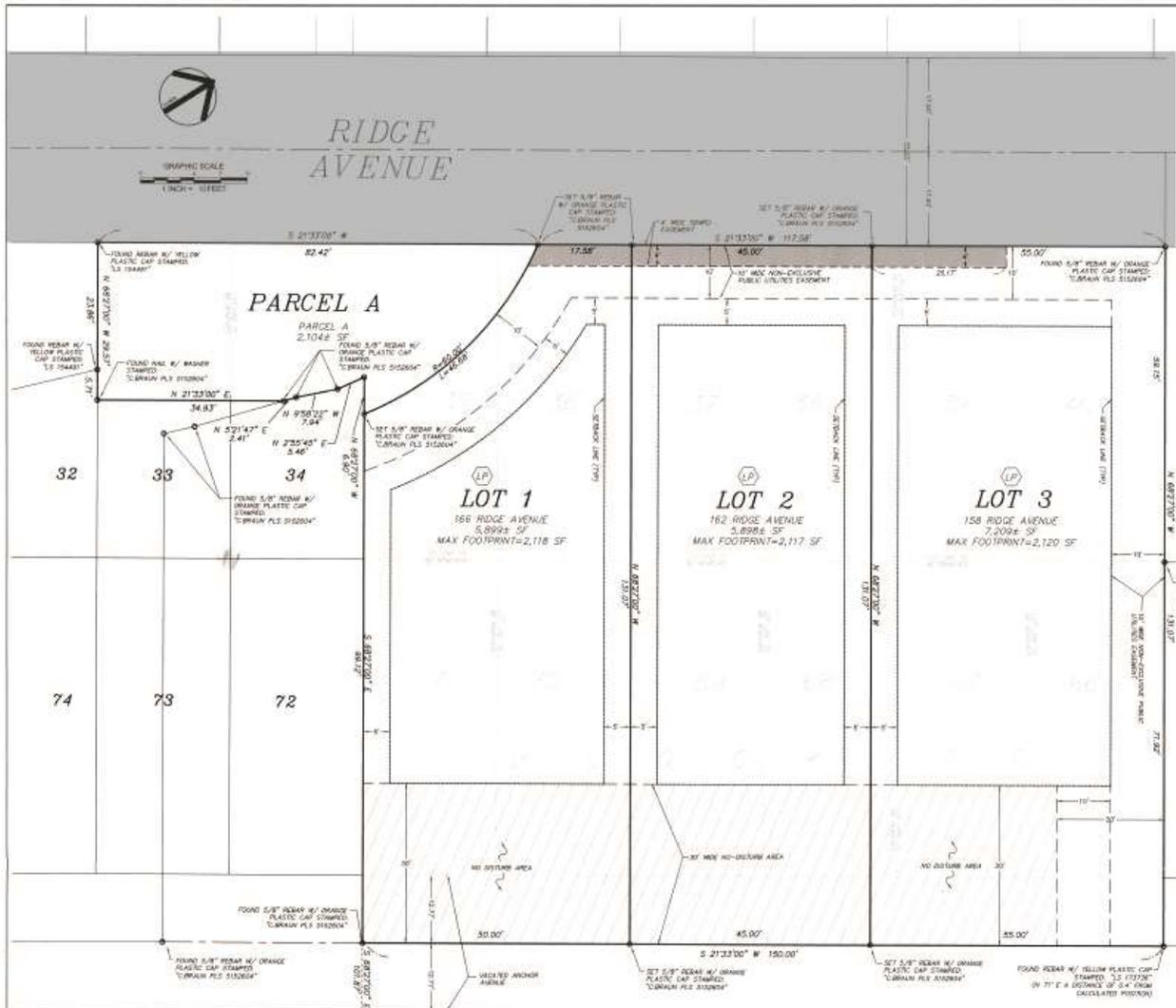
As discussed below in Section 5, proposed Condition of Approval 6 limits vehicles for the Nightly Rental to two. As a result, a Nightly Rental Conditional Use Permit for the existing Single-Family Dwelling will not alter emergency vehicle access because there are two parking spaces for the site, whether the site is used as a primary residence or as a Nightly Rental.

5. Location and amount of off-Street parking.
Condition of Approval Recommended

Nightly Rental parking requirements for a three-bedroom home are the same as they are for a Single-Family Dwelling – a Single-Family Dwelling requires two parking spaces. [LMC § 15-3-6\(A\)](#). A parking space must be 9' wide and 18' long. [LMC § 15-3-3\(F\)](#). 158 Ridge Avenue meets the requirement to provide two parking spaces for the Dwelling with one 11' x 20' in an attached garage and one 9' x 18' parking space in the private driveway constructed on Lot 3.

The Applicant requests that three parking spaces be approved for the Nightly Rental. However, there are no more than two parking spaces available for 158 Ridge Avenue. Access to 158 Ridge Avenue is solely over a private driveway constructed on the platted, un-built Ridge Avenue right-of-way.

On June 10, 2009, the Planning Commission approved a Conditional Use Permit for the construction of the private driveway in the Ridge Avenue right-of-way to access 158 Ridge Avenue and the other two lots in the subdivision. The 2009 Conditional Use Permit includes Condition of Approval 7, which states: “[p]arking is restricted on the driveway” (Exhibit C). The private driveway constructed on the un-built Ridge Avenue right-of-way is shown in gray below:



The 2009 Conditional Use Permit expired before the private driveway was built. On July 23, 2014, the Planning Commission once again approved a Conditional Use Permit for the construction of the private driveway in the Ridge Avenue right-of-way. Condition of Approval 12 states that parking is restricted on the driveway (PL-14-02288; Exhibit D).

According to the Engineering Department, the private driveway constructed on the Ridge Avenue right-of-way is only 20 feet wide, which does not support both fire access to the three King Ridge Estate lots and parking. Also, [LMC § 15-3-5\(B\)](#) requires that adequate snow storage along the downhill side and/or end of the driveway be provided. 158 Ridge Avenue is located on the downhill side and end of the driveway. As a result, the Engineering Department requires that parking for 158 Ridge Avenue be limited to two vehicles: one in the garage and one on the private driveway constructed on Lot 3. Parking is prohibited on the private driveway constructed on the platted, un-built Ridge Avenue right-of-way.

Lastly, the King Ridge Estates plat note five states that parcel A was dedicated to Park

City as a public street and right-of-way, shown in green on the map below (Exhibit A). According to the Engineering Department, no parking is allowed on Parcel A due to turning radius requirements, snow storage, and fire access.



As a result, staff recommends that the Commission consider Condition of Approval 6 that limits vehicles for the Nightly Rental to two, which must be parked on Lot 3 in the garage and on the Lot 3 driveway.

6. Internal vehicular and pedestrian circulation system.
Condition of Approval Recommended

Vehicle Circulation: Ridge Avenue is a steep and narrow street. During weather-related road conditions, access to 158 Ridge Avenue may be limited. During weather-related events, renters may need to park off-site in an approved overnight public parking lot and walk to the rental property. Staff recommends that Condition of Approval 10 be included to require that the Nightly Rental lease inform prospective renters that access to the property during inclement weather may be limited and alternative parking off-site may be required.

Additionally, the Applicant proposes to include the following in the Condition of Approval: "All-wheel drive vehicles are recommended during winter months."

Pedestrian Circulation: 158 Ridge Avenue is located within an estimated 10 to 15-minute walk from Main Street. The Upper Norfolk ski runs at Park City Mountain Resort are also within walking distance. Staff recommends Condition of Approval 11, which requires the owner to provide renters with detailed information regarding walkable access to skiing, to Park City's Historic Main Street, to Old Town, and to Park City's free transit service.

7. Fencing, Screening, and landscaping to separate the Use from adjoining Uses.
No unmitigated impacts

Fencing is not proposed at this time. No changes to the exterior landscaping are part of this application.

8. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots.
No unmitigated impacts

No change is proposed for the building mass, bulk, orientation, or location.

9. Usable Open Space.
No unmitigated impacts

There is no public Open Space in the King Ridge Estates subdivision. Lot 3 contains a building footprint and paved area of 3,445 square feet. Approximately 47 percent of Lot 3 is landscaped.

10. Signs and lighting.
Condition of Approval Recommended

No signs are proposed. Condition of Approval 4 states that lighting must conform to Building and Land Management Code standards before a Nightly Rental Business License is granted.

11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing.
No unmitigated impacts

No changes to the physical design are proposed.

12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site.
No unmitigated impacts

No noise, vibration, odors, steam, or mechanical factors that might affect people and property off-site are anticipated.

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

Condition of Approval Recommended

No deliveries are anticipated. Residential trash pickup for the property is on Ridge Avenue. Staff recommends Condition of Approval 9 to require that trash receptacles be placed for trash pickup according to Park City Code [§ 6-1-11](#), which requires that trash receptacles cannot be set out for collection prior to 6:00 PM of the day before collection. All trash receptacles in the HRL District must be removed from the street as soon as practical after being emptied, and in every case must be removed from the street prior to 11:59 PM the day they are emptied.

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

Condition of Approval Recommended

Condition of Approval 13 requires that the 158 Ridge Avenue Nightly Rental be managed and maintained by a property management company.

15. Within and adjoining the site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site.

No unmitigated impacts

No changes to the structure are proposed and no environmental site conditions are present.

16. Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding.

Condition of Approval Recommended

Goal 7 of the General Plan, Life-Cycle Housing, is to create a diversity of primary housing opportunities to address the changing needs of residents. Objective 7C is to focus future nightly rental units to resort neighborhoods – near Park City Mountain Resort and Deer Valley. 158 Ridge Avenue is within walking distance of Park City Mountain Resort skiing access through Upper Norfolk Avenue.

Goal 9 of the General Plan, Parks & Recreation, is to continue to provide unparalleled parks and recreation opportunities for residents and visitors. Objective 9C is to optimize interconnectivity by utilizing bus/transportation services to recreation facilities.

Staff recommends a condition of approval that the applicant provide renters with detailed information regarding walkable access to skiing and to Park City’s free transit service. This is reflected in Condition of Approval 11.

Department Review

The applicant's proposal was reviewed by the Development Review Committee on December 3, 2019. The Planning, Engineering, Building, and Legal departments also reviewed the proposal.

Notice

Notice was published in the *Park Record* and on the Park City website and the Utah Public Notice website on December 21, 2019. Notice was posted on the property on December 23, 2019. Courtesy notice was mailed to property owners within 300' of the property on December 23, 2019.

Public Input

Please see Exhibit E for public input opposing the Nightly Rental Conditional Use Permit.

Alternatives

1. The Planning Commission may approve the Conditional Use Permit for the 158 Ridge Avenue Nightly Rental, as conditioned; or
2. The Planning Commission may continue the discussion on the Conditional Use Permit for the 158 Ridge Avenue Nightly Rental and direct staff to conduct further research and analysis; or
3. The Planning Commission may deny the Conditional Use Permit for the 158 Ridge Avenue Nightly Rental and direct staff to make findings for this decision.

Recommendation

Staff recommends that the Planning Commission review the proposed Nightly Rental Conditional Use Permit for 158 Ridge Avenue in the HRL District, conduct a public hearing, and consider approving the Nightly Rental Conditional Use Permit according to the findings of facts, conclusions of law, and conditions of approval outlined below:

Findings of Fact

1. On November 21, 2019, the Applicant submitted a Nightly Rental Conditional Use Permit application for 158 Ridge Avenue.
2. On November 26, 2019, staff determined the application was complete.
3. On October 25, 2007, the City Council adopted Ordinance 07-74 approving the three-lot King Ridge Estates subdivision (Summit County Recorder Entry 847041).
4. 158 Ridge Avenue is Lot 3 (0.17 acres) of the King Ridge Estates subdivision.
5. The three lots in the King Ridge Estates subdivision are accessed solely over a private driveway that was constructed in the platted, un-built Ridge Avenue right-of-way.
6. 158 Ridge Avenue is located in the Historic Residential – Low Density Zoning District.
7. Nightly Rentals require a Condition Use Permit in the Historic Residential – Low Density Zoning District.
8. The 2,945-square-foot Single-Family Dwelling at 158 Ridge Avenue contains

- three bedrooms and was constructed in 2018.
9. Potential Nightly Rental occupancy is limited by existing size and emergency escape and rescue opening standards of the International Residential Code.
 10. In addition to a Nightly Rental Conditional Use Permit, the owner must secure a Nightly Rental Business License to use the property as a Nightly Rental.
 11. The business license application process requires that the Building Department inspect the property to ensure that the property meets all applicable building and fire codes.
 12. One of the purposes of the Historic Residential – Low Density Zoning District is to reduce density that is accessible only by substandard Streets so the streets are not impacted beyond their reasonable carrying capacity.
 13. 158 Ridge Avenue is accessed by either King Road or Daly Avenue to Ridge Avenue, which is a substandard street.
 14. Six total residences are accessed by Ridge Avenue.
 15. 158 Ridge Avenue and the other two properties to the south that are also part of the King Ridge Estates subdivision are accessed over a private driveway that was constructed in the platted, un-built Ridge Avenue right-of-way.
 16. 158 Ridge Avenue use as a private residence or Nightly Rental has a minimal change to utility capacity and storm water run-off.
 17. On June 10, 2009, the Planning Commission approved a Conditional Use Permit for the construction of the private driveway in the Ridge Avenue right-of-way to access 158 Ridge Avenue and the other two lots in the subdivision. The 2009 Conditional Use Permit includes Condition of Approval 7, which states “[p]arking is restricted on the driveway.”
 18. The 2009 Conditional Use Permit expired before the private driveway was built.
 19. On July 23, 2014, the Planning Commission once again approved a Conditional Use Permit for the construction of the private driveway in the Ridge Avenue right-of-way. The 2014 Conditional Use Permit includes Condition of Approval 12 restricting parking on the driveway.
 20. The Engineering Department determined that the private driveway constructed on the Ridge Avenue right-of-way is only 20 feet wide, which does not support both access to the three King Ridge Estate lots and parking.
 21. The King Ridge Estates plat dedicated Parcel A to Park City as a public street and right-of-way. No parking is allowed on Parcel A because of turning radius requirements, snow storage, and fire access.
 22. Only two parking spaces are available to 158 Ridge Avenue, one in the attached garage and one in the driveway constructed on Lot 3.
 23. Ridge Avenue is a steep and narrow street. During weather-related road conditions, access to 158 Ridge Avenue may be limited. During weather-related events, renters may need to park off-site in an approved overnight public parking lot and walk to the rental property. All-wheel drive vehicles are recommended to access the property during the winter months.
 24. 158 Ridge Avenue is located within an estimated 10 to 15-minute walk from Main Street.
 25. The Upper Norfolk ski runs at Park City Mountain Resort are within walking distance.

26. Fencing is not proposed at this time. No changes to the exterior landscaping are part of this application.
27. No change is proposed for the building mass, bulk, orientation, or location.
28. There is no public Open Space in the King Ridge Estates subdivision. Lot 3 contains a building footprint and paved area of 3,445 square feet. Approximately 47 percent of Lot 3 is landscaped.
29. No signs are proposed.
30. Lighting must conform to Building and Land Management Code standards before a Nightly Rental Business License is granted.
31. No changes to the physical design are proposed.
32. No noise, vibration, odors, steam, or mechanical factors that might affect people and property off-site are anticipated.
33. No deliveries are anticipated.
34. Residential trash pickup for the property is on Ridge Avenue. Trash receptacles must be placed for trash pickup according to Park City Code [§ 6-1-11](#), which requires that trash receptacles cannot be set out for collection prior to 6:00 PM of the day before collection. All trash receptacles in the HRL District must be removed from the street as soon as practical after being emptied, and in every case must be removed from the street prior to 11:59 PM the day they are emptied.
35. The 158 Ridge Avenue Nightly Rental shall be managed and maintained by a property management company.
36. No changes to the structure are proposed and no environmental site conditions are present.
37. Goal 7 of the General Plan, *Life-Cycle Housing*, is to create a diversity of primary housing opportunities to address the changing needs of residents. Objective 7C is to focus future nightly rental units to resort neighborhoods – near Park City Mountain Resort and Deer Valley. 158 Ridge Avenue is within walking distance of Park City Mountain Resort skiing access through Upper Norfolk Avenue.
38. Goal 9 of the General Plan, *Parks & Recreation*, is to continue to provide unparalleled parks and recreation opportunities for residents and visitors. Objective 9C is to optimize interconnectivity by utilizing bus/transportation services to recreation facilities.

Conclusions of Law

1. The proposed application as conditioned complies with the requirements of the Land Management Code.
2. The proposed Nightly Rental is compatible with surrounding structures in use, scale, mass, and circulation.
3. The proposed Nightly Rental use is consistent with the Park City General Plan.
4. The effects in difference in use or scale of the Nightly Rental have been mitigated through careful planning and conditions of approval.

Conditions of Approval

1. All standard project conditions shall apply.
2. The applicant must obtain a valid Nightly Rental Business License prior to using

- 158 Ridge Avenue as a Nightly Rental.
3. Compliance with all building and fire code standards is required as a condition precedent to issuance of a Nightly Rental Business License.
 4. All existing and any new exterior lighting shall conform to the City's lighting requirements prior to the issuance of a Nightly Rental Business License.
 5. No exterior commercial signs are approved as part of this Nightly Rental Conditional Use Permit. Any future signs on the property shall be subject to the Park City Sign Code.
 6. All lease agreements for Nightly Rental shall include language that limits the vehicles allowed at 158 Ridge Avenue to two (2) vehicles that may only park on two (2) on-site parking spaces: one in the attached garage and one on the private 158 Ridge Avenue driveway.
 7. Parking on the private driveway constructed on the platted, un-built Ridge Avenue right-of-way that provides access to 158 Ridge Avenue is prohibited.
 8. Parking on Ridge Avenue is prohibited.
 9. Property management shall place trash receptacles for trash pickup according to Park City Code § 6-1-11, which requires that trash receptacles cannot be set out for collection prior to 6:00 PM of the day before collection. All trash receptacles in the HRL District must be removed from the street as soon as practical after being emptied, and in every case must be removed from the street prior to 11:50 PM the day they are emptied.
 10. All lease agreements for Nightly Rental shall include language indicating that during heavy snowfall or bad road conditions, access to the property may be limited and there may be times when renters need to park off-site in a public parking lot and walk to the property. All-wheel drive vehicles are recommended during winter months.
 11. The applicant must provide renters with detailed information regarding walkable access to skiing, to Park City's Historic Main Street, to Old Town, and to Park City's free transit service.
 12. Nightly Rental of 158 Ridge Avenue prohibits Commercial Uses such as hospitality houses, screening rooms, reception centers, etc.
 13. A property management company shall oversee the property and shall maintain the property and landscaping in a manner that shall comply with all City Code and Land Management Code standards.
 14. The property must comply with Park City Code § 4-5-3, *Regulation of Nightly Rentals*.
 15. The owner understands fully that failure to follow these conditions, the Land Management Code, or the Park City Code could result in revocation of the Business License and/or the Conditional Use Permit.

Exhibits

Exhibit A – King Ridge Estates Subdivision Plat

Exhibit B – Applicant's Statement

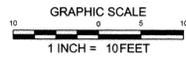
Exhibit C – 2009 Conditional Use Permit Final Action Letter

Exhibit D – 2014 Conditional Use Permit Final Action Letter

Exhibit E – Public Input

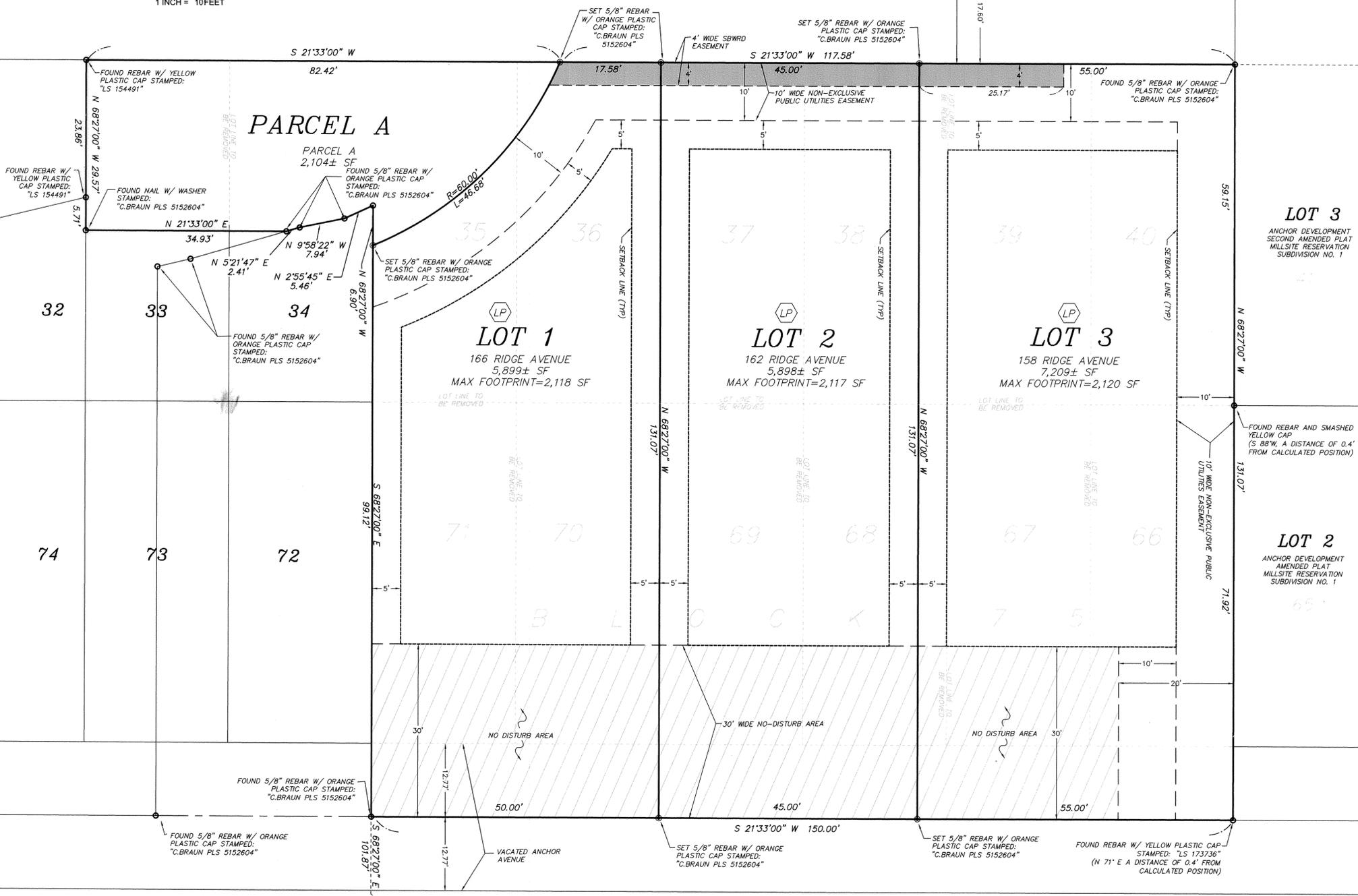
KING RIDGE ESTATES

A PORTION OF BLOCK 75, MILLSITE RESERVATION TO PARK CITY,
LYING WITHIN THE NORTHEAST QUARTER OF
SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



RIDGE AVENUE

PARCEL A



PLAT NOTES:

- ALL LOTS WITHIN THIS SUBDIVISION ARE BUILDABLE. ANY FURTHER SUBDIVISION OF SUCH LOTS, WHETHER BY DEED BEQUEST, DIVORCE DECREE, OR OTHER RECORDED INSTRUMENT SHALL NOT RESULT IN A BUILDABLE LOT UNTIL THE SAME HAS BEEN APPROVED IN ACCORDANCE WITH THE PARK CITY LAND USE ORDINANCE.
- UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS (PUE) IDENTIFIED ON THIS PLAT AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICE WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREON. SAID RIGHTS INCLUDES THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES, AND VEGETATION THAT MAY HAVE BEEN PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNERS EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNERS EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE BE PLACED WITHIN THE PUE WITHOUT PRIOR WRITTEN APPROVAL OF ALL THE UTILITIES WITH FACILITIES WITHIN THE AFFECTED PUE.
- DESIGN OF ACCESS TO AND FIRE PROTECTION FOR ALL PROPOSED BUILDINGS MUST MEET THE REQUIREMENTS OF THE PARK CITY FIRE SERVICE DISTRICT. MODIFIED 13-0 SPRINKLERS ARE REQUIRED IN EACH HOUSE.
- LOTS ARE NUMBERED 1-3.
- PARCEL A IS HEREBY DEDICATED TO PARK CITY AS A PUBLIC STREET AND RIGHT-OF-WAY.
- NO REMNANT PARCEL CREATED HEREBY IS SEPARATELY DEVELOPABLE.
- THE 30-FOOT WIDE NO-DISTURB AREA ALONG THE REAR OF LOTS 1-3 IS INTENDED TO PRESERVE EXISTING VEGETATION BOTH DURING AND AFTER CONSTRUCTION. DISTURBANCE WITHIN 30 FEET OF THE REAR LINE WILL BE REQUIRED ONLY IN THE VICINITY OF POWER AND STORM DRAIN CONSTRUCTION.
- THE MAXIMUM FLOOR AREA, AS DEFINED BY THE PARK CITY LAND MANAGEMENT CODE, CANNOT EXCEED 3,030 SQUARE FEET FOR ANY STRUCTURE ON LOT 1, 2, OR 3.
- CONSTRUCTION ON LOTS 1, 2, AND 3 IS RESTRICTED BY SPECIFIC CONDITIONS OF THE SUBDIVISION APPROVAL, ORDINANCE 07-74.
- LOTS DESIGNATED AS LOW PRESSURE SEWER SYSTEM LOTS SHALL BE REQUIRED TO INSTALL A LOW PRESSURE GRINDER PUMP STATION AND APPURTENANCES CONSISTENT WITH THE SBWRW PUBLIC LOW PRESSURE SEWER SYSTEM INSTALLED FOR THE DEVELOPMENT. THE KING RIDGE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR OPERATION, MAINTENANCE AND REPAIR OF THE LOW PRESSURE GRINDER PUMP STATION AND APPURTENANCES.

LEGAL DESCRIPTION:

ALL OF LOTS 35 TO 40, INCLUSIVE; LOTS 66 TO 71, INCLUSIVE, AND THE WESTERLY ONE-HALF OF LOTS 33 AND 34, BLOCK 75, MILLSITE RESERVATION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN SUMMIT COUNTY RECORDER'S OFFICE.

TOGETHER WITH ONE-HALF OF THE VACATED ANCHOR AVENUE ABUTTING SAID LOTS 66 THROUGH 71, INCLUSIVE ON THE EAST.

LESS AND EXCEPTING THEREFROM THE WESTERLY ONE-HALF OF LOT 34 ANY PORTION LYING EASTERLY OF RIDGE AVENUE WITHIN THE BOUNDS OF THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT A POINT ON THE PLATTED CENTERLINE OF ANCHOR AVENUE, SAID POINT BEING SOUTH 68°27'00" EAST 12.77 FEET FROM THE NORTHEAST CORNER OF LOT 72, BLOCK 75 OF THE MILLSITE RESERVATION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE; THENCE ALONG SAID PLATTED CENTERLINE SOUTH 21°33'00" WEST 37.50 FEET; THENCE LEAVING SAID CENTERLINE NORTH 68°27'00" WEST 95.31 FEET TO THE EASTERLY EDGE OF ASPHALT OF THE EXISTING PAVED RIDGE AVENUE; THENCE ALONG SAID EASTERLY ASPHALT EDGE THE FOLLOWING FIVE CALLS: 1) NORTH 11°25'02" EAST 0.44 FEET; 2) NORTH 08°09'06" EAST 5.47 FEET; 3) NORTH 05°21'47" EAST 19.77 FEET; 4) NORTH 09°58'22" EAST 7.94 FEET; 5) NORTH 02°55'45" WEST 5.46 FEET TO A POINT ON THE NORTHEASTERLY LINE OF LOT 34 OF SAID MILLSITE RESERVATION; THENCE LEAVING SAID EASTERLY EDGE OF ASPHALT AND ALONG THE NORTHERLY LINE OF LOT 34 AND 72 OF SAID MILLSITE RESERVATION SOUTH 68°27'00" EAST 106.02 FEET TO THE POINT OF BEGINNING.

OWNER'S DEDICATION AND CONSENT TO RECORD

I, Wesley Lee Scott, KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND, TO BE KNOWN HEREAFTER AS THE KING RIDGE ESTATES, DO HEREBY CERTIFY THAT I HAVE CAUSED THIS PLAT TO BE PREPARED, AND I/WE, AS OWNER(S) OF KING RIDGE RESOURCES, LLC. HEREBY CONSENT(S) TO THE RECORDATION OF THIS PLAT.

ALSO, THE OWNER(S), OR HIS/HER REPRESENTATIVES, 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, I HAVE HEREUNTO SET MY HAND THIS 12th DAY OF May, 2008.

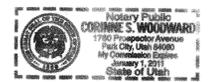
[Signature]
KING RIDGE RESOURCES, LLC

ACKNOWLEDGEMENT

STATE OF UTAH:
COUNTY OF SUMMIT:

ON THIS 12th DAY OF May, 2008, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SUMMIT, IN SAID STATE OF UTAH, KING RIDGE RESOURCES, LLC, THE PERSON THAT EXECUTED THE WITHIN INSTRUMENT AND KNOWN TO ME TO BE (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF SAID PERSON, BEING DULY SWORN AND ACKNOWLEDGED TO ME THAT THEY ARE THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THEY SIGNED THE ABOVE OWNER'S DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

[Signature]
NOTARY PUBLIC
MY COMMISSION EXPIRES 11/11



SURVEYOR'S CERTIFICATE

I, CHRISTOPHER R. BRAUN, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 5152604, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THIS PLAT WAS PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF PARK CITY MUNICIPAL CORPORATION. I FURTHER CERTIFY THAT THE PROPERTY BOUNDARIES AS SHOWN ARE CORRECT.

LEGEND

- FOUND STREET MONUMENT
- FOUND REBAR W/ CAP OR NAIL (AS DESCRIBED)
- SET 5/8" REBAR W/ ORANGE PLASTIC CAP STAMPED: "C.BRAUN PLS 5152604"
- LOW PRESSURE SEE PLAT NOTE #10

[Signature]
CHRISTOPHER R. BRAUN
PLS 5152604
5/10/08

5/9/08
DATE

Park City Surveying

P.O. Box 682993
Park City, UT 84068
(435) 649-2918
(435) 649-4637 fax

MAY 2008 PAGE 1 of 1

PARK CITY PLANNING COMMISSION
REVIEWED BY THE PARK CITY PLANNING COMMISSION ON THIS 12th DAY OF SEPTEMBER, 2007 A.D.
[Signature]
CHAIRMAN

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 25TH DAY OF OCTOBER, 2007 A.D.
[Signature]
BY
PARK CITY RECORDER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 14th DAY OF May, 2008 A.D.
[Signature]
BY
S.B.W.R.D.

ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 21st DAY OF May, 2008 A.D.
[Signature]
BY
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 5th DAY OF June, 2008 A.D.
[Signature]
BY
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ___ DAY OF ___, 2008 A.D.
[Signature]
BY
MAYOR

RECORDED # 847041
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF U.S. Title
DATE 6-13-08 TIME 2:20pm
BOOK ___ PAGE ___
\$34.00 FEE
[Signature]
RECORDER

158 Ridge Avenue

Conditional Use Permit for Nightly Rental Use

General Description

This application requests a nightly rental use for 158 Ridge Avenue in a newly build (2018) single family 3-bedroom, 3-bathroom, 2945 square foot home on 0.17 acres. The property is within the Historic Residential Low Density (HRL) district which requires a conditional use permit for nightly rental uses within the zone.

The home has a heated driveway and a heated private drive. Two parking spaces are required for nightly rental use for up to six bedrooms or less. This property can accommodate off street parking for four (4) vehicles, one in the garage and one in the driveway, and two at the end of the private drive.

We will primarily rent weekly with some infrequent nightly rentals. We will continue to occupy the home ourselves for weeks/months in the winter and summer. Our intention is to infrequently rent throughout the year to minimize the impact to the neighborhood and to the home itself.

The property is being professionally managed by Abode Luxury rentals so that there will always be someone present in the area to manage the home, landscaping, and renters.

The previously approved nightly rental uses in the area have similar conditions of approval. The applicant agrees to the following conditions being applied to the nightly rental use of the property.

- The applicant must obtain and maintain a valid Nightly Rental Business License.
- Compliance with all building and fire code standards is required as a condition precedent to issuance of a Nightly Rental Business License.
- All existing and any new exterior lighting shall conform to the City's lighting requirements prior to the issuance of a Nightly Rental Business License.
- No exterior commercial signs are approved as part of the CUP. All signs are subject to the Park City Sign Code.
- This Nightly Rental Conditional Use Permit is approved for the 3-Bedroom, 3-Bathroom Single-Family Dwelling. Any additions to the Structure that enlarge the Structure terminate this Conditional Use Permit and require a new Conditional Use Permit that reflect the altered size of the Single-Family Dwelling.
- All lease agreements for nightly rental shall include language that limits the number of vehicles allowed at 158 Ridge Avenue to (3) Vehicles that will only be parked in the Garage, Driveway, or two parking spaces at the end of the private drive. This is to ensure that the neighboring properties are not impacted. No parking in the surrounding residential neighborhood is permitted.
- The property owner or a Property Management Company shall place trash receptacles for trash pickup according to the Municipal Code of Park City 6-1-11, which requires that trash receptacles cannot be set out for collection prior to 6pm of the day before collection. All trash receptacles in the HRL District must be removed from the street as soon as practical after being emptied, and in every case must be removed from the street prior to 11:50 PM the day they are emptied.

-All lease agreements for Nightly Rental shall include language indicating that during heavy snowfall or bad road conditions, access to the property may be limited and a list of municipal garages shall be provided. There may be times when renters need to park off-site in a public parking lot and walk to the property and all-wheel drive vehicles are recommended during winter months.

-The applicant must provide renters with detailed information regarding walkable access to skiing, to Park City's Historic Main Street, to Old Town, to Park City's free transit serve and to Park City Municipal Garages.

-Nightly Rental of 158 Ridge Avenue prohibits Commercial Uses such as hospitality houses, screening rooms, reception centers, etc.

-The property owner or a professional property management company shall oversee the property and shall maintain the property and landscaping in a manner that shall comply with all City Code and Land Management Code standards.

-Applicant understands fully that failure to follow these conditions, City ordinances, or City building codes could cause the business license and/or the conditional use permit to be revoked.

Answers to Project Description Questions:

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

158 Ridge Avenue is in the HRL district where there is a mix of Nightly Rentals and Owner Occupied homes. Our home will be both.

What type of service will it provide to Park City?

Rental property close to Park City Mountain Resort and Deer Valley with walking access to resorts, main street, old-town, and public transportation.

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

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

Is the proposed use suitable for the proposed site? Yes

Will the proposed use emit noise, glare dust, pollutants, and odor? No

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

Similar to owner occupied hours. Local property management will be employed.

Are other special issues that need to be mitigated? None

June 11, 2009

Mr. Dwayne Seiter
Via email: dwayneseiter@yahoo.com

NOTICE OF PLANNING COMMISSION ACTION

<u>Project Name</u>	King Ridge Estates
<u>Project Description</u>	Extension of Approval for Conditional Use Permit
<u>Date of Meeting</u>	June 10, 2009

Action Taken By Planning Commission: The Planning Commission APPROVED the proposed Conditional Use Permit Extension based on the following:

Findings of Fact:

1. The property is located at 158, 162, and 166 Ridge Avenue.
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combines lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A Special Exception was granted by the Board of Adjustment to permit a driveway slope up to 14%.
6. The driveway is 19 feet wide with a two foot shoulder on the west side. The right-of-way is 35 feet wide with 14 feet from the edge of curb to the west edge of the right-of-way. With a 14% road slope, a structural retaining wall at the north end is unnecessary. Grade is met with a sloped boulder wall less than four feet in height. The boulder wall at the north end leaves 22 feet from the edge of asphalt to the north end of the property (extended).
7. There is adequate snow storage between the driveways (downhill side) on the individual lots as well as at the north end of the driveway.
8. The driveway will be paved in concrete.
9. A snow melt system, if desired, requires an Encroachment Agreement to be approved by the City Engineer.

10. The staff findings in the Analysis section of the June 10, 2009, staff report are incorporated herein.
11. On February 13, 2008, the Planning Commission approved the Conditional Use Permit for a driveway in a platted, un-built City right-of-way (Ridge Avenue) with an expiration date of one year from the date of approval to receive a building permit.
12. On February 12, 2009, the City received a request for a one year extension of the approval for the restaurant.

Conclusions of Law:

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

Conditions of Approval:

1. A final utility plan is required to be approved by the City Engineer prior to plat recordation and implementation of the Conditional Use Permit.
2. An Encroachment Agreement for the private driveway within the platted Ridge Avenue is a condition precedent to plat recordation. Said Agreement shall be approved by the City Engineer as to content and by the City Attorney as to form.
3. A landscape plan to mitigate the visual effects of the retaining walls is required to be submitted with a Steep Slope Conditional Use Permit or Historic District Design Review, whichever is first.
4. A snow removal plan is required to be submitted with a Steep Slope Conditional Use Permit or Historic District Design Review, whichever is first.
5. The retaining wall will be veneered with natural stone.
6. The City Engineer will review the transition slopes to the 15% grade.
7. Parking is restricted on the driveway.
8. The maximum height of the retaining wall can not exceed 6.87 feet above existing grade.
9. The Planning Commission will review the guardrail and lighting considerations at final design.
10. The Conditional Use Permit expires on February 13, 2010, unless a building permit has been granted.

Sincerely,

Brooks T. Robinson
Principal Planner



December 12, 2014

Thaynes Capital Park City LLC
Attn: Damon Navarro
PO Box 681849
Park City, UT 84068

NOTICE OF PLANNING COMMISSION ACTION

Project Description: 166 Ridge Ave CUP for Construction in Platted, un-built City Right-of-Way
Project Number: PL-14-02288
Project Address: 166 Ridge Ave
Date of Final Action: July 23, 2014

Action Taken

On July 23, 2014, the Planning Commission conducted a public hearing and approved the 166 Ridge Avenue Conditional Use Permit (CUP) for Construction in Platted, un-built City Right-of-Way according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The property is located at 158, 162, and 166 Ridge Avenue.
2. The zoning is Historic Residential Low Density (HRL).
3. The approved plat combines lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A Special Exception was granted by the Board of Adjustment to permit a driveway slope up to 14%.
6. A two-tiered retaining wall along the west and north sides will be a maximum of eight feet high (total). The Special Exception granted on December 18, 2007 lowered the wall another 4 feet over the 100 foot length to a maximum height of 4 feet. Retaining walls exceeding 4 feet will need to be approved by the Planning Director and City Engineer.

7. The driveway is 19 feet wide with a two foot shoulder on the west side. The right-of-way is 35 feet wide with 14 feet from the edge of curb to the west edge of the right-of-way. With a 14% road slope, a structural retaining wall at the north end is unnecessary. Grade is met with a sloped boulder wall less than four feet in height. The boulder wall at the north end leaves 22 feet from the edge of asphalt to the north end of the property (extended).
8. There is adequate snow storage between the driveways (downhill side) on the individual lots as well as at the north end of the driveway. A snow shed easement was recorded at Summit County as Entry # 906401 on September 9, 2010.
9. The driveway will be paved in concrete.
10. The staff findings in the Analysis section are incorporated herein.

Conclusions of Law

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

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The plan shall include a phasing, timing, staging, and coordination of construction with adjacent projects to address mitigation of neighborhood impacts due to the volume of construction in this neighborhood.
3. City Engineer review and approval of all construction, including grading, utility installation, public improvements and storm drainage plans, and all construction within the ROW, for compliance with City and Fire District standards, is a condition precedent to building permit issuance.
4. The City Engineer will review the transition slopes to the 15% grade.
5. Planning Director and City Engineer will review the final design and materials for the proposed road and any necessary retaining walls. No retaining wall shall exceed four (4) feet unless approved by the Planning Director and City Engineer. Per the June 9, 2009 CUP extension request before the Planning Commission, the maximum height of the retaining was not to exceed 6.87 feet above existing grade.
6. Snyderville Basin Water Reclamation District review and approval of the utility plans for compliance with SBWRD standards and procedures, is a condition precedent to building permit issuance.
7. A final utility plan is required to be approved by the City Engineer prior to issuance of a building permit.
8. A Historic District Design application shall be submitted prior to submittal of a building permit application for Lots 1, 2, & 3.
9. A building permit will be required to build the road and retaining walls.
10. The City Engineer will review the final construction documents and confirm that all existing utilities will not be impacted and anticipated utilities will be located in

accordance with the plans as submitted.

11. A final landscape plan shall be submitted with a Steep Slope Conditional Use Permit or Historic District Design Review for approval by the Planning Department prior to issuance of a building permit for the lots and driveway. The landscaping shall be complete prior to issuance of a final certificate of occupancy for the lots. The landscape plan shall provide mitigation of the visual impacts of the driveway and any retaining walls and mitigation for removal of any existing Significant Vegetation. Prior to removal of any trees, an arborist report shall be provided to the Planning Department for review. The arborist report shall include a recommendation regarding any Significant Vegetation proposed to be removed and appropriate mitigation for replacement vegetation.
12. Parking is restricted to on the driveway.
13. All conditions of approval of the Subdivision No. 1 Millsite Reservation Plat (Ordinance No. 07-74) and the findings of the December 18, 2007 Special Exception approval must be adhered to.
14. The Conditional Use Permit will expire on July 23, 2015, if a building permit has not been granted.
1. The Planning Department and City Engineer will review any proposed guardrail and lighting considerations at time of final design.

If you have any questions or concerns regarding this letter, please do not hesitate to call me at 435-615-5068 or contact me by email at christy.alexander@parkcity.org.

Sincerely,



Christy J. Alexander, AICP
Planner II

From: [Delphine Campes](#)
To: [Rebecca Ward](#)
Cc: 61daly@gmail.com
Subject: Re: 158 Ridge Avenue Nightly Rental Conditional Use Permit Application
Date: Thursday, January 02, 2020 11:55:31 PM

Hi Rebecca,

Sorry for the delay in responding. I would like to oppose the conditional use permit for nightly rentals for the following reasons:

1. It kills the neighborhood to allow yet another house to sit empty for long periods of times then with full of strangers that constantly come and go.
2. It brings more cars into the neighborhood: nightly renters come in numbers with more cars than full time residents. They overflow into the street for parking, their constant back and forth in and out of the neighborhood makes walking the streets unbearable. I like to walk this street with my dogs and have to move aside for cars to pass me and splash me in the winter - this will make it worse
3. It kills our community: I have no interest in making conversation with a stranger that only cares about their experience and having to repeat this every week. We moved to Old Town to raise our son amongst a community that is disappearing to make space for strangers - all for a quick buck.
4. Nightly renters are noisy: they party loudly, they don't care about rules because they'll be gone in a nano second. Most of my experience with nightly renters on Daly has been nasty. In the summer we keep our windows open at night to cool off but the constant back and forth of loud traffic and drunk renters walking and screaming has made it impossible to have a peaceful night of sleep before 2am. I know who lives by me and these people are not from here. Make it stop!
5. Stop turning old town into house hotels. People keep getting away with building monster houses only to turn around and rent them nightly. What happened to being a local? Nightly renters are not locals. There was a reason why Ridge Avenue was zoned to not allow nightly rentals - keep it that way otherwise it only opens the door to the other 2 houses next to it to do the same. Keep the Neighborhood alive!

Thank for listening. I love Park city for its community - this will kill it more if you allow more nightly rentals. Keep the traffic sane! Protect our Park city.

Delphine Campes
61 Daly avenue

Sent from my iPhone

Planning Commission Staff Report



Subject: Fairway Meadows Plat Amendment
Author: Rebecca Ward
Project: PL-19-04391
Date: January 8, 2020
Type of Item: Administrative – Subdivision Plat Amendment

Summary Recommendation

Staff recommends the Planning Commission review the proposed Fairway Meadows Subdivision Lot 11 Amended Plat, hold a public hearing, and consider forwarding a positive recommendation for the City Council's consideration on January 16, 2020, based on the findings of fact, conclusions of law, and conditions of approval outlined in the draft ordinance.

Description

Applicant: Linda and Blake Fisher
Location: 2784 American Saddler Drive
Adjacent Land Uses: Residential
Zoning District: Residential Development
Reason for Review: Subdivision plat amendments require Planning Commission review and recommendation to City Council for final action

Proposal

The applicant is the owner of both Lots 11 and 12 of the Fairway Meadows Subdivision in the Residential Development Zoning District. The applicant's home, 2784 American Saddler Drive, is located on Lot 11. Lot 12 is vacant. The applicant proposes to combine Lots 11 and 12 in order to build an addition to their home.

Background

On December 4, 2019, the Applicant submitted an application to combine Lots 11 and 12 of the Fairway Meadows Subdivision. On December 11, 2019, staff determined the application was complete.

On March 17, 1992, City Council approved the Fairway Meadows Subdivision (Summit County Recorder Entry 356214; Exhibit C). The Fairway Meadows Subdivision Plat prescribes maximum house sizes for each lot. The maximum house size on the 0.39-acre Lot 11 is 5,500 square feet. The maximum house size on the 0.36-acre Lot 12 is also 5,500 square feet. Note 8 of the Fairway Meadows Subdivision Plat states that "[m]aximum house sizes on combined lots shall not exceed 150% of the maximum allowed on each lot when averaged." This limitation on combined Lots is also outlined in the Land Management Code and is discussed in the analysis section below.

Analysis

The combining of existing subdivided Lots into one or more Lots requires a Plat Amendment.^a

The purpose of the Residential Development Zoning District (RD Zone) is to:

A. Allow a variety of Residential Uses that are Compatible with the City's Development

^a LMC [§ 15-7.1-3\(B\)](#).

objectives, design standards, and growth capabilities;

B. Encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services;

C. Allow commercial and recreational activities that are in harmony with residential neighborhoods;

D. Minimize impacts of the automobile on architectural design;

E. Promote pedestrian connections within Developments and between adjacent Areas; and

F. Provide opportunities for variation in architectural design and housing types.^b

Single-Family Dwellings are an allowed use in the RD Zone.^c

The Proposed Fairway Meadows Subdivision Lot 11 Amended Plat Complies with the Land Management Code.

An owner may combine Lots with designated maximum house sizes and achieve approximately 150% of the maximum house size attributed to a particular Lot.^d The Owner must request an increase in maximum house size prior to or concurrent with the Lot combination plat.^e Prior to consideration by the Planning Commission, the Planning Director must make a determination on (A) maximum house size; (B) Setbacks; (C) vacation of easements; and (D) conformance with Land Management Code Chapter 15-7, Subdivisions. On December 23, 2019, Planning Director Erickson made the following determinations:

A. The maximum house size for combined Lots 11 and 12 shall be 8,250 square feet.

The maximum house size may not exceed 150% of the house size allowed on each single Lot when those maximums are combined and averaged. The Fairway Meadows Subdivision Plat caps the Lot 11 maximum house size to 5,500 square feet and the Lot 12 maximum house size to 5,500 square feet. As a result, the maximum house size for combined Lots 11 and 12 totals 8,250 square feet (Condition of Approval 4).^f

B. Lot 12 Setbacks shall be as follows: Front – 30’; Rear – 22.5’ for Main Buildings and 15’ for Accessory Buildings and detached garage; Side – 18’.

The allowed minimum Setbacks for a proposed house size on combined Lots must increase in proportion to the percentage of increase in the house size over the average maximum house size for the Lots being combined.^g

Front Setbacks in the RD Zone are 20’. When Lots are combined, the Front Setback increases to 30’. Rear Setbacks in the RD Zone are 15’ for Main Buildings and 10’ for Accessory Buildings and detached garages. When Lots are combined, the Rear Setback increases to 22.5’ for Main Buildings and 15’ for Accessory Buildings and detached garages. Side Setbacks in the RD Zone are 12’. When Lots are combined, the Side Setback increases to 18’. These Setbacks are reflected in Condition of Approval 5.^h

^b LMC [§ 15-2.13-1](#).

^c LMC [§ 15-2.13-2\(A\)\(1\)](#).

^d LMC [§ 15-2.13-6](#).

^e *Id.*

^f Note 8 of the Fairway Subdivision Plat acknowledges this Code requirement: “Maximum house sizes on combined lots shall not exceed 150% of the maximum allowed on each lot when averaged.”

^g LMC [§ 15-2.13-6\(B\)](#).

^h See the formula outlined in LMC [§ 15-2.13-6\(B\)](#).

C. The non-exclusive five-foot utility, slope, and drainage easement along the common Lot line between Lots 11 and 12 may need to be vacated.

If an easement must be vacated to allow construction on combined Lots, the Applicant must show evidence that the easement can be vacated or relocated without affecting service to the adjacent Lots. The easement relocation agreement must be recorded and/or shown on the plat amendment for the Lot combination. This requirement is reflected in Condition of Approval 6.ⁱ

D. The Lots must be legally combined through a plat amendment pursuant to LMC Chapter 15-7, Subdivisions.^j

Staff reviewed the proposed Fairway Meadows Subdivision Lot 11 Amendment for compliance with Land Management Code [§ 15-1-8\(H\)](#); [§ 15-1-11\(C\)](#); [§ 15-2.13-6](#); [§ 15-7.1-3\(B\)](#), [§ 15-7.1-6](#), and [§ 15-12-15\(B\)\(9\)](#).

Department Review

The Development Review Committee reviewed the Fairway Meadows Subdivision Lot 11 Amended Plat proposal on December 17, 2019. The Planning, Engineering, and Legal Departments also reviewed the plat amendment.

Notice

Notice was published in the *Park Record* and on the Utah Public Notice website on December 21, 2019. Courtesy notice was mailed to neighboring properties on December 23, 2019. Notice was posted to 2784 American Saddler Drive on December 23, 2019.

Public Input

The Applicant submitted neighborhood consent to combine Lots 11 and 12 of the Fairway Meadows Subdivision Plat, included as Exhibit B. On December 29, 2019, the property owners of 2760 American Saddler Drive, the next-door neighbors to Lot 12, sent an email in support of the proposed plat amendment (also included in Exhibit B). No other public input was received at the time this report was completed.

Alternatives

- The Planning Commission may forward a positive recommendation for the Fairway Meadows Subdivision Lot 11 Amendment to the City Council for consideration on January 16, 2020; or
- The Planning Commission may forward a negative recommendation for the Fairway Meadows Subdivision Lot 11 Amendment to the City Council for consideration on January 16, 2020, and direct staff to make Findings for this decision; or
- The Planning Commission may continue the item to a date certain.

Consequences of not taking the Suggested Recommendation

The owner would not be able to combine Lots 11 and 12 and could not construct an addition to their existing home.

Good Cause

Staff reviewed the proposed Fairway Meadows Subdivision Lot 11 Amendment for compliance with Land Management Code [§ 15-1-8\(H\)](#); [§ 15-1-11\(C\)](#); [§ 15-2.13-6](#); [§ 15-7.1-3\(B\)](#), [§ 15-7.1-6](#),

ⁱ LMC [§ 15-2.13-6\(C\)](#).

^j LMC [§ 15-2.13-6\(D\)](#).

and [§ 15-12-15\(B\)\(9\)](#).

Recommendation

Staff recommends that the Planning Commission review the Fairway Meadows Subdivision Lot 11 Amendment, hold a public hearing, and consider forwarding a positive recommendation for City Council's consideration on January 16, 2020, based on the findings of fact, conclusions of law, and conditions of approval outlined in the draft ordinance.

Exhibits

Attachment I: Draft Ordinance 2020-XX

Exhibit A: Fairway Meadows Subdivision Lot 11 Amended Plat

Exhibit B: Neighborhood Consent to Combine Lots 11 and 12

Exhibit C: Fairway Meadows Subdivision Plat

Draft Ordinance No. 2020-XX

AN ORDINANCE APPROVING THE FAIRWAY MEADOWS SUBDIVISION LOT 11 AMENDED, LOCATED AT 2784 AMERICAN SADDLER DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 2784 American Saddler Drive petitioned the City Council for approval of the Fairway Meadows Subdivision Lot 11 Amended Plat; and

WHEREAS, on December 21, 2019, legal notice was published in the *Park Record* and on the Utah Public Notice website; and

WHEREAS, on December 23, 2019, notice was posted to the property and courtesy notice was sent to affected property owners; and

WHEREAS, the Planning Commission held a public hearing on January 8, 2020, to receive input on the Fairway Meadows Subdivision Lot 11 Amended; and

WHEREAS, on January 8, 2020, the Planning Commission forwarded a _____ recommendation to the City Council; and

WHEREAS, on January 16, 2020, the City Council held a public hearing and took final action on the subdivision plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Fairway Meadows Subdivision Lot 11 Amended Plat.

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 Fairway Meadows Subdivision Lot 11 Amended 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. On December 4, 2019, the Applicant submitted an application to combine Lots 11 and 12 of the Fairway Meadows Subdivision.
2. On December 11, 2019, staff determined the application was complete.

3. On March 17, 1992, City Council approved the Fairway Meadows Subdivision (Summit County Recorder Entry 356214).
4. The Fairway Meadows Subdivision Plat prescribes maximum house sizes for each lot.
5. The maximum house size for the 0.39-acre Lot 11 is 5,500 square feet.
6. The maximum house size for the 0.36-acre Lot 12 is 5,500 square feet.
7. Note 8 of the Fairway Meadows Subdivision Plat states that “[m]aximum house sizes on combined lots shall not exceed 150% of the maximum allowed on each lot when averaged.”
8. The combining of existing subdivided Lots into one or more Lots requires a Plat Amendment.
9. Lots 11 and 12 of the Fairway Meadows Subdivision are located in the Residential Development (RD) Zoning District.
10. Single-Family Dwellings are an allowed use in the RD Zone.
11. In the RD Zone, an owner may combine Lots with designated maximum house sizes and achieve approximately 150% of the maximum house size attributed to a particular Lot.
12. The Owner must request an increase in maximum house size prior to or concurrent with the Lot combination plat.
13. Prior to consideration by the Planning Commission, the Planning Director must make a determination on (A) maximum house size; (B) Setbacks; (C) vacation of easements; and (D) conformance with Land Management Code Chapter 15-7, Subdivisions.
14. On December 23, 2019, Planning Director Erickson made the following determinations: (A) the maximum house size for combined Lots 11 and 12 shall be 8,250 square feet; (B) Lot 12 Setbacks shall be as follows: Front – 30’; Rear – 22.5’ for Main Buildings and 15’ for Accessory Buildings and detached garage; Side – 18’; (C) the non-exclusive five-foot utility, slope, and drainage easement along the common Lot line between Lots 11 and 12 may need to be vacated; and (D) the Lots must be legally combined through a plat amendment pursuant to LMC Chapter 15-7, Subdivisions.
15. The proposed Fairway Meadows Subdivision Lot 11 Amendment has been reviewed for compliance with Land Management Code § 15-1-8(H); § 15-1-11(C); § 15-2.13-6; § 15-7.1-3(B); § 15-7.1-6; and § 15-12-15(B)(9).

Conclusions of Law:

1. There is good cause for the Fairway Meadows Subdivision Lot 11 Amendment.
2. The subdivision plat amendment is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the subdivision plat amendment, subject to the conditions stated below, does not adversely affect the health, safety, or 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 Fairway Meadows Subdivision Lot 11 Amended 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 plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year, 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 applicable recorded public utility and access easements shall be indicated on the plat prior to recordation.
4. The maximum house size for combined Lots 11 and 12 shall be 8,250 square feet. The maximum house size shall be noted on the final plat.
5. Lot 12 Setbacks shall be as follows: Front – 30’; Rear – 22.5’ for Main Buildings and 15’ for

Accessory Buildings and detached garage; Side – 18'. These Code-required Setbacks shall be delineated on the final plat.

6. If the non-exclusive five-foot utility, slope, and drainage easement dedicated along all lot lines on the Fairway Meadows Subdivision Plat must be vacated to allow construction on the combined Lots, the Applicant must show evidence that the easement can be vacated or relocated without affecting service to the adjacent Lots. The easement relocation agreement must be recorded and/or shown on the plat amendment for the Lot combination.

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

PASSED AND ADOPTED this ____ day of January, 2020.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

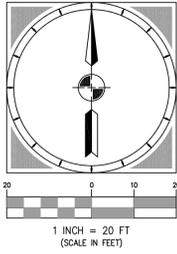
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

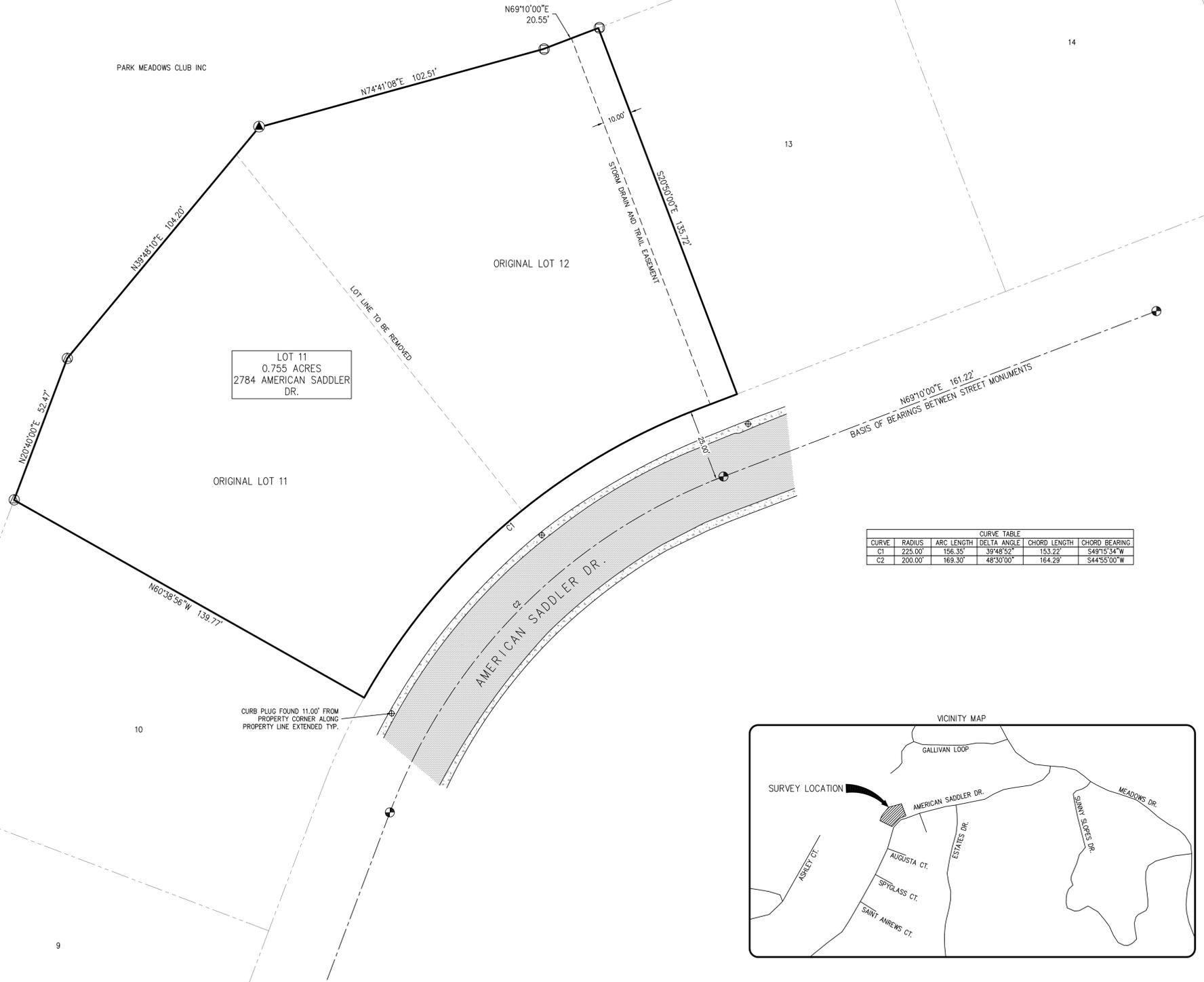
Mark Harrington, City Attorney

Exhibits

Exhibit A – Fairway Meadows Subdivision Lot 11 Amended Plat



FAIRWAY MEADOWS SUBDIVISION LOT 11 AMENDED

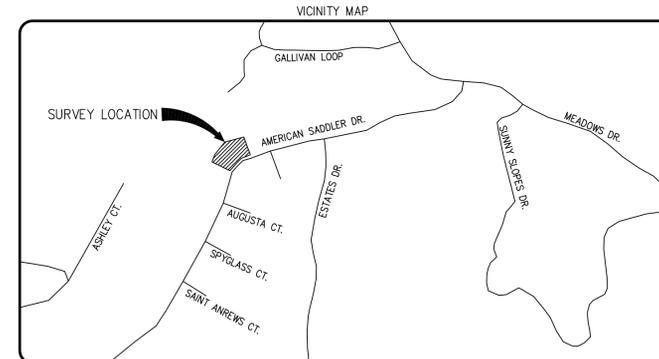


LEGEND

- ⊕ FOUND STREET MONUMENT
- ⊙ SET REBAR & CAP STAMPED "SUMMIT ENG"
- ⊙ FOUND REBAR & CAP "4861" UNLESS OTHERWISE NOTED
- ⊙ FOUND REBAR
- ⊕ FOUND CURB PLUG AT PROPERTY EXTENSION

LOT 11
0.755 ACRES
2784 AMERICAN SADDLER DR.

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING
C1	225.00'	156.35'	39°48'52"	S49°15'34"W
C2	200.00'	169.30'	48°30'00"	S44°55'00"W



BOUNDARY DESCRIPTION

ALL OF LOTS 11 AND 12 OF THE FAIRWAY MEADOWS SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY UT.

BASIS OF BEARINGS

BASIS OF BEARINGS FOR THIS PROJECT WAS ESTABLISHED AS NORTH 69°10'00" EAST BETWEEN FOUND STREET MONUMENTS AS SHOWN HEREON. SAID BASIS IS IN CONFORMANCE WITH THE FAIRWAY MEADOWS SUBDIVISION PLAT (SEE ENTRY #356214)

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-90-603 OF THE UTAH CODE, I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 145796 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.
I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

DATE

SURVEYOR'S SEAL

OWNER'S DEDICATION

I, THE UNDERSIGNED OWNER OF THE TRACT OF LAND SHOWN AND DESCRIBED ON THIS AMENDED SUBDIVISION PLAT, HAVE CAUSED THE SAME TO BE AMENDED AS SHOWN HEREON AND CONSENT TO ITS RECORDATION. WE ALSO GRANT PUBLIC UTILITY EASEMENTS FOR UNDERGROUND UTILITIES AS SHOWN HEREON.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THIS DAY OF _____, 2019.

THE LINDA M. FISHER REVOCABLE TRUST, DATED
JANUARY 31, 2002

C/O LINDA M FISHER

ACKNOWLEDGEMENT

_____ } S.S.

ON THIS _____ DAY OF _____, 2019, PERSONALLY APPEARED BEFORE ME _____ THE SIGNER OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR THE PURPOSES MENTIONED.

NOTARY PUBLIC

PLAT NOTES:

- 1.
- 2.

PROJECT
L19-227

SHEET
1 OF 1

ISSUE DATE
12-3-2019

Structural • Civil • Surveying
55 WEST CENTER • P.O. BOX 170
HEBER CITY, UTAH 84032
P: 435-854-9229 • F: 435-854-9231

COPYRIGHT © 2019
SUMMIT ENGINEERING GROUP, INC.
DRAWING ALTERATION
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF THE PROFESSIONAL LAND SURVEYOR TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO AFFIX THEIR SEAL AND THE REVISION NUMBER BY FOLLOWED BY THEIR SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATION.

COUNTY RECORDER
ENTRY NO. _____
STATE OF _____ COUNTY OF _____
DATE: _____ TIME: _____
RECORDED AND FILED AT THE REQUEST OF _____
COUNTY RECORDER: _____

PARK CITY COUNCIL
PRESENTED TO THE BOARD OF PARK CITY COUNCIL ON THIS _____ DAY OF _____, 2019.
BY: _____

PARK CITY PLANNING COMMISSION
THIS PLAT IS APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2019.
CHAIR: _____

CITY ENGINEER
I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT REVIEWED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH AVAILABLE INFORMATION ON FILE IN THIS OFFICE.
BY: _____

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2019.
PARK CITY RECORDER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2019.
S.B.W.R.D.

CITY ENGINEER
I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT REVIEWED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH AVAILABLE INFORMATION ON FILE IN THIS OFFICE.
BY: _____

Consent to Remove the Property Line Between
Lot FWM-11 and Lot FWM-12 in the Fairway Meadows Subdivision
in Park City, Summit County, Utah

This letter is to verify my/our consent to the proposed lot-line adjustment as described below which is adjacent to the property I/we own:

Remove the property line between FWM-11 (2784 American Saddler Drive) and FWM-12 (2772 American Saddler Drive) in the Fairway Meadows Subdivision of Park City, Summit County, Utah in order to combine the two lots into a single lot as shown on the attached Lot Combination Exhibit. Both lots are owned by Linda M Fisher, Trustee.



Park Meadows Country Club, Inc

Jack Rubin, President

Mailing Address:

P.O. Box 680430

Street

Park City UT, 84068

City, State, Zip

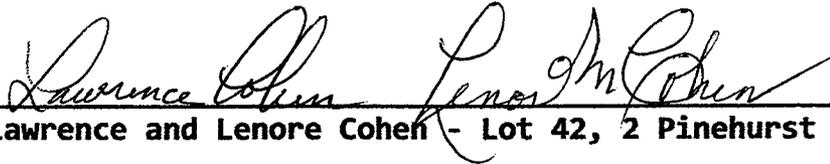
09-18-19

Date

**Consent to Remove the Property Line Between Lot FWM-11 and FWM-12
in the Fairway Meadows Subdivision in Park City, Utah**

**This letter is to verify our consent to the proposed lot-line
adjustment as described below which is adjacent to the property
we own: Lot 42, 2 Pinehurst Court.**

**Remove the property line between FWN-11 (2784 American Saddler Drive)
and FWM-12 (2772 American Saddler Drive) in the Fairway Meadows
Subdivision of Park City, Summit County, Utah in order to combine
the two lots into a single Lot as shown on the attached Lot
Combination Exhibit. Both lots are now owned by Linda Fisher, Trustee.**


Lawrence and Lenore Cohen - Lot 42, 2 Pinehurst Court

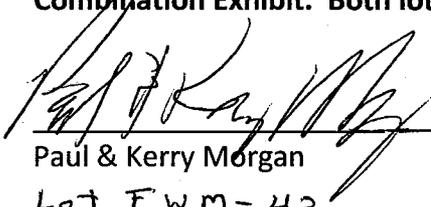
Mailing Address: PO Box 680005 Park City UT 84068

Date: Sept 10, 2019

Consent to Remove the Property Line Between
Lot FWM-11 and Lot FWM-12 in the Fairway Meadows Subdivision
in Park City, Summit County, Utah

This letter is to verify my/our consent to the proposed lot-line adjustment as described below which is adjacent to the property I/we own:

Remove the property line between FWM-11 (2784 American Saddler Drive) and FWM-12 (2772 American Saddler Drive) in the Fairway Meadows Subdivision of Park City, Summit County, Utah in order to combine the two lots into a single lot as shown on the attached Lot Combination Exhibit. Both lots are owned by Linda M Fisher, Trustee.


Paul & Kerry Morgan

Lot FWM-43

Mailing Address:

2791 American Saddler Dr

Street

PC UT 84060

City, State, Zip

9/15/19
Date

Consent to Remove the Property Line Between
Lot FWM-11 and Lot FWM-12 in the Fairway Meadows Subdivision
in Park City, Summit County, Utah

This letter is to verify my/our consent to the proposed lot-line adjustment as described below
which is adjacent to the property I/we own:

Remove the property line between FWM-11 (2784 American Saddler Drive) and FWM-12
(2772 American Saddler Drive) in the Fairway Meadows Subdivision of Park City, Summit
County, Utah in order to combine the two lots into a single lot as shown on the attached Lot
Combination Exhibit. Both lots are owned by Linda M Fisher, Trustee.



Robert and Ellen Kidwell

Lot FWM-13

Mailing Address:

2760 American Saddler

Street

PARK CITY, UT 84060

City, State, Zip

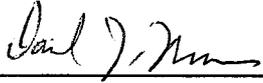
10 SEP 19

Date

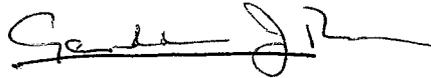
Consent to Remove the Property Line Between
Lot FWM-11 and Lot FWM-12 in the Fairway Meadows Subdivision
in Park City, Summit County, Utah

This letter is to verify my/our consent to the proposed lot-line adjustment as described below
which is adjacent to the property I/we own:

**Remove the property line between FWM-11 (2784 American Saddler Drive) and FWM-12
(2772 American Saddler Drive) in the Fairway Meadows Subdivision of Park City, Summit
County, Utah in order to combine the two lots into a single lot as shown on the attached Lot
Combination Exhibit. Both lots are owned by Linda M Fisher, Trustee.**



David & Geri Thomas
Lot FWM-16



Mailing Address:
2808 AMERICAN SADDLER DRIVE
Street
PARK CITY UT 84060
City, State, Zip

09-11-19
Date

From: [Robert K](#)
To: [Rebecca Ward](#)
Cc: lindamfisher@comcast.net; ellenkidwell@comcast.net
Subject: Fisher Application
Date: Sunday, December 29, 2019 7:13:44 PM

Hi Rebecca,

We are the next-door neighbors of Blake and Linda Fisher (2784 American Saddler Dr) and are in receipt of the official Notice of Public Hearing for a plat amendment.

Last fall we signed off on the Fisher application (PL-19-04391) to combine lots 11 and 12 in Fairway Meadows.

We remain in strongly in favor of this application.

Please pass this on to as you see fit.

Sincerely,
Robert and Ellen Kidwell
2760 American Saddler Dr
(435) 901-0254

FAIRWAY MEADOWS SUBDIVISION

A PORTION OF THE NORTH ONE HALF OF SECTION 4,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.
PARK CITY, SUMMIT COUNTY, UTAH

MAXIMUM HOUSE SIZES SQ. FT.		MAX. SQ. FT.	
LOT 1	5,000	LOT 32	4,600
LOT 2	5,000	LOT 33	4,600
LOT 3	5,000	LOT 34	4,400
LOT 4	5,000	LOT 35	4,600
LOT 5	4,800	LOT 36	4,800
LOT 6	4,600	LOT 37	4,800
LOT 7	4,600	LOT 38	4,000
LOT 8	4,600	LOT 39	4,200
LOT 9	4,600	LOT 40	4,400
LOT 10	4,600	LOT 41	3,800
LOT 11	5,500	LOT 42	4,600
LOT 12	5,500	LOT 43	4,800
LOT 13	4,800	LOT 44	4,800
LOT 14	4,800	LOT 45	3,800
LOT 15	5,000	LOT 46	4,400
LOT 16	5,000	LOT 47	5,200
LOT 17	4,400	LOT 48	4,000
LOT 18	4,200	LOT 49	4,800
LOT 19	4,000	LOT 50	4,800
LOT 20	5,500	LOT 51	4,200
LOT 21	5,500	LOT 52	4,800
LOT 22	5,500	LOT 53	5,500
LOT 23	5,500	LOT 54	5,000
LOT 24	5,200	LOT 55	5,500
LOT 25	5,200	LOT 56	4,800
LOT 26	5,200	LOT 57	4,000
LOT 27	5,000	LOT 58	5,500
LOT 28	4,600	LOT 59	5,000
LOT 29	4,000	LOT 60	5,000
LOT 30	4,200	LOT 61	5,500
LOT 31	4,400		

CURVE TABLE				
LOT	CURVE	RADIUS	LENGTH	DELTA
LOT 23	C1	25.00'	39.27'	90°00'00"
LOT 36	C2	25.00'	39.27'	90°00'00"
LOT 37	C3	25.00'	39.27'	90°00'00"
LOT 38	C4	25.00'	51.19'04"	90°00'00"
LOT 39	C5	55.00'	74.51'	77°37'26"
LOT 39	C6	55.00'	61.14'	63°41'38"
LOT 40	C7	55.00'	56.85'	59°00'35"
LOT 41	C8	55.00'	79.01'	82°18'29"
LOT 41	C9	25.00'	39.27'	90°00'00"
LOT 42	C10	25.00'	39.27'	90°00'00"
LOT 44	C11	25.00'	39.27'	90°00'00"
LOT 44	C12	25.00'	22.39'	51°19'04"
LOT 45	C13	55.00'	78.01'	81°18'09"
LOT 46	C14	55.00'	57.64'	60°02'56"
LOT 47	C15	55.00'	57.92'	60°20'28"
LOT 48	C16	55.00'	77.73'	80°58'35"
LOT 49	C17	25.00'	22.39'	51°19'04"
LOT 49	C18	25.00'	39.27'	90°00'00"
LOT 50	C19	25.00'	39.30'	90°04'25"
LOT 50	C20	25.00'	22.39'	51°19'04"
LOT 51	C21	55.00'	85.22'	84°36'23"
LOT 52	C22	55.00'	52.42'	54°36'23"
LOT 53	C23	55.00'	53.07'	55°17'14"
LOT 54	C24	55.00'	80.60'	83°57'49"
LOT 55	C25	25.00'	22.39'	51°19'04"
LOT 55	C26	25.00'	39.27'	90°00'00"
LOT 56	C27	25.00'	39.27'	90°00'00"
LOT 56	C28	25.00'	22.39'	51°19'04"
LOT 57	C29	55.00'	83.02'	86°29'15"
LOT 58	C30	55.00'	58.04'	60°27'31"
LOT 59	C31	55.00'	52.71'	54°54'40"
LOT 60	C32	55.00'	77.54'	80°46'42"
LOT 61	C33	25.00'	22.39'	51°19'04"
LOT 61	C34	25.00'	39.27'	90°00'00"

EXISTING 20 FOOT WIDE SANITARY SEWER EASEMENT ENTRIES NO. 308950 BOOK 510 PAGE 587

EAST 1948.54

WEST 1/4 CORNER SEC. 4, T. 2 S., R. 4 E., S.L.B.M. (STONE)

SOUTHWEST CORNER SEC. 4, T. 2 S., R. 4 E., S.L.B.M. (SURVEY MONUMENT)

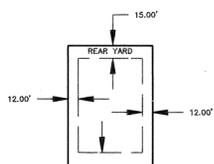
EXISTING MEADOWS ESTATES #1B SUBDIVISION

EXISTING AMERICAN SADDLER DRIVE

EXISTING SANITARY SEWER EASEMENT

EXISTING 20 FOOT WIDE STORM DRAINAGE EASEMENT

LEGEND:
 ■ SURVEY MONUMENT
 61 LOT NUMBER
 2897 STREET ADDRESS



- NOTES:
- A NON-EXCLUSIVE 5 FOOT UTILITY, SLOPE, AND DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG ALL LOT LINES, UNLESS OTHERWISE NOTED.
 - DUO TO HIGH WATER TABLE AND SANITARY SEWER LOCATIONS, HOUSES WITH BASEMENTS ARE NOT ALLOWED IN FAIRWAY MEADOWS SUBDIVISION.
 - PARK CITY WILL ONLY ASSUME RESPONSIBILITY FOR SNOW PLOWING UPON COMPLETION OF, AND LEGAL OCCUPATION OF STRUCTURES ON AT LEAST 50% OF THE LOTS. SUBSTANTIAL INTERIM SNOW REMOVAL COSTS WILL OCCUR TO LOT OWNERS.
 - A MODIFIED 13-D TYPE INTERIOR FIRE SPRINKLING SYSTEM IS REQUIRED IN ALL RESIDENCES CONSTRUCTED IN FAIRWAY MEADOWS SUBDIVISION.
 - A NON-EXCLUSIVE SANITARY SEWER, STORM DRAINAGE, PUBLIC UTILITY AND TRAIL EASEMENT EXISTS OVER ALL OPEN SPACE SHOWN.
 - A MINIMUM BUILDING SETBACK OF 25.00 FOOT FRONT YARD, 15 FOOT REAR YARD, AND 12 FOOT SIDE YARD EXISTS FOR ALL LOTS. SEE TYPICAL.
 - MAXIMUM HOUSE SIZE IN FAIRWAY MEADOWS SHALL BE AS SHOWN IN TABLE AT UPPER LEFT. MAXIMUM UNPENALIZED GARAGE SIZE IS 600 SQUARE FEET. GARAGE SQUARE FOOTAGE OVER 600 SQUARE FEET SHALL BE DEDUCTED FROM THE MAXIMUM HOUSE SQUARE FOOTAGE TO DETERMINE THE MAXIMUM HOUSE SIZE FOR THAT HOUSE.
 - MAXIMUM HOUSE SIZES ON COMBINED LOTS SHALL NOT EXCEED 150% OF THE MAXIMUM ALLOWED ON EACH LOT WHEN AVERAGED.



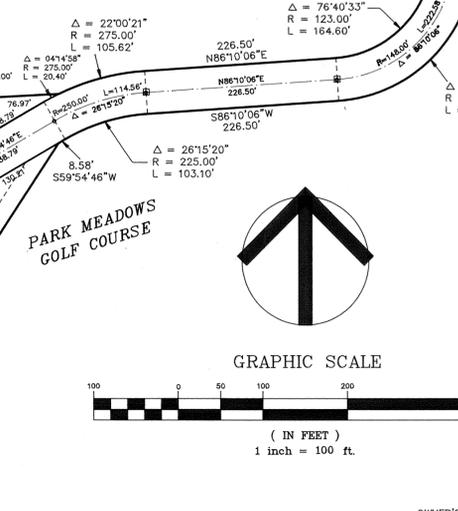
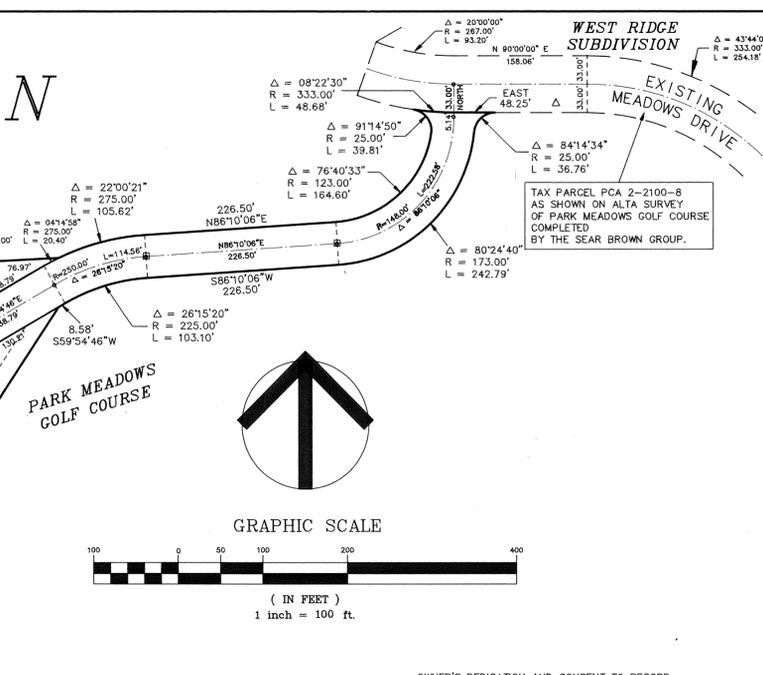
RICK S. DUNFORD
 DATE: 3/10/92

SURVEYOR'S CERTIFICATE
 I, RICK S. DUNFORD, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 5861 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT A SURVEY HAS BEEN MADE OF THE LAND SHOWN ON THIS PLAN AND DESCRIBED HEREON.
 I FURTHER CERTIFY THAT THIS PLAN IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

ACKNOWLEDGEMENT
 State of Utah)
 County of Summit)
 On the 10th day of March, 1992 personally appeared before me Peter J. Arnold who, being by me duly sworn, did say that he is the President of Arnold Industries, Inc., a Utah Corporation, (formerly doing business as Arnold Resorts, Inc.), and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said Corporation and said Peter J. Arnold duly acknowledged to me that said Corporation executed the same.

Robert T. Alday
 Notary Public My commission expires: 1/12/95

OWNER'S DEDICATION AND CONSENT TO RECORD
 Know all men by these presents: That the undersigned are the owners of the herein described tract of land, and hereby causes the same to be divided into lots, together with easements as set forth on the attached plat, hereafter to be known as Fairway Meadows Subdivision.
 Also the owners hereby dedicate to Summit County, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Park City Municipal Corporation a non-exclusive easement over the trails and utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement, and for the non-exclusive general access by the public.
 Executed this 10th day of March, 1992.
 Arnold Industries, Inc., (formerly doing business as Arnold Resorts, Inc.) a Corporation by Peter J. Arnold, President



JACK JOHNSON COMPANY
 Land Planning Architecture Civil Engineering
 1910 Prospect Ave., Suite 200 Park City, Utah 84060
 3 Tallow Wood Drive, Clifton Park, New York 12065
 801-645-9000 FAX 801-649-1620
 518-383-5556 FAX 518-383-5559

RECORDED
 No. 356214
 STATE OF Utah
 COUNTY OF Summit
 RECORDED AND FILED AT THE REQUEST OF:
 High Country Title
 Date: 03-26-92
 Time: 10:18 AM
 Fee: \$30.00
 Alan Spritzer
 COUNTY RECORDER

CITY COUNCIL APPROVAL
 PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS 24TH DAY OF JANUARY A.D. 1992. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

Paul Seal
 MAYOR
Christa L. Sheldon
 CITY RECORDER

CITY ENGINEER
 APPROVED AND ACCEPTED BY THE CITY ENGINEERING DEPARTMENT ON THIS 17TH DAY OF MARCH A.D. 1992.

Eric W. DeHaven PE
 CITY ENGINEER

CITY PLANNING COMMISSION
 APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS 17TH DAY OF MARCH A.D. 1992.

Dean S. Burnett
 CHAIRMAN

APPROVAL AS TO FORM
 APPROVED AS TO FORM ON THIS 12TH DAY OF March A.D. 1992.

Paul Seal
 CITY ATTORNEY

APPROVAL AS TO FORM
 APPROVED AS TO FORM ON THIS 12TH DAY OF March A.D. 1992.

Paul Seal
 CITY ATTORNEY

RECORDED
 No. 356214
 STATE OF Utah
 COUNTY OF Summit
 RECORDED AND FILED AT THE REQUEST OF:
 High Country Title
 Date: 03-26-92
 Time: 10:18 AM
 Fee: \$30.00
 Alan Spritzer
 COUNTY RECORDER

Planning Commission Staff Report

Subject: Alpine Retreat @ Park City Condominium Plat
Project: PL-19-04386
Author: Rebecca Ward
Date: January 8, 2020
Type of Item: Administrative – Condominium Plat Amendment

Summary Recommendation

Staff recommends that the Planning Commission review the proposed Alpine Retreat @ Park City Condominium Plat amendment, hold a public hearing, and consider forwarding a positive recommendation for City Council's consideration on January 16, 2020, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft ordinance.

Description

Applicant: Loren Pierce
Location: 1274 Park Avenue
Zoning District: Historic Residential - Medium Density (HRM)
Adjacent Land Uses: Single-Family Dwellings, Multi-Family Dwellings, Park City Skateboard Park
Reason for Review: Condominium Plat Amendments require Planning Commission review and City Council review and action

Proposal

The Applicant proposes to add a single-car garage with access via Sullivan Road, as well as an upper studio, to 1274 Park Avenue, a 1,791-square-foot Significant Structure on the City's Historic Sites Inventory. 1274 Park Avenue is Unit 1 of the Alpine Retreat @ Park City Condominium Project Plat. A condominium plat amendment is required to accommodate the proposed addition to 1274 Park Avenue.

Background

On April 26, 2001, the City Council passed Ordinance No. 01-12, approving the Alpine Retreat @ Park City, a condominium plat with six units, including two Significant Historic Structures, 1266 and 1274 Park Avenue (Summit County Recorder Entry 591068; Exhibit A).

1274 Park Avenue, a 1,791-square-foot Significant Historic Structure, is Unit 1 of the Alpine Retreat @ Park City Condominium Project. On August 22, 2017, the Alpine Retreat Homeowners Association approved expansion of 1274 Park Avenue, Unit 1, to include 636 square feet of common area for a future garage, driveway, and private hot tub area (Exhibit D).

The Applicant submitted a Condominium Plat Amendment application to the Planning Department on December 2, 2019. Staff determined the application was complete on December 4, 2019.

Analysis

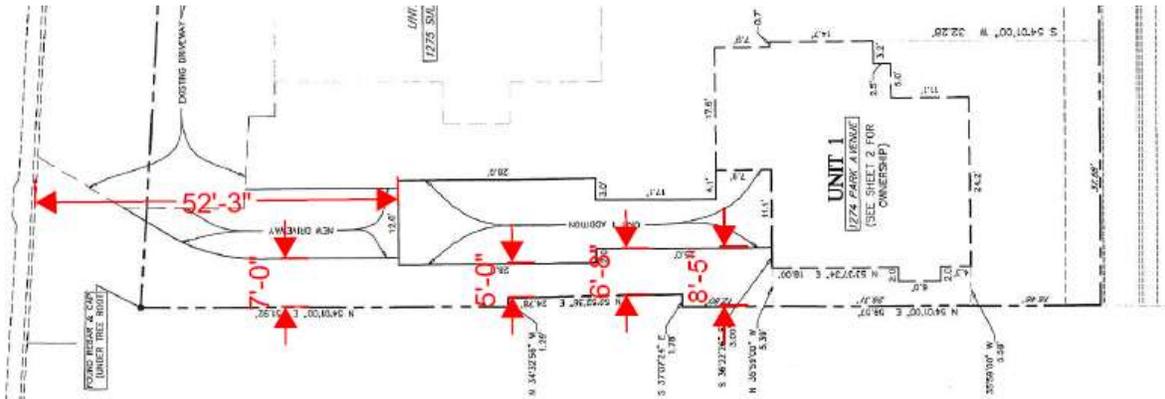
The Alpine Retreat @ Park City Condominium Plat memorializes private, common, and limited common area for six units (Summit County Recorder Entry 591068; Exhibit A). 1274 Park Avenue is Unit 1 of the Alpine Retreat @ Park City Condominium. On August 22, 2017, the Alpine Retreat Homeowners Association approved expansion of 1274 Park Avenue, Unit 1, to include 636 square feet of common area for a future garage, driveway, and private hot tub area (Exhibit D).

1274 Park Avenue is located in the Historic Residential - Medium Density (HRM) District. The purpose of the HRM District is outlined in Land Management Code (LMC) [§ 15-2.4-1](#).

The Proposed Plat Amendment Complies With HRM Setback Requirements.

Rear Setbacks in the HRM District are 10' for Main Buildings and 1' for detached Accessory Buildings. The proposed plat amendment complies and includes a single-car garage and upstairs studio with a Rear Setback that is over 52' from Sullivan Road (shown in the image below).

Side Setbacks in the HRM District are 5'. The proposed plat amendment complies and includes Side Setbacks that range from 5' to 8'5" (shown in the image below).



The Proposed Plat Amendment Complies with Building Height Restrictions.

Maximum Building Height in the HRM District is 27 feet from Existing Grade. The existing Significant Historic Structure at 1274 Park Avenue is approximately 25 feet high. The proposed garage and studio addition is approximately 24 feet high.

The Proposed Plat Amendment Complies with Off-Street Parking Requirements So Long as the Studio Unit is Not Used as a Lockout Unit or Accessory Apartment. Condition of Approval: A Plat Note Must Outline this Restriction.

A Single-Family Dwelling requires two Off-Street parking spaces. LMC [§ 15-3-6\(A\)](#). A Historic Structure that does not comply with Off-Street parking is a valid Non-Complying Structure, unless an addition to the Historic Structure creates a Lockout Unit or Accessory Apartment. LMC [§ 15-2.4-6](#).

Condition of Approval 3 includes the following: “A Plat Note shall state that the addition to 1274 Park Avenue shall not be used as a Lockout Unit or Accessory Apartment.”

The Proposed Garage Dimensions Comply with the LMC Requirements.

Single car garages must have a minimum interior dimension of 11 feet in width and 20 feet in depth for a Single-Family Dwelling. LMC [§ 15-3-4\(A\)\(1\)](#). The proposed plat amendment complies: the proposed garage is 12 feet wide and 28 feet deep.

The Shared Driveway for the Proposed Plat Amendment Reconfigures Existing Common Space.

Common driveways are allowed in the HRM District to provide Access to Parking in the rear of the Main Building if both Properties are deed restricted to allow for the perpetual Use of the shared drive. LMC [§ 15-2.4-8\(B\)](#). The proposed shared driveway is currently platted as common ownership and will remain under common ownership.

Altering Access from Sullivan Road Triggers LMC § 15-2.4-9 and a Conditional Use Permit is Required to Comply with the LMC prior to Applying for a Building Permit.

LMC § 15-2.4-9 requires a Conditional Use Permit to alter access on Sullivan Road, which must be obtained prior to applying for a Building Permit. This requirement is reflected in Condition of Approval 4.

Prior to applying for a Building Permit, the Applicant Must Submit Plans that Comply with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, Architectural Review LMC Chapter 15-5, and the Façade Easement for 1274 Park Avenue.

1274 Park Avenue is a Significant Historic Structure in the Historic District. As a result, the Applicant is required to complete a Historic District Design Review prior to applying for a Building Permit.

On June 24, 1999, the owners of 1274 Park Avenue entered into the *Grant of Preservation Easement: 1274 Park Avenue* with Park City Municipal. The easement was recorded on August 16, 1999 (Summit County Recorder Entry 546937; Exhibit C).

The easement outlines requirements to maintain the front and side facades of 1274 Park Avenue and any future construction to 1274 Park Avenue must preserve and restore the front and side facades of 1274 Park Avenue as outlined in the easement.

Good Cause

Staff finds good cause for the Alpine Retreat @ Park City Condominium Plat Amendment. The proposed plat amendment complies with the Land Management Code, including Chapter 15-2.4, Sections 15-4-12; 15-7.1-3(C), and 15-12-15(B)(9), and applicable State Law regarding condominium plats.

Process

The approval of this condominium plat amendment by the City Council constitutes Final Action that may be appealed pursuant to LMC § 15-1-18.

Department Review

A condominium plat must be reviewed by the Planning, Engineering, and Building Departments, as well as the City Attorney, prior to recommendation to the Planning Commission. LMC [§ 15-4-12](#). The proposed plat amendment was submitted for internal review to the Development Review Committee on December 17, 2019. A Condominium Final Plat must be approved pursuant to LMC Chapter 15-7.1.

Notice

Notice was published in the *Park Record* and to the Utah Public Notice Website on December 21, 2019. Notice was posted to the property on December 23, 2019. Courtesy notice was mailed to property owners within 300 feet on December 23, 2019.

Public Input

No public input was received at the time this report was completed.

Alternatives

- The Planning Commission may forward a positive recommendation regarding the Alpine Retreat @ Park City Condominium Plat Amendment for the City Council's consideration on January 16, 2020, as conditioned;
- The Planning Commission may forward a negative recommendation regarding the Alpine Retreat @ Park City Condominium Plat Amendment for the City Council's consideration on January 16, 2020, and direct staff to make findings for this decision; or
- The Planning Commission may continue the discussion regarding the Alpine Retreat @ Park City Condominium Plat Amendment for the City Council's consideration on January 16, 2020, to a date certain.

Summary Recommendation

Staff recommends that the Planning Commission review the proposed Alpine Retreat Condominium Plat amendment, hold a public hearing, and consider forwarding a positive recommendation for City Council's consideration on January 16, 2020, based

on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft ordinance.

Exhibits

Attachment 1 – Draft Ordinance

Exhibit A: Existing Alpine Retreat @ Park City Condominium Plat

Exhibit B: Proposed Alpine Retreat @ Park City Unit 1, Amended Condominium Plat

Exhibit C: Façade Easement

Exhibit D: Alpine Retreat HOA Approval

Ordinance No. 20-XX

**AN ORDINANCE APPROVING THE ALPINE RETREAT @ PARK CITY UNIT 1,
AMENDED CONDOMINIUM PLAT, LOCATED AT
1274 PARK AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 1274 Park Avenue petitioned the City Council for approval of the Alpine Retreat @ Park City Unit 1, Amended Condominium Plat; and

WHEREAS, on December 21, 2019, notice was published in the *Park Record* and on the Utah Public Notice Website; and

WHEREAS, on December 23, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on December 23, 2019, courtesy notice was mailed to property owners within 300 feet of the Alpine Retreat @ Park City Condominiums; and

WHEREAS, on January 8, 2020, the Planning Commission reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, on January 8, 2020, the Planning Commission forwarded a **X** recommendation for City Council’s consideration on January 16, 2020; and

WHEREAS, on January 16, 2020, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the condominium plat is consistent with the Park City Land Management Code, including Sections 15-4-12; 15-7.1-3(C); and 15-12-15(B)(9).

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

SECTION 1. APPROVAL. The Alpine Retreat @ Park City Unit 1, Amended Condominium Plat is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. On April 26, 2001, the City Council passed Ordinance No. 01-12, approving the Alpine Retreat @ Park City, a condominium plat with six units, including two Significant Historic Structures, 1266 and 1274 Park Avenue (Summit County Recorder Entry 591068).
2. 1274 Park Avenue, a 1,791-square-foot Significant Historic Structure, is Unit 1 of the Alpine Retreat @ Park City Condominium Project.
3. On August 22, 2017, the Alpine Retreat Homeowners Association approved expansion of 1274 Park Avenue (Unit 1) to include 636 square feet of common area for a future garage, driveway, and private hot tub area.
4. The Applicant submitted a Condominium Plat Amendment application to the Planning Department on December 2, 2019.
5. Staff determined the application was complete on December 4, 2019.
6. The Alpine Retreat @ Park City Condominium Plat memorializes private, common, and limited common area for six Units.
7. 1274 Park Avenue is located in the Historic Residential – Medium Density (HRM) District.
8. The purpose of the HRM District is outlined in Land Management Code (LMC) § 15-2.4-1.
9. The proposed plat amendment complies with HRM Setback requirements.
10. Rear Setbacks in the HRM District are 10' for Main Buildings and 1' for detached Accessory Buildings.
11. The proposed plat amendment complies and includes a single-car garage and upstairs studio with a Rear Setback that is over 52' from Sullivan Road.
12. Side Setbacks in the HRM District are 5'.
13. The proposed plat amendment complies and includes Side Setbacks that range from 5' to 8'5".
14. The proposed plat amendment complies with Building Height Restrictions.
15. Maximum Building Height in the HRM District is 27 feet from Existing Grade.
16. The Existing Significant Historic Structure at 1274 Park Avenue is approximately 25 feet high.
17. The proposed garage and studio addition is approximately 24 feet high.
18. A Single-Family Dwelling requires two Off-Street parking spaces.
19. A Historic Structure that does not comply with Off-Street parking is a valid Non-Complying Structure, unless an addition to the Historic Structure creates a Lockout Unit or Accessory Apartment.
20. The proposed plat amendment complies with Off-Street Parking requirements so long as the studio unit constructed above the garage is not used as a Lockout Unit or Accessory Apartment.
21. The proposed garage dimensions comply with the LMC requirements.
22. Single car garages must have a minimum interior dimension of 11 feet in width and 20 feet in depth for a Single-Family Dwelling.

23. The proposed garage is 12 feet wide and 28 feet deep.
24. Common driveways are allowed in the HRM District to provide Access to parking in the rear of the Main Building if both Properties are deed restricted to allow for the perpetual Use of the shared drive.
25. The proposed shared driveway is currently platted as common ownership and will remain as common ownership.
26. Altering access from Sullivan Road triggers LMC § 15-2.4-9 and a Conditional Use Permit is required to ensure compliance with the LMC prior to applying for a Building Permit.
27. 1274 Park Avenue is a Significant Historic Structure in the Historic District.
28. The Applicant is required to complete a Historic District Design Review prior to applying for a Building Permit.
29. Additions to the Significant Historic Structure shall comply with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.
30. On June 24, 1999, the owners of 1274 Park Avenue entered into the *Grant of Preservation Easement: 1274 Park Avenue* with Park City Municipal. The easement was recorded on August 16, 1999 (Summit County Recorder Entry 546937).
31. The easement outlines requirements to maintain the front and side facades of 1274 Park Avenue and any future construction to 1274 Park Avenue must preserve and restore the front and side facades of 1274 Park Avenue as outlined in the easement.

Conclusions of Law

1. There is good cause for the Alpine Retreat @ Park City Condominium Plat Amendment. The proposed plat amendment complies with the LMC, including Chapter 15-2.4; Sections 15-4-12; 15-7.1-3(C); and 15-12-15(B)(9), and applicable State Law regarding Condominium Plats.
2. The Condominium Plat Amendment 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 Condominium Plat Amendment.
4. Approval of the Condominium 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 shall record the Plat with the County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval of the plat is void, unless a request for an extension is made in writing prior to the expiration date and the City Council grants an extension.

3. A Plat Note shall state that the addition to 1274 Park Avenue shall not be used as a Lockout Unit or Accessory Apartment.
4. LMC § 15-2.4-9 requires a Conditional Use Permit to alter access on Sullivan Road and must be obtained prior to applying for a Building Permit.
5. 1274 Park Avenue is a Significant Historic Structure in the Historic District and is subject to a Historic District Design Review prior to applying for a Building Permit.
6. Any future development shall comply with the *Grant of Preservation Easement: 1274 Park Avenue*, recorded on August 16, 1999 (Summit County Recorder Entry 546937).

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

PASSED AND ADOPTED this 16th Day of January, 2020.

PARK CITY MUNICIPAL CORPORATION

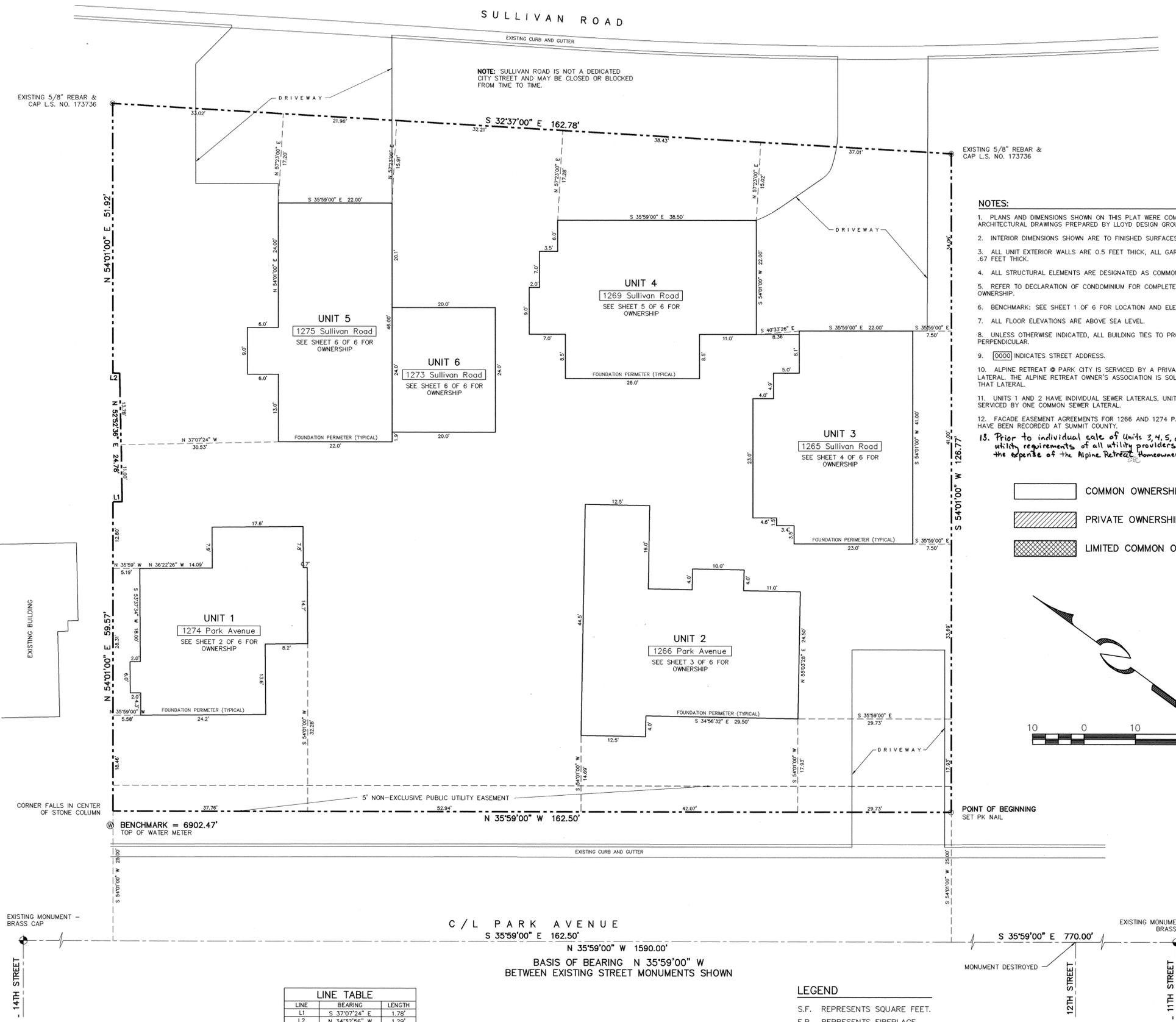
Andy Beerman, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

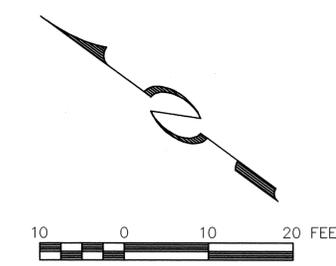


NOTE: SULLIVAN ROAD IS NOT A DEDICATED CITY STREET AND MAY BE CLOSED OR BLOCKED FROM TIME TO TIME.

EXISTING 5/8" REBAR & CAP L.S. NO. 173736

- NOTES:**
- PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY LLOYD DESIGN GROUP ARCHITECTS.
 - INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
 - ALL UNIT EXTERIOR WALLS ARE 0.5 FEET THICK, ALL GARAGE LEVEL WALLS ARE 6.7 FEET THICK.
 - ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
 - REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
 - BENCHMARK: SEE SHEET 1 OF 6 FOR LOCATION AND ELEVATION.
 - ALL FLOOR ELEVATIONS ARE ABOVE SEA LEVEL.
 - UNLESS OTHERWISE INDICATED, ALL BUILDING TIES TO PROPERTY LINE ARE PERPENDICULAR.
 - 0000 INDICATES STREET ADDRESS.
 - ALPINE RETREAT @ PARK CITY IS SERVICED BY A PRIVATE COMMON SEWER LATERAL. THE ALPINE RETREAT OWNER'S ASSOCIATION IS SOLELY RESPONSIBLE FOR THAT LATERAL.
 - UNITS 1 AND 2 HAVE INDIVIDUAL SEWER LATERALS. UNITS 3, 4, 5, AND 6 ARE SERVICED BY ONE COMMON SEWER LATERAL.
 - FAÇADE EASEMENT AGREEMENTS FOR 1266 AND 1274 PARK AVENUE EXIST AND HAVE BEEN RECORDED AT SUMMIT COUNTY.
 - Prior to individual sale of Units 3, 4, 5, and 6, all utility requirements of all utility providers shall be met at the expense of the Alpine Retreat Homeowners Association.

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



LINE TABLE

LINE	BEARING	LENGTH
L1	S 37°07'24" E	1.78'
L2	N 34°32'56" W	1.29'

LEGEND
 S.F. REPRESENTS SQUARE FEET.
 F.P. REPRESENTS FIREPLACE

SURVEYOR'S CERTIFICATE

I, Robert W. Pohl, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 173736 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, this Record of Survey Map of ALPINE RETREAT @ PARK CITY, a Utah Condominium Project in accordance with the provisions of Section 57-8-13 of the Utah Condominium Ownership Act. I further certify the buildings and property are shown correctly.

Robert W. Pohl
 Robert W. Pohl L.S. 173736

5/18/2001
 Date



BOUNDARY DESCRIPTION

Beginning at an existing street monument in the intersection of Park Avenue and 11th Street; thence North 35° 59' 00" West, a distance of 770.00 feet along the center line of said Park Avenue, (Basis of bearing being North 35° 59' 00" West along the said Park Avenue center line between the said street monument at the intersection of Park Avenue and 11th Street and the street monument at the intersection of said Park Avenue and 14th Street); thence leaving said center line North 54° 01' 00" East, a distance of 25.00 feet to the Southwest corner of Lot 1, Boyle Property Plat Amendment, recorded August 19, 1999 as entry No. 546935, according to the official plat thereof on file and of record in the Summit County Recorders Office, said point being the TRUE POINT OF BEGINNING; thence along the Westerly line of said plat North 35° 59' 00" West, a distance of 162.50 feet; thence along the Northwesterly line of said plat, North 54° 01' 00" East, a distance of 59.57 feet; thence leaving said line South 37° 07' 24" East, a distance of 1.78 feet; thence North 52° 52' 36" East, a distance of 24.78 feet; thence North 34° 32' 56" West, a distance of 1.29 feet to the Northwesterly line of the said Boyle Property Plat Amendment; thence along said line North 54° 01' 00" East, a distance of 51.92 feet; thence along the Easterly line of said plat South 32° 37' 00" East, a distance of 162.78 feet; thence along the Southerly line of said plat South 54° 01' 00" West, a distance of 126.77 feet to the point of beginning. Contains 0.49 acres more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: that the undersigned ALPINE RETREAT @ PARK CITY, L.L.C., a Utah Limited Liability Company, the owner of the tract of land described herein as the ALPINE RETREAT @ PARK CITY Condominiums, a Utah Condominium Project located on said tract of land, has caused a survey to be made and this Record of Survey Map to be prepared does hereby give its consent to the recording of the Record of Survey Map and submit this property to the Utah Condominium Ownership Act. Further, the owner does hereby irrevocably offer for dedication to Park City Municipal Corporation, the Snyderville Basin Sewer Improvement District, the Park City Fire Protection District, a non-exclusive easements over the utility easements, public trail easements, and snow storage easement shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement, and for trail access by the general public, in accordance with an irrevocable offer of dedication. The owner further certifies all buildings will be built as shown.

In witness whereof, the undersigned has set its hand on this ____ day of _____, 2001.
 ALPINE RETREAT @ PARK CITY, L.L.C., a Utah Limited Liability Company

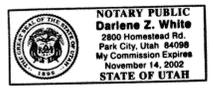
By *Gary D. Boyle*
 Gary D. Boyle, member

By *Sue E. Boyle*
 Sue E. Boyle, member

ACKNOWLEDGMENT

State of Utah) ss:
 County of Summit)
 On the 21 day of May, 2001, personally appeared before me the undersigned Notary Public in and for the said State and County, Gary D. Boyle, who after being duly sworn, acknowledged to me that he is a member of Alpine Retreat @ Park City, L.L.C., a Utah Limited Liability Company, the owner of the herein described tract of land, and that the foregoing instrument was signed on behalf of said limited liability company by authority of its Articles of Organization or its Operating Agreement.

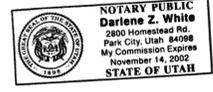
Darlene Z. White
 Notary Public
 My commission expires: 11-14-02



ACKNOWLEDGMENT

State of Utah) ss:
 County of Summit)
 On the 21 day of May, 2001, personally appeared before me the undersigned Notary Public in and for the said State and County, Sue E. Boyle, who after being duly sworn, acknowledged to me that she is a member of Alpine Retreat @ Park City, L.L.C., a Utah Limited Liability Company, the owner of the herein described tract of land, and that the foregoing instrument was signed on behalf of said limited liability company by authority of its Articles of Organization or its Operating Agreement.

Darlene Z. White
 Notary Public
 My commission expires: 11-14-02



RECORD OF SURVEY MAP
ALPINE RETREAT @ PARK CITY

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
 Recorded concurrently herewith is the Declaration of Condominium of Alpine Retreat @ Park City.

JOB NO. 8-2-00 FILE: \BOYLE\BOYLEP1

SHEET 1 OF 6

PARK CITY SURVEYING, INC.
 P.O. Box 3003
 PARK CITY, UTAH 84060
 (435) 649-2918

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
 REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 21 DAY OF May, 2001 A.D.
 BY *[Signature]*
 S.B.S.I.D.

PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 21 DAY OF May, 2001 A.D.
 BY *[Signature]*
 CHAIRMAN

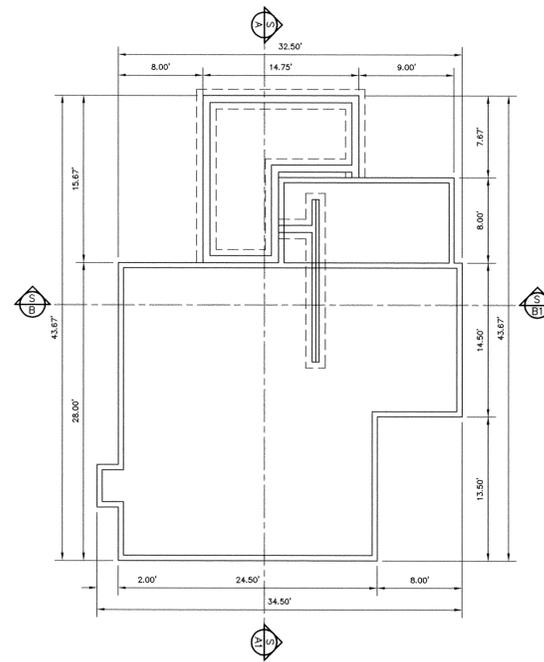
ENGINEERS CERTIFICATE
 I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 21 DAY OF MAY, 2001 A.D.
 BY *[Signature]*
 PARK CITY ENGINEER

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS 1ST DAY OF JUNE, 2001 A.D.
 BY *[Signature]*
 PARK CITY ATTORNEY

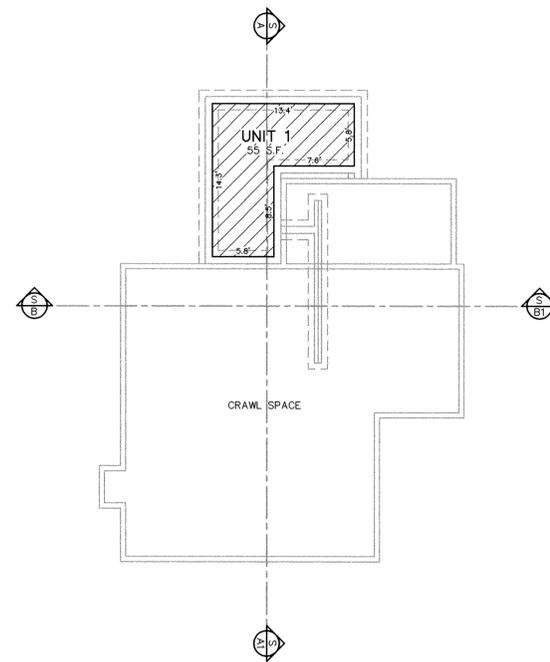
CERTIFICATE OF ATTEST
 I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 20 DAY OF APRIL, 2001 A.D.
 BY *[Signature]*
 PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
 APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 26TH DAY OF APRIL, 2001 A.D.
 BY *[Signature]*
 MAYOR

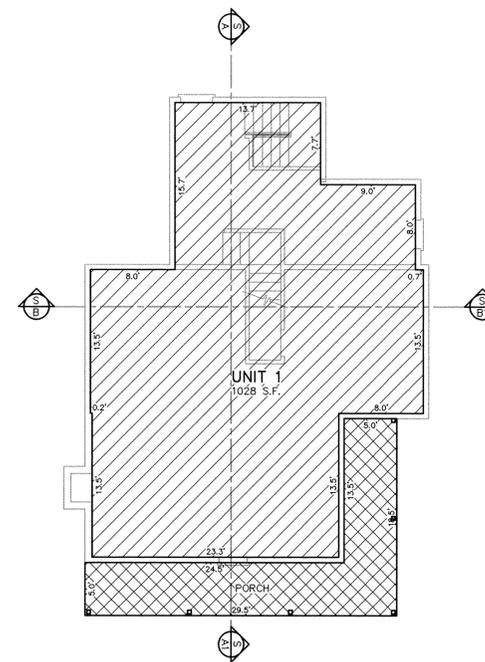
RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ASSOCIATED TITLE
 DATE 6/12/01 TIME 15:54 BOOK --- PAGE ---
 \$ 186.00 FEE
[Signature]
 RECORDER



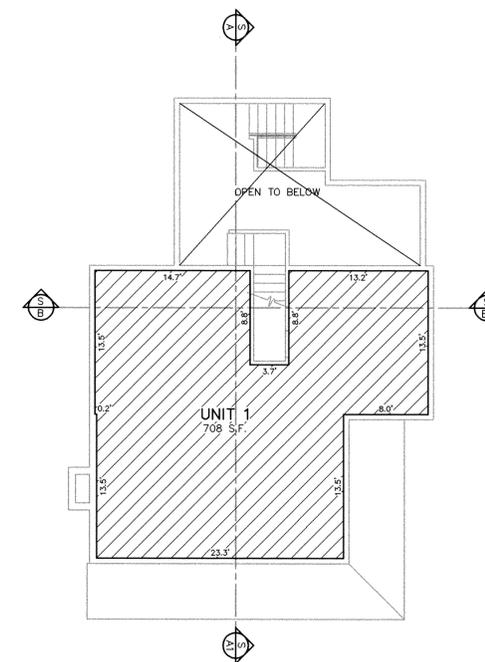
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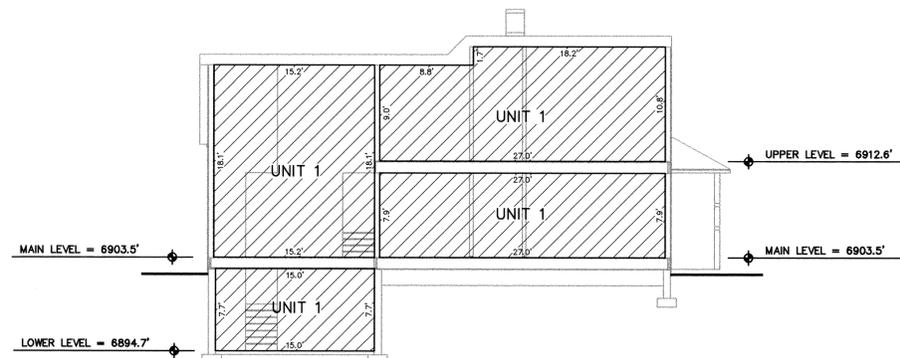
LOWER LEVEL



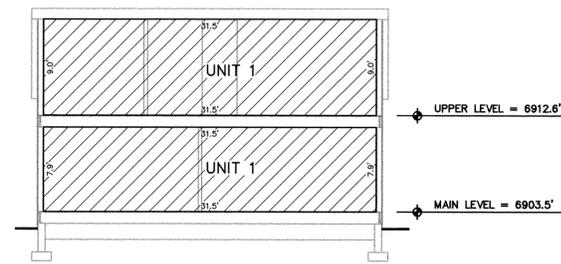
MAIN LEVEL



UPPER LEVEL



SECTION "A"



SECTION "B"

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

LEGEND

S.F. REPRESENTS SQUARE FEET.
F.P. REPRESENTS FIREPLACE

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY LLOYD DESIGN GROUP ARCHITECTS.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
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6. BENCHMARK: SEE SHEET 1 OF 6 FOR LOCATION AND ELEVATION.
7. ALL FLOOR ELEVATIONS ARE ABOVE SEA LEVEL.
8. UNLESS OTHERWISE INDICATED, ALL BUILDING TIES TO PROPERTY LINE ARE PERPENDICULAR.
9. [0000] INDICATES STREET ADDRESS.
10. ALPINE RETREAT @ PARK CITY IS SERVICED BY A PRIVATE COMMON SEWER LATERAL. THE ALPINE RETREAT OWNER'S ASSOCIATION IS SOLELY RESPONSIBLE FOR THAT LATERAL.
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12. FACADE EASEMENT AGREEMENTS FOR 1266 AND 1274 PARK AVENUE EXIST AND HAVE BEEN RECORDED AT SUMMIT COUNTY.

UNIT 1



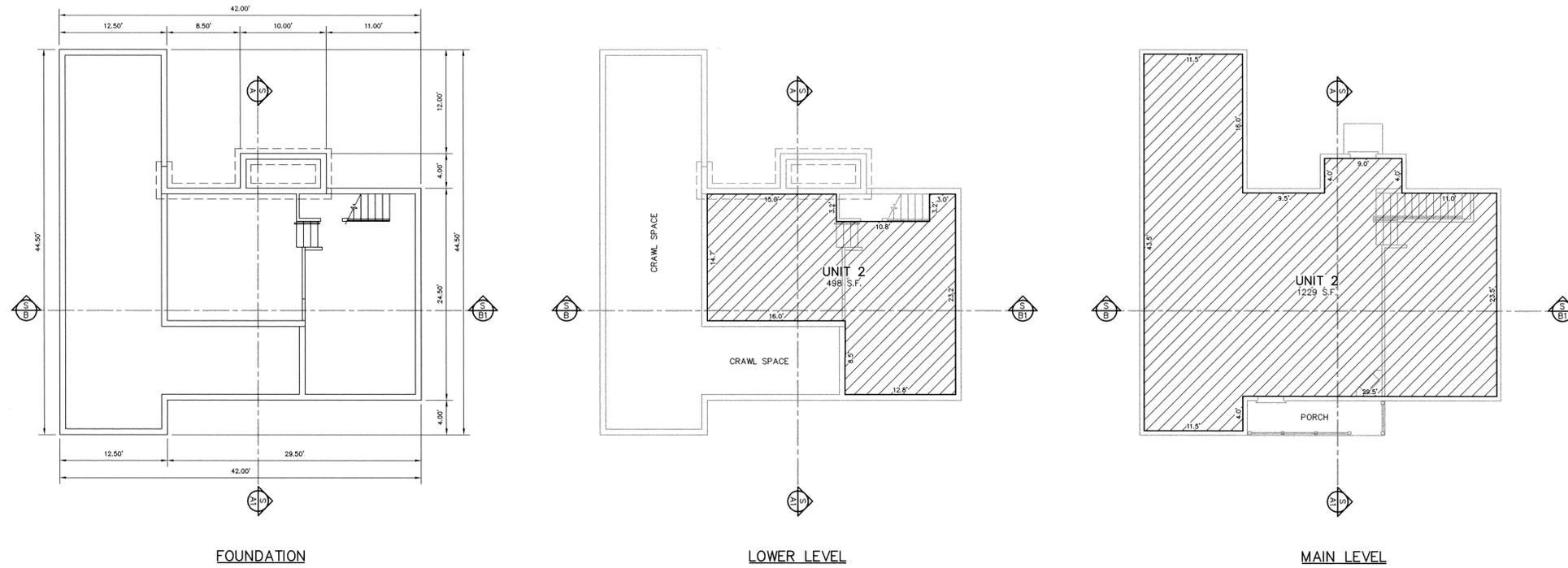
UNIT SQUARE FOOTAGE TABLE

UNIT NUMBER	1	2	3	4	5	6
UPPER LEVEL	708	0	852	847	852	0
MAIN LEVEL	1028	1229	1093	1093	993	441
LOWER LEVEL	55	498	0	0	0	0
TOTAL	1791	1727	1945	1940	1845	441

RECORD OF SURVEY MAP
**ALPINE RETREAT
@ PARK CITY**

A UTAH CONDOMINIUM PROJECT
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
Recorded concurrently herewith is the Declaration of Condominium of Alpine Retreat @ Park City.

591068 RECORDED
STATE OF UTAH, COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF ASSOCIATED TITLE
DATE 6/12/2001 TIME 15:54 BOOK PAGE
\$186.00 FEE
Alam Spawson RECORDER

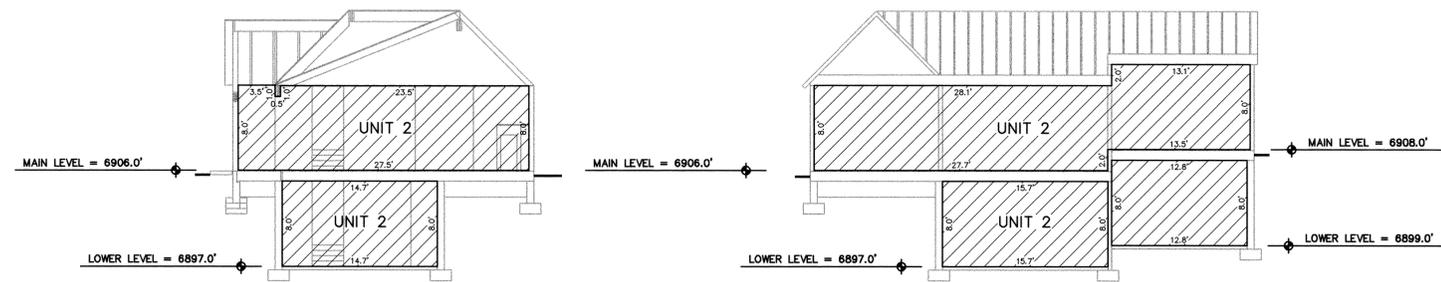


FOUNDATION

LOWER LEVEL

MAIN LEVEL

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



SECTION "A"

SECTION "B"

UNIT 2

LEGEND

- S.F. REPRESENTS SQUARE FEET.
- F.P. REPRESENTS FIREPLACE

NOTES:

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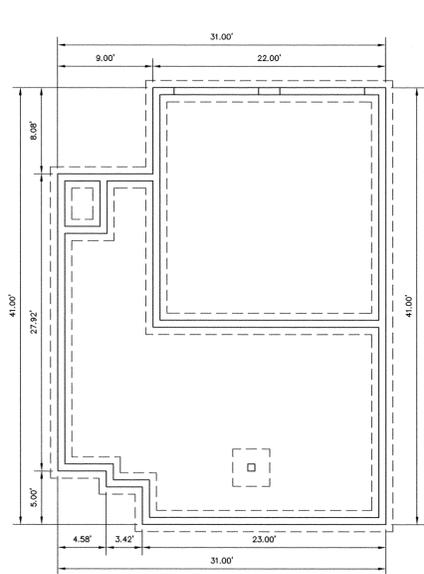
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 @ PARK CITY**

A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
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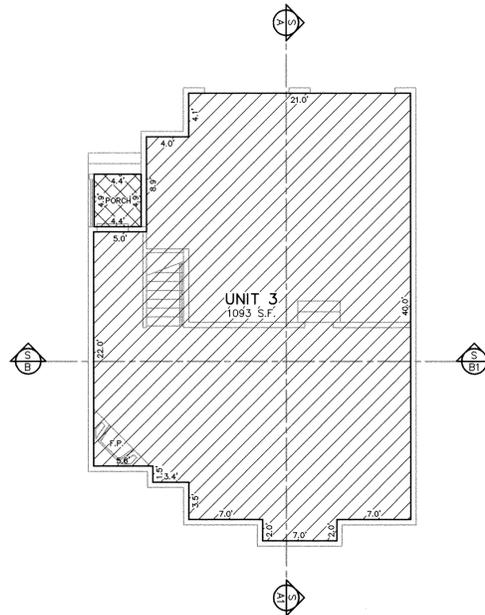
SHEET 3 OF 6

#591068 RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT AND FILED
 AT THE REQUEST OF ASSOCIATED TITLE
 DATE 6/18/2001 TIME 15:54 BOOK PAGE
 \$186.00 FEE Alan Jensen RECORDER

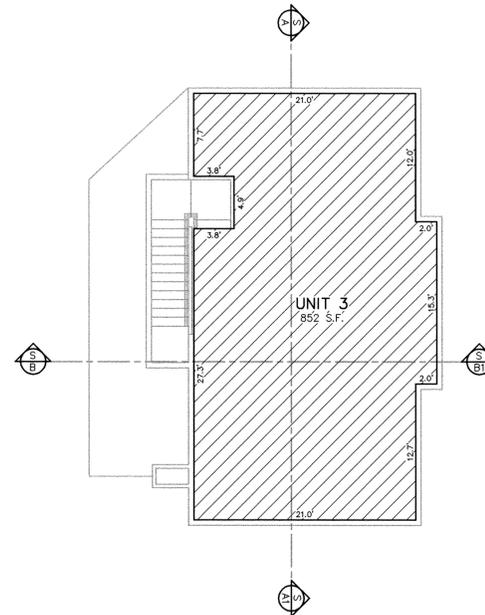
Alpine Retreat



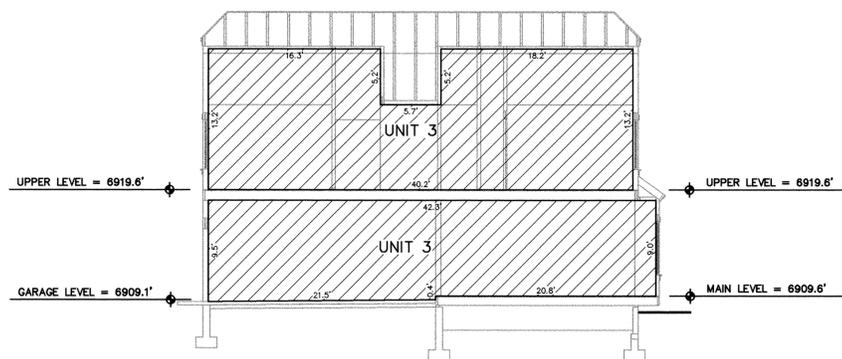
FOUNDATION



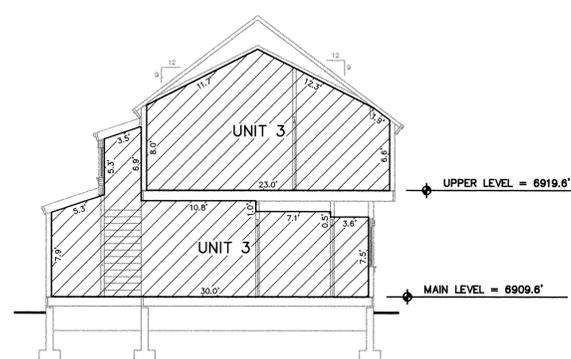
MAIN LEVEL



UPPER LEVEL



SECTION "A"



SECTION "B"

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

LEGEND

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F.P. REPRESENTS FIREPLACE

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9. [0000] INDICATES STREET ADDRESS.
10. ALPINE RETREAT @ PARK CITY IS SERVICED BY A PRIVATE COMMON SEWER LATERAL. THE ALPINE RETREAT OWNER'S ASSOCIATION IS SOLELY RESPONSIBLE FOR THAT LATERAL.
11. UNITS 1 AND 2 HAVE INDIVIDUAL SEWER LATERALS, UNITS 3, 4, 5, AND 6 ARE SERVICED BY ONE COMMON SEWER LATERAL.
12. FACADE EASEMENT AGREEMENTS FOR 1266 AND 1274 PARK AVENUE EXIST AND HAVE BEEN RECORDED AT SUMMIT COUNTY.



UNIT SQUARE FOOTAGE TABLE

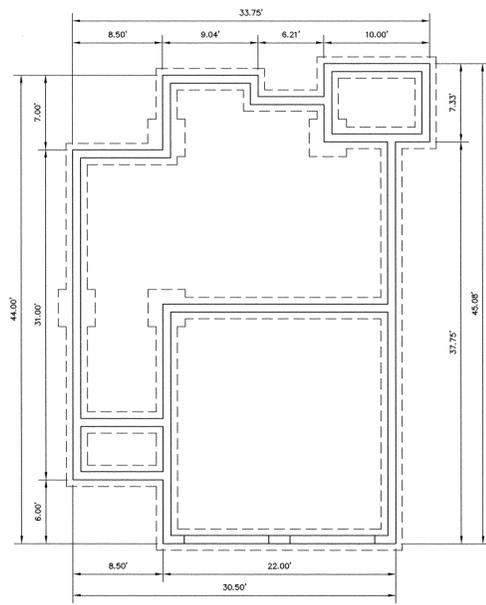
UNIT NUMBER	1	2	3	4	5	6
UPPER LEVEL	708	0	852	847	852	0
MAIN LEVEL	1028	1229	1093	1093	993	441
LOWER LEVEL	55	498	0	0	0	0
TOTAL	1791	1727	1945	1940	1845	441

RECORD OF SURVEY MAP
ALPINE RETREAT @ PARK CITY

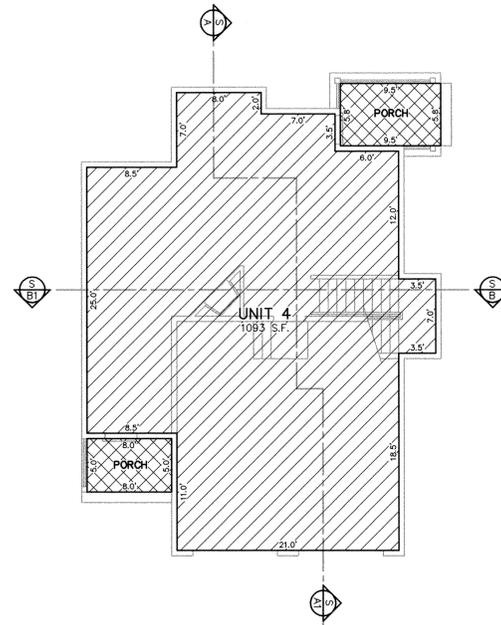
A UTAH CONDOMINIUM PROJECT
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
Recorded concurrently herewith is the Declaration of Condominium of Alpine Retreat @ Park City.

SHEET 4 OF 6

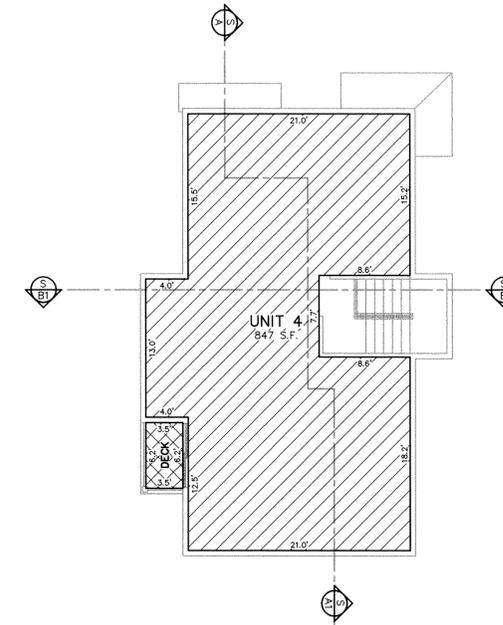
591068 RECORDED
STATE OF UTAH, COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF ASSOCIATED TITLE
DATE 6/12/2001 TIME 15:54 BOOK PAGE
\$186.00 FEE
Alpine Retreat RECORDER



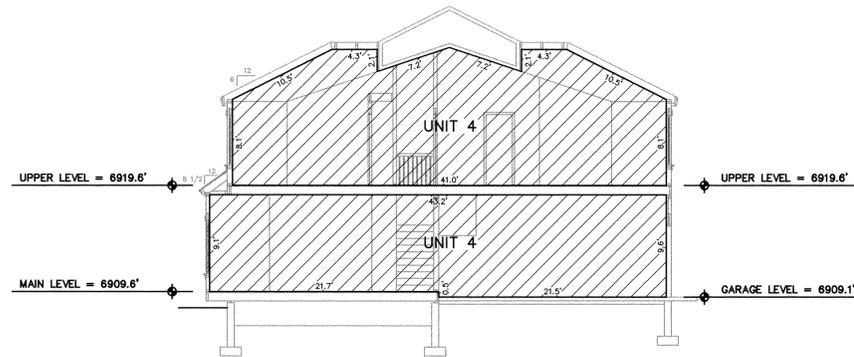
FOUNDATION



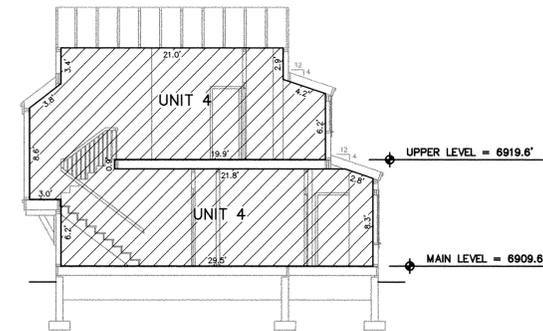
MAIN LEVEL



UPPER LEVEL



SECTION "A"



SECTION "B"

- LEGEND
- COMMON OWNERSHIP
 - PRIVATE OWNERSHIP
 - LIMITED COMMON OWNERSHIP

LEGEND

S.F. REPRESENTS SQUARE FEET.
F.P. REPRESENTS FIREPLACE

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY LLOYD DESIGN GROUP ARCHITECTS.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL UNIT EXTERIOR WALLS ARE 0.5 FEET THICK, ALL GARAGE LEVEL WALLS ARE .67 FEET THICK.
4. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
5. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
6. BENCHMARK: SEE SHEET 1 OF 6 FOR LOCATION AND ELEVATION.
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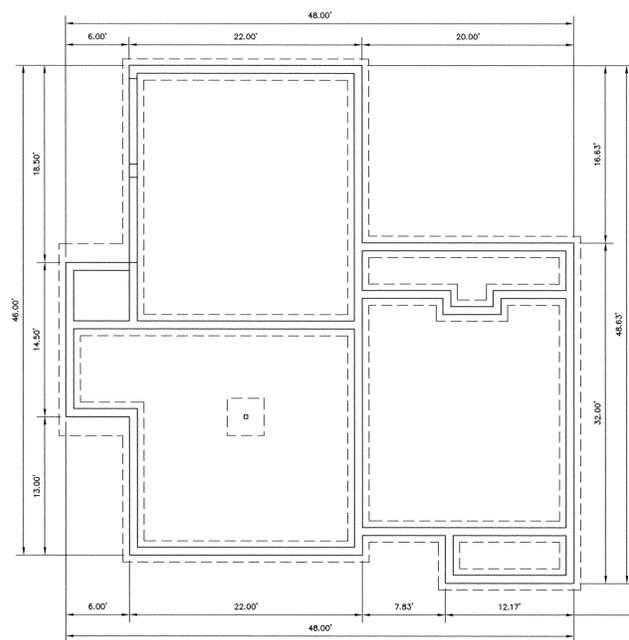
UNIT SQUARE FOOTAGE TABLE

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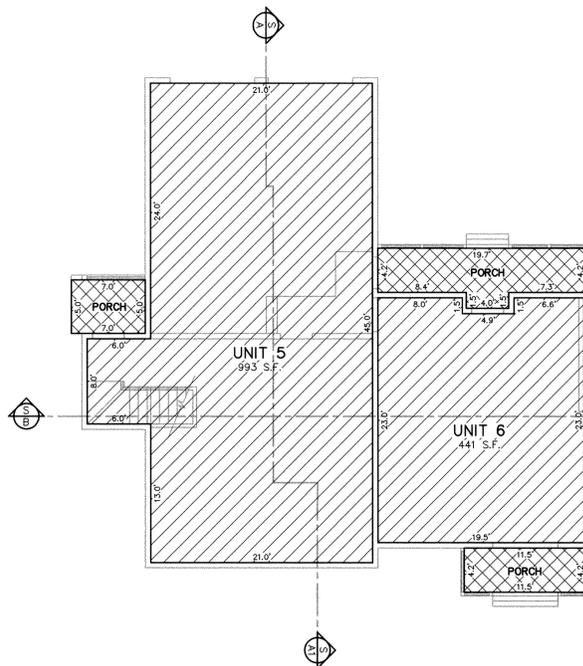
RECORD OF SURVEY MAP
**ALPINE RETREAT
@ PARK CITY**

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LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
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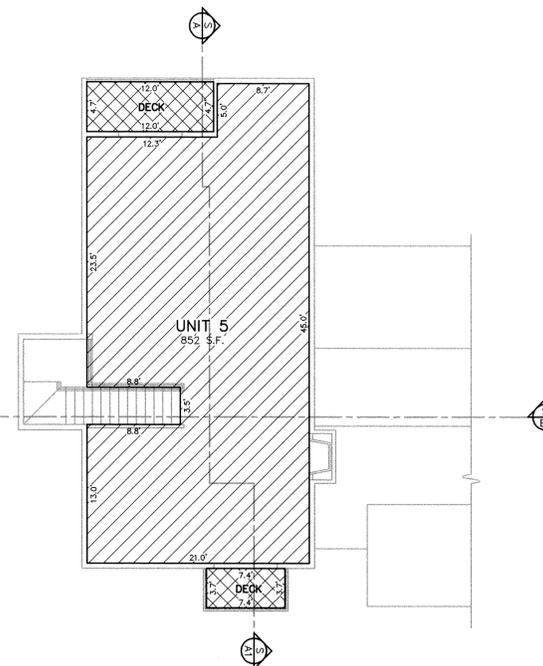
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STATE OF UTAH, COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF Associated Title
DATE 6/12/2001 TIME 15:54 BOOK --- PAGE ---
FEE \$186.00 RECORDER Alison Davis



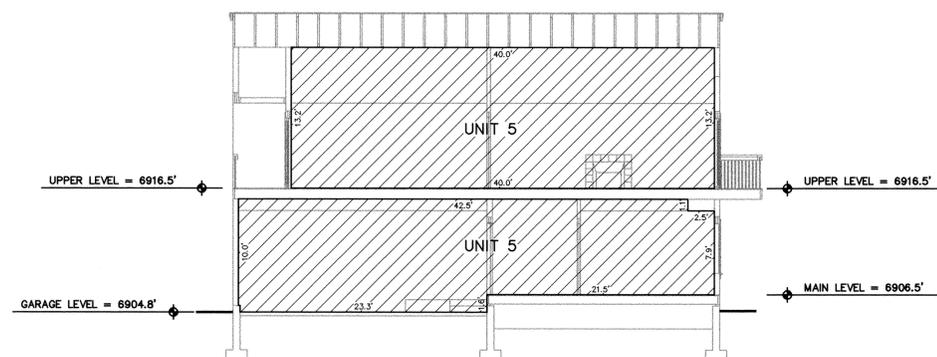
FOUNDATION



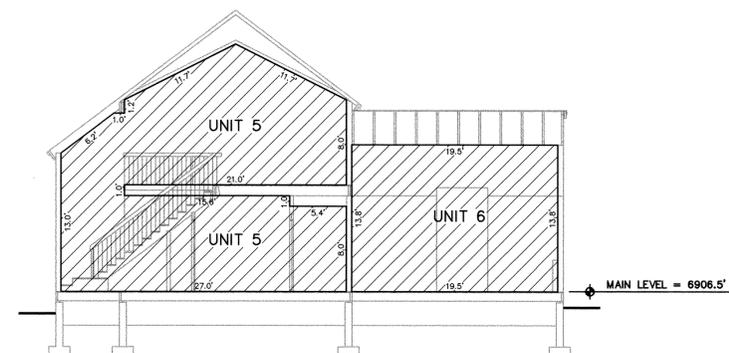
MAIN LEVEL



UPPER LEVEL



SECTION "A"



SECTION "B"

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- LIMITED COMMON OWNERSHIP

LEGEND

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UNITS 5 & 6



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LOWER LEVEL	55	498	0	0	0	0
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RECORD OF SURVEY MAP
**ALPINE RETREAT
@ PARK CITY**

A UTAH CONDOMINIUM PROJECT
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SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
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SHEET 6 OF 6

#591068 RECORDED
STATE OF UTAH, COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF ASSOCIATED TITLE
DATE 6/12/2001 TIME 15:54 BOOK PAGE
\$186.00 FEE
Alam Spang RECORDER

1274 Park Ave Studio/Garage Addition

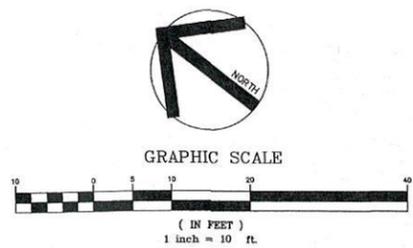
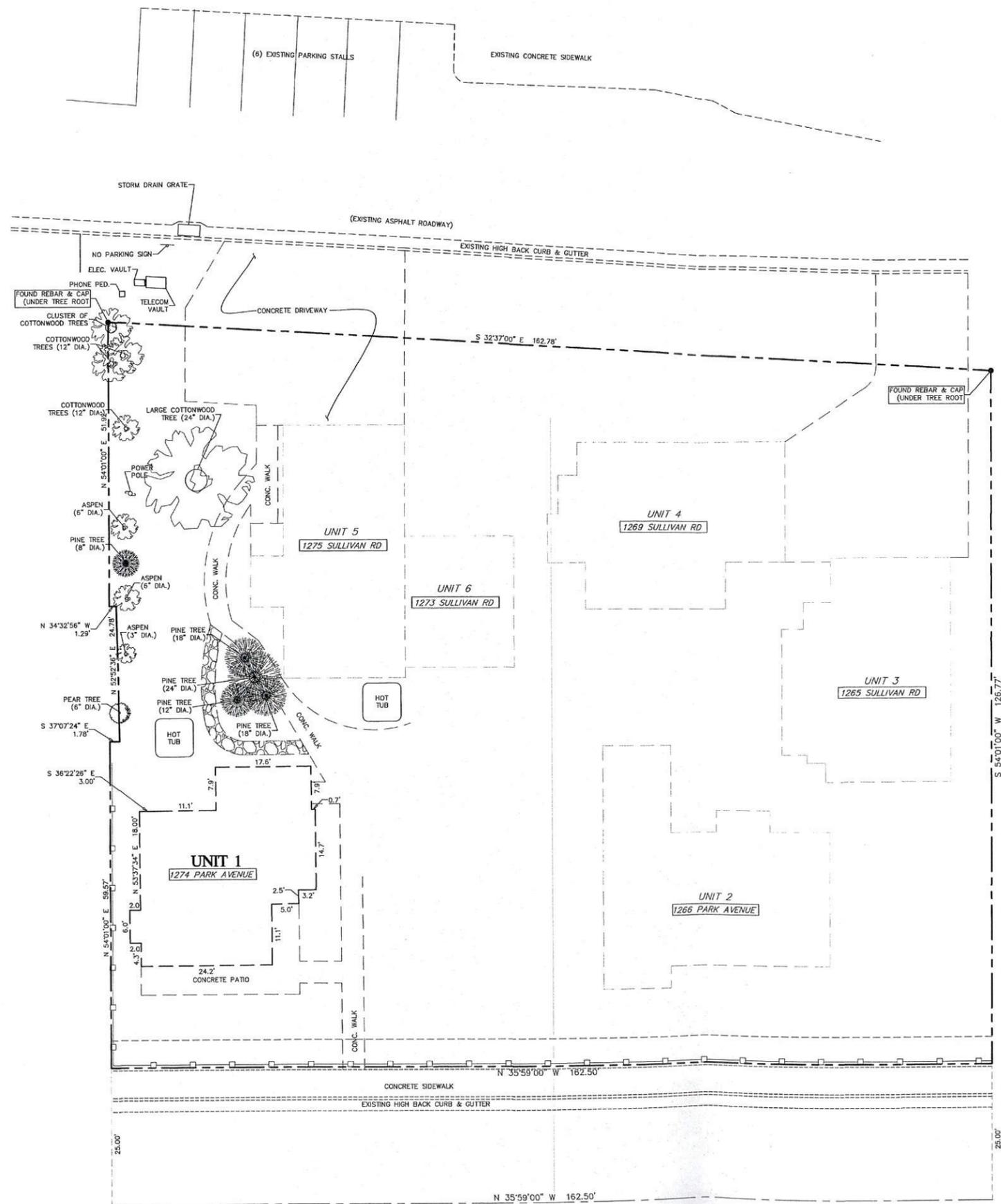
Tax ID : ARPC-1

Description of Project

It is the owner's desire to add a single car garage with upper studio to the existing residence located at 1274 Park Avenue, Park City. The garage would be accessed from the east, off of Sullivan Road (City Park side). An existing curb cut will be vacated, and a new single-purpose curb cut will be created. A single existing tree on the property will likely be removed. Design character of the garage/studio addition will be complementary to the existing residence, connected via a single-story enclosed breezeway. There is no intention to utilize the studio as a lock-out accommodation, but simply to create a three bedroom, three bath residence with attached garage.

The existing residence is part of a prior condominium project called "Alpine Retreat @ Park City," and documentation of the HOA approval of this project is attached to this application.

RECEIVED
DEC 02 2019
PARK CITY
PLANNING DEPT.



NARRATIVE

1. BASIS OF BEARING: FOUND AND ACCEPTED EASTERLY PROPERTY CORNERS
2. LOCATED WITHIN: SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, PARK CITY, UTAH.
3. DATE OF SURVEY: OCTOBER 8, 2019
4. PURPOSE OF SURVEY: ESTABLISH EXISTING CONDITIONS ADJACENT TO UNIT 1 TO BUILD A GARAGE.
5. SURVEY REQUESTED BY: BRUCE TAYLOR.
6. THE OWNERS OF THIS PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT. THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OF ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS DRAWN OR NOTED HEREON.
7. ALL BEARINGS AND DISTANCES SHOWN WERE MEASURED AND ARE EQUIVALENT TO THE RECORD BEARINGS AND DISTANCES, EXCEPT AS DRAWN OR NOTED HEREON.
8. ALTERATION OF ANY SURVEY DATA SHOWN HEREON WITHOUT THE SURVEYOR'S CONSENT MAKES THIS SURVEY INVALID.

SURVEYOR'S 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 HEREON DESCRIBED PROPERTY.
 I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THIS RECORD OF SURVEY IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW.

Gregory R. Wolbach
 GREGORY R. WOLBACH



October 11, 2019
 DATE

RECEIVED

DEC 02 2019
 PLOTTED: OCTOBER 11, 2019

PARK CITY PLANNING DEPT.

**EXISTING CONDITIONS PLAN
 ALPINE RETREAT AT PARK CITY, UNIT 1**

FOR: SUMMIT DESIGN

DATE: ALPINE-ROS

JOB NO. 1917

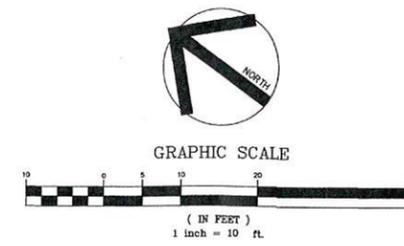
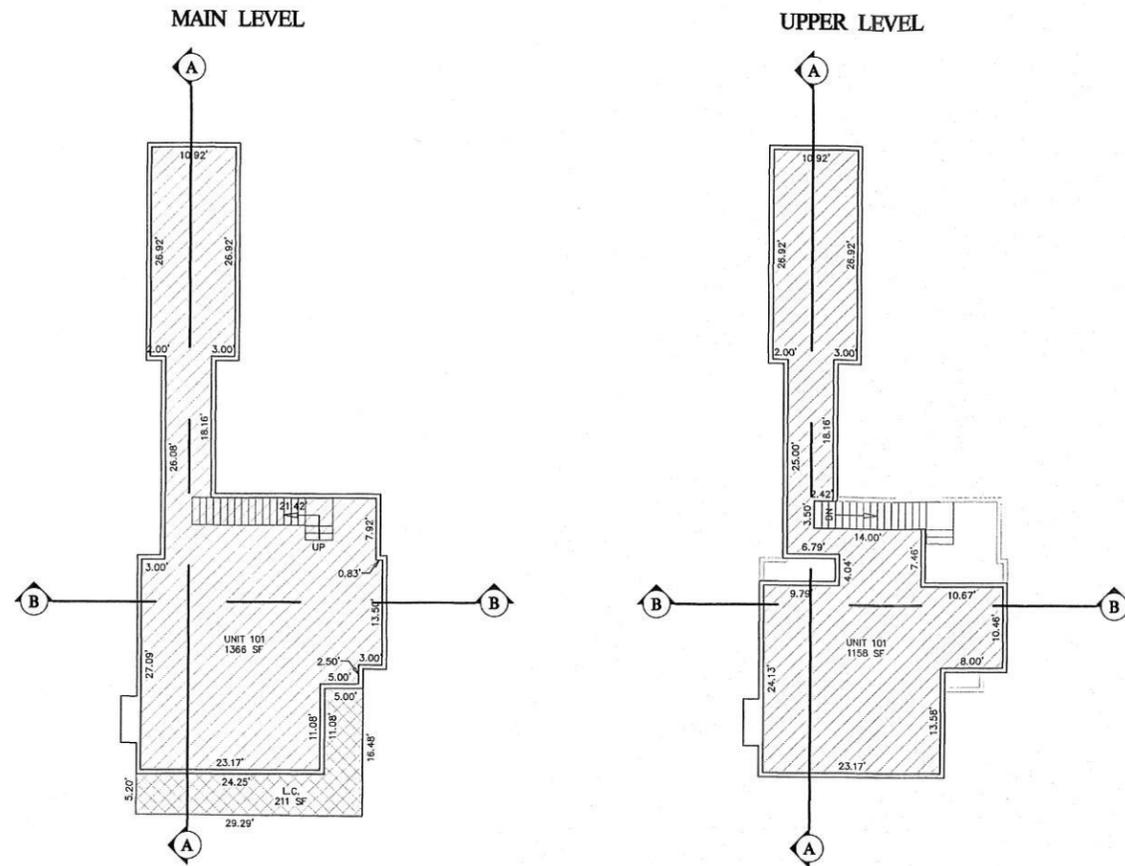
SURVEYED BY:
 ADM/MD
 DRAWN BY:
 ADM
 CHECKED BY:
 ADM

DATE	BY	REVISIONS	COMMENTS

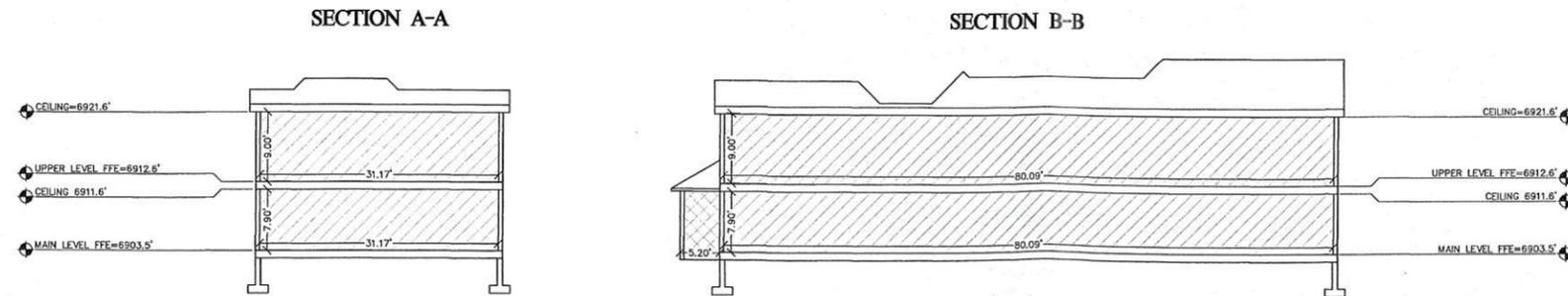
Evergreen Engineering, Inc.
 Civil Engineering • Land Surveying • Land Planning
 P.O. Box 2881 • Park City, Utah • 84060
 Phone: (435) 649-4667 • Fax: (435) 649-9219
 E-mail: office@evergreen-eng.com

© 2019 Evergreen Engineering, Inc.

FLOOR PLANS



BUILDING SECTIONS



HATCHING LEGEND
 [White box] COMMON AREA
 [Diagonal lines] LIMITED COMMON AREA
 [Cross-hatch] PRIVATE AREA

Evergreen Engineering, Inc.
 Civil Engineering • Land Surveying • Land Planning
 Phone: 801-557-5482
 E-mail: amoran@evergreen-eng.com

DATE	BY	REVISIONS / COMMENTS



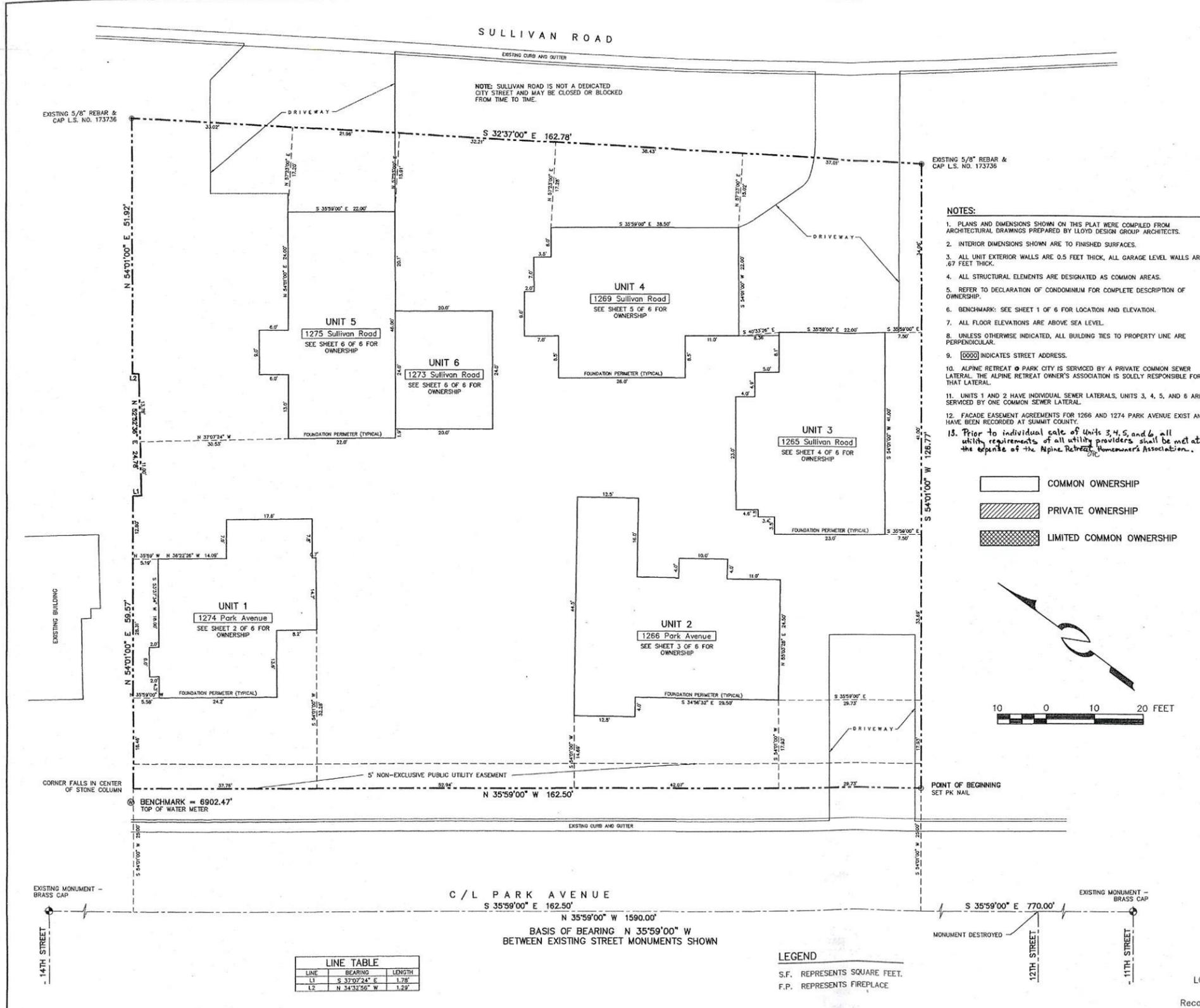
DESIGNED BY: SUMMIT DESIGN
 DRAWN BY: ADM
 CHECKED BY: ADM

ALPINE RETREAT @ PARK CITY
 UNIT 1, AMENDED
 FLOOR PLANS & BUILDING SECTIONS
 FOR: SUMMIT DESIGN
 PLOT NO: 1917
 PLOT DATE: NOVEMBER 25, 2019

NO. _____ RECORDED
 DATE _____
 STATE OF _____
 CITY OF _____
 RECORDED AT THE REQUEST OF _____
 FEES _____ CITY RECORDER

RECEIVED
 DEC 12 2019
 SHEET 2 OF 2

PARK CITY PLANNING DEPT.



SURVEYOR'S CERTIFICATE
 I, Robert W. Pohl, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 173736 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, this Record of Survey Map of ALPINE RETREAT @ PARK CITY, a Utah Condominium Project in accordance with the provisions of Section 57-8-13 of the Utah Condominium Ownership Act. I further certify the buildings and property are shown correctly.

Robert W. Pohl
 Robert W. Pohl L.S. 173736
 Date: 6/19/2001

BOUNDARY DESCRIPTION

Beginning at an existing street monument in the intersection of Park Avenue and 11th Street; thence North 35° 59' 00" West, a distance of 770.00 feet along the center line of said Park Avenue, (Basis of bearing being North 35° 59' 00" West along the said Park Avenue center line between the said street monument at the intersection of Park Avenue and 11th Street and the street monument at the intersection of said Park Avenue and 14th Street); thence leaving said center line North 54° 01' 00" East, a distance of 25.00 feet to the Southwest corner of Lot 1, Boyle Property Plat Amendment, recorded August 19, 1999 as entry No. 546935, according to the official plat thereof on file and of record in the Summit County Records Office, said point being the TRUE POINT OF BEGINNING; thence along the Westerly line of said plot North 35° 59' 00" West, a distance of 162.50 feet; thence along the Northwesterly line of said plot, North 54° 01' 00" East, a distance of 59.57 feet; thence leaving said line South 37° 07' 24" East, a distance of 1.78 feet; thence North 52° 52' 36" East, a distance of 24.78 feet; thence North 34° 32' 58" West, a distance of 1.29 feet to the Northwesterly line of the said Boyle Property Plat Amendment; thence along said line North 54° 01' 00" East, a distance of 51.92 feet; thence along the Easterly line of said plot South 32° 37' 00" East, a distance of 162.78 feet; thence along the Southerly line of said plot South 54° 01' 00" West, a distance of 126.77 feet to the point of beginning. Contains 0.49 acres more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: that the undersigned ALPINE RETREAT @ PARK CITY, L.L.C., a Utah Limited Liability Company, the owner of the tract of land described herein as the ALPINE RETREAT @ PARK CITY Condominiums, a Utah Condominium Project located on said tract of land, has caused a survey to be made and this Record of Survey Map to be prepared does hereby give its consent to the recording of the Record of Survey Map and submit this property to the Utah Condominium Ownership Act. Further, the owner does hereby irrevocably offer for dedication to Park City Municipal Corporation, the Snyderville Basin Sewer Improvement District, the Park City Fire Protection District, a non-exclusive easements over the utility easements, public trail easements, and snow storage easement shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement, and for trail access by the general public, in accordance with an irrevocable offer of dedication. The owner further certifies all buildings will be built as shown.

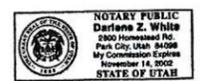
In witness whereof, the undersigned has set its hand on this _____ day of _____, 2001.
 ALPINE RETREAT @ PARK CITY, L.L.C., a Utah Limited Liability Company

By *Gary D. Boyle*
 Gary D. Boyle, member
 By *Sue E. Boyle*
 Sue E. Boyle, member

ACKNOWLEDGMENT

State of Utah) ss:
 County of Summit)
 On the 21 day of May, 2001, personally appeared before me the undersigned Notary Public in and for the said State and County, Gary D. Boyle, who after being duly sworn, acknowledged to me that he is a member of Alpine Retreat @ Park City, L.L.C., a Utah Limited Liability Company, the owner of the herein described tract of land, and that the foregoing instrument was signed on behalf of said limited liability company by authority of its Articles of Organization or its Operating Agreement.

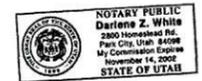
Darlene Z. White
 Notary Public
 My commission expires: 11-14-02



ACKNOWLEDGMENT

State of Utah) ss:
 County of Summit)
 On the 21 day of May, 2001, personally appeared before me the undersigned Notary Public in and for the said State and County, Sue E. Boyle, who after being duly sworn, acknowledged to me that she is a member of Alpine Retreat @ Park City, L.L.C., a Utah Limited Liability Company, the owner of the herein described tract of land, and that the foregoing instrument was signed on behalf of said limited liability company by authority of its Articles of Organization or its Operating Agreement.

Darlene Z. White
 Notary Public
 My commission expires: 11-14-02



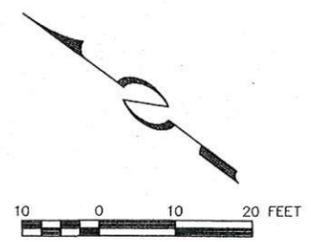
RECORD OF SURVEY MAP
ALPINE RETREAT @ PARK CITY

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RECEIVED SHEET 1 OF 6

- NOTES:**
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 - FACADE EASEMENT AGREEMENTS FOR 1266 AND 1274 PARK AVENUE EXIST AND HAVE BEEN RECORDED AT SUMMIT COUNTY.
 - Prior to individual sale of Units 3, 4, 5, and 6, all utility requirements of all utility providers shall be met at the expense of the Alpine Retreat Homeowners Association.

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



LINE TABLE

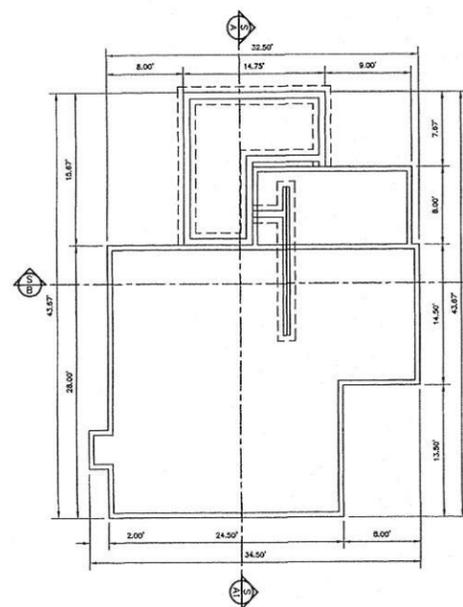
LINE	BEARING	LENGTH
L1	S 37°07'24" E	1.78'
L2	N 34°32'58" W	1.29'

LEGEND
 S.F. REPRESENTS SQUARE FEET.
 F.P. REPRESENTS FIREPLACE

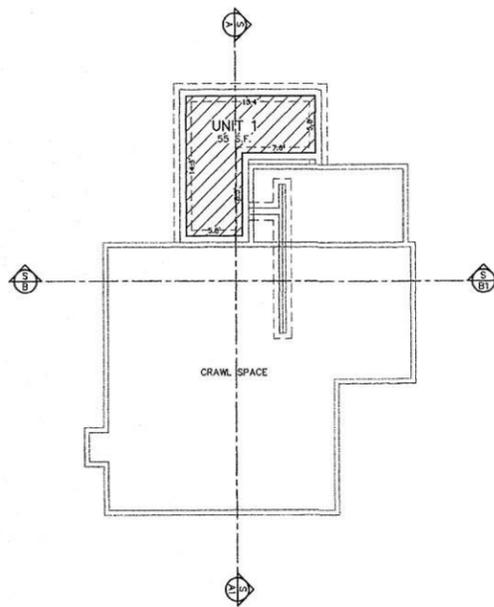
JOB NO. 8-2-00 FILE: \BOYLE\D\BOYLEP1

PARK CITY SURVEYING, INC. P.O. Box 3003 PARK CITY, UTAH 84060 (435) 649-2918	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 21 DAY OF May, 2001 A.D. BY <i>[Signature]</i> S.B.S.I.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 23rd DAY OF May, 2001 A.D. BY <i>[Signature]</i> CHAIRMAN	ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 21st DAY OF May, 2001 A.D. BY <i>[Signature]</i> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS 1st DAY OF JUNE, 2001 A.D. BY <i>[Signature]</i> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 26th DAY OF APRIL, 2001 A.D. BY <i>[Signature]</i> PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 26th DAY OF APRIL, 2001 A.D. BY <i>[Signature]</i> MAYOR	#591068 RECORDED STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ASSOCIATED TITLE DATE 4/27/01 TIME 15:54 BOOK PAGE \$186.00 FEE RECEIVED PLANNING DEPT.
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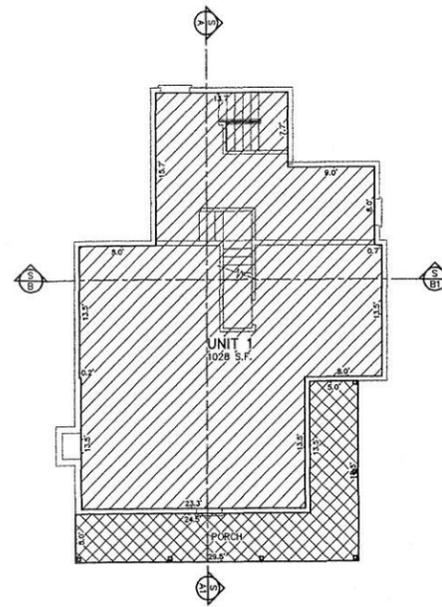
Alpine Retreat



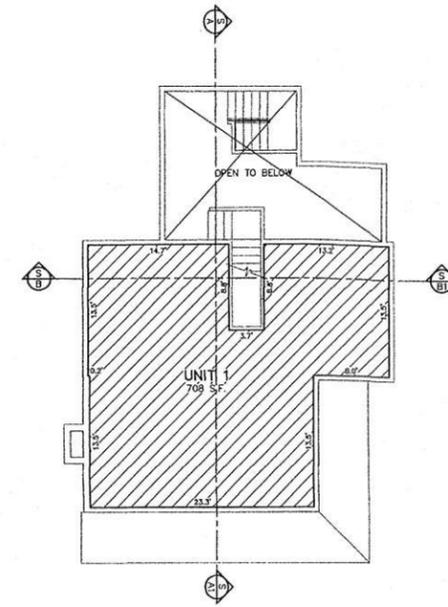
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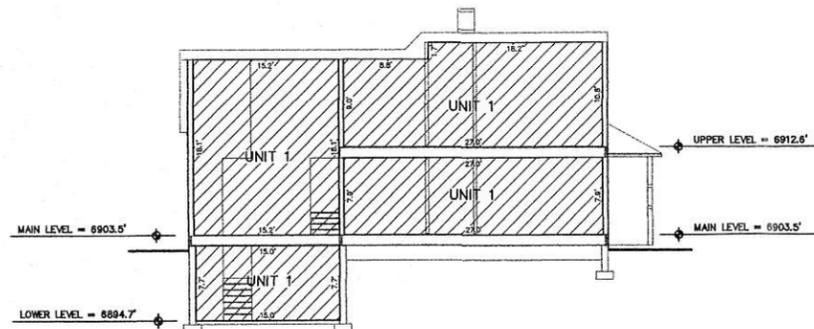
LOWER LEVEL



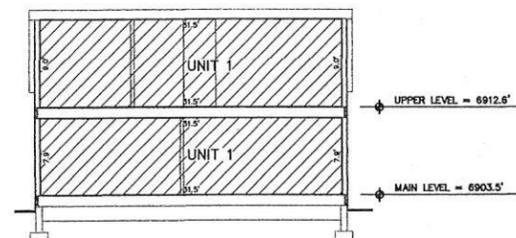
MAIN LEVEL



UPPER LEVEL



SECTION "A"



SECTION "B"

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10. ALPINE RETREAT @ PARK CITY IS SERVICED BY A PRIVATE COMMON SEWER LATERAL. THE ALPINE RETREAT OWNER'S ASSOCIATION IS SOLELY RESPONSIBLE FOR THAT LATERAL.
11. UNITS 1 AND 2 HAVE INDIVIDUAL SEWER LATERALS, UNITS 3, 4, 5, AND 6 ARE SERVICED BY ONE COMMON SEWER LATERAL.
12. FACADE EASEMENT AGREEMENTS FOR 1266 AND 1274 PARK AVENUE EXIST AND HAVE BEEN RECORDED AT SUMMIT COUNTY.

UNIT 1



UNIT SQUARE FOOTAGE TABLE

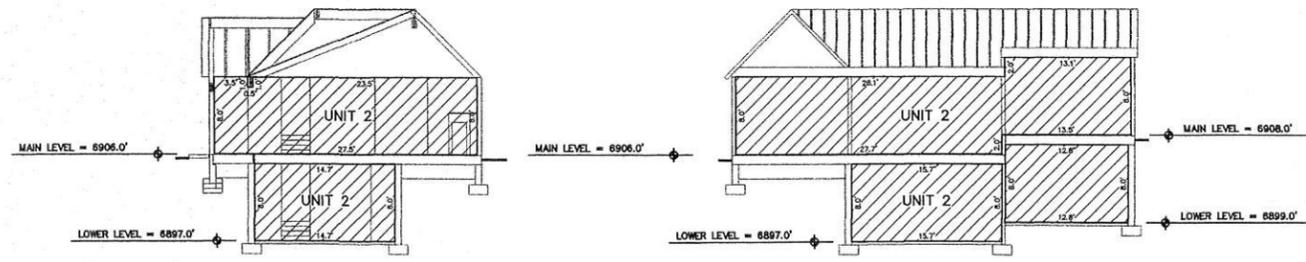
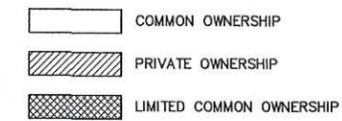
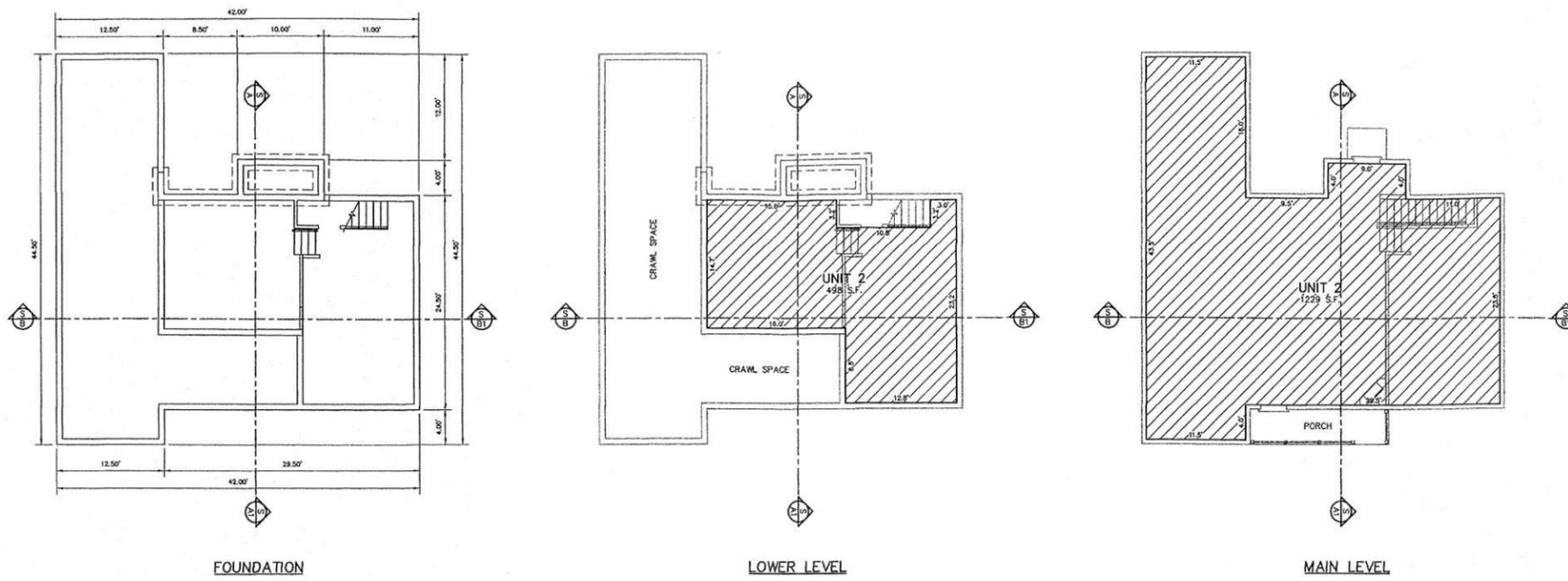
UNIT NUMBER	1	2	3	4	5	6
UPPER LEVEL	708	0	852	847	852	0
MAIN LEVEL	1028	1229	1093	1093	993	441
LOWER LEVEL	55	498	0	0	0	0
TOTAL	1791	1727	1945	1940	1845	441

RECORD OF SURVEY MAP
ALPINE RETREAT @ PARK CITY
 A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
 Recorded concurrently herewith is the Declaration of Condominium of Alpine Retreat @ Park City.

SHEET 2 OF 6

591068 **RECEIVED**
RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT AND FILED
 AT THE REQUEST OF ASSOCIATED TITLE
 DATE 4/12/2001 TIME 15:54 BOOK 15 PAGE 119
 \$186.00
 Alan J. [Signature]
 FEE PARK CITY RECORDER
PLANNING DEPT
 Alpine Retreat

JOB NO. 8-2-00 FILE: \BOYLE\DV\BOYLEP2



LEGEND
 S.F. REPRESENTS SQUARE FEET.
 F.P. REPRESENTS FIREPLACE

- NOTES:**
1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY LLOYD DESIGN GROUP ARCHITECTS.
 2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
 3. ALL UNIT EXTERIOR WALLS ARE 0.5 FEET THICK, ALL GARAGE LEVEL WALLS ARE .67 FEET THICK.
 4. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
 5. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
 6. BENCHMARK: SEE SHEET 1 OF 6 FOR LOCATION AND ELEVATION.
 7. ALL FLOOR ELEVATIONS ARE ABOVE SEA LEVEL.
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TOTAL	1791	1727	1945	1940	1845	441

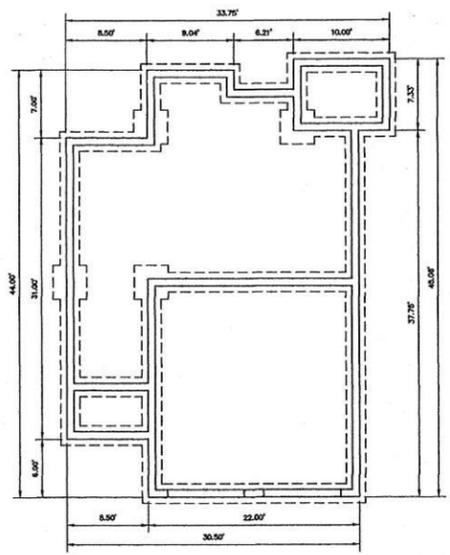
RECORD OF SURVEY MAP
ALPINE RETREAT @ PARK CITY

A UTAH CONDOMINIUM PROJECT
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH
 Recorded concurrently herewith is the Declaration of Condominium of Alpine Retreat @ Park City.

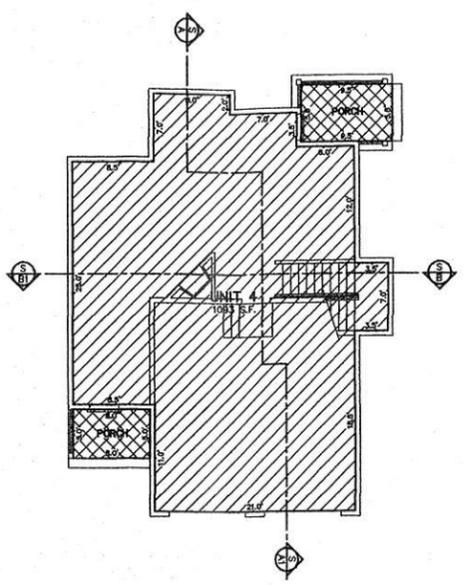
SHEET 3 OF 6

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 AT THE REQUEST OF ASSOCIATED TITLE
 DATE 6/12/2001 TIME 15:54 BOOK 150 PAGE 1
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 Alan Johnson
 RECORDER
 PARK CITY
 PLANNING DEPARTMENT

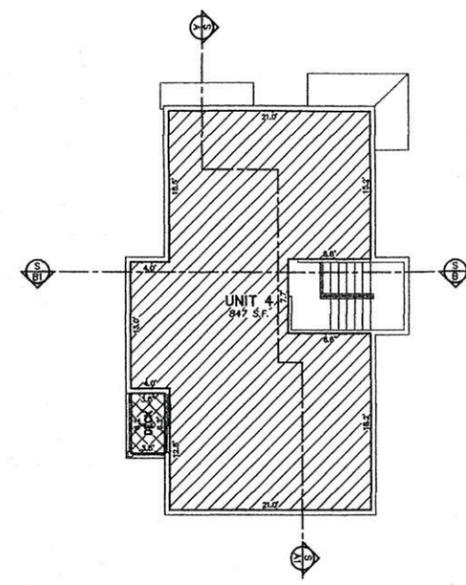
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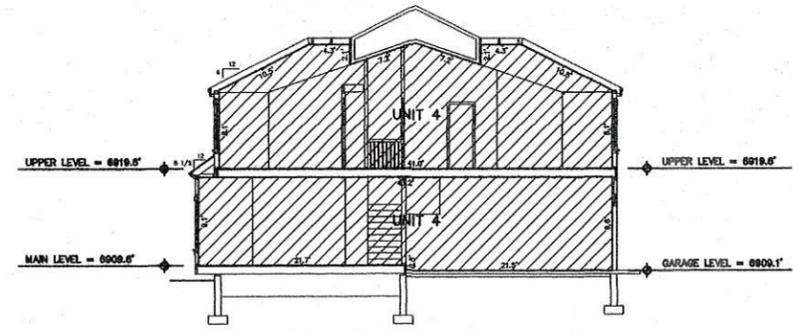
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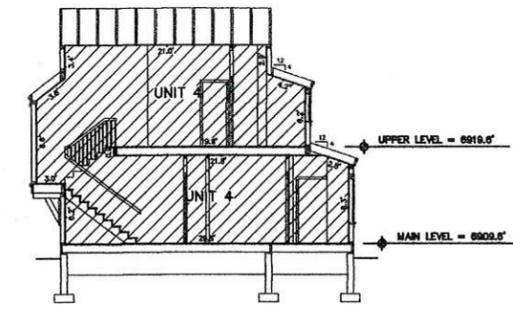
MAIN LEVEL



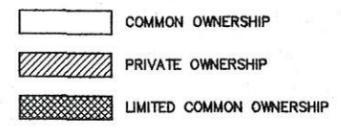
UPPER LEVEL



SECTION "A"



SECTION "B"



LEGEND
 S.F. REPRESENTS SQUARE FEET.
 F.P. REPRESENTS FIREPLACE

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UNIT 4



UNIT SQUARE FOOTAGE TABLE

UNIT NUMBER	1	2	3	4	5	6
UPPER LEVEL	708	0	852	847	852	0
MAIN LEVEL	1028	1229	1093	1093	993	441
LOWER LEVEL	55	498	0	0	0	0
TOTAL	1791	1727	1945	1940	1845	441

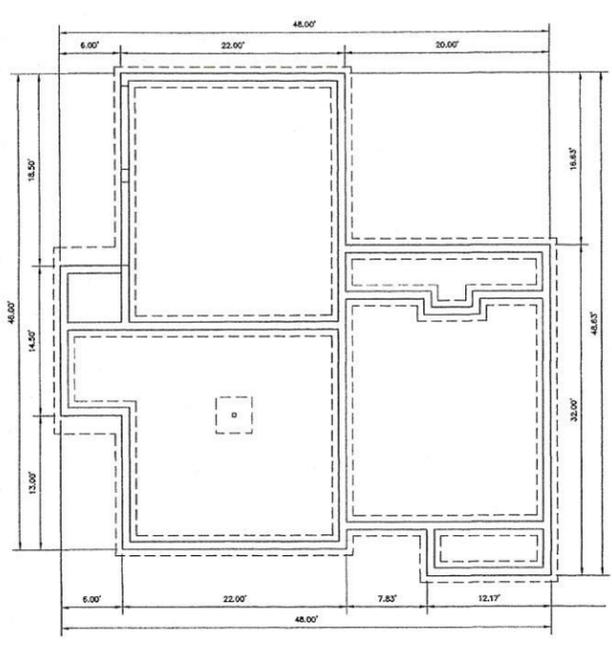
RECORD OF SURVEY MAP
ALPINE RETREAT @ PARK CITY

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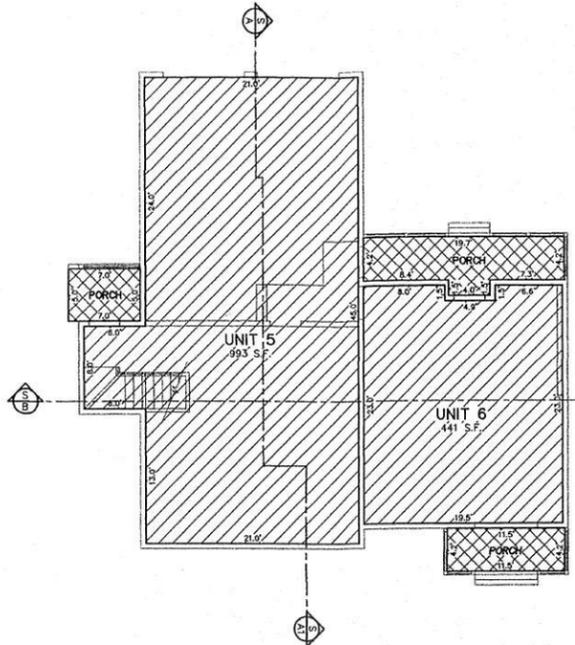
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 \$186.00 Alex Spawny FEE PARK RECORDS PLANNING DEPT
 SHEET 5 OF 6

JOB NO. 8-2-00 FILE: \BOYLE\BOYLEPS

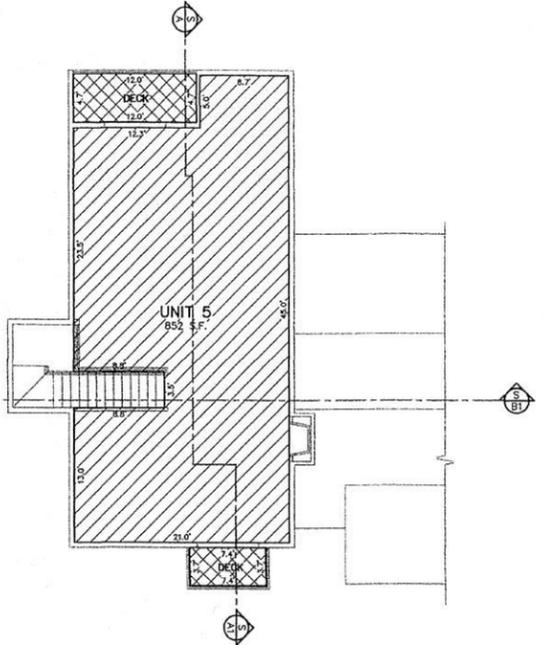
Alpine Retreat



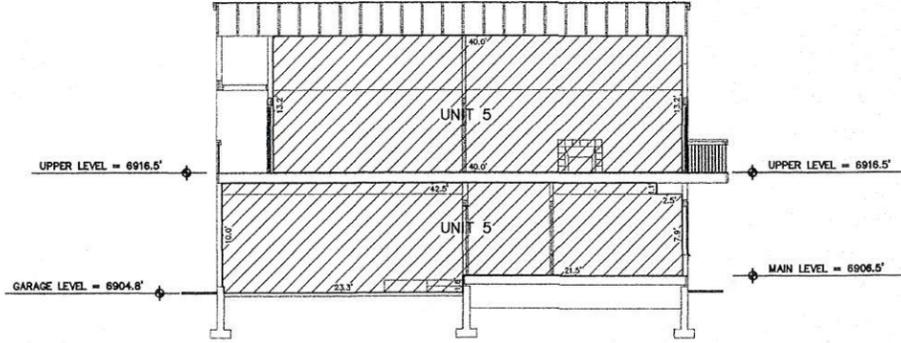
FOUNDATION



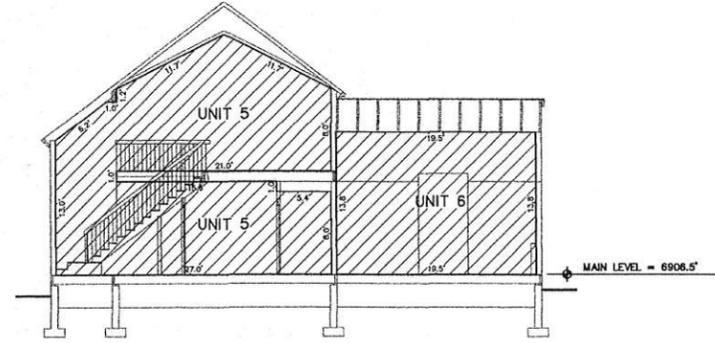
MAIN LEVEL



UPPER LEVEL



SECTION "A"



SECTION "B"

COMMON OWNERSHIP
 PRIVATE OWNERSHIP
 LIMITED COMMON OWNERSHIP

LEGEND

S.F. REPRESENTS SQUARE FEET.
 F.P. REPRESENTS FIREPLACE

NOTES:

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UNITS 5 & 6

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SHEET 6 OF 6

591068
RECEIVED
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 DATE 6/12/2001 TIME 15:54 BOOK 15-2 PAGE 22
 \$186.00
 Alan Spenser
 FEE PLANNING DEPT.

JOB NO. 8-2-00 FILE: \BOYLE\D\BOYLEP6

Alpine Retreat

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

ORIGINAL

Fee Exempt per Utah Code
Annotated 1953 21-7-2

GRANT OF PRESERVATION EASEMENT

1274 Park Avenue

This Preservation Easement is granted this 24 day of JUNE, 1999, by and between GARY D. and SUE F. BOYLE and EDNA E. FISHER ("Grantors"), and PARK CITY MUNICIPAL CORPORATION, ("Grantee").

WITNESSETH:

Grantors are the owners in fee simple of certain real property in Summit County, in the State of Utah, which property is commonly known as 1274 Park Avenue, said property including an historically important structure and associated yard area, located within the Boyle Property Replat of a portion of Block 57 of the Snyder's Addition to the Park City Survey, all of which is more particularly described as follows:

All of Lots 14, 15, 16, 17, 18, 19, 26, 27, 28, 29, 30 and 31 and the south half of Lots 20 and 25, Block 57 of the Snyder's Addition to the Park City Plat, on file and of record at the Summit County Recorder's Office.

WHEREAS, the Grantee is organized as a governmental unit under the laws of the State of Utah and is a qualifying recipient of qualified conservation contributions under Sections 170(b), (f), and (h) of the Internal Revenue Code of 1986 as amended (hereinafter the "Code");

WHEREAS, the Grantee is authorized to accept preservation and conservation easements to protect property significant in Utah history and culture under the provisions of Section 57-18 of the Utah Land Conservation Easement Act (hereinafter the "Act");

WHEREAS, the Grantor is owner in fee simple of certain real property in Summit County, Utah, which property is hereinafter referred to as a portion of the Boyle Property Replat, (hereinafter "the Premises"), said Premises including a structure commonly known as 1274 Park Avenue (hereinafter "the Building"), and is more particularly described below;

WHEREAS, the Building is located in the vicinity of structures which are listed on the National Registry of Historic Places (July 12, 1984 thematic nomination);

WHEREAS, the Grantee recognizes the historical, cultural, and aesthetic value and significance of the Building, and has the purpose of conserving and preserving the aforesaid value and significance of the Building;

WHEREAS, the grant of a preservation and conservation easement by Grantor to Grantee on the real property referred to herein will assist in preserving and maintaining the Building and its architectural, historical, and cultural features;

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ALAN SPRIGGS, SUMMIT CO RECORDER
1999 AUG 19 16:10 PM FEE \$.00 BY DMG
REQUEST: PARK CITY MUNICIPAL CORP

WHEREAS, the grant of a preservation and conservation easement by Grantor to Grantee on the Building will assist in preserving and maintaining the aforesaid value and significance of the Building;

WHEREAS, to that end, Grantor grants to Grantee, and Grantee desires to accept, a preservation and conservation easement on the Premises pursuant to the Utah Land Conservation Easement Act;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does hereby irrevocably grant and convey unto the Grantee a preservation and conservation easement in gross in perpetuity (which easement is more particularly described below and is hereinafter "the Easement") in and to that certain real property and the exterior surfaces of the Building located thereon, owned by the Grantor, and more particularly described as:

the front and side Facades (18" deep) of the Building, with modifications approved by the Historic District Commission and stated in the records of the September 14, 1998 meeting, and attached herein (see Exhibits A, B, and C).

The Easement, to be of the nature and character hereinafter further expressed, shall constitute a binding servitude upon said Premises of the Grantor, and to that end Grantor covenants on behalf of itself, its successors, and assigns, with Grantee, its successors, and assigns, such covenants being deemed to run as a binding servitude, in perpetuity, with the land, to do upon the Premises each of the following covenants and stipulations, which contribute to the public purpose in that they aid significantly in the preservation of the Building and surrounding land area, and which help maintain and assure the present and future historic integrity of the Building:

In furtherance of the intent of the parties to this instrument, Grantor covenants and agrees on behalf of himself, his successors and assignees that obligations and restrictions attach to the Premises as follows:

1. "Facade" shall mean the exterior surfaces of the improvements located on the property, including, without limitation, the exterior walls and roofs or the improvements, which are visible from the public street adjacent to the Premises. The photographs incorporated in Exhibit "A" hereto depict the condition and appearance of the Facade as of the effective date of this instrument.
2. Without the express written permission of the Grantee signed by a duly authorized representative thereof no construction, demolition, alteration, remodeling, addition or extension shall be undertaken on the Premises which would affect the Facade or otherwise alter the appearance of the Premises, or would adversely affect the structural soundness of the Premises. Renovation, remodeling, and alterations as approved by the Historic District Commission on September 14, 1998 are allowed once a building permit has been obtained. Grantee hereby consents to the renovation

of the Premises as depicted in Exhibit B. The reconstruction, repair, maintenance, repainting or refinishing of presently existing parts or elements of the Facade, to which damage due to casualty loss, deterioration or wear and tear has occurred, will be permitted without prior approval of Grantee, provided that such reconstruction, repair, maintenance, repainting or refinishing is performed in a manner which will not alter the appearance of the Premises from that set forth in Exhibit A hereto, as modified by Exhibit B. In all events, Grantor, in painting the Facade, agrees to obtain the prior written consent of Grantee.

3. Grantor agrees to, at all times, maintain the Premises in a good and sound state of repair, subject only to the provision of Paragraph 4 hereof.

4. If the Premises, or any part thereof, is damaged or destroyed as a result of natural casualty or fire, where such is not caused by the negligence of either Grantor or Grantee, their agents, representatives or employees, Grantor may elect to reconstruct or restore the Premises to the condition depicted in Exhibits A and B, if such repair or reconstruction can be accomplished within the limits of available insurance proceeds and any additional funds which Grantee might elect to advance as a loan to Grantor at terms to be determined at the time. In the event repair or reconstruction cannot be accomplished within the limits of available insurance proceeds and funds advanced by Grantee, Grantor grants to Grantee the right to select and remove from the Facade salvageable architectural fragments without charge. In the event the Premises are damaged by casualty loss to an extent that the parties mutually decide that repair or reconstruction of the Premises is impracticable, the Grantee may permit the erection of a new structure with a Facade that duplicates or replicates the Facade depicted in Exhibits A and B hereto. Grantor and Grantee agree that the Easement created and covenants contained herein shall survive complete or partial destruction of the improvements located on the Premises. The interest in real property created hereby may, however, be reconveyed to Grantor at the sole discretion of Grantee.

5. No utility transmission lines, except those required for the existing or improved improvements and uses on the Premises may be erected on the Premises.

6. No dumping of ashes, sawdust, bark, trash, rubbish or any other unsightly or offensive materials which are viewable from public roads or streets shall be permitted on the Premises.

7. Grantor agrees that representatives of Grantee shall be permitted, at all reasonable times to inspect the Premises. Inspections will normally take place from the adjacent public street. If evidence of deterioration is present, Grantor agrees that representatives of Grantee shall be permitted to enter and inspect the interior of the improvements on the Premises to insure maintenance of structural soundness. Inspection of the interior will be at a time mutually agreed upon by Grantor and Grantee, and Grantor covenants not to unreasonably withhold his consent in determining a date and time for such inspection.

8. No violation or breach of any covenant contained in this Preservation Easement and

no action to enforce the same, shall defeat, render invalid or impair the lien of any mortgage, or deed of trust taken in good faith and for value and perfected by recording prior to the time of recording of an instrument giving notice of such violation or breach, of the title or interest of the holder thereof or the title acquired by any purchaser upon foreclosure of any such mortgage or deed of trust.

9. In the event of a violation by Grantor of any covenant herein, the Grantee may, thirty (30) days after written notice to Grantor, institute actions to require the restoration of the Premises to their condition as depicted in Exhibits A and B hereto. Grantee shall also have available all legal and equitable remedies to enforce Grantor obligations hereunder.

In the event of a violation by Grantor deemed by the Grantee to be an emergency which endangers the condition or appearance of the Facade, Grantee may immediately proceed to seek injunctive relief, with best efforts to provide notice to Grantor.

10. Grantor agrees that a reference to this instrument and its restrictions will be inserted by Grantor in any subsequent deed, sales or purchase contract, financing instrument, or other legal instrument by which Grantor is divested of either the fee simple title or equitable title to a possessory ownership interest in the Premises, or any part thereof. Said reference shall be as follows: "The Facade of the property conveyed herein is subject to a Preservation Easement which restricts the ability of any owner or other possessor of the Premises to alter its appearance or historic character, except as approved by the Park City Historic District Commission and stated in the record of the September 14, 1998 meeting and attached as Exhibit B. This easement is recorded on Page _____ Book _____, in the records of the Summit County Recorder, State of Utah." This instrument may be recorded by any party in the land records of Summit County Utah.

11. In the event that the Grantee shall, at any time in the future, become the fee simple owner of the Premises, Grantee for itself, its successors and assigns, covenants and agrees, in the event of subsequent conveyances of the Premises to another, create a new easement containing the same restrictions and provisions as are contained herein, and either retain such easement in itself or convey such easement to a local or national non-profit organization whose purposes, inter alia, are to promote historic preservation.

12. Grantor agrees to allow the maintenance of a plaque on the street Facade of the Premises giving notice of this Grant of Preservation Easement.

13. Grantor shall be prohibited from subsequently transferring this Preservation Easement, whether or not for consideration, unless the Grantee, as a condition of the subsequent transfer requires that the conservation purposes, which the grant is originally intended to advance, continue to be carried out.

14. If Grantor subsequently desires to avail himself of benefits offered under Section 170 of the Internal Revenue Code, and if those benefits are not available without reformation of the Grant

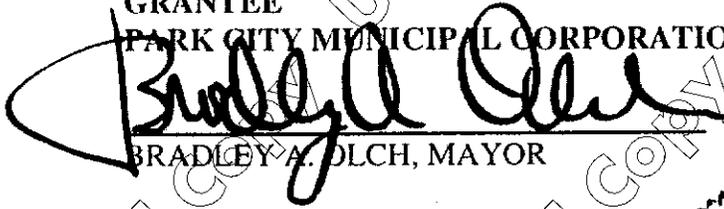
then this Grant shall be reformed to be consistent with IRS regulations, as applied to Grantor, and the parties hereto shall execute any and all writings necessary to effectuate the intent of this paragraph.

15. This Preservation Easement may be amended at any time solely by the Grantor and Grantee or their successors or assigns.

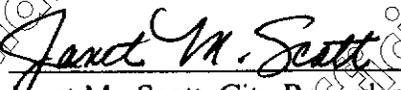
16. Each and every covenant and restriction imposed and agreed to as aforesaid shall not only apply to and be binding upon Grantor but also upon Grantor's successors and assigns, and all other successors in interest to Grantor, and shall continue as a servitude running in perpetuity with the land and shall survive any termination of Grantor's or Grantee's existence. All rights reserved herein to Grantee shall run for the benefit of, and may be exercised by, its successors or assigns, or by its designee duly authorized in a deed of appointment executed by its duly authorized officer.

IN WITNESS WHEREOF, Grantors have executed and delivered, and said Grantee has caused same to be accepted and signed this 21 day of JUNE, 1999.

GRANTEE
PARK CITY MUNICIPAL CORPORATION


BRADLEY A. OLCH, MAYOR

Attest:


Janet M. Scott, City Recorder



Approved As To Form:


Mark Harrington, Deputy City Attorney

GRANTOR:


Gary D. Boyle

STATE OF UTAH)
 :SS
COUNTY OF SUMMIT)

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Historic Preservation Easement - Page 5 of 6

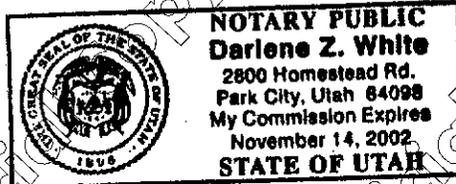
On this 24 day of June, 1999, personally appeared before me Dary D. Boyle personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is signed on the preceding Agreement, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Darlene Z. White

NOTARY PUBLIC

GRANTOR:

Sue F. Boyle
Sue F. Boyle



STATE OF UTAH)

:SS

COUNTY OF SUMMIT)

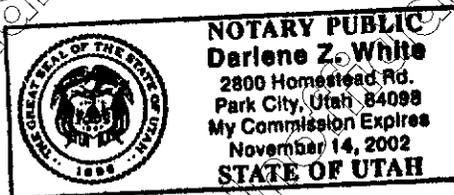
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Darlene Z. White

NOTARY PUBLIC

GRANTOR:

Edna E. Fisher
Edna E. Fisher



STATE OF UTAH)

:SS

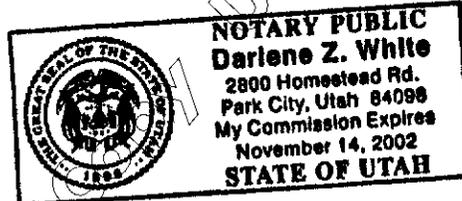
COUNTY OF SUMMIT)

On this 24 day of June, 1999, personally appeared before me Edna E. Fisher personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is signed on the preceding Agreement, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Darlene Z. White

NOTARY PUBLIC

00546937 Ek01283 Pg00635



Historic Preservation Easement - Page 6 of 6

SCHEDULE OF EXHIBITS

- A. Photographs
- B. Approved plans of proposed additions to Protected Property
- C. Verification Affidavit

00546937 Bx01283 Pg00636

EXHIBIT A



1274 PARK AVENUE - SOUTH ELEVATION



1274 PARK AVENUE - WEST ELEVATION

00546937 Bk01283 Pg00637

EXHIBIT B

00546937 Bk01283 Pg00638



COPY

September 15, 1998 Department of Community Development
Engineering • Building Inspection • Planning

Gary & Sue Boyle
3778 W. Blacksmith Road
Park City, UT 84098

NOTICE OF HISTORIC DISTRICT COMMISSION ACTION

Project Address: 1274 Park Avenue
Project Description: Design review for modifications to existing historic house
Date of Meeting: September 14, 1998

Action Taken By Historic District Commission: Approved in accordance with the Findings of Fact and Conclusions of Law as outlined in the staff report; and Conditions of Approval as written below:

Conditions of Approval:

1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Community Development Department is a condition precedent to the issuance of any building permit. Contact Tricia Parish in the Building Department at 615-5114 for further information.
2. The final building plans and construction details shall reflect substantial compliance with the drawings as submitted and reviewed by the HDC on September 14, 1998.
3. All exterior lighting shall be reviewed and approved prior to full Planning Department approval for issuance of building permits.
4. Window trim widths shall be at least 3 1/2 inches in width, and shall be approved by Staff prior to full Planning Department approval for issuance of building permits. Replacement windows shall be wood, metal-clad, double-hung, one-over-one windows having a proportional ratio of 2:1.
5. The porch shall retain the existing turned wooden posts, and consist of a wooden deck, wood jigsaw porch brackets, and wood hand railing having simple detailing. All porch elements shall be approved by the Planning Department prior to the issuance of final building permits.
6. The front door shall be a transomed, wood, half-light door with a decorative screen door in front of it. The rear and side doors shall also be wood, half-light doors. All door designs shall be approved by the Planning Department prior to the issuance of final building permits.

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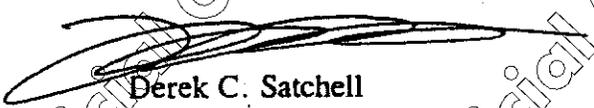
Park City Municipal Corporation • 415 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Community Development (435) 615-5055 • Engineering (435) 615-5055 • Building (435) 615-5100
Planning (435) 615-5060 • FAX (435) 615-4906

Sue & Gary Boyle
September 15, 1998
page 2

7. Remove existing metal siding. Repair covered original wood siding and return missing trim elements (ex: corner boards, fascia boards, etc) as determined by CDD.
8. The existing chain link fence surrounding the property shall be replaced by a paint grade wood picket fence to be approved by the Planning Department prior to the issuance of final building permits.
9. The roofing material and overall building colors shall be approved by the Planning Department prior to the issuance of final building permits.
10. All standard conditions of approval shall apply.
11. This approval shall expire if construction has not commenced prior to September 14, 1999.

Any person who submitted written comment on a proposal, the owner of any property within three hundred (300) feet of the boundary of the subject site, or the owner of the subject property may appeal to the City Council any action pertaining to the approval or denial. The petition must be filed in writing with the City Recorder within ten (10) calendar days of a Historic District Commission decision.

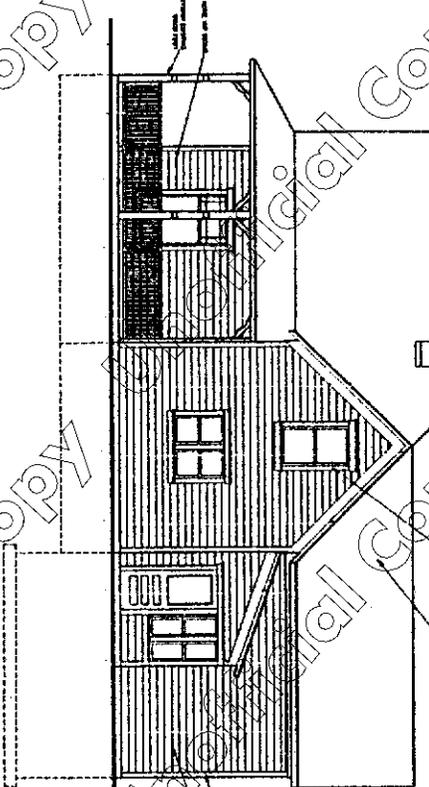
Sincerely,



Derek C. Satchell
Preservation Planner

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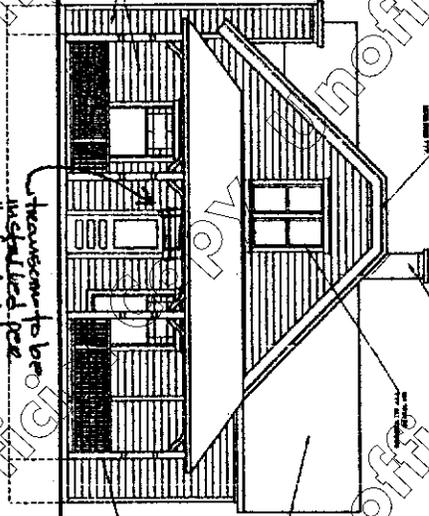
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



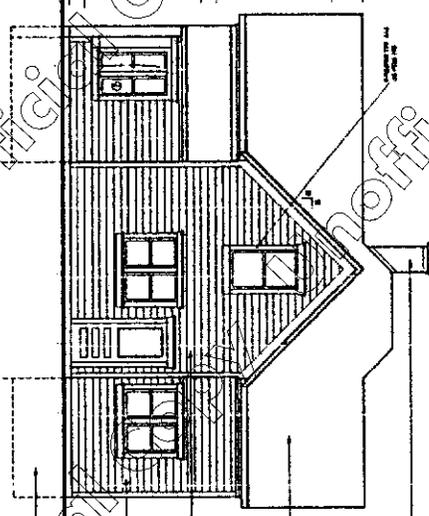
WEST ELEVATION
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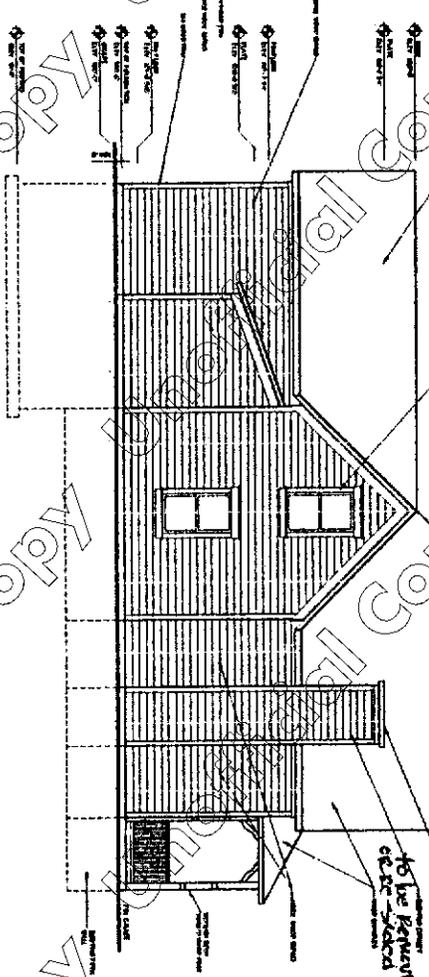
transoms to be installed per these photos.



EAST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



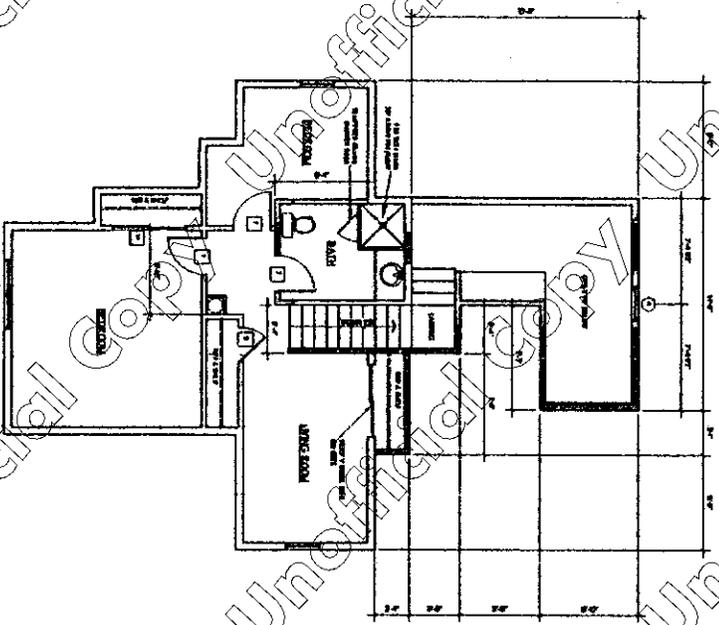
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PARK CITY
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FIELD VERIFY ALL
DIMENSIONS & CONDITIONS

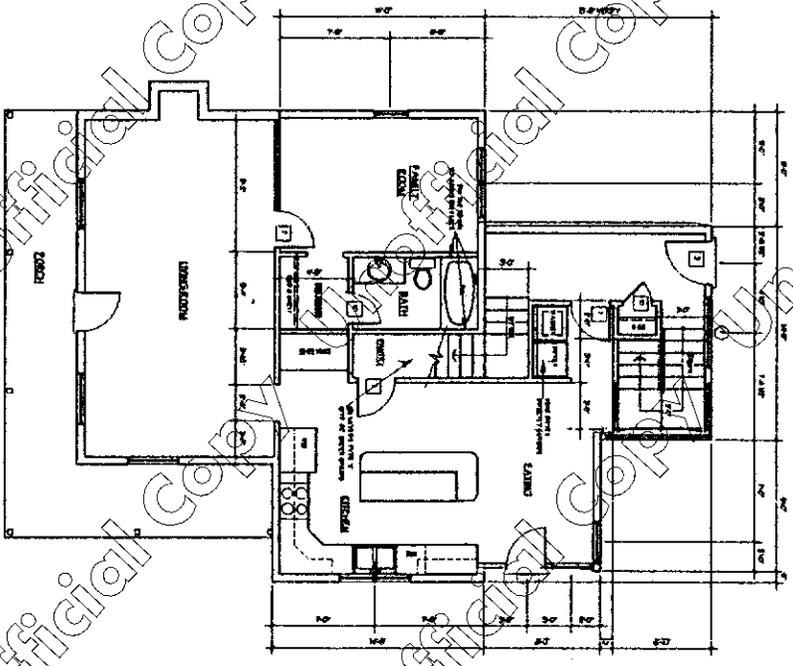
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SHEET NO. A2.1	Remodels and New Structures for: BOYLE CONDOS #1 1266-1274 Park Avenue Park City, Utah		DATE JUL 26 1999	 LLOYD DESIGN GROUP ARCHITECTS 511 EAST BROADWAY (801) 328-3245	AIA PLANNERS SALT LAKE CITY, UT FAX (801) 328-3246
	1274 PARK AVE.				

UPPER FLOOR PLAN
SCALE 1/8" = 1'-0"



MAIN FLOOR PLAN
SCALE 1/8" = 1'-0"



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PARK CITY
PLANNING DEPT.

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SHEET NO.
A1.1

Remodels and New Structures for:
BOYLE CONDOS #1
1266-1274 Park Avenue
Park City, Utah

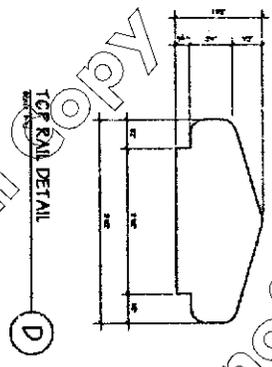
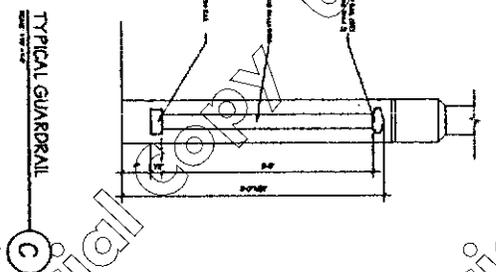
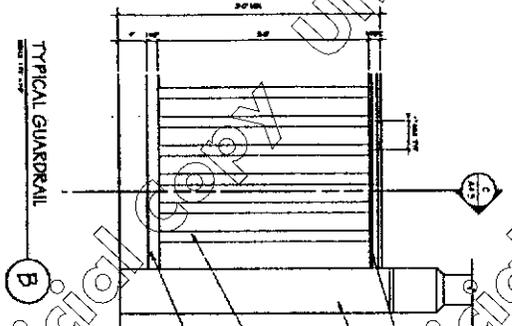
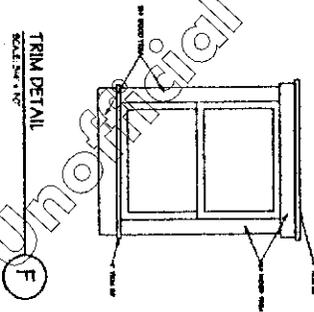
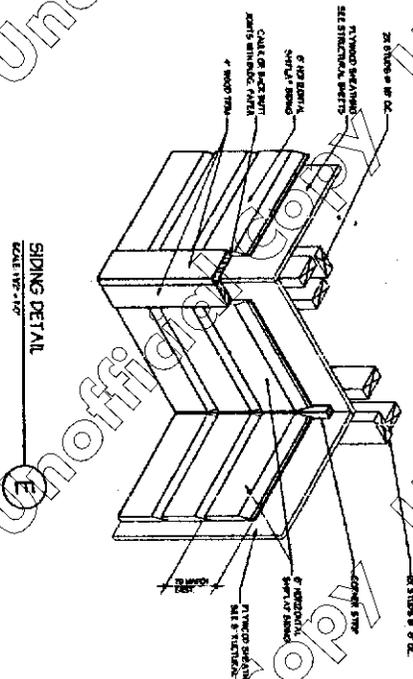
DATE
MAY 20, 1999



LLOYD DESIGN GROUP
ARCHITECTS
511 EAST BROADWAY
BOULDER, CO 80501

AIA
PLANNERS
SALT LAKE CITY, UT
PARK (801) 328-3248

Unofficial Copy



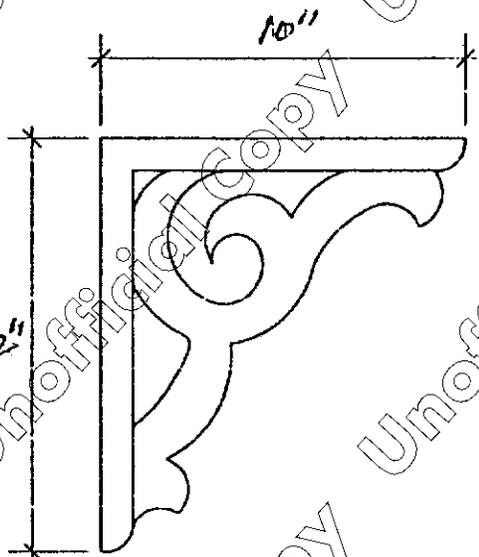
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 PARK CITY
 PLANNING DEPT.

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SHEET NO. A4.3	Remodels and New Structures for: BOYLE CONDOS 1266-1274 Park Avenue Park City, Utah	REVISIONS <table border="1"> <tr><td> </td><td> </td></tr> </table>											DATE MAY 21 1998	 LLOYD DESIGN GROUP ARCHITECTS 511 EAST BROADWAY SALT LAKE CITY, UT 84111 320-3245	AIA PLANNERS SALT LAKE CITY, UT FAX (801) 320-3246

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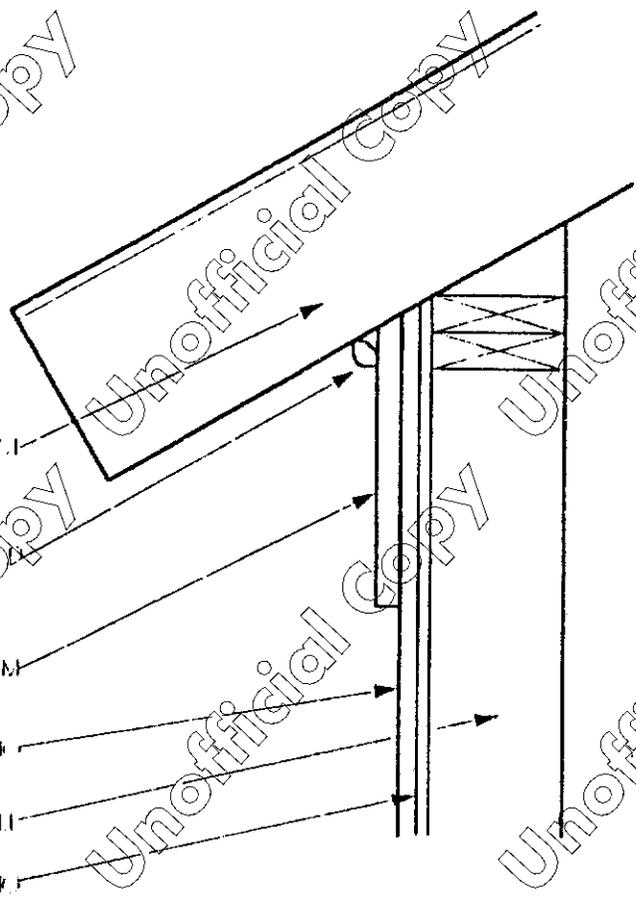
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POST BRACKET

SCALE: 1/2" = 1'-0"
FOR 1274 PARK AVE ONLY.

J

Unofficial Copy



ROCK WOOL INSULATION

1/4" FOAM GROUND FELT

1/2" FIBER

1/2" WOOD GRADE

2" STUD WALL

1/2" WOOD GRADE

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 JUL 29 1999
 PARK CITY
 PLANNING DEPT.

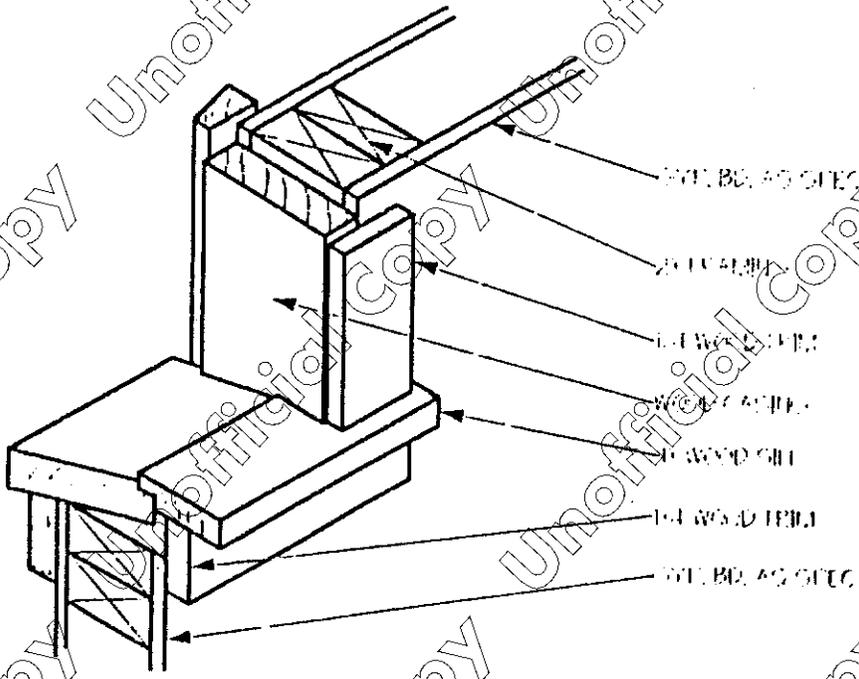
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FACIA DETAIL

G

SCALE: 1/4" = 1'-0"

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JUL 29 1999
PARK CITY
PLANNING DEPT.

TRIM DETAIL

SCALE: 1/2" = 1'-0"

H

EXHIBIT C

Easement Monitoring Inspection Form/Affidavit

Park City Municipal Corporation

P.O. Box 1480 Park City, Utah 84060

EASEMENT INSPECTION FORM

BUILDING/SITE: Lot 1 of the Boyle Property Replat, 1274 Park Avenue, Park City, Utah

ADDRESS: 1274 Park Avenue, Park City, Utah

CURRENT OWNER: Gary D. and Sue F. Boyle and Edna E. Fisher

ADDRESS: 3778 Blacksmith Road, Park City, UT 84098

PHONE: 435-649-7552

INSPECTION DATE: May 7, 1999

PROTECTED FEATURES OR RESTRICTIONS:

Facade easement for existing east (front), north and south building elevations, including but not limited to the following features:

- Overall existing two-story frame, front-gabled residential dwelling with wrap-around porch, with the modifications as approved by the Historic District Commission on September 14, 1998 (See Exhibit B);

West (Front) Facade

- Original bead-board front porch ceiling;
- Existing painted wood turned porch posts (4 total);
- Half-light front door (having two panels below), with transom above;
- Four (4) large fixed picture windows (having stained glass transoms above) at the first floor level;
- Existing exterior wall cornice, soffit, fascia and roof eaves; and
- All original building material and/or features which may be present, but are visually obscured by the existing non-historic aluminum siding.

North facade-

- All original building material and/or features which may be present, but are visually obscured by the existing non-historic aluminum siding.

South facade-

- Original bead-board front porch ceiling;
- Existing painted wood turned porch posts (1 total);
- One (1) large fixed picture window (having stained glass transoms above) at the

00546937 Bk01283 Pg00647

EXHIBIT C

Sample Easement Monitoring Inspection Form/Affidavit

Page 2

first floor level;

- Existing exterior wall cornice, soffit, fascia and roof eaves; and
- All original building material and/or features which may be present, but are visually obscured by the existing non-historic aluminum siding.

General Condition and Potential Problem Areas

Fair condition overall. Potential problem areas consists of the following:

- Replace and repair portions of crown molding, frieze, boxed soffit, and eave where necessary;
- Rebuild front porch with wood decking, porch posts, jig-saw porch brackets, bead-board porch ceiling, etc.
- Remove non-original aluminum siding. Repair and caulk original drop-lap wood siding which may exist beyond;
- Repair and/or replace in-kind existing original wood corner boards;
- Remove all metal exterior storm windows;
- Replace all non-original windows with wood double-hung, one-over-one sashes. All new window locations and sizes on the side elevations of the house (which is not part of the September 14, 1998 HDC approval) shall be reviewed and approved by the Historic District Commission prior to any installations.
- Repair existing original half-light, wood paneled front door and single-light transom;
- Repair all existing original wood window and door casing and trim; and
- Repair existing brick chimney located at the center of the main roof ridge line;

INSPECTION:

Did Inspector meet with the property owner or his representative during the inspection visit? Yes

If yes, name of owner or representative: Sue Boyle

Inspected by: Kirsten A. Whetstone, City Planner and Derek Satchell, Preservation Planner

Affiliation: Park City Municipal Corporation

Date: May 10, 1999

00546937 Bk01283 Pg00648

Alpine Retreat Homeowners Association

Board of Trustees – Special Meeting

Minutes

August 22, 2017

1:00 pm

I. Welcome and Call to Order by Declarant/President

a. New Business

i. Item 1: Future Expansion approval vote:

1274 Park Avenue (Unit 1)

1266 Park Avenue (Unit 2)

1265 Sullivan Road (unit 3),

1275 Sullivan Road (Unit 5/6)

Approval for Site Expansion plan (attached)

- a. 1274 Park Avenue (Unit 1) expansion includes: approximately 636 square feet into current common area for future garage construction and private hot tub area (as noted on attached drawing). Also includes future driveway and tree removal from common area.

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- b. 1266 Park Avenue (Unit 2) expansion includes addition of new private outdoor spa into current common area (as noted on site plan map)
- c. 1265 Sullivan Road (Unit 3) expansion includes new private outdoor spa area into current common area (as noted on site plan map)
- d. 1275 Sullivan Road (Unit 5/6) expansion includes: permission to add an additional 1800 square feet in the future to existing unit without increasing unit footprint into common area.
 - i. Any increase in the square footage of a unit at Alpine Retreat will cause a re-calculation of common area expenses based on the new percentage of square footage occupied by that particular unit.

Affirmative vote for expansion plan provided by Loren Pierce, Declarant/President of the Board of Trustees and Owner of units 1, 2, 3, 4, and 6, representing 80.5% of the percentage interest of Alpine Retreat. Affirmative vote also provided by Ashley and Braden Hopkins – owners of unit 4.

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PARK CITY
PLANNING DEPT

Alpine Retreat Homeowners Association

Board of Trustees – Special Meeting

Minutes

August 22, 2017

1:00 pm

I. Welcome and Call to Order by Declarant/President

a. New Business

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RECEIVED

DEC 02 2019

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 - i. Any increase in the square footage of a unit at Alpine Retreat will cause a re-calculation of common area expenses based on the new percentage of square footage occupied by that particular unit.

Affirmative vote for expansion plan provided by Loren Pierce, Declarant/President of the Board of Trustees and Owner of units 1, 2, 3, 4, and 6, representing 80.5% of the percentage interest of Alpine Retreat. Affirmative vote also provided by Ashley and Braden Hopkins – owners of unit 4.

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PLANNING DEPT.

ii. Item 2: Common Area Spa removal vote – Private Spa Clarification

1. The two existing common area Spa's will be removed providing each owner the responsibility/expense for their own private spa (should they choose to have one)

Affirmative vote for Common Area Spa Removal provided by Loren Pierce, Declarant/President of the Board of Trustees and Owner of units 1, 2, 3, 4, and 6, representing 80.5% of the percentage interest of Alpine Retreat. Affirmative vote also provided by Ashley and Braden Hopkins – owners of unit 4.

Meeting Minutes submitted by Alpine Retreat HOA Manager
Jason Schnaitter
Executive General Manager
Wyndham Vacation Rentals – Park City

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PLANNING DEPT.

Planning Commission Staff Report



Subject: Evergreen Subdivision Amendment
Author: Rebecca Ward
Project: PL-19-04378
Date: January 8, 2020
Type of Item: Administrative – Subdivision Plat Amendment

Summary Recommendation

Staff recommends the Planning Commission review the proposed Evergreen Subdivision Amendment, hold a public hearing, and consider forwarding a positive recommendation for the City Council's consideration on January 16, 2020, based on the findings of fact, conclusions of law, and conditions of approval outlined in the draft ordinance.

Description

Applicant: Raymond Uritescu
Location: 7058 Silver Lake Drive
Adjacent Land Uses: Residential; Deer Valley Last Chance Ski Trail
Zoning District: Residential Development within the Deer Valley Master Planned Development
Reason for Review: Subdivision plat amendments require Planning Commission review and recommendation to City Council for final action

Proposal

The Applicant proposes to increase the area of disturbance for Lot 1 (7058 Silver Lake Drive) of the Evergreen Subdivision from 5,270 square feet to 6,260 square feet, a total increase of 540 square feet.

Background

On March 19, 1987, the City Council approved the 36-Lot Evergreen Subdivision Plat (Summit County Recorder Entry 269685). On May 17, 1988, the City Council approved an Amended Evergreen Subdivision Plat (Summit County Recorder Entry 290308; Exhibit A). The Subdivision Plat establishes an area of disturbance for each Lot.

The City Council approved at least two enlargements to Evergreen Subdivision Lot areas of disturbance. For example, on October 13, 1994, the City Council passed Ordinance No. 94-42, *An Ordinance Amending the Evergreen Subdivision Plat to Amend the Limits of Disturbance at 6715 Silver Lake Drive* (Exhibit B).

On April 27, 1995, the City Council passed Ordinance No. 95-17, *An Ordinance Approving a Plat Amendment to the Evergreen Subdivision Area of Disturbance in Park City, Utah* (Exhibit C). Ordinance No. 95-17 amended the Evergreen Subdivision Plat to require Evergreen Architectural Committee review and approval prior to amending the area of disturbance for the Evergreen Subdivision Lots.

After amending the Plat to require Evergreen Architectural Committee review and approval to alter the area of disturbance, on May 23, 2002, the City Council passed Ordinance 02-06, *An Ordinance Approving a Plat Amendment for 6538 Silver Lake Drive, Evergreen Subdivision of Park City, Utah* (Exhibit D).

On November 19, 2019, the Applicant submitted an application to amend the area of disturbance for Lot 1 of the Evergreen Subdivision. Staff determined the application to be complete on November 21, 2019.

Analysis

The Proposed Evergreen – Lot 1 Amended Plat Complies with the Residential Development Zoning District Requirements.

The Applicant proposes to increase the area of disturbance for Lot 1 (7058 Silver Lake Drive) of the Evergreen Subdivision from 5,270 square feet to 6,260 square feet, a total increase of 540 square feet (Exhibit E).

Altering areas of disturbance on a subdivision plat requires a plat amendment.^a Subdivision plat amendments are reviewed by staff and submitted to the Planning Commission for recommendation to the City Council.^b The City Council takes final action on plat amendments.^c

Lot 1 of the Evergreen Subdivision (7058 Silver Lake Drive) is located in the Residential Development Zoning District within the Deer Valley Master Planned Development. Lot 1 is adjacent to a residential property. The Deer Valley Last Chance Ski Trail runs directly behind Lot 1.^d

The purpose of the Residential Development Zoning District (RD Zone) is to:

- A. Allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities;
- B. Encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services;
- C. Allow commercial and recreational activities that are in harmony with residential neighborhoods;
- D. Minimize impacts of the automobile on architectural design;
- E. Promote pedestrian connections within Developments and between adjacent Areas; and
- F. Provide opportunities for variation in architectural design and housing types.^e

Single-Family Dwellings are an allowed use in the RD Zone.^f

There are no minimum or maximum Lot size requirements in the RD Zone and the maximum density for Lot 1 of the Evergreen Subdivision will be determined by Setback and Height restrictions outlined in the Land Management Code, built within the area of disturbance established by the subdivision plat.^g

The Evergreen – Lot 1 Amended Plat Complies with the Additional Evergreen Subdivision Plat Requirements.

The 36-Lot Evergreen Subdivision designates an area of disturbance for each Lot (Summit

^a LMC [§ 15-7.1-3\(B\)](#).

^b LMC [§ 15-12-15\(9\)](#).

^c LMC [§ 15-1-8\(H\)](#).

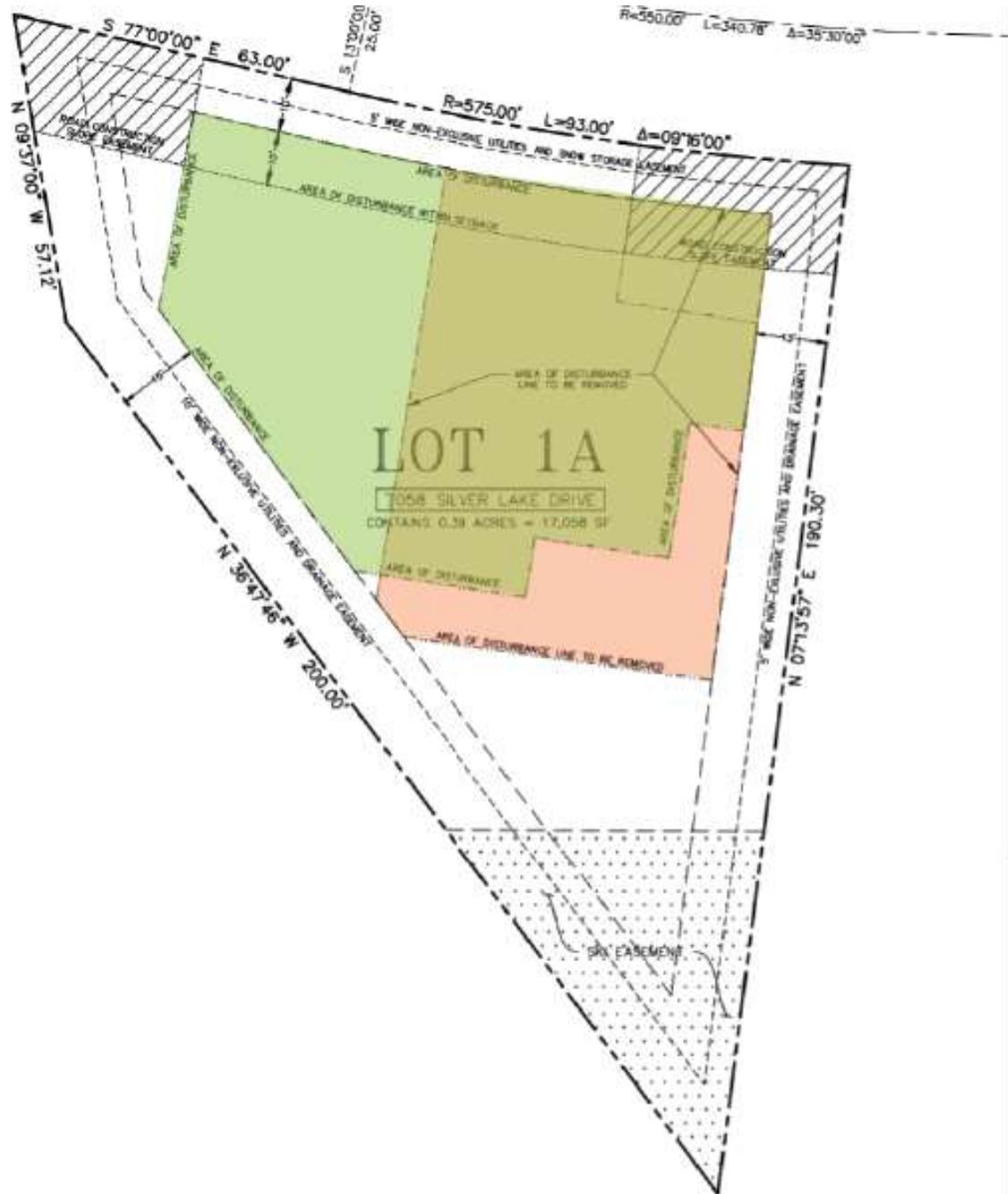
^d A rear portion of Lot 1 contains a dedicated ski easement and the proposed area of disturbance does not interfere with the ski easement.

^e LMC [§ 15-2.13-1](#).

^f LMC [§ 15-2.13-2\(A\)\(1\)](#).

^g LMC [§ 15-2.13-3](#).

County Recorder Entry 290308; Exhibit A). The Applicant proposes to enlarge the area of disturbance for Lot 1 from 5,270 square feet to 6,260 square feet, shown on the proposed amended plat, Exhibit E. The image below shows the existing Lot 1 area of disturbance in orange and the proposed area of disturbance in green:



On April 27, 1995, City Council passed Ordinance No. 95-17, approving an amendment to the Evergreen Subdivision Plat as follows:

The area of disturbance represents the boundary in which all building and associated construction disturbance shall occur . . . Deviations from the area of

disturbance may and must be approved by the Evergreen Architectural Committee. (Summit County Recorder Entry 432561; Exhibit F).

On December 18, 2019, the Applicant provided a letter demonstrating Evergreen Architectural Committee approval of the proposed enlargement of the Lot 1 area of disturbance (Exhibit G). The approval letter requires the following two conditions of approval: (1) the building pad adjustment must not encroach upon the recorded ski easement; and (2) the proposed building pad must maintain all lot setbacks required by the Land Management Code.

Additionally, the Evergreen Subdivision Plat requires a 10-foot-wide non-exclusive utilities and drainage easement along all subdivision boundary lines, a five-foot-wide non-exclusive utilities and drainage easement along all side and rear lot lines, a five-foot-wide non-exclusive utilities and snow storage easement along all front lot lines, and the installation of an individual pressure reducer valve for each house constructed within the subdivision.

The proposed Evergreen Lot 1 Subdivision Amended Plat contains a note that all Conditions of Approval of the Evergreen Subdivision Plat continue to apply and that the house on Lot 1 will be required to install an individual pressure reducer valve.

The proposed Plat also contains a note stating that “[t]he area of disturbance represents the boundary in which all building and associated construction disturbance shall occur. When the actual building footprint is established, the limits of construction disturbance shall be no greater than 15 feet beyond the foundation wall. The building footprint can shift within the area of disturbance. Driveway access to the area of disturbance shall be no wider than 20 feet. Deviations from the area of disturbance may and must be approved by the Evergreen Architectural Committee.”

Staff finds that the proposed plat amendment complies with the Land Management Code and the Evergreen Subdivision Plat requirements.

Department Review

The Development Review Committee reviewed the Evergreen Lot 1 Subdivision Amended Plat on December 3, 2019. The Planning, Engineering, and Legal Departments reviewed the plat amendment.

Notice

Notice was published in the *Park Record* and on the Utah Public Notice website on December 21, 2019. Courtesy notice was mailed to neighboring properties on December 23, 2019. Notice was posted to 7058 Silver Lake Drive on December 23, 2019.

Public Input

No public input had been received when this report was published.

Alternatives

- The Planning Commission may forward a positive recommendation for the Evergreen – Lot 1 Amended Plat to the City Council for consideration on January 16, 2020; or
- The Planning Commission may forward a negative recommendation for the Evergreen – Lot 1 Amended Plat to the City Council for consideration on January 16, 2020, and direct staff to make findings for this decision; or
- The Planning Commission may continue the item to a date certain.

Consequences of not taking the Suggested Recommendation

The owner would be restricted to construction within the area of disturbance designated at the time the Evergreen Subdivision Plat was approved and recorded in 1988.

Good Cause

Staff reviewed the proposed Evergreen – Lot 1 Amended Plat for compliance with Land Management Code [§ 15-1-8\(H\)](#); [§ 15-1-11\(C\)](#); [§ 15-2.13-6](#); [§ 15-7.1-3\(B\)](#), [§ 15-7.1-6](#), and [§ 15-12-15\(B\)\(9\)](#).

Recommendation

Staff recommends that the Planning Commission review the Evergreen – Lot 1 Amended Plat, hold a public hearing, and consider forwarding a positive recommendation for City Council’s consideration on January 16, 2020, based on the findings of fact, conclusions of law, and conditions of approval outlined in the draft ordinance.

Exhibits

- Attachment I: Draft Ordinance 2020-XX
- Exhibit A: Evergreen Subdivision Plat
- Exhibit B: Ordinance No. 94-42
- Exhibit C: Ordinance No. 95-17
- Exhibit D: Ordinance No. 02-06
- Exhibit E: Evergreen – Lot 1 Amended Plat
- Exhibit F: Evergreen Subdivision 1995 Plat Amendment
- Exhibit G: Evergreen Architectural Committee Approval Letter

Draft Ordinance No. 2020-XX

**AN ORDINANCE APPROVING EVERGREEN – LOT 1 AMENDED PLAT,
LOCATED AT 7058 SILVER LAKE DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 7058 Silver Lake Drive petitioned the City Council for approval of the Evergreen – Lot 1 Amended Plat; and

WHEREAS, on December 21, 2019, legal notice was published in the *Park Record* and on the Utah Public Notice website; and

WHEREAS, on December 23, 2019, notice was posted to the property and courtesy notice was sent to affected property owners; and

WHEREAS, the Planning Commission held a public hearing on January 8, 2020, to receive input on the Evergreen – Lot 1 Amended Plat; and

WHEREAS, on January 8, 2020, the Planning Commission forwarded a _____ recommendation to the City Council; and

WHEREAS, on January 16, 2020, the City Council held a public hearing and took final action on the subdivision plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Evergreen – Lot 1 Amended Plat.

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 Evergreen – Lot 1 Amended Plat, attached, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. On November 19, 2019, the Applicant submitted an application to amend the area of disturbance for Lot 1 of the Evergreen Subdivision Plat.
2. On November 21, 2019, staff determined the application to be complete.
3. The Applicant proposes to increase the area of disturbance for Lot 1 of the Evergreen Subdivision from 5,270 square feet to 6,260 square feet, a total increase of 540 square feet.
4. On March 19, 1987, the City Council approved the 36-Lot Evergreen Subdivision Plat (Summit County Recorder Entry 269685).
5. On May 17, 1988, the City Council approved an Amended Evergreen Subdivision Plat (Summit County Recorder Entry 290308).
6. Since the 1988 subdivision approval, City Council approved enlarging at least two Evergreen Subdivision Lot areas of disturbance (Ordinance No. 94-42 and Ordinance No. 02-06).
7. On April 27, 1995, the City Council passed Ordinance No. 95-17, *An Ordinance Approving a Plat Amendment to the Evergreen Subdivision Area of Disturbance in Park City, Utah*, requiring Evergreen Architectural Committee review and approval to amend the area of disturbance for the Evergreen Subdivision Lots.
8. Altering areas of disturbance on a subdivision plat requires a plat amendment.
9. Subdivision plat amendments are reviewed by staff and submitted to the Planning Commission for recommendation to the City Council. The City Council takes final action on plat amendments.
10. Lot 1 of the Evergreen Subdivision (7058 Silver Lake Drive) is located in the Residential Development Zoning District (RD Zone) within the Deer Valley Master Planned Development.
11. Lot 1 is adjacent to a residential property. The Deer Valley Last Chance Ski Trail runs directly behind Lot 1. A portion of Lot 1 contains a dedicated ski easement.
12. Single-Family Dwellings are an allowed use in the RD Zone.
13. There are no minimum or maximum Lot size requirements in the RD Zone and the maximum density for Lot 1 of the Evergreen Subdivision will be determined by Setback and Height restrictions outlined in the Land Management Code, and contained within the area of disturbance established by the plat.
14. The Evergreen – Lot 1 Amended Plat complies with the Evergreen Subdivision plat requirements.
15. On December 18, 2019, the Applicant provided a letter demonstrating Evergreen Architectural Committee approval of the proposed enlargement of the Lot 1 area of disturbance.
16. The approval letter requires the following two conditions of approval: (1) the building pad adjustment must not encroach upon the recorded ski easement; and (2) the proposed building pad must maintain all lot setbacks required by the Land Management Code.
17. The Evergreen Subdivision Plat requires a 10-foot-wide non-exclusive utilities and drainage easement along all subdivision boundary lines, a five-foot-wide non-exclusive utilities and drainage easement along all side and rear lot lines, a five-foot-wide non-exclusive utilities and snow storage easement along all front lot lines, and the installation of an individual pressure reducer valve for each house constructed within the subdivision.

18. The proposed Evergreen Lot 1 Subdivision Amended Plat contains a note that all Conditions of Approval of the Evergreen Subdivision Plat continue to apply and that the house on Lot 1 will be required to install an individual pressure reducer valve

Conclusions of Law:

1. There is good cause for the Evergreen – Lot 1 Amended Plat.
2. The subdivision plat amendment is consistent with the Park City Land Management Code and applicable Utah law.
3. The subdivision plat amendment is consistent with the Evergreen Subdivision Plat.
4. Neither the public nor any person will be materially injured by the proposed plat amendment.
5. Approval of the subdivision plat amendment, subject to the conditions stated below, does not adversely affect the health, safety, or 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 Evergreen – Lot 1 Amended 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 plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year, 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 applicable recorded public utility and access easements shall be indicated on the plat prior to recordation.
4. The building pad adjustment must not encroach upon the recorded ski easement.
5. The proposed building pad must maintain all lot setbacks required by the Land Management Code.

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

PASSED AND ADOPTED this ____ day of January, 2020.

PARK CITY MUNICIPAL CORPORATION

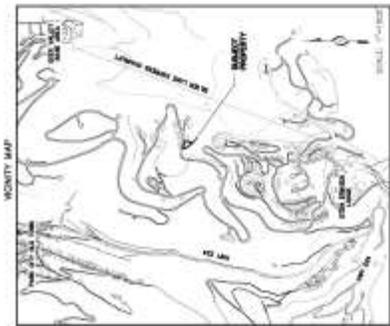
Andy Beerman, MAYOR

ATTEST:

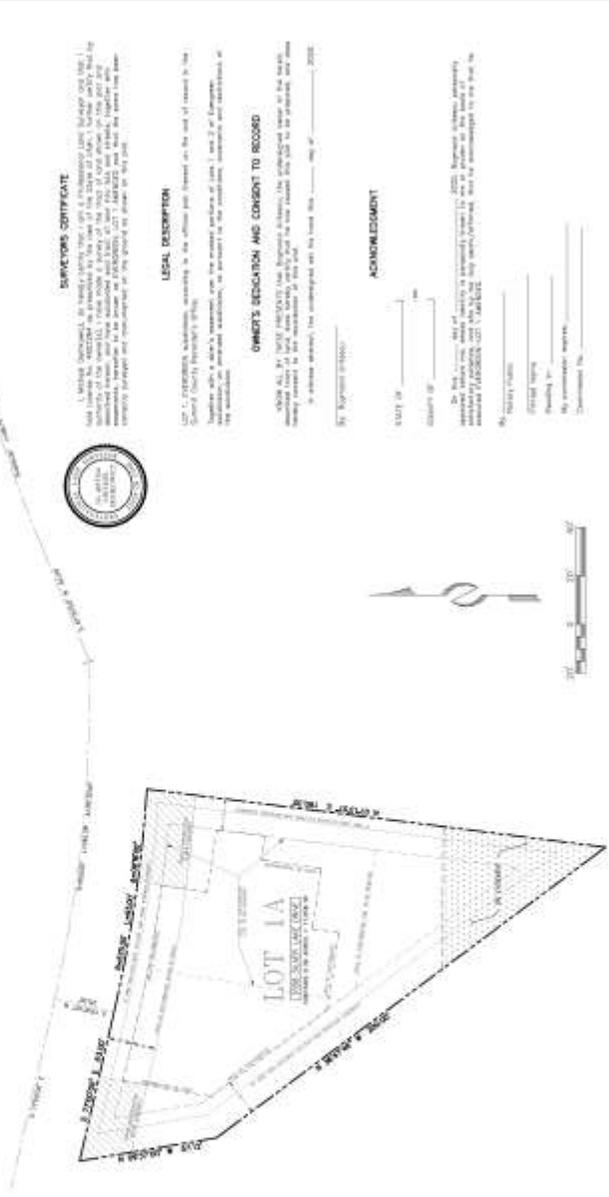
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney



NOTE: A PORTION OF THIS PROJECT IS SHOWN ON SHEET 1 OF 3



SURVEYOR'S CERTIFICATE

I, **DAVID H. HARRIS**, a duly licensed and qualified Surveyor for the State of North Carolina, do hereby certify that the above described land is the property of **LOT 1A**, and that the same has been surveyed and platted in accordance with the laws of the State of North Carolina, and that the same is shown on the attached plat.

LEGAL DESCRIPTION

That the above described land is the property of **LOT 1A**, and that the same is shown on the attached plat, and that the same is shown on the attached plat, and that the same is shown on the attached plat.

OWNER'S DECLARATION AND CONSENT TO RECORD

I, the undersigned, do hereby declare that the above described land is the property of **LOT 1A**, and that the same is shown on the attached plat, and that the same is shown on the attached plat.

ACKNOWLEDGMENT

STATE OF _____
 COUNTY OF _____
 I, _____, do hereby certify that the above described land is the property of **LOT 1A**, and that the same is shown on the attached plat.

NOTES

- The plat is subject to the provisions of the laws of the State of North Carolina.
- The plat is subject to the provisions of the laws of the State of North Carolina.
- The plat is subject to the provisions of the laws of the State of North Carolina.
- The plat is subject to the provisions of the laws of the State of North Carolina.
- The plat is subject to the provisions of the laws of the State of North Carolina.

LEGEND

- Shaded area represents the project site.
- Line represents the boundary of the project site.
- Circle represents the location of the project site.

**AMENDED PLAT OF
 EVERGREEN - LOT 1 AMENDED**

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MORGAN
 PARK CITY, SUMMIT COUNTY, UTAH

PUBLIC SAFETY APPROVED BY: _____ DATE: _____ BY: SUMMIT COUNTY AND SUBMITTER	SWANVILLE DASH WITH BELLEVILLE DISTRICT APPROVED BY: _____ DATE: _____ BY: _____	PLANNING COMMISSION APPROVED BY THE PLAN. COM. CHAIRMAN: _____ DATE: _____ BY: _____	ENGINEER'S CERTIFICATE I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED LAND IS THE PROPERTY OF LOT 1A , AND THAT THE SAME IS SHOWN ON THE ATTACHED PLAT. DATE: _____ BY: _____	APPROVAL AS TO FORM APPROVED AS TO FORM BY: COUNTY CLERK: _____ DATE: _____ BY: _____	COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY THE PLAN. COM. CHAIRMAN: _____ DATE: _____ BY: _____	CERTIFICATE OF ATTORNEY I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED LAND IS THE PROPERTY OF LOT 1A , AND THAT THE SAME IS SHOWN ON THE ATTACHED PLAT. DATE: _____ BY: _____	RECORDED STATE OF UTAH, COUNTY OF _____, AND THAT OF THE RECORD OF _____ BOOK _____ PAGE _____ FILE _____ RECORDER _____ DATE _____
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SURVEYOR'S CERTIFICATE

I, James G. Wood, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 3082 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land shown on this plat and described, and have subdivided said tract of land into lots and streets, hereinafter to be known as Evergreen, and that same has been correctly surveyed and staked on the ground as shown on this plat.

James G. Wood Date May 14, 1988

BOUNDARY DESCRIPTION

Beginning at a point which is North 1519.85 feet and East 830.77 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the northerly right-of-way of Royal Street East, as dedicated on said point also being on a 2275.83 foot radius curve to the left (center bears South 15° 34' 41" West 2275.83 feet of which the central angle is 00° 34' 52"); thence northwesterly along the arc of said curve 100.00 feet to a point on the northerly right-of-way of Silver Lake Drive the following eight calls being along said right-of-way: 1) thence North 20° 00' 00" East 15.00 feet to a point on a 95.00 foot radius curve to the right (center bears South 70° 00' 00" East 95.00 feet of which the central angle is 70° 00' 00"); 2) thence northwesterly along the arc of said curve 116.04 feet to a point on a 250.17 foot radius curve to the left (center bears North 200.17 feet of which the central angle is 50° 00' 00"); 3) thence northwesterly along the arc of said curve 174.68 feet; 4) thence North 40° 00' 00" East 59.61 feet to a point on a 499.49 foot radius curve to the left (center bears North 50° 00' 00" East 499.49 feet of which the central angle is 50° 00' 00"); 5) thence northwesterly along the arc of said curve 105.24 feet; 6) thence North 05° 00' 00" East 285.00 feet to a point on a 140.00 foot radius curve to the right (center bears South 85° 00' 00" East 140.00 feet of which the central angle is 98° 00' 00"); 7) thence northwesterly along the arc of said curve 239.46 feet; 8) thence North 77° 00' 00" East 70.00 feet; 9) thence North 46° 14' 41" East 327.87 feet; 10) thence North 32° 00' 00" East 289.29 feet to a point on the southerly right-of-way of Silver Lake Drive, said point being on a 225.00 foot radius curve to the left (center bears South 132.00 feet of which the central angle is 04° 40' 07"); the following two calls being along said right-of-way: 1) thence North 83° 30' 00" West 65.00 feet; 2) thence North 39° 45' 00" West 178.98 feet; 3) thence North 74° 09' 21" West 90.54 feet; 4) thence North 60° 44' 18" West 116.16 feet to a point on the southerly right-of-way of Silver Lake Drive, said point being on a 1175.00 foot radius curve to the left (center bears North 1175.00 feet of which the central angle is 140° 00' 00"); 5) thence northwesterly along the arc of said curve 287.11 feet; 6) thence North 67° 30' 00" West 178.98 feet to a point on a 265.00 foot radius curve to the left (center bears South 22° 30' 00" West 265.00 feet of which the central angle is 97° 30' 00"); 7) thence northwesterly along the arc of said curve 450.95 feet; 8) thence North 15° 00' 00" West 378.08 feet to a point on a 475.00 foot radius curve to the left (center bears South 75° 00' 00" East 475.00 feet of which the central angle is 30° 00' 00"); 9) thence northwesterly along the arc of said curve 106.74 feet; 10) thence South 22° 00' 00" West 428.40 feet to a point on a 250.17 foot radius curve to the right (center bears North 00° 00' 00" West 95.00 feet of which the central angle is 150° 15' 00"); 11) thence northwesterly along the arc of said curve 218.32 feet to a point on the easterly right-of-way of Royal Street as dedicated, said point also being on a 115.00 foot radius curve to the left (center bears North 51° 45' 00" West 115.00 feet of which the central angle is 25° 06' 49"); thence northwesterly along the arc of said curve and said right-of-way to a point on the northerly right-of-way of Silver Lake Drive the following eight calls being along said right-of-way: 1) thence North 51° 45' 00" East 12.63 feet to a point on a 45.00 foot radius curve to the left (center bears North 38° 15' 00" East 45.00 feet of which the central angle is 38° 15' 00"); 2) thence northwesterly along the arc of said curve 118.00 feet; 3) thence North 22° 00' 00" West 428.40 feet to a point on a 525.00 foot radius curve to the right (center bears North 18° 00' 00" East 525.00 feet of which the central angle is 37° 00' 00"); 4) thence northwesterly along the arc of said curve 139.03 feet; 5) thence North 15° 00' 00" West 378.08 feet to a point on a 315.00 foot radius curve to the right (center bears South 75° 00' 00" East 315.00 feet of which the central angle is 97° 30' 00"); 6) thence northwesterly along the arc of said curve 536.03 feet; 7) thence North 30° 00' 00" East 178.98 feet to a point on a 1225.20 foot radius curve to the right (center bears South 22° 30' 00" West 1225.20 feet of which the central angle is 05° 51' 27"); 8) thence southeasterly along the arc of said curve 125.24 feet to a point on the northerly right-of-way of Oak Court, said point also being on a 45.00 foot radius curve to the left (center bears North 28° 21' 27" East 14.50 feet of which the central angle is 28° 21' 27"); the following eight calls being along said northerly right-of-way: 1) thence northwesterly along the arc of said curve 17.33 feet to a point on a 90.00 foot radius curve to the right (center bears South 40° 00' 01" East 90.00 feet of which the central angle is 44° 08' 01"); 2) thence northwesterly along the arc of said curve 100.74 feet; 3) thence South 65° 00' 00" East 75.00 feet to a point on a 150.00 foot radius curve to the left (center bears North 24° 00' 00" East 150.00 feet of which the central angle is 59° 30' 00"); 4) thence northwesterly along the arc of said curve 155.77 feet; 5) thence North 54° 30' 00" East 97.00 feet to a point on a 400.00 foot radius curve to the right (center bears South 35° 30' 00" East 400.00 feet of which the central angle is 10° 46' 42");

6) thence northwesterly along the arc of said curve 75.25 feet to a point on a 17.50 foot radius curve to the left (center bears North 24° 43' 18" West 17.50 feet of which the central angle is 44° 01' 51"); 7) thence northwesterly along the arc of said curve 14.06 feet to a point on a 48.00 foot radius curve to the right (center bears South 70° 45' 09" East 48.00 feet of which the central angle is 41° 54' 10"); 8) thence northwesterly along the arc of said curve 35.10 feet; thence North 28° 51' 01" West 62.58 feet; thence North 56° 30' 58" East 116.83 feet; thence North 81° 30' 13" East 233.96 feet; thence South 24° 33' 04" West 76.27 feet; thence South 33° 30' 00" West 300.00 feet; thence South 25° 25' 44" West 247.00 feet to a point on the northerly right-of-way of Evergreen Drive, the following two calls being along said right-of-way: 1) thence South 83° 30' 00" East 40.00 feet to a point on a 275.00 foot radius curve to the right (center bears South 04° 30' 00" West 275.00 feet of which the central angle is 10° 11' 11"); 2) thence southeasterly along the arc of said curve 48.89 feet; thence North 32° 00' 00" East 318.62 feet; thence North 40° 00' 00" East 225.00 feet; thence North 63° 25' 24" East 83.84 feet; thence South 05° 00' 00" West 390.00 feet; thence South 05° 30' 00" West 172.05 feet; thence South 12° 00' 00" West 100.00 feet to the northerly right-of-way of Evergreen Drive; thence East 63.85 feet along said right-of-way; thence North 19° 59' 54" East 240.00 feet; thence North 32° 00' 00" East 318.62 feet; thence South 202.42 feet; thence North 09° 00' 00" West 355.93 feet; thence West 80.00 feet; thence North 141.92 feet to a point on the southerly right-of-way of Evergreen Drive; thence South 76° 30' 00" West 60.27 feet along said right-of-way; thence North 43.00 feet; thence North 38° 15' 00" West 403.00 feet; thence North 31° 20' 08" West 390.00 feet; thence North 36° 57' 48" West 200.00 feet; thence North 09° 52' 00" West 57.12 feet to the southerly right-of-way of Evergreen Drive, the following eight calls being along said right-of-way: 1) thence North 77° 00' 00" West 70.00 feet to a point on a 90.00 foot radius curve to the left (center bears South 13° 00' 00" West 90.00 feet of which the central angle is 98° 00' 00"); 2) thence southwesterly along the arc of said curve 151.94 feet; 3) thence South 05° 00' 00" West 285.00 feet to a point on a 549.49 foot radius curve to the right (center bears North 85° 00' 00" West 549.49 feet of which the central angle is 50° 00' 00"); 4) thence southwesterly along the arc of said curve 335.79 feet; 5) thence South 00° 00' 00" West 59.61 feet to a point on a 250.17 foot radius curve to the right (center bears North 50° 00' 00" West 95.00 feet of which the central angle is 150° 15' 00"); 6) thence southwesterly along the arc of said curve 218.32 feet to a point on the easterly right-of-way of Royal Street as dedicated, said point also being on a 115.00 foot radius curve to the left (center bears North 51° 45' 00" West 115.00 feet of which the central angle is 25° 06' 49"); thence northwesterly along the arc of said curve and said right-of-way to a point on the northerly right-of-way of Silver Lake Drive the following eight calls being along said right-of-way: 1) thence North 51° 45' 00" East 12.63 feet to a point on a 45.00 foot radius curve to the left (center bears North 38° 15' 00" East 45.00 feet of which the central angle is 38° 15' 00"); 2) thence northwesterly along the arc of said curve 118.00 feet; 3) thence North 22° 00' 00" West 428.40 feet to a point on a 525.00 foot radius curve to the right (center bears North 18° 00' 00" East 525.00 feet of which the central angle is 37° 00' 00"); 4) thence northwesterly along the arc of said curve 139.03 feet; 5) thence North 15° 00' 00" West 378.08 feet to a point on a 315.00 foot radius curve to the right (center bears South 75° 00' 00" East 315.00 feet of which the central angle is 97° 30' 00"); 6) thence northwesterly along the arc of said curve 536.03 feet; 7) thence North 30° 00' 00" East 178.98 feet to a point on a 1225.20 foot radius curve to the right (center bears South 22° 30' 00" West 1225.20 feet of which the central angle is 05° 51' 27"); 8) thence southeasterly along the arc of said curve 125.24 feet to a point on the northerly right-of-way of Oak Court, said point also being on a 45.00 foot radius curve to the left (center bears North 28° 21' 27" East 14.50 feet of which the central angle is 28° 21' 27"); the following eight calls being along said northerly right-of-way: 1) thence northwesterly along the arc of said curve 17.33 feet to a point on a 90.00 foot radius curve to the right (center bears South 40° 00' 01" East 90.00 feet of which the central angle is 44° 08' 01"); 2) thence northwesterly along the arc of said curve 100.74 feet; 3) thence South 65° 00' 00" East 75.00 feet to a point on a 150.00 foot radius curve to the left (center bears North 24° 00' 00" East 150.00 feet of which the central angle is 59° 30' 00"); 4) thence northwesterly along the arc of said curve 155.77 feet; 5) thence North 54° 30' 00" East 97.00 feet to a point on a 400.00 foot radius curve to the right (center bears South 35° 30' 00" East 400.00 feet of which the central angle is 10° 46' 42");

Beginning at a point which is North 2497.44 feet and East 2177.38 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the northerly right-of-way line of Silver Lake Drive; thence North 28° 30' 29" West 85.975 feet; thence North 41° 44' 19" East 131.65 feet to a point on the southerly right-of-way line of Silver Lake Drive; thence South 13° 01' 57" West 146.16 feet to a point on the northerly right-of-way line of Silver Lake Drive; thence South 76° 30' 00" West 59.24 feet along said right-of-way line to the point of beginning.

Contains 27.89 acres, more or less.
Excepting therefrom the following parcel:
Beginning at a point which is North 2497.44 feet and East 2177.38 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the northerly right-of-way line of Silver Lake Drive; thence North 28° 30' 29" West 85.975 feet; thence North 41° 44' 19" East 131.65 feet to a point on the southerly right-of-way line of Silver Lake Drive; thence South 13° 01' 57" West 146.16 feet to a point on the northerly right-of-way line of Silver Lake Drive; thence South 76° 30' 00" West 59.24 feet along said right-of-way line to the point of beginning.

Contains 0.29 acres, more or less.
Total net acreage is 27.60 acres, more or less.

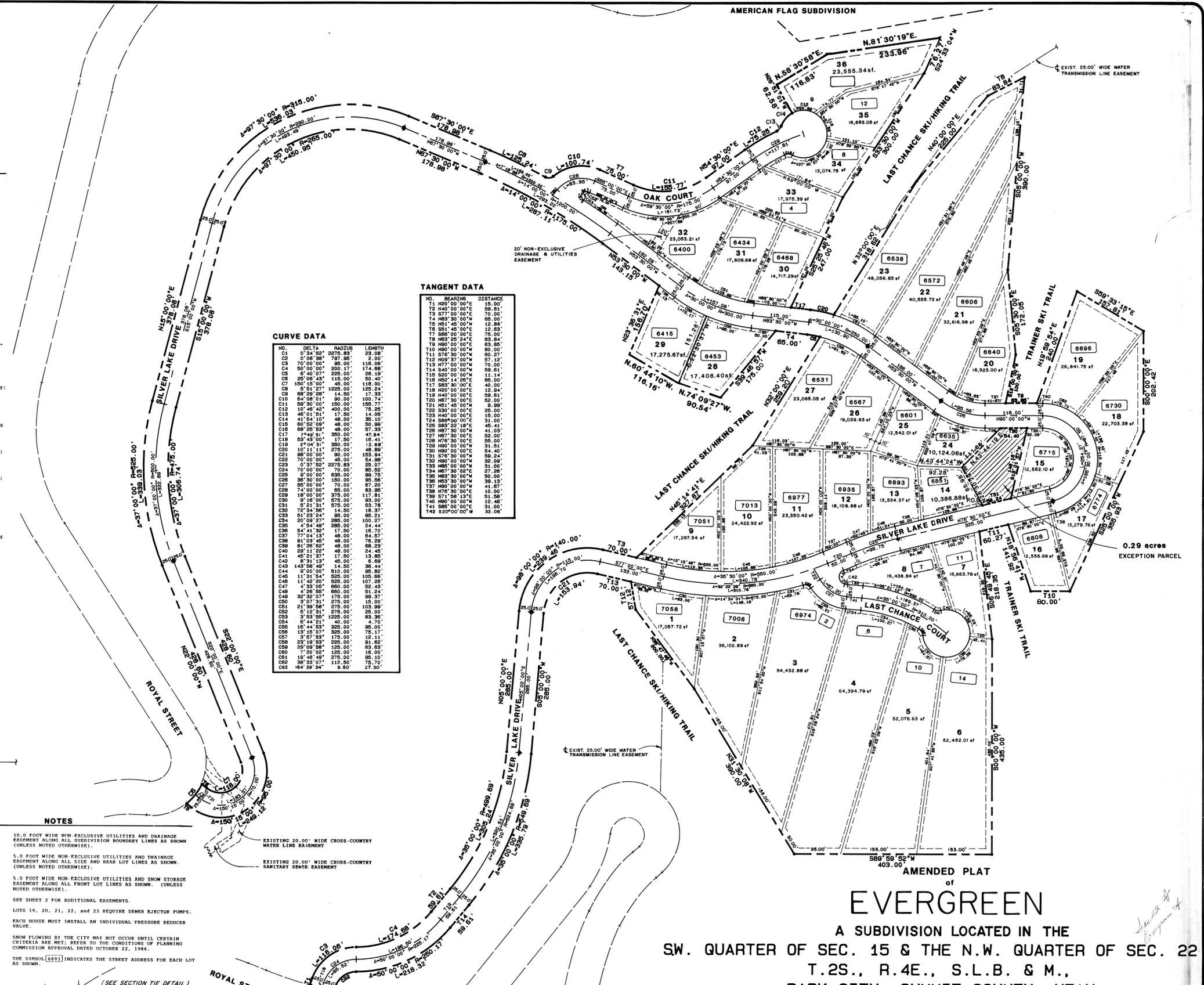
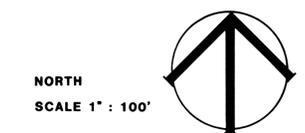
OWNER'S DEDICATION AND CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENTS: That Deer Valley Resort Company, a Utah Limited Partnership, the owner of the herein described tract of land, hereby censes the same to be divided into lots and streets, as set forth in the above plat, hereafter to be known as Evergreen, an amended subdivision, subject to the declaration of covenants, conditions and restrictions, and reservation of easements for Evergreen, an amended subdivision, which will be recorded in the offices of the County Recorder of Summit County, Utah, concurrently with the recording of this plat.

Also, the owner hereby dedicates to Park City Municipal Corporation, Snowflake Basin Sewer Improvement District, Park City Electric District, and Summit County, a non-exclusive easement over the streets, driveways and utility easements shown on this plat for the purpose of providing access for utility maintenance and to provide emergency services to said Evergreen.

EXECUTED this 16 day of May, 1988
DEER VALLEY RESORT COMPANY
BY: James G. Wood General Partner
VICE PRESIDENT

STATE OF UTAH
COUNTY OF SUMMIT
ACKNOWLEDGEMENT
On the 16th day of May, 1988, personally appeared before me James G. Wood, who, being by me duly sworn, did say that he is the General Partner of the Deer Valley Resort Company, which is the General Partner of the Deer Valley Resort Company, and that he is the duly authorized officer and (co)owner of said corporation and such other facts as are set forth in the foregoing instrument, and that this partnership executed the same.

ANNE E. WOODS
Notary Public
My Commission Expires 8-30-91
Residing at 1500 S. 1000 E., UTAH, U.S.A.

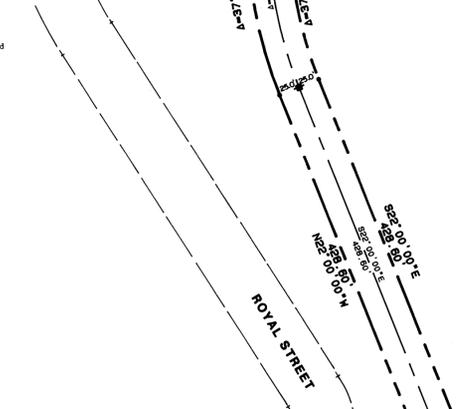


CURVE DATA

NO.	DELTA	RADIUS	LENGTH
C1	0° 34' 52"	2275.83	23.08
C2	0° 08' 38"	797.28	2.00
C3	70° 00' 00"	95.00	116.04
C4	50° 00' 00"	200.17	174.68
C5	8° 40' 07"	225.00	10.74
C6	25° 08' 43"	115.00	50.40
C7	98° 00' 00"	140.00	118.00
C8	5° 51' 27"	1225.20	125.24
C9	88° 59' 58"	14.06	17.33
C10	64° 08' 01"	90.00	100.74
C11	38° 15' 00"	45.00	17.33
C12	10° 46' 42"	400.00	75.25
C13	46° 01' 51"	17.50	14.06
C14	41° 54' 10"	48.00	36.10
C15	60° 52' 08"	48.00	50.89
C16	83° 30' 00"	90.00	116.83
C17	79° 49' 21"	350.00	47.84
C18	63° 43' 48"	17.50	16.41
C19	2° 04' 31"	350.00	12.68
C20	10° 11' 11"	275.00	48.89
C21	98° 00' 00"	90.00	103.84
C22	70° 00' 00"	85.00	54.89
C23	0° 37' 52"	2275.83	125.24
C24	70° 00' 00"	70.00	85.98
C25	8° 00' 00"	630.00	98.75
C26	36° 30' 00"	150.00	85.98
C27	50° 00' 00"	90.00	87.30
C28	74° 00' 00"	65.00	83.85
C29	18° 00' 00"	375.00	117.84
C30	9° 18' 00"	575.00	83.00
C31	51° 45' 00"	115.00	59.78
C32	72° 34' 56"	14.00	18.37
C33	51° 45' 00"	36.00	10.27
C34	20° 09' 27"	285.00	80.24
C35	4° 54' 48"	285.00	24.44
C36	54° 41' 36"	17.50	16.70
C37	77° 04' 13"	48.00	64.07
C38	61° 54' 10"	48.00	76.58
C39	81° 28' 52"	48.00	68.23
C40	18° 00' 00"	375.00	117.84
C41	45° 21' 37"	17.50	13.85
C42	51° 45' 00"	115.00	59.78
C43	143° 58' 48"	14.00	36.44
C44	10° 11' 11"	275.00	48.89
C45	11° 31' 54"	615.00	106.69
C46	11° 42' 20"	525.00	107.26
C47	4° 33' 05"	650.00	92.43
C48	4° 25' 55"	675.00	51.24
C49	35° 17' 11"	175.00	98.37
C50	3° 07' 31"	275.00	105.90
C51	21° 58' 58"	175.00	100.17
C52	5° 12' 31"	275.00	25.00
C53	3° 53' 58"	1225.20	83.36
C54	8° 44' 21"	40.00	4.70
C55	16° 44' 57"	325.00	38.11
C56	13° 03' 57"	325.00	71.17
C57	3° 57' 53"	175.00	21.00
C58	23° 19' 53"	225.00	81.60
C59	23° 09' 58"	125.00	63.83
C60	7° 20' 58"	125.00	16.80
C61	15° 48' 48"	125.00	85.10
C62	38° 15' 00"	112.00	79.38
C63	164° 39' 34"	9.50	27.30

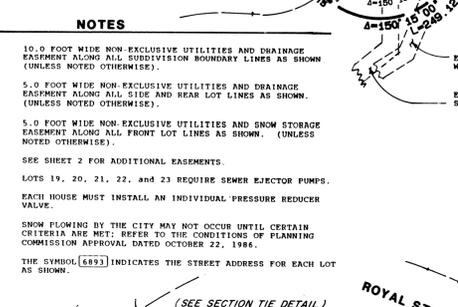
TANGENT DATA

NO.	BEARING	DISTANCE
T1	N00°00'00"E	15.00
T2	N00°00'00"E	58.81
T3	S77°00'00"E	70.00
T4	N85°30'00"W	65.00
T5	N51°45'00"W	12.88
T6	N51°45'00"W	12.88
T7	S65°00'00"E	12.88
T8	S65°00'00"E	75.00
T9	N80°00'00"E	63.85
T10	N90°00'00"E	80.00
T11	S78°30'00"E	60.27
T12	N09°30'00"E	60.27
T13	S77°00'00"E	70.00
T14	N85°30'00"W	65.00
T15	N51°45'00"W	12.88
T16	N51°45'00"W	12.88
T17	S65°00'00"E	12.88
T18	S65°00'00"E	75.00
T19	N80°00'00"E	63.85
T20	N90°00'00"E	80.00
T21	S78°30'00"E	60.27
T22	N09°30'00"E	60.27
T23	S77°00'00"E	70.00
T24	N85°30'00"W	65.00
T25	N51°45'00"W	12.88
T26	N51°45'00"W	12.88
T27	S65°00'00"E	12.88
T28	S65°00'00"E	75.00
T29	N80°00'00"E	63.85
T30	N90°00'00"E	80.00
T31	S78°30'00"E	60.27
T32	N09°30'00"E	60.27
T33	S77°00'00"E	70.00
T34	N85°30'00"W	65.00
T35	N51°45'00"W	12.88
T36	N51°45'00"W	12.88
T37	S65°00'00"E	12.88
T38	S65°00'00"E	75.00
T39	N80°00'00"E	63.85
T40	N90°00'00"E	80.00
T41	S78°30'00"E	60.27
T42	N09°30'00"E	60.27
T43	S77°00'00"E	70.00
T44	N85°30'00"W	65.00
T45	N51°45'00"W	12.88
T46	N51°45'00"W	12.88
T47	S65°00'00"E	12.88
T48	S65°00'00"E	75.00
T49	N80°00'00"E	63.85
T50	N90°00'00"E	80.00



NOTES

- 10.0 FOOT WIDE NON-EXCLUSIVE UTILITIES AND DRAINAGE EASEMENT ALONG ALL SUBDIVISION BOUNDARY LINES AS SHOWN (UNLESS NOTED OTHERWISE).
- 5.0 FOOT WIDE NON-EXCLUSIVE UTILITIES AND DRAINAGE EASEMENT ALONG ALL SIDE AND REAR LOT LINES AS SHOWN (UNLESS NOTED OTHERWISE).
- 5.0 FOOT WIDE NON-EXCLUSIVE UTILITIES AND SNOW STORAGE EASEMENT ALONG ALL FRONT LOT LINES AS SHOWN (UNLESS NOTED OTHERWISE).
- SEE SHEET 2 FOR ADDITIONAL EASEMENTS.
- LOTS 19, 20, 21, 22, AND 23 REQUIRE SEWER EJECTOR PUMPS.
- EACH HOUSE MUST INSTALL AN INDIVIDUAL PRESSURE REDUCER VALVE.
- SNOW PLOWING BY THE CITY MAY NOT OCCUR UNTIL CERTAIN CRITERIA ARE MET. REFER TO THE CONDITIONS OF PLANNING COMMISSION APPROVAL DATED OCTOBER 22, 1986.
- THE SYMBOL (S) INDICATES THE STREET ADDRESS FOR EACH LOT AS SHOWN.



CITY COUNCIL APPROVAL
PRESENTED TO THE BOARD OF Park City
CITY COUNCIL THIS 17th DAY OF May
A.D. 1988, AT WHICH TIME THIS
RECORD OF SURVEY WAS APPROVED

CITY ENGINEER
APPROVED AND ACCEPTED BY THE
Park City CITY ENGINEERING DEPART-
MENT ON THIS 17th DAY OF May
A.D. 1988.

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE Park City
CITY PLANNING COMMISSION ON THIS 17th
DAY OF May A.D. 1988.

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS 17th
DAY OF May A.D. 1988.

RECORDED
No. 20008
STATE OF UTAH 5/17/88
COUNTY OF SUMMIT TIME 3:38
RECORDED AND FILED AT THE REQUEST OF:
High Country Title

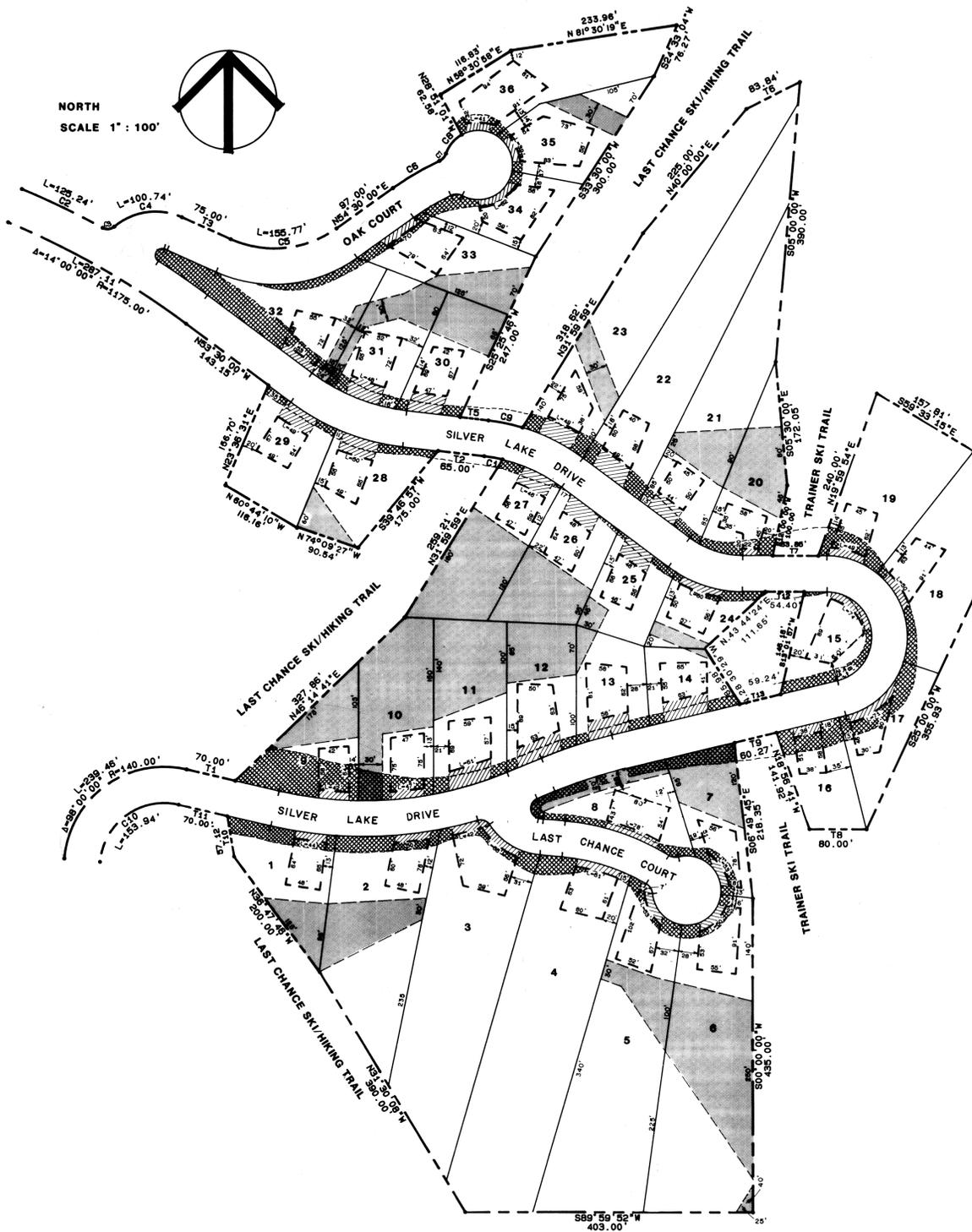
J.J. Johnson & Associates
Park Meadows Plaza,
Highway 248
Park City, Utah 84060
(801) 649-9811

CITY COUNCIL APPROVAL
PRESENTED TO THE BOARD OF Park City
CITY COUNCIL THIS 17th DAY OF May
A.D. 1988, AT WHICH TIME THIS
RECORD OF SURVEY WAS APPROVED

CITY ENGINEER
APPROVED AND ACCEPTED BY THE
Park City CITY ENGINEERING DEPART-
MENT ON THIS 17th DAY OF May
A.D. 1988.

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE Park City
CITY PLANNING COMMISSION ON THIS 17th
DAY OF May A.D. 19

NORTH
SCALE 1" = 100'



LEGEND

- 5/8 IRON ROD SET
- LOT LINE
- ROAD CONSTRUCTION SLOPE EASEMENT
- AREA OF DISTURBANCE WITHIN SETBACK
- SKI EASEMENT
- AREA OF DISTURBANCE

CURVE DATA

NO.	DELTA	RADIUS	LENGTH
C1	6° 40' 07"	225.00'	26.19'
C2	5° 51' 27"	1225.00'	125.24'
C3	68° 28' 28"	14.50'	17.33'
C4	64° 08' 04"	90.00'	100.74'
C5	59° 30' 00"	150.00'	155.77'
C6	10° 46' 42"	400.00'	75.25'
C7	46° 01' 51"	17.50'	14.06'
C8	41° 54' 10"	48.00'	35.10'
C9	10° 11' 11"	275.00'	48.89'
C10	98° 00' 00"	90.00'	153.94'

TANGENT DATA

NO.	BEARING	DISTANCE
T1	S77° 00' 01" E	70.00'
T2	N83° 30' 01" W	65.00'
T3	S66° 00' 00" E	75.00'
T5	S83° 28' 59" E	40.00'
T6	N63° 25' 24" E	83.84'
T7	N90° 00' 00" E	63.85'
T8	N90° 00' 00" W	80.00'
T9	S76° 30' 00" W	60.27'
T10	N09° 37' 00" W	57.12'
T11	N77° 00' 00" W	70.00'
T12	N90° 00' 00" E	54.40'
T13	S76° 30' 00" W	59.24'

BUILDING SETBACKS

LOT NUMBER	REQUIRED FRONTYARD SETBACK
1	10'
2	10'
3	10'
4	10'
5	10'
6	10'
7	10'
8	10'
9	10'
10	10'
11	25'
12	25'
13	25'
14	25'
15	10'
16	10'
17	10'
18	10'
19	10'
20	10'
21	25'
22	25'
23	25'
24	10'
25	25'
26	25'
27	25'
28	25'
29	25'
30	25'
31	25'
32	10'
33	10'
34	10'
35	10'
36	10'

AMENDED PLAT
of
EVERGREEN

SHEET 2 of 2

Entry # 290308
5-17-88
TIME 3:38

J.J. Johnson & Associates

Park Meadows Plaza,
Highway 248
Park City, Utah 84060

(801) 649-9811



Ordinance No. 94-42

**AN ORDINANCE AMENDING THE EVERGREEN SUBDIVISION PLAT
TO AMEND THE LIMITS OF DISTURBANCE AT 6715 SILVER LAKE DRIVE**

WHEREAS, the owner of the property indicated above, petitioned the Planning Commission for approval of an amendment to the Evergreen Subdivision Plat recorded at Summit County on May 17, 1988, Entry No. 290308, Utah; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on September 28, 1994 and the City Council on October 13, 1994 to receive input on the proposed amendment; and

WHEREAS, on September 28, 1994, the Planning Commission forwarded a positive recommendation of approval of the amendment to the subdivision plat to the City Council;

WHEREAS, it is in the best interest of Park City, Utah to approve the amendment to preserve mature evergreens near the north and west boundaries of the designated "Area of Disturbance" indicated on the Evergreen Subdivision Plat;

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

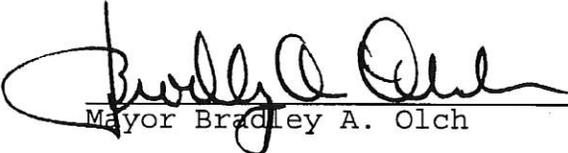
SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. SUBDIVISION PLAT AMENDMENT APPROVAL. The City Council hereby amends the Evergreen Subdivision Plat with the condition that mature trees outside the foundation of the structure shall be protected and replaced at a ratio of five new trees for each tree removed or damaged. The size, species and location of replacement trees shall be approved by the Community Development Director.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 13th day of October, 1994.

PARK CITY MUNICIPAL CORPORATION



Mayor Bradley A. Olch

Attest:

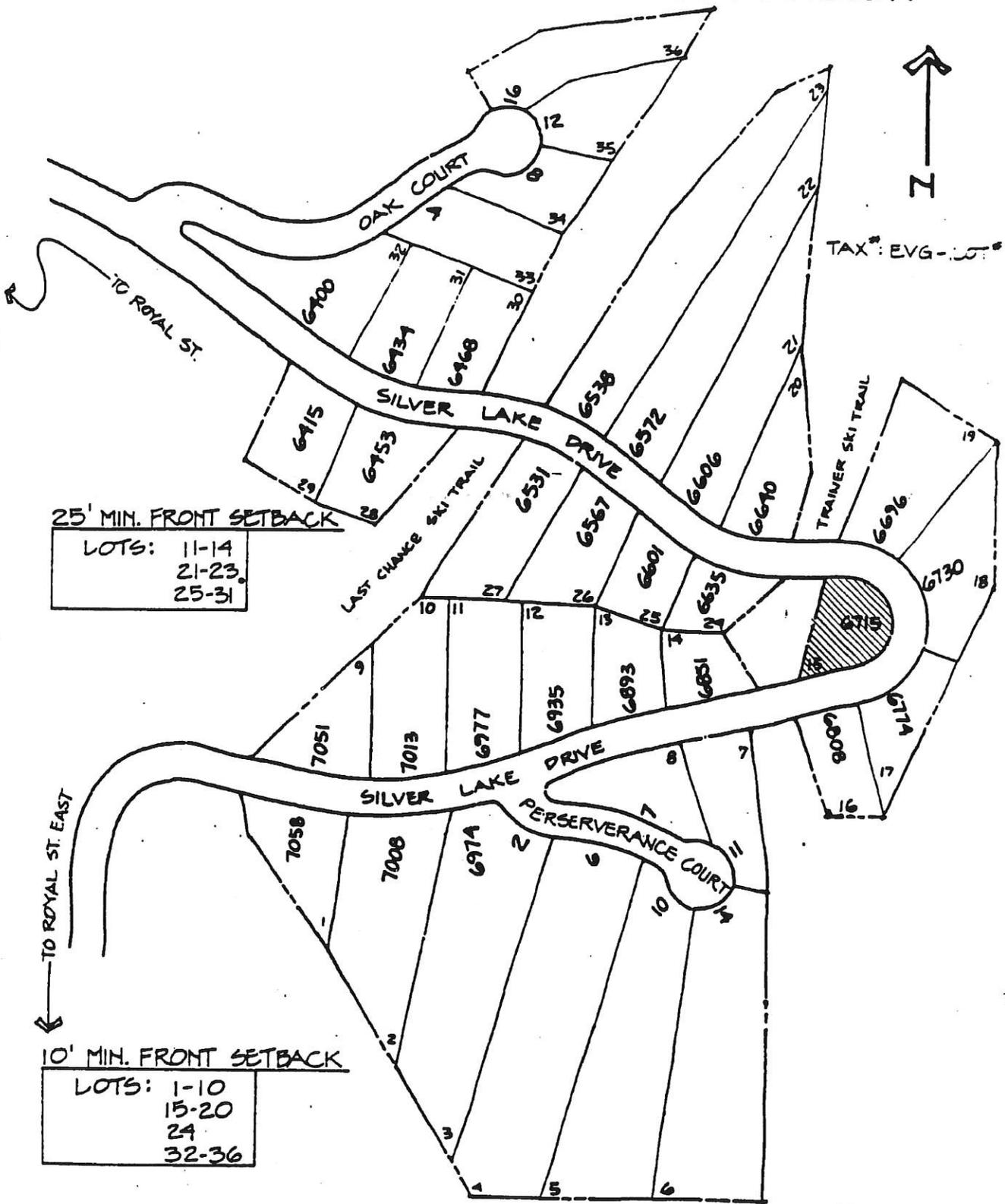
Janet M. Scott
Janet M. Scott Deputy City Recorder

Approved as to form:

Mark D. Harrington
Mark D. Harrington Assistant
City Attorney



EVERGREEN SUBDIVISION



25' MIN. FRONT SETBACK

LOTS: 11-14
21-23
25-31

10' MIN. FRONT SETBACK

LOTS: 1-10
15-20
24
32-36

RD-MPD

**AN ORDINANCE APPROVING A PLAT AMENDMENT TO THE
EVERGREEN SUBDIVISION AREA OF DISTURBANCE
IN PARK CITY, UTAH**

WHEREAS, Park City, in cooperation with the Evergreen Subdivision Architectural Committee, petitioned the Planning Commission for approval of a plat amendment to the Evergreen Subdivision Area of Disturbance; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed plat on March 22, 1995; and

WHEREAS, on March 22, 1995, the Planning Commission approved the plat amendment described below;

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

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that it is in the best interest of Park City to approve the plat amendment and neither the public nor any person will be materially injured by the proposed plat amendment.

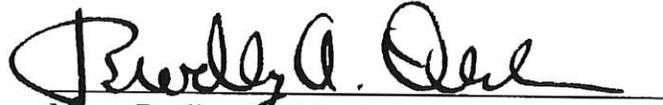
SECTION 2. PLAT AMENDMENT APPROVAL. The Evergreen Subdivision Plat Area of Disturbance is hereby amended by adding the following language:

Note: The Area of Disturbance represents the boundary in which all building and associated construction disturbance shall occur. When the actual building footprint is established, the limits of construction disturbance shall be no greater than 15 feet beyond the foundation wall. The building footprint can shift within the Area of Disturbance. Driveway access to the Area of Disturbance shall be no wider than 20 feet. Deviations from the Area of Disturbance may and must be approved by the Evergreen Architectural Committee.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 27th day of April, 1995.

PARK CITY MUNICIPAL CORPORATION

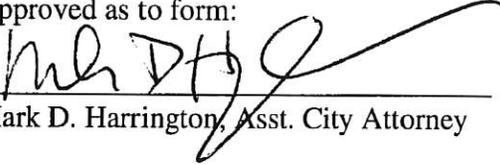


Mayor Bradley A. Olch

Attest:



Janet M. Scott, Deputy City Recorder

Approved as to form:


Mark D. Harrington, Asst. City Attorney



Ordinance No. 02-06

AN ORDINANCE APPROVING A PLAT AMENDMENT FOR 6538 SILVER LAKE DRIVE, EVERGREEN SUBDIVISION, PARK CITY, UTAH.

WHEREAS, the owners of lot 23 of the Evergreen Subdivision, located at 6538 Silver Lake Drive have petitioned the City Council for approval of plat amendment, and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on April 24, 2002, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on April 24, 2002, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 23, 2002, the City Council held a public hearing and approved the proposed plat amendment; and

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

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

SECTION 1. APPROVAL. The plat amendment 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 6538 Silver Lake Drive, also known as lot 23 of the Evergreen subdivision. The property is zoned Residential Development - RD within the Deer Valley Master Planned Development. The property is vacant.
2. A non-exclusive ski easement exists on the lot for the benefit of the owners in Evergreen.
3. The Evergreen Architectural Committee has given preliminary approval of the design and location of the house.
4. The Declarant, in a letter from Bob Wells of Deer Valley, has also given approval of this amendment.
5. The prior and current owners of lot 22 had notice of likely expansion of the building

- pad to the north via the April 1, 1994 letter from the HOA.
6. The Evergreen Codes, Covenants and Restrictions state that the Ski Easements shall not limit or restrict buildings on the lot in a manner permitted by the CC&Rs.
 7. Lot 22, although not having a ski easement on the lot, benefitted from an expansion of the building zone and limits of disturbance.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions of Approval:

1. The building pad and contiguous ski easement can be moved to distance similar to the extension granted to lot 22.
2. The Conditions of Approval for the Evergreen subdivision, as amended, remain in full force and effect.
3. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
4. 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 year's time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 23rd day of May, 2002 .

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

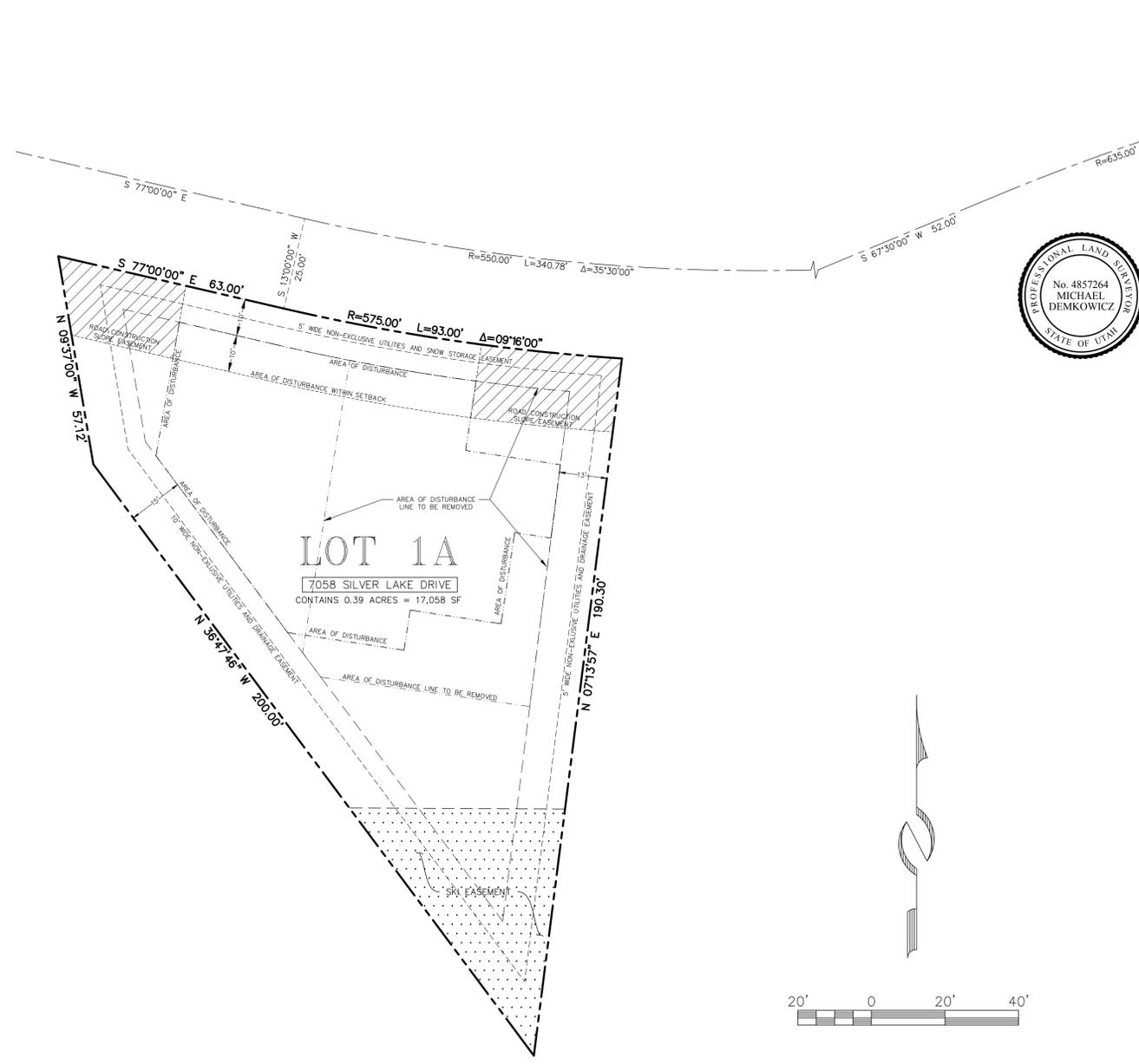
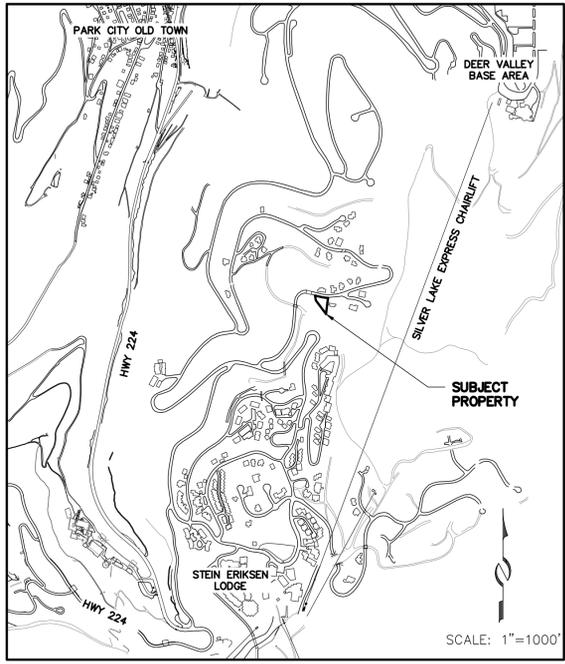
Janet M. Scott
Janet M. Scott, City Recorder



Approved as to form:

Mark Harrington
Mark Harrington, City Attorney

VICINITY MAP



SURVEYORS CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed by the laws of the State of Utah, I further certify that by authority of the owner(s), I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as EVERGREEN, LOT 1 AMENDED and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

LOT 1, EVERGREEN subdivision, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Together with a skier's easement over the marked portions of Lots 1 and 2 of Evergreen subdivision, an amended subdivision, as pursuant to the conditions, covenants and restrictions of the subdivision.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that Raymond Uritescu, the undersigned owner of the herein described tract of land, does hereby certify that he has caused this plat to be prepared, and does hereby consent to the recordation of this plat.

In witness whereof, the undersigned set his hand this _____ day of _____, 2020.

By: Raymond Uritescu

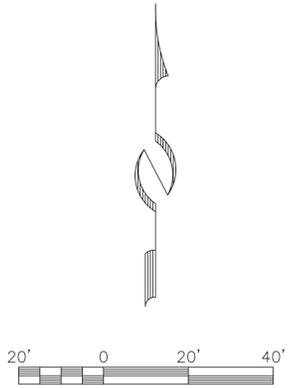
ACKNOWLEDGMENT

STATE OF _____)
 : ss.
 COUNTY OF _____)

On this _____ day of _____, 2020, Raymond Uritescu personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, that he acknowledged to me that he executed EVERGREEN-Lot 1 AMENDED.

By: _____
 Notary Public

Printed Name _____
 Residing in: _____
 My commission expires: _____
 Commission No. _____



- LEGEND**
- Found Street Monument (As-noted)
 - Set 5/8" rebar w/cap, "ALLIANCE ENGINEERING"
 - Found Monument (As-noted)

AMENDED PLAT OF
EVERGREEN-Lot 1 AMENDED

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

(435) 649-9467

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

11/19/19 JOB NO.: 6-11-19 FILE: X:\SilverLakeVillage\dwg\sr\plat2019\061119.dwg

<p>PUBLIC SAFETY ANSWERING POINT APPROVAL</p> <p>APPROVED THIS _____ DAY OF _____, 2020</p> <p>BY _____ SUMMIT COUNTY GIS COORDINATOR</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2020</p> <p>BY _____ S.B.W.R.D.</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2020</p> <p>BY _____ CHAIR</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2020</p> <p>BY _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, 2020</p> <p>BY _____ PARK CITY ATTORNEY</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2020</p> <p>BY _____ MAYOR</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2020</p> <p>BY _____ PARK CITY RECORDER</p>	<p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____</p> <p>_____ FEE _____ RECORDER</p> <p>TIME _____ DATE _____ ENTRY NO. _____</p>
---	---	---	--	--	--	--	---

NOTE:

THE AREA OF DISTURBANCE REPRESENTS THE BOUNDARY IN WHICH ALL BUILDING AND ASSOCIATED CONSTRUCTION DISTURBANCE SHALL OCCUR. WHEN THE ACTUAL BUILDING FOOTPRINT IS ESTABLISHED, THE LIMITS OF CONSTRUCTION DISTURBANCE SHALL BE NO GREATER THAN 15 FEET BEYOND THE FOUNDATION WALL. THE BUILDING FOOTPRINT CAN SHIFT WITHIN THE AREA OF DISTURBANCE. DRIVEWAY ACCESS TO THE AREA OF DISTURBANCE SHALL BE NO WIDER THAN 20 FEET. DEVIATIONS FROM THE AREA OF DISTURBANCE MAY AND MUST BE APPROVED BY THE EVERGREEN ARCHITECTURAL COMMITTEE.

AN AMENDMENT TO THE AMENDED PLAT
OF

EVERGREEN

A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15 AND THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. PARK CITY, SUMMIT COUNTY, UTAH

ACCORDING TO THE AMENDED PLAT RECORDED ON 5/17/88 AS ENTRY NO. 290308 IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

Fee Exempt per Utah Code Annotated 1993 21-1-2

CITY COUNCIL APPROVAL

PRESENTED TO THE PARK CITY COUNCIL THIS 27TH DAY OF APRIL A.D. 1995, AT WHICH TIME THIS RECORD SURVEY WAS APPROVED.

Brenda A. Orr
MAYOR
Annita R. Sheldon
CITY RECORDER



CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS 10TH DAY OF MAY A.D. 1995.

Eric W. O'Hara, P.E.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 15TH DAY OF MAY A.D. 1995.

Bob White
CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 16TH DAY OF MAY A.D. 1995.

Mark D. Hays
CITY ATTORNEY

RECORDED

No. 432561
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF

Park City Municipal Corp.
Date: 6-30-95
Time: 9:27 AM
T/C
FEE'S
Deanne M. Damm - deputy
COUNTY RECORDER

Fee Exempt per Utah Code Annotated 1993 21-1-2

Park City Planning Department
Park City Municipal Corporation
445 Marsac Avenue | P.O. Box 1480
Park City, Utah 84060-1480
(435)615-5064

Attn: Rebecca Ward,

The Evergreen Estates Subdivision HOA Architectural review committee has received and reviewed the design package for Lot 1. The applicants have proposed to enlarge the building pad to the west. This is based on the Alliance Engineering Evergreen Lot 1 amended plat sheet provided dated 11/19/19.

The HOA approves of this adjustment to the building pad with the following conditions.

1. The building pad adjustment does not encroach upon the recorded ski easement.
2. The proposed building pad maintains all lot setbacks as required by the city.

This review is not an approval of the architectural design and does not provide approval for construction. Further review and approval to be required with final architectural design and submission.

Thank you,

Brad Wilson , Evergreen Architectural Committee

A handwritten signature in black ink, appearing to read 'Brad Wilson', is located below the typed name.

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: 802 Empire Avenue Subdivision
Author: Alexandra Ananth, Senior Planner
Application: PL-18-03949
Date: January 8, 2020
Type of Item: Administrative – Subdivision

Summary Recommendations

Staff recommends that the Planning Commission hold a Public Hearing for the applicant's request to create a two-lot (2) Subdivision from three (3) Parcels, and consider forwarding a positive recommendation to City Council on January 30, 2020, based on the draft Ordinance, Findings of Fact, Conclusions of Law, and Conditions of Approval.

Description

Applicant: Tom Peek
Location: 802 Empire Avenue
Existing Zoning: Historic Residential District
Adjacent Land Uses: Residential
Reason for Review: Subdivisions require Planning Commission Review and City Council action

Proposal

This application proposes to combine multiple vacant parcels into a new two-lot (2) Subdivision in order to create two (2) developable lots. The applicant simultaneously submitted an application for a Conditional Use Permit (CUP) to locate a shared driveway over the City's Platted Unbuilt Right-of-Way in order to provide access to the two proposed Lots. Due to existing steep grades, sight lines, proximity of existing curb cuts on Crescent Tram and the narrow street width the City has encouraged the applicant to seek vehicular access from Empire Avenue (not Crescent Tram) and is supportive of the CUP application. If the Subdivision and CUP for access are approved it is expected that the applicant will also need to seek a Steep Slope Administrative CUP and submit Historic District Design Review (HDDR) applications.

Background

802 Empire Avenue consists of three steeply sloped lots which slope down from Empire Avenue to Crescent Tram. A portion of Lot 19, all of Lot 20 and all of Lot 21 make up the site which the applicant is proposing to subdivide into two developable lots. The lots are currently vacant of any structures.



Figure 1: Existing Conditions

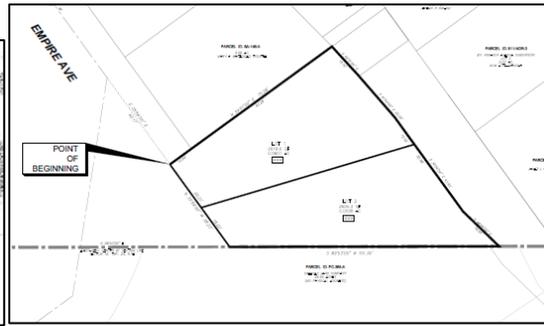


Figure 2: Proposed 2-Lot Subdivision

Over the years there were a number of encroachments that the applicant has recently been able to resolve. This included the applicant quit claiming some land to the City, the City quit claiming some land to the applicant, and the applicant quit claiming some land to the abutter to the south. These three (3) way property swaps have now been recorded and the complete survey submitted to the City.

Purpose

The proposed Subdivision contains lots that are located in the Historic Residential District (HR-1). 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 applicant is proposing to create a two-lot (2) subdivision from two existing lots and one partial lot. The proposed lots are considered “thru-lots” with frontage on both Crescent Tram and Empire Avenue. Due to the Unusual Lot Configuration the Planning Director determined that both lots have two front setbacks, one on Crescent Tram and one on Empire Avenue, and that Frontage can be measured on Crescent Tram in order to meet the Minimum Lot Width (Exhibit B).

The table below lists the lot and site requirements for the HR-1 Zone:

Zone Allowance:	HR-1	Proposed	
		Lot 1	Lot 2
<i>Lot Size</i>	<i>1,875 SF</i>	<i>2,617 SF</i>	<i>2,607 SF</i>

<i>Lot Width</i>	<i>25 Feet</i>	<i>48.1 Feet</i>	<i>49.9 Feet</i>
<i>Setbacks</i> <i>Min. Front /Rear Setback Crescent Tram</i> <i>Min. Front Setback Empire Avenue</i> <i>Min. Side Setback</i>	<i>Min. 12 ft./Total 25 ft.</i> <i>Min. 12 ft./Total 25 ft.</i> <i>3 ft./Total 6 ft.</i>	<i>Must Comply</i>	<i>Must Comply</i>
<i>Building Height</i>	<i>27 ft. from existing grade</i>	<i>Must Comply</i>	<i>Must comply</i>
<i>Allowable Footprint</i>		<i>1,129 SF</i>	<i>1,125 SF</i>

Both lots meet the minimum Lot and Site Requirements for a Single Family Dwelling but do not have sufficient land for a Duplex. As stated earlier due to existing grades, sight lines and street width the City has encouraged the applicant to seek vehicular access from Empire Avenue (not Crescent Tram) which will require a CUP to locate a shared driveway over the City's Platted Unbuilt Right-of-Way. It is expected that the applicant will also need to seek a Steep Slope Administrative CUP as development of these lots moves forward. Finally, the applicant will also need to submit Historic District Design Review (HDDR) applications for the proposed houses to the Planning Department for review for compliance with the Design Guidelines for Historic Districts and Historic Sites.

Good Cause

Planning Staff finds that there is Good Cause to grant the requested two-lot (2) Subdivision to create two legal lots of record. The proposed Lots meet the Lot and Site Requirements of the Historic Residential District and development patterns of the surrounding neighborhood. Both Lots will have Frontage on Crescent Tram continuing the rhythm of the existing streetscape but will have vehicular access from Empire Avenue as requested by the Engineering Division. This will in turn encourage construction of contextually compatible structures that contribute to the character and scale of the Historic District and maintain the existing residential neighborhood.

Process

The Planning Commission may recommend approving, denying, or modifying the two-lot (2) Subdivision with a final determination by City Council. The City Council determination constitutes Final Action that may be appealed following the procedures in LMC § 15-1-18.

Department Review

This project has gone through interdepartmental review and the applicant has been encouraged to access the lots from Empire Avenue, for which they will need a CUP.

Notice

On December 18, 2019, the property was posted and courtesy notice was mailed. Legal notice was also published in the Park Record on December 21, 2019 according to requirements of the Land Management Code.

Public Input

No public input was received prior to the issuance of this Staff Report.

Alternatives

- The Planning Commission may forward a positive recommendation to City Council to approve the 802 Empire Avenue Subdivision; or
- The Planning Commission may forward a negative recommendation to City Council for the 802 Empire Avenue Subdivision and direct staff to make findings for this decision; or
- The Planning Commission may continue the discussion on the 802 Empire Avenue Subdivision to a date certain and provide input to staff and the Applicant on any additional information they require in order to make a recommendation.

Significant Impacts

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

Consequences of not taking the Planning Department's Recommendation

The site will remain three lots.

Summary Recommendations

Staff recommends that the Planning Commission hold a Public Hearing on the 802 Empire Avenue Subdivision, consider public input, and forward a positive recommendation to City Council based on the draft Ordinance, Findings of Fact, Conclusions of Law, and Conditions of Approval.

Exhibits

Draft Ordinance and Proposed Subdivision

Exhibit A: Director's Determination

Exhibit B: Record of Survey and Topographic Map

Exhibit C: Driveway Exhibit

Ordinance No. 2020-XX

**AN ORDINANCE APPROVING THE 802 EMPIRE AVENUE SUBDIVISION,
PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 802 Empire Avenue petitioned the City Council for approval of the two-lot 802 Empire Avenue Subdivision; and

WHEREAS, on December 18, 2019, the property was posted and notice was mailed according to the requirements of the Land Management Code; and

WHEREAS, legal notice was published in the Park Record on December 21, 2019, according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a Public Hearing on January 8, 2020, to receive input on the 802 Empire Avenue Subdivision; and

WHEREAS, the Planning Commission forwarded a _____ recommendation to City Council; and

WHEREAS, on January 30, 2020, City Council held a public hearing to receive input on the Subdivision Plat; and

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

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

SECTION 1. APPROVAL. The Subdivision 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 subject property is located at 802 Empire Avenue.
2. The subject property is located within the Historic Residential (HR-1) Zoning District.
3. On December 17, 2019, the Subdivision Plat application was deemed complete.
4. The two-lot (2) Subdivision is made up of three (3) lots including portions of Lot 19, all of Lot 20, and all of Lot 21.
5. All three lots are vacant of structures.
6. The applicant has worked with the City to complete and record Quitclaim Deeds and resolve a number of encroachments.
7. The lots are considered “thru-lots” with Frontage on both Crescent Tram and

Empire Avenue.

8. Due to the Unusual Lot Configuration the Planning Director determined that both lots have two front setbacks, one on Crescent Tram and one on Empire Avenue, and that Frontage can be measured on Crescent Tram in order to meet the Minimum Lot Width.
9. Both lots meet the minimum Lot and Site Requirements for Single Family Dwellings.
10. Due to existing grades, sight lines and road geometrics the applicant has been encouraged by the City to access the lots from Empire Avenue and has submitted a simultaneous request for a Conditional Use Permit (CUP) to locate a shared driveway over the City's Platted Unbuilt Right-of-Way in order to provide vehicular access to the two lots from Empire Avenue and not Crescent Tram.
11. It is expected that the applicant will also need to seek a Steep Slope Administrative CUP and submit Historic District Design Review applications for the proposed houses as development progresses.

Conclusions of Law:

1. There is Good Cause for the Subdivision which created two developable lots in keeping with development patterns in the surrounding neighborhood.
2. The Subdivision is consistent with the 2014 Park City General Plan and the Park City Land Management Code including Sections 15-7.1-3(C) and 15-12-15(B)(4) and (9) and applicable State Law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Subdivision.
4. Approval of the Subdivision 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 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 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. A Plat Note shall indicate that both lots shall have vehicular access from Empire Avenue only.
4. The applicant will need to enter into an Encroachment Agreement for the driveway located within the Public Right-of-Way.
5. If at some point in the future Empire Avenue is re-aligned, the applicant will be responsible for the removal of all portions of the driveway within the ROW at their sole expense and in an expeditious manner (within 90 days if written notice).
6. The City Engineer shall review and approve all grading, utility installation and public improvements prior to building permit issuance.
7. Prior to the issuance of a building permit a Construction Mitigation Plan that includes careful consideration of how construction related parking will be managed shall be

submitted to the Building, Engineering and Planning Departments for review and approval.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication and when the revised Official Zoning Map is signed by the Planning Director upon final review by the City Attorney.

PASSED AND ADOPTED this _____, 2020.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney



December 10, 2019

Tom Peak
Old Town Lands, LLC
PO Box 4167
Park City, UT 84060

NOTICE OF PLANNING DIRECTOR DETERMINATION:

Project Address: 802 Empire Avenue
Project Description: Planning Director Determination for Unusual Lot Configuration
Project Number(s): PL-18-03949 – 802 Empire Avenue Subdivision
Date of Action: December 10, 2019

ACTION TAKEN BY PLANNING DIRECTOR:

In accordance with the Land Management Code Section 15-4-17, Setback Requirements for Unusual Lot Configurations, the Planning Director has made a determination for the two proposed thru-lots located at 802 Empire Avenue that both lots have two Front Setbacks, one on Crescent Tram and one on Empire Avenue, and that Lot Frontage can be measured along Crescent Tram in order to achieve the 25 ft. minimum Lot Width requirement.

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

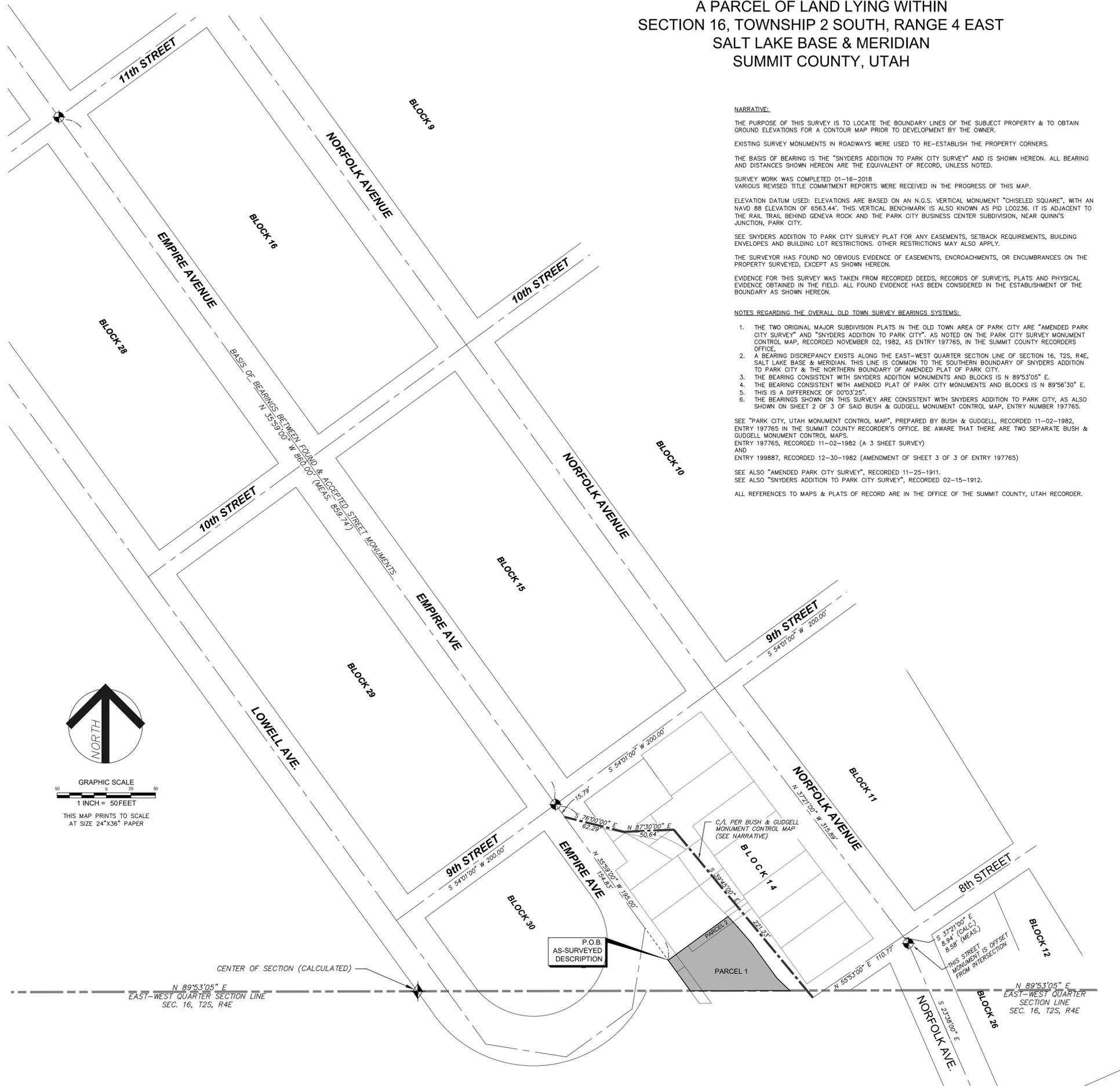
Sincerely,

Bruce Erickson, AICP
Planning Director

CC: Alexandra Ananth, Senior Planner

RECORD OF SURVEY & TOPOGRAPHIC MAP

A PARCEL OF LAND LYING WITHIN
SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES OF THE SUBJECT PROPERTY & TO OBTAIN GROUND ELEVATIONS FOR A CONTOUR MAP PRIOR TO DEVELOPMENT BY THE OWNER.
EXISTING SURVEY MONUMENTS IN ROADWAYS WERE USED TO RE-ESTABLISH THE PROPERTY CORNERS.
THE BASIS OF BEARING IS THE "SNYDERS ADDITION TO PARK CITY SURVEY" AND IS SHOWN HEREON. ALL BEARING AND DISTANCES SHOWN HEREON ARE THE EQUIVALENT OF RECORD, UNLESS NOTED.

SURVEY WORK WAS COMPLETED 01-16-2018
VARIOUS REVISED TITLE COMMITMENT REPORTS WERE RECEIVED IN THE PROGRESS OF THIS MAP.

ELEVATION DATUM USED: ELEVATIONS ARE BASED ON AN N.G.S. VERTICAL MONUMENT "CHISELED SQUARE", WITH AN NAVD 88 ELEVATION OF 6563.44'. THIS VERTICAL BENCHMARK IS ALSO KNOWN AS PID L00236. IT IS ADJACENT TO THE RAIL TRAIL BEHIND GENEVA ROCK AND THE PARK CITY BUSINESS CENTER SUBDIVISION, NEAR QUINN'S JUNCTION, PARK CITY.

SEE SNYDERS ADDITION TO PARK CITY SURVEY PLAT FOR ANY EASEMENTS, SETBACK REQUIREMENTS, BUILDING ENVELOPES AND BUILDING LOT RESTRICTIONS. OTHER RESTRICTIONS MAY ALSO APPLY.

THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS SHOWN HEREON.

EVIDENCE FOR THIS SURVEY WAS TAKEN FROM RECORDED DEEDS, RECORDS OF SURVEYS, PLATS AND PHYSICAL EVIDENCE OBTAINED IN THE FIELD. ALL FOUND EVIDENCE HAS BEEN CONSIDERED IN THE ESTABLISHMENT OF THE BOUNDARY AS SHOWN HEREON.

NOTES REGARDING THE OVERALL OLD TOWN SURVEY BEARINGS SYSTEMS:

1. THE TWO ORIGINAL MAJOR SUBDIVISION PLATS IN THE OLD TOWN AREA OF PARK CITY ARE "AMENDED PARK CITY SURVEY" AND "SNYDERS ADDITION TO PARK CITY", AS NOTED ON THE PARK CITY SURVEY MONUMENT CONTROL MAP, RECORDED NOVEMBER 02, 1982, AS ENTRY 197765, IN THE SUMMIT COUNTY RECORDERS OFFICE.
2. A BEARING DISCREPANCY EXISTS ALONG THE EAST-WEST QUARTER SECTION LINE OF SECTION 16, T2S, R4E, SALT LAKE BASE & MERIDIAN. THIS LINE IS COMMON TO THE SOUTHERN BOUNDARY OF SNYDERS ADDITION TO PARK CITY & THE NORTHERN BOUNDARY OF AMENDED PLAT OF PARK CITY.
3. THE BEARING CONSISTENT WITH SNYDERS ADDITION MONUMENTS AND BLOCKS IS N 89°53'05" E.
4. THE BEARING CONSISTENT WITH AMENDED PLAT OF PARK CITY MONUMENTS AND BLOCKS IS N 89°56'30" E.
5. THIS IS A DIFFERENCE OF 00°03'25".
6. THE BEARINGS SHOWN ON THIS SURVEY ARE CONSISTENT WITH SNYDERS ADDITION TO PARK CITY, AS ALSO SHOWN ON SHEET 2 OF 3 OF SAID BUSH & GUDGELL MONUMENT CONTROL MAP, ENTRY NUMBER 197765.

SEE "PARK CITY, UTAH MONUMENT CONTROL MAP", PREPARED BY BUSH & GUDGELL, RECORDED 11-02-1982, ENTRY 197765 IN THE SUMMIT COUNTY RECORDER'S OFFICE. BE AWARE THAT THERE ARE TWO SEPARATE BUSH & GUDGELL MONUMENT CONTROL MAPS:
ENTRY 197765, RECORDED 11-02-1982 (A 3 SHEET SURVEY)
AND
ENTRY 199887, RECORDED 12-30-1982 (AMENDMENT OF SHEET 3 OF 3 OF ENTRY 197765)

SEE ALSO "AMENDED PARK CITY SURVEY", RECORDED 11-25-1911.
SEE ALSO "SNYDERS ADDITION TO PARK CITY SURVEY", RECORDED 02-15-1912.

ALL REFERENCES TO MAPS & PLATS OF RECORD ARE IN THE OFFICE OF THE SUMMIT COUNTY, UTAH RECORDER.

TITLE COMMITMENT NUMBER 26721, EFFECTIVE DATE JANUARY 23, 2019 AT 8:00 A.M.
4TH AMENDMENT
COALITION TITLE, PARK CITY, UTAH

ITEM 9
INTENTIONALLY DELETED

ITEM 10
INTENTIONALLY DELETED

ITEM 11
(AFFECTS PARCEL 1)
THE RESERVATION AS CONTAINED IN THAT SPECIAL WARRANTY DEED FROM UNITED PARK CITY MINES COMPANY, A DELAWARE CORPORATION, GRANTOR, TO A. T. PATTERSON, GRANTEE, RECORDED NOVEMBER 27, 1967, AS ENTRY NO. 106180, IN BOOK M13, AT PAGE 612, SUMMIT COUNTY RECORDER'S OFFICE, AS FOLLOWS:
"EXPRESSLY EXCEPTING AND RESERVING, HOWEVER, UNTO GRANTOR, ITS SUCCESSORS AND ASSIGNS, ALL OIL, GAS AND OTHER MINERALS, METALLIFEROUS AND NON-METALLIFEROUS OF EVERY KIND AND DESCRIPTION WHATEVER UNDERLYING THE SURFACE OF THE ABOVE DESCRIBED PREMISES."

NOT PLOTTED: BLANKET EASEMENT.

ITEM 12
(AFFECTS PARCEL 2)
THE RESERVATION AS CONTAINED IN THAT QUITCLAIM DEED FROM UNITED PARK CITY MINES COMPANY, A DELAWARE CORPORATION, GRANTOR, TO A. T. PATTERSON, GRANTEE, RECORDED NOVEMBER 27, 1967, AS ENTRY NO. 106181, IN BOOK M13, AT PAGE 614, SUMMIT COUNTY RECORDER'S OFFICE, AS FOLLOWS:
"EXPRESSLY EXCEPTING AND RESERVING, HOWEVER, UNTO GRANTOR, ITS SUCCESSORS AND ASSIGNS, ALL OIL, GAS AND OTHER MINERALS, METALLIFEROUS AND NON-METALLIFEROUS OF EVERY KIND AND DESCRIPTION WHATEVER UNDERLYING THE SURFACE OF THE ABOVE DESCRIBED PREMISES."

NOT PLOTTED. LOCATION: N. HALF OF LOT 19, BLOCK 14, SNYDERS ADDITION.

ITEM 13
(AFFECTS PARCEL 1)
AN ORDINANCE RELATING TO VACATING A PORTION OF EMPIRE AVENUE IN PARK CITY, UTAH, AS RECORDED MARCH 7, 1968, AS ENTRY NO. 106740, IN BOOK M15, AT PAGE 295, SUMMIT COUNTY RECORDER'S OFFICE.
PLOTTED & SHOWN HEREON.

ITEM 14
SAID PROPERTY IS LOCATED WITHIN THE PARK CITY NEIGHBORHOOD DEVELOPMENT PLAN AS SET FORTH IN ORDINANCE 82-3, RECORDED FEBRUARY 16, 1982, AS ENTRY NO. 188603, IN BOOK 212, AT PAGE 148, AND REDEVELOPMENT AREA AS DISCLOSED ON PLAT RECORDED APRIL 15, 1983, AS ENTRY NO. 204659, SUMMIT COUNTY RECORDER'S OFFICE.

AMENDMENT TO PARK CITY NEIGHBORHOOD DEVELOPMENT PLAN, RECORDED NOVEMBER 2, 1990, AS ENTRY NO. 332260, IN BOOK 585, AT PAGE 147, SUMMIT COUNTY RECORDER'S OFFICE.

ITEM 15
SAID PROPERTY IS LOCATED WITHIN THE BOUNDARIES OF THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT AND IS SUBJECT TO CHARGES AND ASSESSMENTS LEVIED THEREUNDER.

ITEM 16
SAID PROPERTY IS LOCATED WITHIN THE BOUNDARIES OF THE SUMMIT COUNTY LEVY, PARK CITY SCHOOL DISTRICT, WEBER BASIN WATER CONSERVANCY DISTRICT, PARK CITY FIRE SERVICE DISTRICT, PARK CITY FIRE PROTECTION DISTRICT, PARK CITY WATER SERVICE DISTRICT, AND IS SUBJECT TO CHARGES AND ASSESSMENTS LEVIED THEREUNDER.

ITEM 17
ALL MATTERS CONTAINED IN THAT CERTAIN RECORD OF SURVEY, DATED MARCH 28, 2018, BY PARK CITY SURVEYING, FOR 802 EMPIRE AVENUE, PARK CITY UTAH. COUNTY RECORDER'S OFFICE.

LEGAL DESCRIPTION

PER TITLE COMMITMENT FILE NUMBER 26721,
EFFECTIVE DATE APRIL 16, 2018 AT 8:00 A.M.

PARCEL 1
SOUTHERLY 1/2 OF LOT 19, ALL OF LOTS 20 AND 21, AND THE NORTH 1/2 OF LOT 22, BLOCK 14, SNYDER'S ADDITION TO PARK CITY

ALSO THE EASTERLY 15 FEET OF VACATED EMPIRE AVENUE ADJACENT TO SAID LOTS;

ALSO A STRIP OF LAND TEN FEET IN WIDTH LYING IN EMPIRE AVENUE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT SOUTH 35°59'00" EAST 20.00 FEET AND SOUTH 54°01'00" WEST 15.00 FEET FROM THE NORTHWEST CORNER OF LOT 19, BLOCK 14, SNYDER'S ADDITION TO THE PARK CITY SURVEY AND RUNNING THENCE SOUTH 35°59'00" EAST 46.19 FEET; THENCE SOUTH 89°52'50" WEST 12.33 FEET; THENCE NORTH 35°59'00" WEST 38.96 FEET; THENCE NORTH 54°01'00" EAST 10.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED TRACT OF LAND;

BEGINNING AT A POINT SOUTH 35°59'00" EAST 20.00 FEET FROM THE NORTHEAST CORNER OF LOT 19, BLOCK 14, SNYDER'S ADDITION TO PARK CITY SURVEY AND RUNNING THENCE SOUTH 35°59'00" EAST 109.10 FEET; THENCE SOUTH 54°01'00" WEST 2.97 FEET; THENCE SOUTH 89°52'50" WEST 1.31 FEET; THENCE NORTH 72°00'00" WEST 12.10 FEET; THENCE NORTH 61°06'50" WEST 14.86 FEET; THENCE NORTH 46°00'00" WEST 21.50 FEET; THENCE NORTH 36°00'00" WEST 43.50 FEET; THENCE NORTH 41°00'00" WEST 20.50 FEET; THENCE NORTH 54°01'00" EAST 23.00 FEET, TO THE POINT OF BEGINNING.

PARCEL 2
THE SOUTHERLY 7.5 FEET OF THE NORTHERLY 12.5 FEET OF LOT 19, BLOCK 14, SNYDER'S ADDITION TO PARK CITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

AS SURVEYED DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN & BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

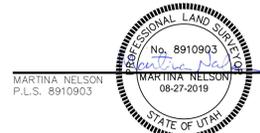
COMMENCING AT A POINT SOUTH 35°59'00" EAST 195.00 FEET FROM THE SURVEY MONUMENT AT THE INTERSECTION OF NINTH STREET AND EMPIRE AVENUE, BASIS OF BEARINGS BEING NORTH 35°59'00" WEST A DISTANCE OF 860.00 FEET BETWEEN STREET MONUMENTS FOUND AT THE INTERSECTION OF EMPIRE AVENUE WITH NINTH STREET AND EMPIRE AVENUE WITH ELEVENTH STREET, IN SNYDERS ADDITION TO PARK CITY, SAID POINT BEING THE TRUE POINT OF BEGINNING.

RUNNING THENCE NORTH 54°01'00" EAST 75.28 FEET; THENCE SOUTH 42°31'00" EAST 15.10 FEET; THENCE SOUTH 41°00'00" EAST 20.50 FEET; THENCE SOUTH 36°00'00" EAST 43.50 FEET; THENCE SOUTH 46°00'00" EAST 18.95 FEET TO A POINT ON THE EAST-WEST QUARTER SECTION LINE OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG SAID EAST-WEST QUARTER SECTION LINE SOUTH 89°53'05" WEST 101.30 FEET; THENCE NORTH 35°59'00" WEST 38.23 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 0.120 ACRES OR 5225 SQUARE FEET

SURVEYOR'S CERTIFICATE

I, MARTINA NELSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HOLDING LICENSE NO. 8910903. I FURTHER CERTIFY I HAVE PERFORMED A SURVEY ON THE HERON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.



Park City Surveying
PO Box 682983
Park City, UT 84088
435-649-2818
WWW.PARKCITYSURVEYING.COM

DATE	BY	REVISIONS / COMMENTS
xx/xx/xxxx		

SURVEYED BY: MM/KR/SC
DRAWN BY: MN
DATE: AUGUST 27, 2019

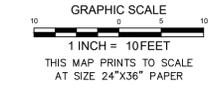
RECORD OF SURVEY & TOPOGRAPHIC MAP
802 EMPIRE AVENUE
PARK CITY, UTAH

DWG: 802 EMPIRE ROS-TOPO.dwg
FOR: TOM PEEK

SHEET 1 OF 3

RECORD OF SURVEY & TOPOGRAPHIC MAP

A PARCEL OF LAND LYING WITHIN
SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



LEGEND

- SET 5/8" REBAR W/ PINK PLASTIC CAP STAMPED: "M.NELSON PLS 8910903"
- ⊙ FOUND REBAR (AS DESCRIBED)

LAND OWNERSHIP

- QUIT-CLAIMED TO PC MUNICIPAL - USING THE "LESS AND EXCEPTING" DEED METHOD. CURRENT DEED ENTRY 1056777. BOOK 2380 PAGE 1044. RECORDED 12-28-2016
- QUIT-CLAIM DEED OLD TOWN LANDS LLC TO TO PC MUNICIPAL
- QUIT-CLAIM DEED PC MUNICIPAL OLD TOWN LANDS LLC
- QUIT CLAIM DEED OLD TOWN LANDS LLC TO PC MUNICIPAL

NOTE 'A'

NOTES REGARDING TITLE COMMITMENT ITEM 10 AND THE "LESS AND EXCEPTING..." PORTION OF THE PARCEL 1 LEGAL DESCRIPTION:

THE DEED CONFLICT AREA PERTAINING TO TITLE COMMITMENT ITEM 10 AND THE PORTION OF THE "LESS AND EXCEPTING..." PARCEL QUIT CLAIMED TO PC MUNICIPAL THAT EXTENDS SOUTH OF THE CENTER QUARTER SECTION LINE AS SHOWN ON THIS SURVEY BOTH APPEAR TO BE THE RESULT OF ERRORS IN THE DISTANCE CALLS FROM THE CORNERS OF LOT 19 TO THE POINTS OF BEGINNING OF THE TWO PARCELS. IN OTHER WORDS, EITHER THE POINT OF COMMENCEMENT IS INCORRECT, OR THE DISTANCE CALLS FROM THE POINT OF COMMENCEMENT ARE INCORRECT.)

ENTRY 1012496, A QUIT CLAIM DEED, RECORDED FEBRUARY 10, 2015, DESCRIBES THE POINT OF BEGINNING AS BEING:

"SOUTH 35°59'00" EAST 20.00 FEET" AND "SOUTH 54°01'00" WEST 15.00 FEET" FROM THE NORTHWEST CORNER OF LOT 19..."

THE DISTANCE OF 20.00 FEET APPEARS TO BE IN ERROR. USING A DISTANCE OF 5.00 FEET POSITIONS THE 10 FOOT WIDE PARCEL AT A LOCATION THAT FITS TO THE CENTER QUARTER SECTION LINE AND NEIGHBORING SWEENEY PARCEL. THIS APPEARS TO BE THE INTENT OF THE QUIT CLAIM DEED.

SIMILARLY, THE QUIT CLAIM DEED TO PC MUNICIPAL, RECORDED JULY 8, 1991, ENTRY NO. 343732, DESCRIBING THE "LESS AND EXCEPTING..." PARCEL, DESCRIBES THE POINT OF BEGINNING AS BEING:

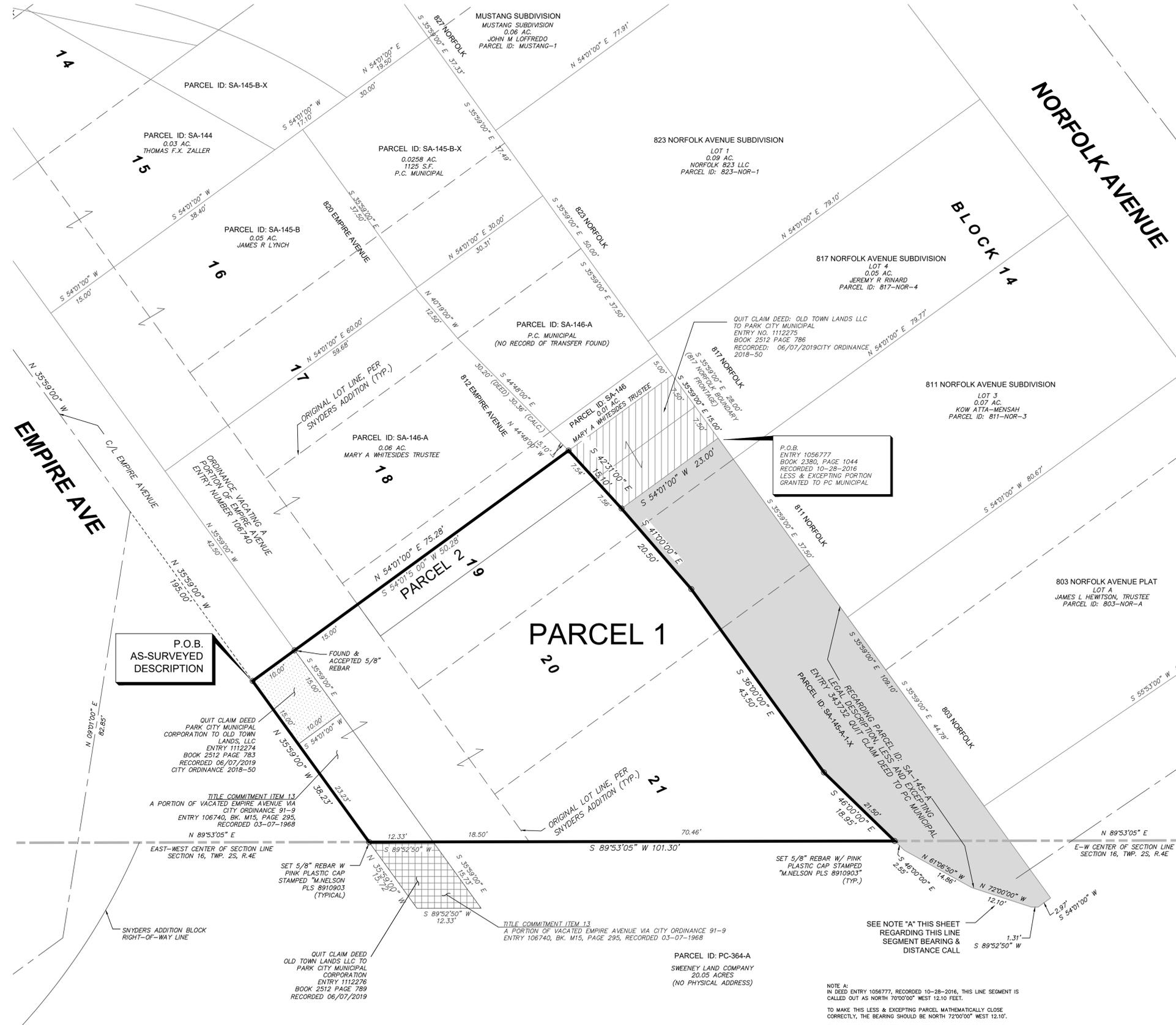
"SOUTH 35° 59'00" 20.00 FEET FROM THE NORTHEAST CORNER OF LOT 19..."

THE DISTANCE OF 20.00 FEET IN THIS DESCRIPTION ALSO SEEMS TO BE IN ERROR.

USING A DISTANCE OF 5.00 FEET POSITIONS THIS PARCEL AT A LOCATION THAT FITS TO THE CENTER QUARTER SECTION LINE AT THE SOUTHERLY END AND ELIMINATES THE 15 FEET IN THE CRESCENT TRAM ROADWAY SHOWN ON THIS SURVEY AS BEING PORTIONS OF PARCELS 1 AND 2 OF 802 EMPIRE AT THE NORTHERLY END. THIS ALSO APPEARS TO BE THE INTENT OF THE QUIT CLAIM DEED.



MARTINA NELSON
P.L.S. 8910903



NOTE 'A':
IN DEED ENTRY 1056777, RECORDED 10-28-2016, THIS LINE SEGMENT IS CALLED OUT AS NORTH 72°00'00" WEST 12.10 FEET.
TO MAKE THIS LESS & EXCEPTING PARCEL MATHEMATICALLY CLOSE CORRECTLY, THE BEARING SHOULD BE NORTH 72°00'00" WEST 12.10'.
THIS HAS BEEN CORRECTED IN THE TITLE COMMITMENT REPORT FILE NUMBER 26721, EFFECTIVE DATE APRIL 16, 2018 AT 8:00 A.M.

Park City Surveying
PO Box 682983
Park City, UT 84088
435-649-2818
WWW.PARKCITYSURVEYING.COM

REVISIONS	DATE	BY	COMMENTS

SURVEYED BY:
MM/KR/SC
DRAWN BY:
MN
DATE:
AUGUST 27, 2019

RECORD OF SURVEY & TOPOGRAPHIC MAP
802 EMPIRE AVENUE
PARK CITY, UTAH
DWG: 802 EMPIRE ROS-TOPO.dwg
FOR: TOM PEEK

TOPOGRAPHIC NOTES:

THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES OF THE SUBJECT PROPERTY & TO OBTAIN GROUND ELEVATIONS FOR A CONTOUR MAP PRIOR TO DEVELOPMENT BY THE OWNER.

SURVEY FIELD WORK COMPLETED: 07-07-2017 & 01-15-2018

ELEVATION DATUM USED: ELEVATIONS ARE BASED ON AN N.G.S VERTICAL MONUMENT "CHISELED SQUARE" ALSO KNOWN AS PID L00236, WITH AN NAVD 88 ELEVATION OF 6563.44'

UTILITIES NOTE:

ANY VISIBLE UTILITIES OR IMPROVEMENTS ARE SHOWN HEREON, HOWEVER IT IS POSSIBLE THAT SOME NATURAL FEATURES, UTILITIES AND IMPROVEMENTS MAY HAVE BEEN OBTAINED.

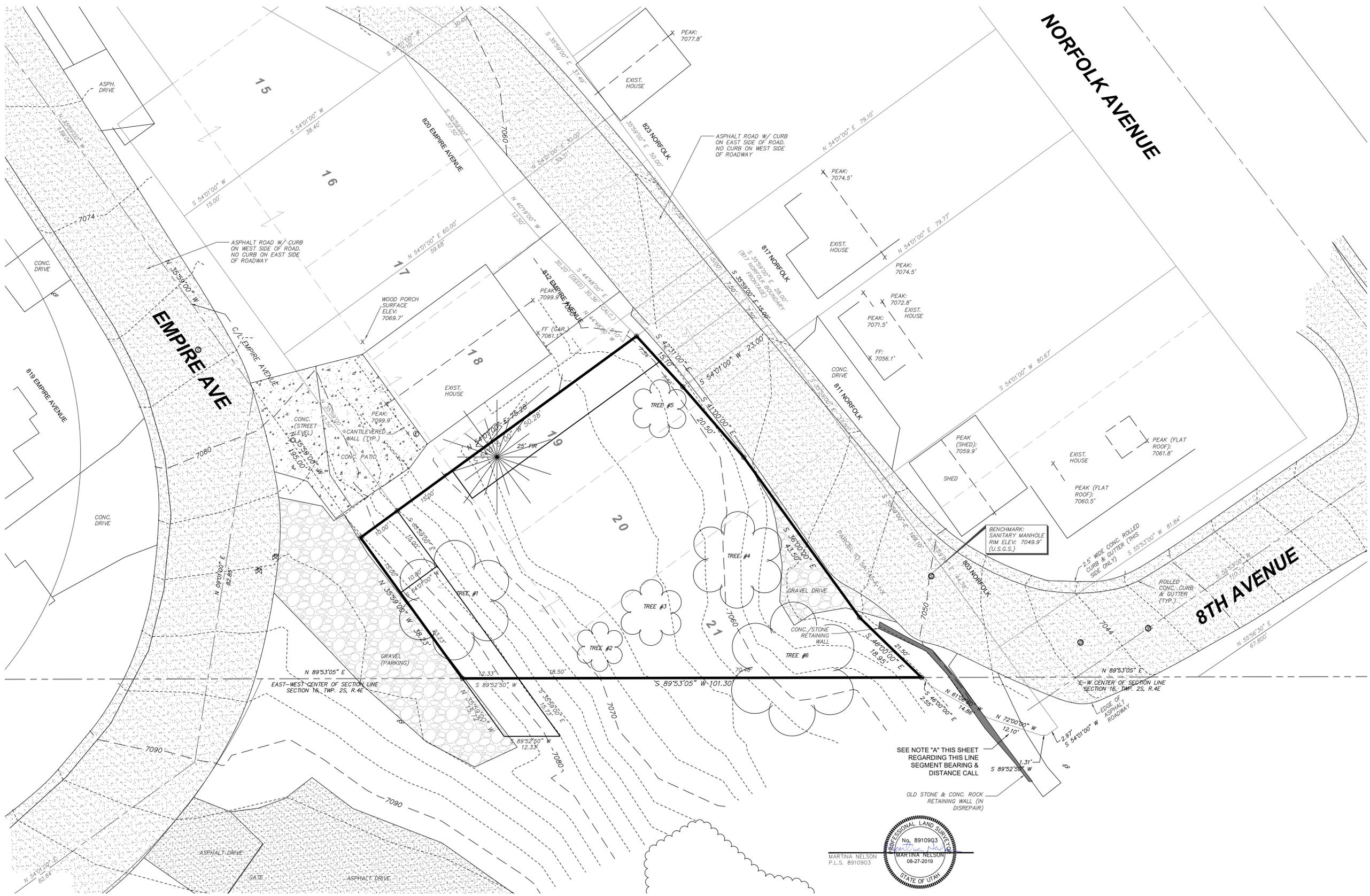


RECORD OF SURVEY & TOPOGRAPHIC MAP

A PARCEL OF LAND LYING WITHIN
SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

LEGEND

- FOUND STREET MONUMENT
- SET 5/8" REBAR W/ PINK PLASTIC CAP STAMPED: "M.NELSON PLS 8910903"
- FOUND REBAR W/ CAP (AS DESCRIBED)
- WATER VALVE
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- ELECTRIC METER
- TREE DIAMETER ANNOTATED TO EDGE OF DRIPLINE
- CONIFEROUS TREE
- DECIDUOUS TREE
- TREE LINE



Park City Surveying
 PO Box 682993
 Park City, UT 84088
 435-649-2818
 WWW.PARKCITYSURVEYING.COM

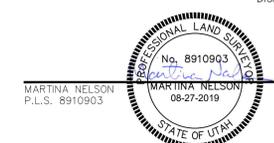
DATE	BY	REVISIONS / COMMENTS
xx/xx/xxxx		

SURVEYED BY: MM/KR/SC
 DRAWN BY: MN
 DATE: AUGUST 27, 2019

RECORD OF SURVEY & TOPOGRAPHIC MAP
 802 EMPIRE AVENUE
 PARK CITY, UTAH

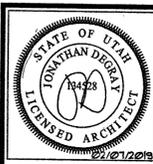
FOR: TOM PEEK

DWG: 802 EMPIRE ROS-TOPO.dwg



E:\Desktop\Park City Surveying\Team Folder\2D\New\OS\10\2019\802 Empire ROS-TOPO.dwg, 9/17/2019 4:57:12 PM, AutoCAD PLOT (General Documentation).pc3

THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE INSTRUMENTS OF SERVICE AND REMAIN AT ALL TIMES THE PROPERTY OF JONATHAN DEGRAY ARCHITECT P.C. REPRODUCTION OR RESIZE OF THE MATERIAL AND DESIGN CONTAINED HEREIN IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF JONATHAN DEGRAY ARCHITECT P.C. VIOLATIONS WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW. JONATHAN DEGRAY ARCHITECT P.C. ALL RIGHTS RESERVED.



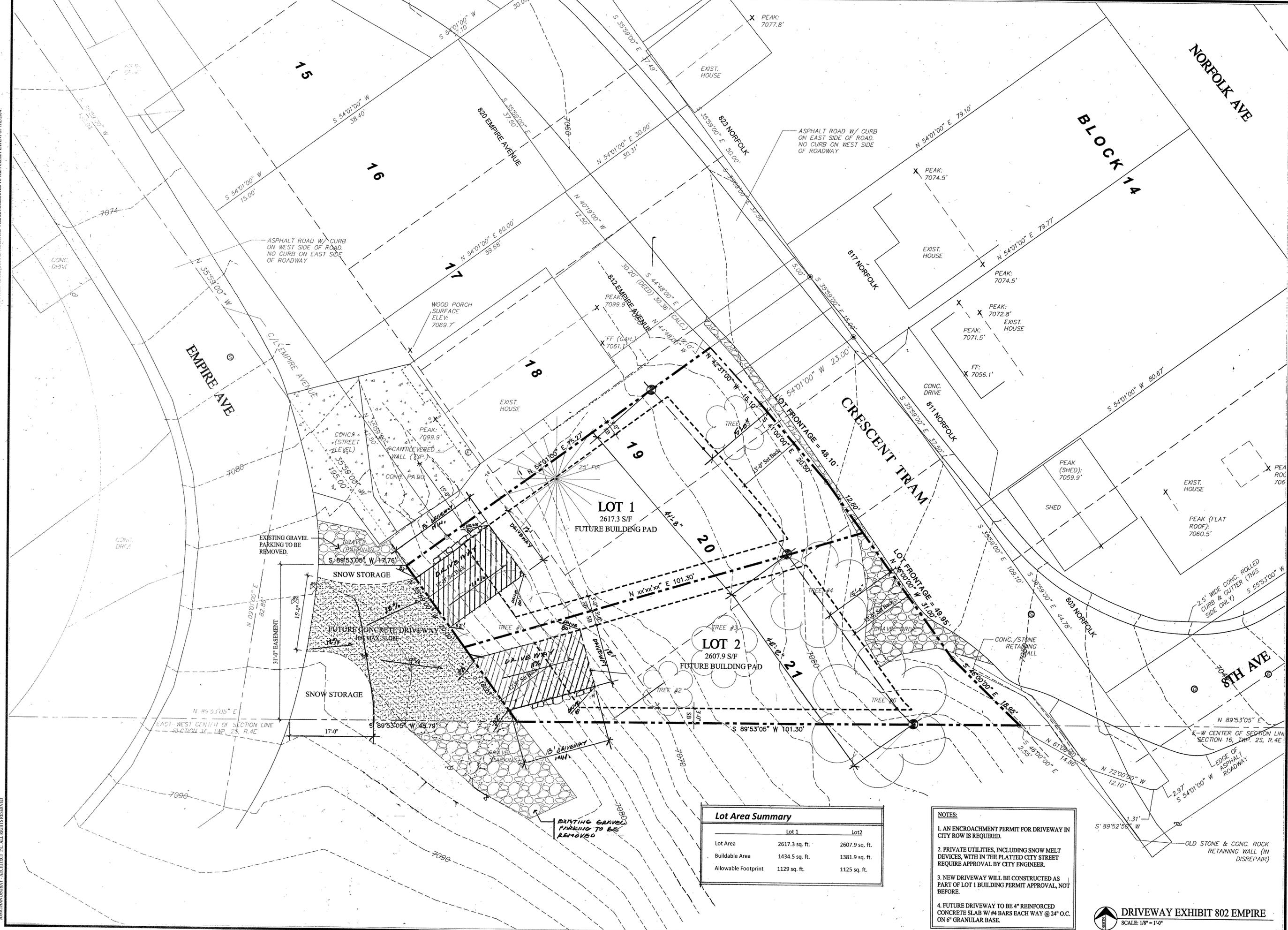
Jonathan DeGray
Architect
P.O. Box 1874, 614 Main Street, Suite 302, Park City, Utah 84060
Tel. 435-648-7263, E-mail: degrayarch@westoffice.net

DRIVEWAY EXHIBIT 802 EMPIRE
DRIVEWAY CONDITIONAL USE PERMIT
802 EMPIRE AVENUE, PARK CITY, UTAH 84060

DRIVEWAY EXHIBIT 802 EMPIRE

REVISIONS:
DATE: 12.18.19
PROJECT NUMBER: 1902-02
SHEET NUMBER: 181

EX-A



Planning Commission Staff Report



Subject: 802 Empire Avenue – Construction of a Private Driveway over a Platted, Unbuilt City Street
Project #: PL-19-04113
Author: Alexandra Ananth, Senior Planner
Date: January 8, 2020
Type of Item: Administrative – Conditional Use Permit

Summary Recommendations

Staff recommends that the Planning Commission review the Conditional Use Permit for the Construction of a Private Driveway over a Platted, Unbuilt City Street, hold a Public Hearing, and consider approving the request based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval.

Description

Applicant: Tom Peek for Old Town Lands LLC, represented by Jonathan DeGray, Architect
Location: 802 Empire Avenue
Zoning District: Historic Residential District (HR-1)
Adjacent Land Uses: Residential
Reason for Review: Conditional Use Permit applications are reviewed and approved by the Planning Commission

Proposal

The applicant is proposing the construction of a Private Shared Driveway over a Platted, Unbuilt City Street. The proposed driveway would access Lots 1 and Lot 2 of the proposed 802 Empire Avenue Subdivision, which was submitted under separate application to the Planning Commission simultaneously with this application. Due to existing grades, sight lines and road geometrics the City has encouraged the applicant to seek vehicular access from Empire Avenue rather than Crescent Tram on these lots and is thus supportive of this application. In addition to the Subdivision Plat and CUP for the driveway it is expected that the applicant will need to seek a Steep Slope Administrative CUP and submit Historic District Design Review (HDDR) applications as development on these lots moves forward.

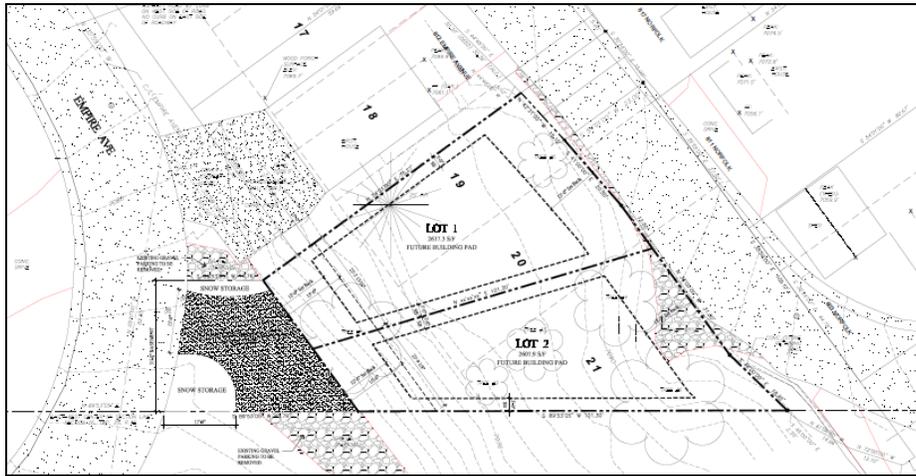


Figure 1: Proposed Driveway from Built Empire Avenue over Platted-Unbuilt Empire Avenue to Lot 1 and Lot 2

Background

The proposed 802 Empire Avenue Subdivision consists of two (2) Lots consisting of three (3) parcels. A portion of Lot 19, all of Lot 20, and all of Lot 21 make up the proposed subdivision which the applicant is proposing to subdivide into two developable lots simultaneously with this CUP application. The lots are currently vacant of any structures.

Over the years there were a number of encroachments that the applicant has recently been able to resolve. This included the applicant quit claiming some land to the City, the City quit claiming some land to the applicant, and the applicant quit claiming some land to the abutter to the south. These three (3) way property swaps have now been recorded and the complete survey submitted to the City.

Purpose

The purpose of the Historic Residential 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.

The proposal complies with the above goals as the applicant is proposing to create and access developable infill lots in keeping with the surrounding neighborhood in terms of lot size, and the City is encouraging access to these lots from Empire Avenue rather than Crescent Tram. Current conditions of the Platted Unbuilt Right-of-Way are that the site is not actively maintained by the City and is therefore overgrown and access over the Right-

of-Way would result in a visual improvement of the site for the neighborhood. The applicant will need to sign an encroachment agreement provided by the Engineering Department and should the City choose to redevelop the road on the un-built Right-of-Way in the future, the driveway would be removed and access to the lots would be changed to accommodate the Street.

No parking will be allowed along the driveway. It will solely be used for shared access to the two proposed lots.

Analysis

The Conditional Use Permit is subject to the following review criteria in the LMC:

- Per [LMC 15-3-5](#), the proposal is subject to the standards for private driveways within platted, unbuilt city streets.
- Per [LMC 15-1-10\(E\)](#), the proposal is subject to review according to the Conditional Use Permit Criteria.

Staff has included the following sections for Analysis:

- I. [LMC 15-3-5 Driveway Standards for Private Driveways Within Platted, Unbuilt City Streets](#)
- II. [LMC 15-1-10\(E\) Conditional Use Permit Review Criteria](#)

Section I. LMC 15-3-5 Driveway Standards for Private Driveways Within Platted, Unbuilt City Streets

- A. The driveway shall not exceed ten percent (10%) Slope.

Complies

The proposed driveway would have a maximum slope of ten percent (10%). See Exhibit A for Proposed Plans including Driveway Exhibit.

- B. Adequate snow storage Area along the downhill side and/or end of the driveway shall be provided.

Complies

The proposal allows for adequate snow storage at both the downhill (southwest) and uphill (northwest), end of the driveway.

- C. The driveway must be paved with asphalt or concrete.

Complies

The applicant is proposing to construct the driveway out of concrete.

- D. The driveway must not pre-empt any existing physical parking, which may occur in the platted Street. If the platted Street has been improved to provide Public Parking, then any driveway proposal must replace such parking with new Public Parking of equal or better convenience and construction.

Complies

The driveway does not pre-empt any existing physical parking and the platted Street has not been improved to provide Public parking. Parking for the proposed new lots will be on each respective Lot.

- E. The driveway and related improvements such as retaining walls shall be designed and built to minimize present and future conflicts with public utilities and stairs.

Complies

The applicant designed the driveway proposal after discussion with the City Engineer. No retaining walls or improvements other than the concrete driveway are proposed at this time.

- F. The driveway construction requires a Conditional Use permit, Section 15-1-10.

In Process

See Section II. below for CUP review and analysis.

- G. An encroachment permit for the driveway is required.

Complies as conditioned

The applicant shall record an encroachment agreement for the driveway prior to issuance of any Building Permits for either the proposed driveway or proposed Lots 1 or 2. See Condition of Approval #2.

- H. Private utilities, including snow melt devices, within the platted City Street require approval by the City Engineer.

Complies

The Building Permit will be reviewed by the City Engineer prior to issuance.

Staff finds the proposal **complies** with LMC 15-3-5 Driveway Standards for Private Driveways Within Platted, Unbuilt City Streets.

Section II. LMC 15-1-10(E) Review

The Planning Department and/or Planning Commission must review each of the following items when considering whether or not the proposed Conditional Use mitigates impacts of and addresses the following items:

1. Size and location of the site

No Unmitigated Impacts

Proposed Lots 1 and 2 meet the required lot size for the HR-1 District. The Minimum Lot Size for a Single Family Dwelling is 1,875 square feet (0.04 acres) and Lot 1 is 2,617 square feet and Lot 2 is 2,608 square feet. Although the Lots are considered "thru-lots" with frontage on both Crescent Tram and Empire Avenue the City has encouraged the applicant to seek vehicular access over Empire Avenue.

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

No Unmitigated Impacts

Although the Lots are considered thru-lots with frontage on both Crescent Tram and Empire Avenue the City has encouraged the applicant to seek access over Empire Avenue due to existing grades, sight-lines and road geometrics. Empire Avenue appears to have sufficient capacity to accommodate two additional Lots.

3. Utility capacity

No Unmitigated Impacts

The addition of two new lots on Empire Avenue will have no impacts on utility capacity.

4. Emergency vehicle access
No Unmitigated Impacts
Empire Avenue offers sufficient access for emergency vehicles.
5. Location and amount of off street parking
No Unmitigated Impacts
Parking for the two lots will be contained on site. No parking will be allowed in the Platted Unbuilt City Right-of-Way.
6. Internal vehicular and pedestrian circulation system
No Unmitigated Impacts
Both Empire Avenue and Crescent Tram have a public sidewalk on one side of the street. The applicant has been encouraged by the City to access the proposed lots from Empire Avenue.
7. Fencing, Screening and landscaping to separate the Use from adjoining Uses
No Unmitigated Impacts
Site Plans including fencing, screening and landscaping will be required at the time of building permit for the proposed two (2) Lots. No fencing, screening or landscaping is proposed for the Platted Unbuilt City Right-of-Way.
8. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots
No Unmitigated Impacts
The applicant has not submitted building plans to the City for review yet. However, should the CUP and Subdivision Plat be approved, any proposed development will be subject to the City's Historic District Design Guidelines and Review Process (HDDR) as well as the Steep Slopes CUP process.
9. Usable Open Space
No Unmitigated Impacts
Any development on the proposed Lots will be subject to the City's Land Management Code.
10. Signs and lighting
No Unmitigated Impacts
Any development on the proposed Lots will be subject to the City's Land Management Code including signs and lighting.
11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing
No Unmitigated Impacts
The proposed lot sizes are compatible with the surrounding neighborhood and a HDDR Application will be required to ensure that the physical design and architectural detailing are compatible with the surrounding neighborhood and HR-1 District.
12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and property Off-site
No Unmitigated Impacts

No noise or odors are expected beyond what is typical and expected for two Single Family Dwellings.

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

Not applicable

No delivery or service vehicles are expected beyond what is typical and expected for two Single Family Dwellings.

14. Expected Ownership and management of the project as primary residences, Condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities

Not applicable

It is expected that the proposed lots will be developed with Single Family Dwellings.

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

No Unmitigated Impacts

The proposed improvements will be appropriately graded and reviewed thoroughly through the HDDR and Building Permit Review Process.

16. Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding.

No Unmitigated Impacts

This proposal has been reviewed for consistency with the Goals and Objectives of the Park City General Plan. The General Plan establishes several goals and objectives including, but not limited to:

- *Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.*
 - *Any proposed development on the Lots will be compatible with the Historic District Design Guidelines and surrounding neighborhood context. These Guidelines guide infill to ensure that infill is compatible in the neighborhood context.*
- *Objective 15B: Maintain character, context and scale of local historic districts with compatible infill development and additions.*
 - *Any proposed development on the Lots will be compatible with the Historic District Design Guidelines and surrounding neighborhood context.*

Staff finds the proposal has no unmitigated impacts concerning LMC 15-1-10(E) Conditional Use Permit Review Criteria.

Department Review

This project has gone through an interdepartmental review and was encouraged to seek vehicular access through Empire Avenue rather than Crescent Tram due to the existing grade, roadway geometrics, and sight lines.

Notice

On December 18, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on December 21, 2019 according to requirements of the Land Management Code.

Public Input

No public input has been received prior to the issuance of this Staff Report.

Alternatives

- The Planning Commission may approve the Conditional Use Permit for the Construction of a shared Private Driveway within a Platted, Unbuilt City Street at 802 Empire Avenue, as conditioned or amended; or
- The Planning Commission may deny the Conditional Use Permit for the Construction of a shared Private Driveway within a Platted, Unbuilt City Street at 802 Empire Avenue and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Conditional Use Permit for the Construction of a shared Private Driveway within a Platted, Unbuilt City Street at 802 Empire Avenue and request additional information or analysis in order to take action.

Significant Impacts

There are no significant impacts from this application that have not been addressed.

Consequences of not taking action on the Suggested Recommendation

The applicant would have to seek vehicular access from Crescent Tram which offers less than ideal access and would be more impactful to the neighborhood and existing grade of the lots.

Recommendation

Staff recommends that the Planning Commission review the Conditional Use Permit for the Construction of a Private Driveway within a Platted, Unbuilt City Street, hold a Public Hearing to consider public input, and consider approving the requested CUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The subject property is located at 802 Empire Avenue in the Historic Residential (HR-1) Zoning District.
2. The site is currently vacant of structures and the applicant has submitted a simultaneous Subdivision Plat to create two developable lots.
3. The applicant is requesting to construct a shared private driveway within the Platted Unbuilt City Right of Way of Empire Avenue.
4. Although these lots are considered "thru-lots" the applicant has been encouraged by the City to limit vehicular access to Empire Avenue only due to the road geometrics, sight lines and grade of Crescent Tram.
5. A Historic District Design Review (HDDR) application is required for any development on the proposed Lots.

6. A Steep Slopes Administrative CUP will also be required prior to development.
7. Per LMC 15-3-5, the proposal is subject to the standards for private driveways within platted, unbuilt city streets.
8. Per LMC 15-1-10(E), the proposal is subject to review according to the Conditional Use Permit Criteria.
9. The proposal complies with LMC 15-3-5(A) as the proposed driveway will not exceed ten percent (10%) Slope.
10. The proposal complies with LMC 15-3-5(B) as the proposal allows for adequate snow storage on both sides of the driveway.
11. The proposal complies with LMC 15-3-5(C) as the applicant is proposing to construct the driveway out of concrete.
12. The proposal complies with LMC 15-3-5(D) as the driveway does not pre-empt any existing physical parking and the platted Street has not been improved to provide Public parking. The parking for the proposed two lots will be on site and no parking will be allowed in the proposed shared driveway.
13. The proposal complies with LMC 15-3-5(E) as the applicant designed the driveway proposal after discussion with the City Engineer. No retaining walls are proposed.
14. The proposal complies with LMC 15-3-5(F) as the applicant has been approved for a Conditional Use Permit.
15. The proposal complies with LMC 15-3-5(G) as the applicant will record an encroachment agreement for the driveway prior to issuance of a Building Permit for the proposed driveway.
16. The proposal complies with LMC 15-3-5(H) as plans will be reviewed by the City Engineer prior to issuance of a building permit.
17. There are no unmitigated impacts to LMC 15-1-10(E)(1) size and location of the site,
18. There are no unmitigated impacts to LMC 15-1-10(E)(2) as Empire Avenue has sufficient capacity to accommodate two additional Single Family Dwellings.
19. There are no unmitigated impacts to 15-1-10(E)(3) as all utilities can be available to the site.
20. There are no unmitigated impacts to LMC 15-1-10(E)(4) as Empire Avenue offers sufficient access for emergency vehicles.
21. There are no unmitigated impacts to LMC 15-1-10(E)(5) as per LMC 15-2.2-4, as parking for each lot will be on site and no parking will be allowed in the City's Right-of-Way.
22. There are no unmitigated impacts to MC 15-1-10(E)(6) internal vehicular and pedestrian circulation system. Vehicular access will be from Empire Avenue and the lots are of sufficient size to allow for sufficient pedestrian circulation.
23. There are no unmitigated impacts to LMC 15-1-10(E)(7) as no fencing screening or landscaping is proposed for the City's Right-of-Way.
24. There are no unmitigated impacts to LMC 15-1-10(E)(8) as any proposed development will be subject to the City's Historic District Design Guidelines and Review Process.
25. There are no unmitigated impacts to LMC 15-1-10(E)(9) usable Open Space as there are no proposed Buildings within the unbuilt Right of Way. And any development on the proposed lots will be subject to the City's Land Management Code and HRRD process.

26. There are no unmitigated impacts to LMC 15-1-10(E)(10) signs and lighting as any development on the proposed lots will be subject to the City's Land Management Code including signs and lighting.
27. There are no unmitigated impacts to LMC 15-1-10(E)(11) as the proposed lot sizes are compatible with the surrounding neighborhood and an HDDR Application will be required to ensure that the physical design and architectural detailing are compatible with the surrounding neighborhood and HR-1 District.
28. There are no unmitigated impacts to LMC 15-1-10(E)(12) as no noise or odors are expected beyond what is typical and expected for two Single Family Dwellings
29. There are no unmitigated impacts to LMC 15-1-10(E)(13) as no delivery or service vehicles are expected beyond what is typical and expected for two Single Family Dwellings.
30. There are no unmitigated impacts to LMC 15-1-10(E)(14) as it is expected that the proposed lots will be developed with Single Family Dwellings.
31. There are no unmitigated impacts to LMC 15-1-10(E)(15) as the proposed improvements will be appropriately graded and reviewed thoroughly through the HDDR and Building Permit Review Process.
32. This proposal has been reviewed for consistency with the Goals and Objectives of the Park City General Plan including Objective 15B: Maintain the character, context and scale of local historic districts with compatible infill development. Any proposed development on the Lots will be compatible with the Historic District Design Guidelines and surrounding neighborhood context. These guidelines guide infill development to ensure that development is compatible in the neighborhood context.
33. The Findings in the Analysis section of this report are incorporated herein.

Conclusions of Law

1. The Conditional Use Permit application complies with all requirements of the LMC and satisfies all Conditional Use Permit review criteria as established by the [LMC 15-1-10](#) and [LMC 15-3-5](#).
2. The Conditional Use Permit, as conditioned, will allow for development that is compatible with surrounding structures in use, scale, mass and circulation; and
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. The applicant will need to enter into an Encroachment Agreement with the City for the driveway located within the Public Right-of-Way.
3. If at some point in the future Empire Avenue is re-aligned, the applicant will be responsible for the removal of all portions of the driveway within the ROW at their sole expense and in an expeditious manner (within 90 days of written notice).
4. A Construction Mitigation Plan that includes careful consideration of how construction related parking will be managed shall be submitted to the Building, Engineering and Planning Departments for review and approval prior to the issuance of any building permits.
5. The City Engineer shall review and approve all grading, utility installation, public

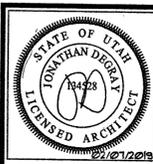
improvements, drainage and paving of the shared driveway over the City's platted unbuilt right-of-way for compliance with City standards prior to issuance of a building permit.

6. No parking shall be allowed within the City's Right-of-Way.

Exhibits

Exhibit A: Proposed Driveway Exhibit

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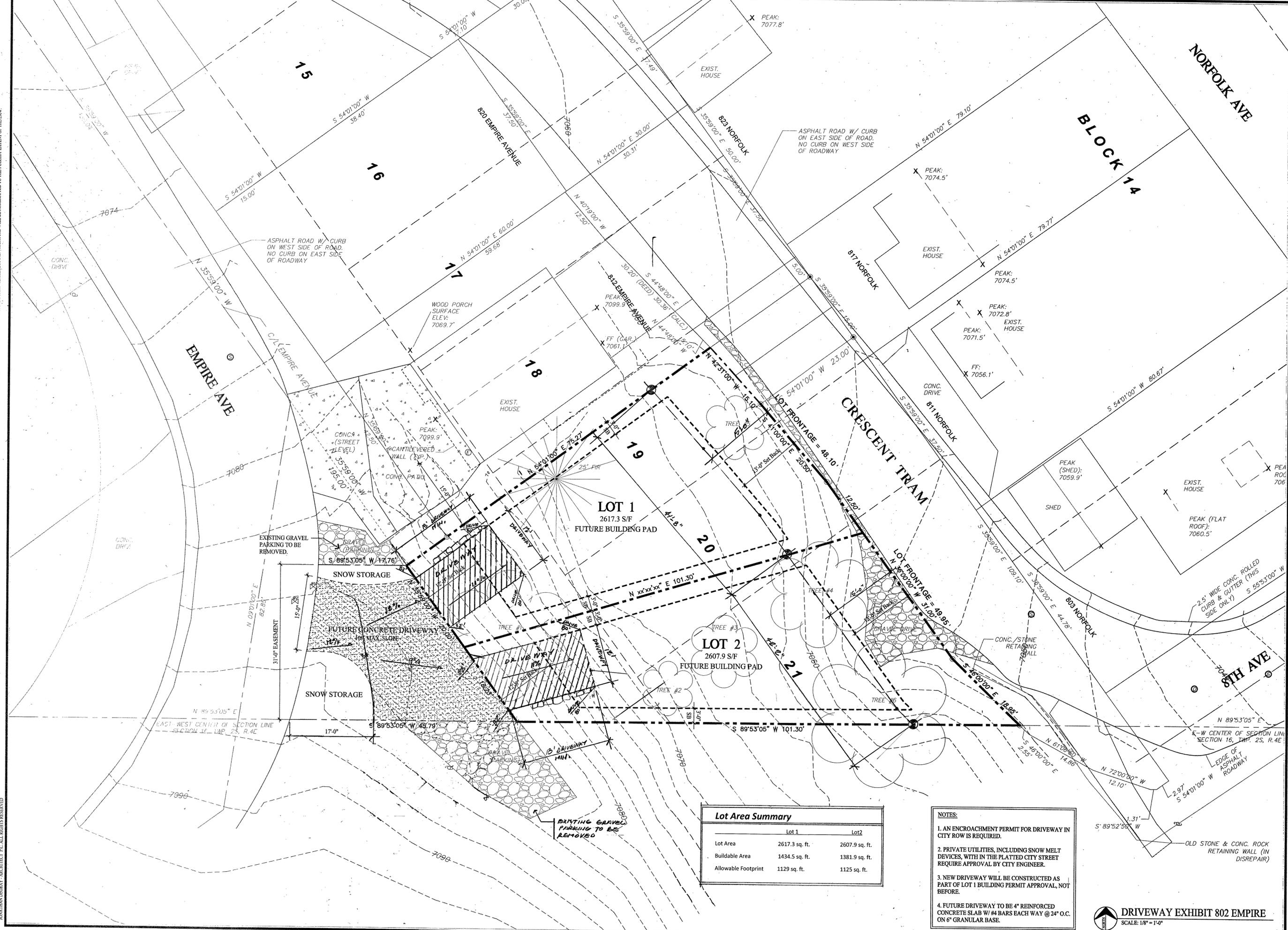
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DRIVEWAY EXHIBIT 802 EMPIRE
DRIVEWAY CONDITIONAL USE PERMIT
802 EMPIRE AVENUE, PARK CITY, UTAH 84060

DRIVEWAY EXHIBIT 802 EMPIRE

REVISIONS:
DATE: 12.18.19
PROJECT NUMBER: 1902-02
SHEET NUMBER: 192

EX-A





Planning Commission Staff Report

Subject: 322 Park Avenue Plat Amendment
Author: Alexandra Ananth, Senior Planner
Project Number: PL-19-04345
Date: January 8, 2020
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a Public Hearing for the 322 Park Avenue 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.

Description

Applicant: AG-WIP/333 Main Street Owner, LLC c/o Watt Investment Partners.
Location: 322 Park Avenue
Zoning: Historic Residential (HR-2A) District
Adjacent Land Uses: Residential (Single Family and Multi-Unit Dwelling) and Commercial
Reason for Review: Plat Amendments require Planning Commission review and City Council approval.

Proposal

The proposed 322 Park Avenue Plat Amendment seeks to combine two (2) existing Lots located at 322 Park Avenue into one (1) Lot of record. The site consists of the entirety of Lot 27 and Lot 28 of Block 11 of the Amended Park City Survey. Both lots are currently vacant of buildings but the rear portion of the site contains retaining walls and utility pads from the previous incarnation of the adjacent building. In addition, there are a number of easements on the lots. The proposed Plat Amendment will create a Lot of 3,750 square feet in size however, any proposed building will have to be cantilevered over the retaining wall and utility pad, making this a very constrained lot. The site is located in the Historic Residential (HR-2) District.

No project is currently proposed for the site but the site could accommodate a Single Family Dwelling as an allowed use. Duplex Dwellings and some other uses are allowed with a Conditional Use Permit. The Design Guidelines for Park City's Historic Districts and Historic Sites will apply when a project is proposed, as will the Lot and Site Requirements for the HR-2A District.

Background

This property is adjacent to (immediately south of) the Parkite, a mixed-use building with retail condominiums on Main Street and residential units above. This lot is not a thru lot

however, and does not have any access on Main Street. There are a number of easement on the existing site that the applicant is proposing to maintain.

Purpose

The purpose of the Historic Residential (HR-2A) District is to:

- A. allow for adaptive reuse of Historic Structures by allowing commercial and office Uses in Historic Structures in the following Areas:
 1. Upper Main Street;
 2. Upper Swede Alley; and
 3. Grant Avenue,
- B. encourage and provide incentives for the preservation and renovation of Historic Structures,
- C. establish a transition in Use and scale between the HCB, HR-1, and HR-2 Districts, by allowing Master Planned Developments in the HR-2, Subzone A,
- D. encourage the preservation of Historic Structures and construction of historically Compatible additions and new construction that contributes to the unique character of the Historic District,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core that result in Development that is Compatible with Historic Structures and the Historic character of surrounding residential neighborhoods and consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites and the HR-1 regulations for Lot size, coverage, and Building Height, and
- F. provide opportunities for small scale, pedestrian oriented, incubator retail space in Historic Structures on Upper Main Street, Swede Alley, and Grant Avenue,
- G. ensure improved livability of residential areas around the historic commercial core,
- H. encourage and promote Development that supports and completes upper Park Avenue as a pedestrian friendly residential street in Use, scale, character and design that is Compatible with the historic character of the surrounding residential neighborhood,
- I. encourage residential development that provides a range of housing opportunities consistent with the community's housing, transportation, and historic preservation objectives,
- J. minimize visual impacts of the automobile and parking by encouraging alternative parking solutions,
- K. minimize impacts of Commercial Uses on surrounding residential neighborhood.

Lot Analysis

The purpose of this Plat Amendment is to combine two (2) existing Lots addressed at 322 Park Avenue into one (1) Lot of record in order to create a developable lot. The current interior Lot line would simply be removed to form a larger, 3,750 square foot lot with a width of 50 feet and a length of 75 feet.

The lots contains a large retained utility pad area that is a remnant of the previous incarnation of the adjacent building, The Parkite, formerly known as the Park City Mall, now a Residential and Commercial Condominium building with frontage on Main Street. The applicant has indicated that the existing concrete retaining walls must remain and that the existence of this area makes the existing two lots basically undevelopable on their own. However, the combination of these lots would provide sufficient footprint area to develop a structure on the lot that could cantilever over the concrete retaining walls and leaving sufficient area for the maintenance and repair of these walls in the future.

Allowed uses in the zone include a Single Family Dwelling. Other uses including Lockout Unit, Nightly Rental, Duplex Dwelling, Hotel, Office etc., all require a Conditional Use Permit.

The following table compares the Lot and Site Requirements to the proposed combined lot:

Zone Allowance:	HR-2A	Proposed
Lot Size	1,875 SF	3,750
Lot Width	25 Feet	50 Feet
Setbacks		
Min. Front /Rear Setback	Min. 12 ft./Total 25 ft.	Must Comply
Min. Side Setback	5 ft./Total 10 ft.	
Building Height	27 ft. from existing grade	Must Comply
Allowable Footprint	1,519 SF	NA

As shown in the table above, the proposed new lot will meet the Lot and Site Requirements. Although no plans for development of the site have been submitted to the Planning Department any future development will be subject to the Land Management Code and Design Guidelines for Park City’s Historic Districts.

Good Cause

Staff finds good cause for this Plat Amendment in that it will combine two smaller lots into one larger lot, potentially allowing for a Single Family Dwelling or other Use with a Conditional Use Permit. The applicant has stated that no project is proposed for the site at this time. Any future development will be subject to the Land Management Code and Design Guidelines for Park City’s Historic Districts. No public Streets, Right-of-Way, or easements will be vacated or amended as a result of the proposed Plat Amendment.

Process

Plat Amendments require Planning Commission review and City Council approval. The approval of this Plat Amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in [LMC Section 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 issues were brought up at that time. Snow storage will need to be accommodated on site.

Notice

On December 20, 2019, 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 December 21, 2019, according to requirements of the Land Management Code.

Public Input

No public input has been received prior to the issuance of this report.

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the 322 Park Avenue Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 322 Park Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 322 Park Avenue Plat Amendment to a date certain.

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 (2) separate Lots.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the 322 Park Avenue 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

Draft Ordinance and Proposed Plat
Exhibit A – Applicant’s Project Description
Exhibit B – Record of Survey and Topographical Map

Ordinance No. 2020-XX

AN ORDINANCE APPROVING THE 322 PARK AVENUE PLAT AMENDMENT
LOCATED AT 322 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 322 Park Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on December 20, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, on December 21, 2019, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 8, 2020, to receive input on the Plat Amendment; and

WHEREAS, the Planning Commission, on January 8, 2020, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on January 30, 2020, 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 322 Park Avenue Plat Amendment located at 322 Park Avenue.

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

SECTION 1. APPROVAL. The 322 Park Avenue 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 322 Park Avenue.
2. The property consists of Lot 27 and Lot 28 of Block 11 of the Park City Survey.
3. The property is in the Historic Residential (HR-2A) District.
4. The properties are vacant of structures with the exception of a retained utility pad area that is a remnant of the previous incarnation of the adjacent building.
5. The applicant proposes to combine the subject Lots into one Lot of Record.
6. The proposed Lot meets the Lot and Sire Requirement of the Land Management Code.

7. The applicant has stated that no project is proposed at the present time.
8. The applicant will be subject to the Design Guidelines for Park City's Historic Districts.
9. No public Streets, Right-of-Way, or easements will be vacated or amended as a result of the proposed Plat Amendment.

Conclusions of Law:

1. There is good cause for this Plat Amendment that will combine two smaller lots into one larger lot.
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 and an extension is granted by the City Council.
3. New construction shall meet Site and Lot requirements of the HR-2A District per the Land Management Code in effect at the time of application submittal.
4. A Historic District Design Review application is required for any new construction proposed at the Site.
5. A 10 foot wide public snow storage easement is required along Park Avenue.

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

PASSED AND ADOPTED this ___ day of _____, 2020.

PARK CITY MUNICIPAL CORPORATION

MAYOR, Andy Beerman

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney, Mark Harrington

Project Description: 322 Park Ave. Plat Amendment

Combine Lots 27 & 28, Block 11, of the Amended Park City Survey.

No project is proposed.

Respectfully,

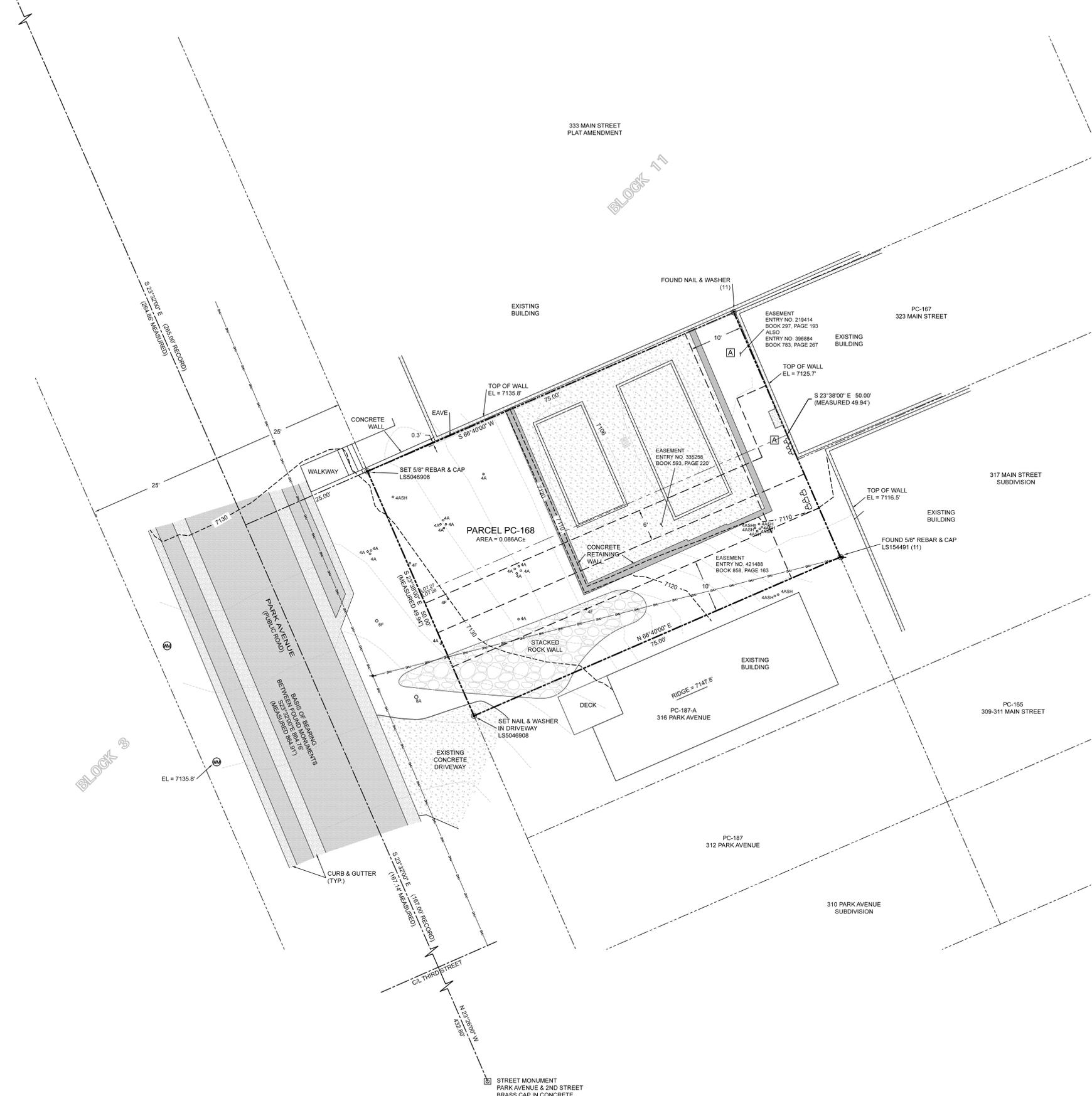
Steven A Swanson

RECEIVED

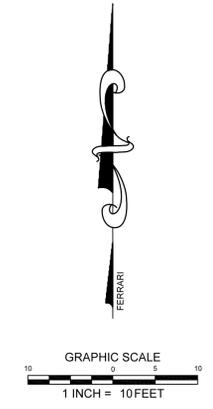
OCT 04 2013

PARK CITY
PLANNING DEPT.

STREET MONUMENT
PARK AVENUE & 4TH STREET
BRASS CAP IN MON WELL
BENCHMARK EL = 7099.68'



RECORD OF SURVEY & TOPOGRAPHICAL MAP
PARCEL PC-168
LOTS 27 & 28, BLOCK 11, PARK CITY SURVEY
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16
TOWNSHIP 2S RANGE 4E
SALT LAKE BASE AND MERIDIAN



SURVEYOR'S STATEMENT

I GREGORY J. FERRARI OF PARK CITY, UTAH, CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, HOLDING LICENSE NO. 5046908. THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME, OR UNDER MY DIRECTION, OF THE HEREON DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.



P.O. BOX 683001
PARK CITY, UT 84068

REUSE OF DOCUMENTS
THIS DOCUMENT & THE IDEAS & DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF FERRARI SURVEYING & IS NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF FERRARI SURVEYING.

LEGAL DESCRIPTION:

LOT 27 & 28, BLOCK 11, PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AT THE SUMMIT COUNTY RECORDERS OFFICE.

LEGEND:

---	CLIENT PROPERTY LINE	⊙	PROPERTY CORNER (AS NOTED)
---	ADJOINING PROPERTY LINE	⊕	WATER METER
---	CENTERLINE	Ⓜ	AIR CONDITIONER
---	MAJOR CONTOUR	+	POWER POLE
---	MINOR CONTOUR	⊕	ELECTRIC METER
---	EASEMENT	⊠	STREET MONUMENT
---	LOT LINE	○#A	TREE TRUNK, DIAM., ASPEN
---	OVER HEAD UTILITY	○#F	TREE TRUNK, DIAM., FIR
		○#ASH	TREE TRUNK, DIAM., ASH

PROJECT INFORMATION:

CLIENT: STEVEN SWANSON

PROJECT ADDRESS: LOT 27 & 28, BLOCK 11, PARK AVENUE
PARK CITY, UT 84060

SERIAL NO.: PC-168

RECORD INFORMATION: LOT 27 & 28, BLOCK 11, PARK CITY SURVEY

NOTES:

- THE PURPOSE OF THIS SURVEY IS LOCATE THE BOUNDARIES OF THIS PROPERTY ON THE GROUND AND CREATE A TOPOGRAPHICAL MAP AT THE REQUEST OF STEVEN SWANSON.
- THE EVIDENCE OF BOUNDARY SHOWN HEREON IS TAKEN FROM RECORD INFORMATION COMPILED FROM PARK CITY SURVEY.
- NO INVESTIGATION CONCERNING ENVIRONMENTAL & SUBSURFACE CONDITIONS, OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
- NO INVESTIGATION CONCERNING THE LOCATION OF OR EXISTENCE OF UTILITY SERVICE LINES TO THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.
- ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO ANY DESIGN OR CONSTRUCTION.
- DATE OF FIELD WORK JULY 22, 2019.
- VERTICAL DATUM IS TAKEN FROM PARK CITY MONUMENT CONTROL SHEET.
- BUILDING SETBACKS MUST BE CONFIRMED WITH THE COUNTY, HOMEOWNER'S ASSOCIATION, ARCHITECTURAL COMMITTEE, OR SIMILAR ADVISORY GROUP, IF ANY.
- THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT.
- BASIS OF BEARING BETWEEN FOUND MONUMENTS SHOWN HEREON.
- FOUND PER SURVEY S-8033 OF RECORD AND ON FILE AT THE OFFICE OF THE SUMMIT COUNTY RECORDER.

RECORD OF SURVEY & TOPOGRAPHICAL MAP
LOT 27 & 28 BLOCK 11 PARK CITY SURVEY
 PC-168
STEVEN SWANSON
 SUMMIT COUNTY
 PARK CITY
 UTAH

BAR IS ONE INCH ON ORIG. DRAWING IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY	
SURVEY BY: GF-MB SURVEY DATE: 7-22-19 DESIGN BY: GF DRAFTING BY: GF CHECKED BY: GF	XREFS: DRAWING: PC-168 DATE: 8-2-19 SCALES: 1:10 HORIZONTAL 2:CONTOURS VERTICAL 1 OF 1 PROJECT No: 2019.81