Planning Commission
Staff Report

Subject:	**Alice Claim aka Alice Lode Subdivision & Plat Amendment**
Project #:	**PL-08-00371**
Author:	**Christy Alexander, AICP, Planner II**
Date:	**June 10, 2015**
Type of Item:	**Legislative – Subdivision & Plat Amendment**

Summary Recommendations
Staff recommends that the Planning Commission hold a public hearing for the Alice Claim Subdivision and Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue and Sampson Avenue and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the Planning Department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Topic

Applicant:	King Development Group, LLC ("Applicant" or "King Development")
Location:	Alice Claim south of intersection of King Road, Ridge Avenue and Sampson Avenue
Zoning:	Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO)
Adjacent Land Uses:	Open Space and Residential (developed and undeveloped)
Reason for Review:	Planning Commission review and recommendation to City Council

Proposal
The Applicant is proposing that the Planning Commission consider the application of a nine (9) lot Preliminary and Final subdivision on 8.65 acres and a Plat Amendment on 0.38 acres, located at approximately the intersection King Road and Sampson Avenue within the City's Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO). One lot is within the Estate (E) District and is 3.01 acres in size. The other eight (8) lots are within the Historic Residential (HR-1) District and range in size from 7,714 square feet to 7,910 square feet. Because there are less than ten (10) lots being proposed, the Master Planned Development criteria don't apply.

The current plan will also include a plat amendment that will remove existing lot lines on contiguous platted lots encumbered by the existing King Road and Sampson Avenue. If approved, the property will be dedicated to the City as right-of-way.

Background
On May 23, 2005, the City received a completed Plat Amendment application for the Alice Claim Subdivision (also known as “Alice Lode”). The Alice Claim is located within the Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO) zoned property south of the King Road, Sampson Avenue, Woodside Gulch and Ridge Avenue intersection. The property is comprised of 8.65 acres and includes platted lots and a “metes and bounds" parcel.

Contiguous to this site are Historic Residential Low (HRL) zoned lots under the same ownership. The two contiguous lots which are owned by the same owner are Lots 1 and 2 of the Ridge Avenue Subdivision. Lot 1 is improved with a contemporary house, Lot 2 is vacant. The applicant is requesting that these two lots not be part of this subdivision.

The rest of the contiguous Lots are within the Park City Survey (Lots 1-7 and 36-40, Block 77) and are mostly encumbered by existing King Road and Sampson Avenue; thus rendering portions of them undevelopable. The Applicant is requesting the Planning Commission consider the proposed subdivision for the nine (9) proposed lots and a plat amendment for the existing encumbered Lots 1-7 and 36-40, Block 77.

This area, historically known as Woodside Gulch, has some mining history and served as an early access to the Silver King Mine further up the gulch. The City owns an adjacent and bisecting parcel of land where a City-owned potable water tank and water lines are located. The City-owned parcel includes a 30 foot wide strip of land extending from the water tank site to the existing Ridge Avenue Subdivision bisecting the Applicant’s proposed subdivision property. The City-owned strip of property contains a raw water pipeline and a potable water transmission line which extends from the water tank to the Ridge Avenue Subdivision. The raw water line and the potable water line continue through the Ridge Avenue Subdivision to King Road within an existing driveway and a public utility easement. A second existing potable water transmission line, which is scheduled to be abandoned upon completion of the new potable water line on City-owned property, extends through the subject property. Additionally, access to the existing water tank and pump station is via an existing unpaved access roadway across the subject property. The access is provided by a recorded grant of easement which will be slightly modified (see Subdivision Layout within Exhibit A).

Please reference the October 8, 2014 Staff Report for the brief subdivision timeline and brief timeline of events related to the Alice Claim property Voluntary Clean-Up Program (VCP).

The applicant has submitted a Draft Site Mitigation Plan to the Utah Department of Environmental Quality, but a Site Management Plan and Environmental Covenant have not been completed. The VCP is still active and the site has not been given a completion letter from the UDEQ. The Applicant will need to receive a final Certificate of Completion for remediated soils from the UDEQ prior to building permit approval. **This has been listed as a condition of approval.**

A summary of the Commissioner's concerns and items requested at the October 8, 2014 Work Session can be referenced in the April 8, 2015 Staff Report.

At the April 8, 2015 Planning Commission meeting, the Applicant presented and discussed the revised site plan dated March 15, 2015, as depicted in the copies attached as exhibits in that meeting's staff report. The minutes from the April 8, 2015 meeting are attached hereto as Exhibit M.

At the April 8, 2015 meeting the Commission focused on the following concerns:

- Need for more clustering/Change layout
- Site suitability with slopes/Possible geotechnical issues/Buildability
- Further terracing, mitigation and landscaping the retaining walls
- Reducing cut and fill and need for so many retaining walls.
- Reduce disturbance on each lot
- Compatibility with HR-1 zone
- Lot 7 concerns
- Request for staff to evaluate building on steep slopes
- Define Open Space conservation easement
- Access

On May 4, 2015 the applicant submitted updates and an amended site plan to their application in response to the April 8th hearing. They updated the site plan, plat, open space and trails, retaining walls and responded to some of the items the Commission requested. Additional Revisions and amendments were submitted on May 18, 2015 which amended the May 4, 2015 submittal in response to staff comments and questions. The attached exhibits show the most up to date submittals and are what the applicant wishes to be reviewed for their application. Staff did not have adequate time to review the May 18, 2015 submittal in time for the May 27, 2015 Planning Commission and therefore decided to continue the item to the June 10, 2015 meeting for proper review.

With the May 4, 2015 submittal, the applicant slightly changed the layout of the subdivision to bring Lot 7 off of the very steep slope and clustered closer to Lot 6 (Exhibits E & G). This change in layout eliminated the need for a drive and the bridge which crossed the City property. It also allowed the Drive B to Lots 2-7 to cross a smaller change in elevation, creating less of a need for high retaining walls. All retaining walls surrounding Lots 2-7 (Exhibit J) will now be 6' and under and allow for further terracing and landscaping to visually mitigate the impacts of the walls. The

applicant also further terraced the retaining walls at the entry to be 3 walls at 10' each (Exhibit I), and providing for further landscaping to mitigate the visual impacts of the walls. The applicant also submitted a Geotech report (Exhibit N) and a geotechnical consultants letter (Exhibit O) in regards to the existing mine shaft which the City Engineer reviewed and indicated that the report showed no issues with site suitability with slopes and buildability of the land for both the mine and the soils.

Purpose of "HR-1" and "E" Zoning Districts

The purpose of the Historic Residential HR-l 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 purpose of the Estate (E) District is to:
(A) Allow very low density, environmentally sensitive residential Development which:
(1) Preserves ridge tops, meadows, and visible hillsides,
(2) Preserves large, cohesive, unbroken Areas of Open Space and undeveloped land,
(3) Preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development,
(4) Mitigates geologic and flood hazards,
(5) Protects views along the City's entry corridors, and
(6) Decreases fire risk by keeping Development out of sensitive wild land interface Areas.
(B) Incorporate pedestrian trail linkages between and through neighborhoods; and
(C) Encourage comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.

Analysis

Estate Lot

The zoning for Lot 1 is Estate and is subject to the following criteria:

Regulation	Permitted	Proposed
Height	No Structure may be	Maximum height is

	erected to a height greater than twenty-eight feet (28') from Existing Grade.	twenty seven eight (28') and no home can exceed this requirement; Applicant has not proposed the height for the estate lot home at the time of this report.
Lot size and density	Lot 1 (Estate): The minimum lot size is three (3) acres. The Planning Commission may reduce the minimum Lot size during review of a subdivision plat to encourage clustering of Density.	Lot 1: 3.01 acres Proposed maximum footprint area (square feet) by the Applicant: Lot 1 (Estate): 2500 sf
Lot width	The minimum Lot Width is one hundred feet (100')	Approximately 120 feet wide.
Front setback	30' for Estate Lot	Applicant is requesting a reduction of the setbacks for Lot 1 within the Estate zone to be 15' for front setback. **Planning Commission would need to grant that request based on discussion above.**
Rear setback	30' for Estate Lot	Applicant is requesting a reduction of the setbacks for Lot 1 within the Estate zone to be 10' for rear setback. **Planning Commission would need to grant that request based on discussion above.**
Side setbacks	30' for Estate Lot	Applicant is requesting a reduction of the setbacks for Lot 1 within the Estate zone to be 10' for both side setbacks. **Planning**

		Commission would need to grant that request based on discussion above.
Parking	Two (2) off-street spaces required for each dwelling	Two (2) spaces proposed.

The Estate District lot (Lot 1) is within the Sensitive Lands Overlay (SLO) and is thus subject to the regulations of LMC 15-2.21. The lot has Steep Slopes (15%-40%), Very Steep Slopes (greater than 40%) and a Stream Corridor. A Slope Analysis map was provided by the Applicant (See Exhibit P: Sensitive Lands Analysis) showing the various slope categories. The following steps need to and have been completed:

LMC 15-2.21-2(A) **SENSITIVE LANDS ANALYSIS**. Applicants for Development within the SLO must identify the Property's sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, wetlands, Stream Corridors, wild land interface, and wildlife habitat Areas, and provide at time of Application a Sensitive Land Analysis. Every annexation must provide a Sensitive Land Analysis. *The Applicant has submitted this as Exhibit P and meets the LMC requirements.*

LMC 15-2.21-2(C) **SITE DEVELOPMENT SUITABILITY DETERMINATION**. Staff shall review the Sensitive Land Analysis, apply the applicable Sensitive Land Overlay (SLO) Regulations, Sections 15-2.21-4 through 15-2.1-9, and shall prepare a report to the Applicant and the Planning Commission identifying those Areas suitable for Development as Developable Land. Staff has determined that the Applicant meets all regulations based on the location of the buildable area being at the low point of the canyon where Lot 1 is proposed, the maximum footprint of 2,500 sf that will not be benched or terraced, retaining walls are addressed within the concurrent CUP and not located near or on Lot 1, the development will have no adverse impact on adjacent properties, the density is compatible with that of adjacent HR-1 properties within the proposed subdivision, Staff has placed a condition of approval that the Applicant **will be required at HDDR application review for the home on Lot 1 to adopt appropriate mitigation measures such as landscaping, screening, etc. to buffer the adjacent properties from the Developable Land.**

The previously proposed location of the house on Lot 1 was on Steep (15% - 40%) and Very Steep Slopes (greater than 40%). After the October 2014 Planning Commission meeting, the Applicant revised the site plan to bring the home on Lot 1 much further down the hillside, as the Commissioners suggested and to meet Code by being off the Very Steep Slopes, and closer to Lots 7 and 8. As proposed Lot 1 is now on a slope of 31% which is only considered Steep and not Very Steep and is the same slope on the May 18, 2015 plans as it was for the April 8, 2015 meeting. Within the SLO, 100% of the Very Steep Slopes shall remain as Open Space (LMC

15-2.21-4(I), no vegetation can be disturbed within fifty (50) vertical feet in elevation of Very Steep Slopes, and no Development can occur within fifty (50) feet, map distance, of Very Steep Slopes unless the Planning Commission makes findings as listed in LMC 15-2.21-4(A): All of the Very Steep Slopes found on Lot 1 now as proposed remain as open space, no vegetation is proposed to be disturbed within 50 vertical feet in elevation of Very Steep Slopes and no development is proposed within 50 feet distance. The home on Lot 1 is approximately 135 feet away from the Very Steep Slopes and the private drive running across Lot 1 is approximately 60 feet away from the Very Steep Slopes.

The Estate Lot in accordance with the May 18, 2015 submittal is lower on the hillside and the Applicant is requesting a reduction in the setback requirements for this lot, from the Planning Commission, to a 15' front, 10' both sides and 10' rear setback from the required 30' front, 30' side and 30' rear setbacks for this District. As per LMC 15-2.10-3 (C) The Planning Commission may vary required yards in Subdivisions. In no case shall the Planning Commission reduce Side Yards to allow less than ten feet (10') between Structures. The Applicant meets these requirements and proposes approximately 68' between structures. Staff recommends granting these reductions in setbacks so that the home on Lot 1 can be placed further down the hillside as shown on the current proposed site plan thus avoiding the Very Steep Slopes.

The applicant has proposed a no disturbance area of the Estate District lot of 2.62 acres, which is 87% of the total 3.01 acre Estate District lot. As per LMC 15-2.21-4 (H): the following Open Space and Density regulations apply:

(1) 75% of the steep slope area must remain as open space; the applicant proposes 87% and the building pad is illustrated on the site plan.

(2) 25% of the Steep Slope area may be developed in accordance with the underlying zoning subject to the following conditions:

a. The maximum density on developable land within a steep slope area is governed by the underlying zoning and proof that the proposed density will not have a significant adverse visual or environmental effect on the community. *The applicant proposes limiting the footprint to the same size of 2,500 sf to be consistent with the footprints of the other 8 HR-1 lots within the subdivision*.

b. The developable land in the steep slope area is that area with the least visual and environmental impacts, including the visual assessment, and considering the visual impact from key vantage points, potential for screening location of natural drainage channels, erosion potential, vegetation protection, Access, and similar site design criteria. *The applicant has proposed development on the lowest and least steep portion of the lot, and based on the building pad and allowed height the proposed location will have the least impacts.*

c. The applicant may transfer up to 25% of the densities from the open space portion of the site to the developable land. *The applicant does not propose this transfer.*

d. The applicant must prove that the development will have no adverse impact on adjacent properties
    i. The density is compatible with that of adjacent properties. The density of the estate lot is proposed to be the same as adjacent HR-1 properties within the subdivision in regards to footprint size. The height, however, will not be limited as it will be in the HR-1 zone.
    ii. The architectural detail, height, building materials, and other design features of the development are compatible with adjacent properties. *This will be mitigated during the HDDR process and will need to be part of the CC&Rs for the HOA.*
    iii. The applicant has adopted appropriate mitigation measures such as landscaping, screening, illumination standards, and other design features to buffer the adjacent properties from the developable land. *This will be mitigated during the HDDR process and will need to be part of the CC&Rs for the HOA.*

The Applicant proposes to deed this open space to a third party. No dedication has occurred at the time of this report. This open space will still remain part of the lot if it is deeded to a third party land conservancy and therefore would have to be a conservation easement. While there is no requirement that the open space be deed in an easement to a third party, staff recommends placing a note on the plat which requires the area outside of the building pad area remain open space with no disturbance or structures.

The stream corridor is also protected within the Sensitive Lands Overlay as provided in the LMC:

LMC 15-2.21-6(C) “No person shall disturb, remove, fill, dredge, clear, destroy or alter any Area, including vegetation, surface disturbance within wetlands and Stream Corridors and their respective Setbacks, except as may be expressly allowed herein.”

The setbacks required per LMC 15-2.21-6(F) for stream corridors are a minimum of fifty feet (50') outward from the Ordinary High Water Mark. There is no exception to this 50’ setback in the LMC other than Hardship Relief under LMC 15-2.21-2(D) which states: If the Applicant demonstrates that the regulations would deny all reasonable Use of the Property, the Planning Commission may modify application of these (SLO) regulations to provide the Applicant reasonable Use of the Property.

The proposed subdivision creates a driveway for Lot 1 within the fifty foot (50’) setback area from the stream corridor within the Estate zone with Sensitive Lands Overlay. In the January 23, 2015 submittal, the Applicant proposed to culvert the stream underground so as to divert from the 50’ setback requirement. The culvert will address this problem as the stream will no longer be above ground within 50’ of the home on Lot 1 (see Exhibit A). This proposal, like any change to the stream, will

require a Stream Alteration Permit from the State of Utah and may require an amendment to the Voluntary Clean-up Program remediation with the Utah Department of Environmental Quality. The Stream Alteration Permit and the installation of the culvert pursuant to that permit will be required prior to plat recordation. If the Applicant does not obtain the Permit or install the culvert to thereby remove the stream setback violation the plat will not be able to be recorded and any approvals shall be null and void. The applicant would then need to submit a new application with a design that meets the 50' setback requirements. Any amendments to the Voluntary Clean-up Program remediation will be required prior to any Building Permit approvals. **These items have been listed as conditions of approval.**

Historic Residential Zone

The zoning for the Lots 2-9 is HR-1 and is subject to the following criteria:

Regulation	Permitted	Proposed
Height	27 feet above existing grade, maximum. 35 feet above existing grade is an exception permitted for a single car garage on a downhill lot upon Planning Director approval.	Maximum height is twenty seven feet (27') and no home can exceed this requirement; Applicant is proposing 2 stories max; Staff is proposing height limit of twenty five feet (25') max for a 2 story home which will be listed as a condition of approval.
Lot sizes: Lot 2: 0.18 acres Lot 3: 0.18 acres Lot 4: 0.18 acres Lot 5: 0.18 acres Lot 6: 0.18 acres Lot 7: 0.18 acres Lot 8: 0.18 acres Lot 9: 0.18 acres	Footprint based on lot area based on LMC requirements at time of application. Lot 2: 2500.3 sf Lot 3: 2500.3 sf Lot 4: 2500.3 sf Lot 5: 2500.3 sf Lot 6: 2504.7 sf Lot 7: 2535.8 sf Lot 8: 2500.3 sf Lot 9: 2500.3 sf	Proposed maximum total floor area of each home is 5,000 square feet (including basement and garages). Proposed maximum footprint area (square feet) by the Applicant: 2500 sf Lot 2: 2500 sf Lot 3: 2500 sf Lot 4: 2500 sf Lot 5: 2500 sf Lot 6: 2500 sf Lot 7: 2500 sf Lot 8: 2500 sf Lot 9: 2500 sf

Front setback	Depends on lot depth; ranging from a minimum 10’ to 15’;	
Rear setback	Depends on lot depth; ranging from a minimum 10’ to 15’;	
Side setbacks	Depends on lot width; ranging from a minimum 3’ to 10’ and 6’ to 30’ total;	
Parking	Two (2) off-street spaces required for each dwelling	Two (2) spaces proposed for each dwelling
Final Grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	
Vertical Articulation	A ten foot (10’) minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23’) from where Building Footprint meets the lowest point of existing Grade.	
Roof Pitch	Between 7:12 and 12:12. A roof that is not part of the primary roof design may be below the required 7:12 roof pitch.	

Based on the analysis above, the average lot size (excluding the Estate Lot) is 0.18 acres (7,714 square feet); the average allowed maximum footprint is 2,500 square feet. Based on analysis for other nearby developments (Exhibit S in the April 8, 2015 staff report), the proposed lot size and footprints would far exceed the vast

majority of those within the nearby developed areas (King Road, Sampson Avenue and Ridge Avenue). For example the average lot size on nearby Sampson Avenue is 0.13 acres and the average footprint is 1,314 square feet. Due to the footprint of the homes proposed to be nearly twice the size of the average footprints in the nearby neighborhoods, staff's opinion is that the footprints as proposed do not comply with the HR-1 Purpose Statement, specifically the following:
(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,

In order for the homes to be more compatible with such large footprint, Staff concurs with the applicant's stipulation to placing conditions of approval on the plat that the homes shall be limited to 5,000 square feet maximum total floor area including basement and garages, two stories, and no more than 25 feet maximum building height from existing grade. Staff recommends if the homes are allowed the larger footprint than what is average in the surrounding neighborhoods, then the overall square footage, height and stories should be limited. All homes in the proposed subdivision will need to go through a full Historic District Design Review process and Steep Slope CUP applications if necessary. Applicant stipulates to these conditions.

Access

Currently, legal access to the property is proposed to be gained through the platted but un-built King Road right-of-way. This access point is approximately 50 feet west (off-set) of the King Road – Ridge Avenue intersection where King Road turns north. Ideally, the primary access would be through the existing Woodside Gulch right-of-way, thus avoiding the need to build a new road, however this access isn't possible because legal access has not been secured over the private property at 135 Ridge Avenue. The Applicant states that the King Road right-of-way access (north access) would create a driveway gradient of 14% versus 14.2% for the Woodside Gulch road. The proposed northern access would also require tiered retaining walls (upwards of 10 feet in height) on the western side as the road would cut into the toe of the slope would protect the existing mature trees. Without access over the private property at 135 Ridge Avenue, the Applicant's only proposed access is using the platted King Road right-of-way.

At the April 8, 2015 meeting, the adjacent neighbors stated that they would be interested in working towards an agreement to use the existing access. This has not been resolved at the time of this report and therefore the Applicant desires to move forward as proposed. The Code requires a Conditional Use Permit from the Planning Commission, which is being heard concurrently with this Subdivision application, for any retaining walls over 6 feet in height.

The proposed access to the Alice Claim Subdivision is at a point, although offset, where essentially four existing roadways meet, King Road, Sampson Avenue,

Woodside Gulch, and Ridge Avenue. The proposed Alice Court would be a fifth point of access in the existing intersection.

The Applicant does not propose to dedicate streets within the proposed development to the City but will complete the proposed Alice Court to meet City Standards for emergency access and parking. If the Applicant decides to offer the streets for dedication at a later date, all of the streets will need to meet all City Standards, including right-of-way widths, minimum street widths, cul-de-sac standards, stubbed street standards, grading requirements, etc. (Even if the streets are offered for dedication, the City is not required to accept the dedication) All of the roads within the proposed subdivision are proposed to be private drives at this time. Private drives shall not exceed 14% gradients and the Applicant has shown the drives meeting this requirement at 14%.

The existing City's easement for access has been revised on the plat to incorporate trails and the City's access easement changed by the Alice Court road. The Applicant will need to receive City Council's approval to give them an access over the City's property through Alice Court, which will have water lines, storm drainage, sewer, etc. as well as use of the City Property for the Alice Court road (See Exhibit F). This will need to occur prior to plat recordation and has **been listed as a condition of approval.**

With the May 4, 2015 revision to the site plan, Drive B up to Lots 2-7 is no longer as steep an access and associated retaining walls required to service a single home have become smaller in height and can be terraced at 6' heights. The drive and bridge up to the previous location of Lot 7 has been eliminated altogether.

Slope

According to the Slope Analysis provided by the Applicant (Exhibit P), 2.7% of the land located in the HR-1 zone is under 15% slope, 21.7% is 15-40% slope (defined as a Steep Slope), and 75.6% is over 40% slope (defined as a Very Steep Slope). Below is a table of the average slopes of each lot as revised by the May 4, 2015 submittals:

Lot 1	31%
Lot 2	48%
Lot 3	50%
Lot 4	44%
Lot 5	48%
Lot 6	50%
Lot 7	43%
Lot 8	47%
Lot 9	26%

The proposed building pad areas on proposed Lots 2, 3, 4, 5, 6, 7, and 8 are all on Very Steep Slopes (over 40%). The Applicant has shown on the plat the limits of disturbance as a diagonal line from the proposed footprints to the proposed lot lines which have not been limited since the last meeting and are not legible, Staff recommends a condition of approval that the Applicant clarify the LOD lines to be able to quantify the square footage. Only the proposed building pad area on Lot 9 (and the estate lot, lot 1) is on slopes less than 30%. All of the lots, except the Estate Lot are outside the SLO, however the following Subdivision regulations (LMC 15-7.3-1(D)) should be discussed by the Planning Commission:

"Restrictions Due to Character of the Land: Land which the Planning Commission finds to be unsuitable for Subdivision or Development due to flooding, improper drainage, Steep Slopes, rock formations, mine hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, geologic hazards, utility easements, or other features, including ridgelines, which will be reasonably harmful to the safety, health and general welfare of the present or future inhabitants of the Subdivision and/or its surrounding Areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendation of a qualified engineer, to solve the problems created by unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for Uses as shall not involve such a danger."

The Applicant has provided information regarding the mitigation of potential hazards due to the Steep and Very Steep Slopes**.** Staff had previous concerns on developments over 40% slopes with the soils and massing of homes. The Geotech report reviewed by the City Engineer demonstrated that the soils are acceptable and staff believes the Steep Slope CUPs will mitigate the massing of homes on such a steep slope and the Planning Commission will have full review of those applications just as they have previously with other lots that steep within the HR-1 District. Staff had initial concerns for existing mine hazards that may be open as a historic mine shaft exists on this property to which the Applicant submitted Exhibit O demonstrating that the mine shaft is filled. Any structures near the mine shaft shall be setback 10' if the mine shaft is filled, which the current plans and engineer's letter show that it is filled. The mine shaft needs to be shown on the plat. The City Engineer has reviewed the Geotech report (which addressed the site holistically considering all steep slopes and not individual home locations) and mine shaft conditions report (which is just about the mine) and indicates that the report shows the ground is stable, with bedrock below. The City Engineer found that the report reflects that the ground conditions, existing mine shaft, and slopes are safe to build upon. He will be at the Planning Commission meeting to answer any questions from Commissioners in this regard. Prior to Building permit approval the applicant will be required to submit Geotech reports for individual home sites which meet the City Engineer's approval. After the City Engineer review of the Geotech report and sensitive lands analysis, and future review of each home by the Planning

Commission for Steep Slope CUPs, staff recommends allowing the applicant to develop on such steep slopes with the conditions of approval listed in the ordinance.

The Applicant took the Planning Commission's concerns at the April 8, 2015 meeting into consideration and moved Lot 7 off of the previously proposed Very Steep Slope to a less steep part of the subdivision and clustered it adjacent to Lot 6.

In regards to ridgelines, staff's determination is that the location of Lots 8 and 9 are not on a ridgeline. Primarily, the City Ridgeline Map does not define the locations of Lots 8 and 9 as a ridgeline. The attached City ridgeline map (Exhibit Q) shows a ridgeline (shown as a broad-brush orange line at a distant scale) that ends well before reaching these lot locations, to the best of our ability to interpret this scale map. We feel that a more reasonable site-specific interpretation of the ridgeline's extent is that it stops much farther to the South (and upslope) from Lot 8. On site, it is clear that lots 8 and 9 are situated down near the toe of this slope and could not be visually interpreted as a ridgeline – either on site or from cross-valley vantage points.
In the revised site plan and Plat, the applicant has lowered Lots 8 and 9 further, and removed Lot 7 from the higher slope altogether.

Beyond this City map, the LMC addresses ridgelines in several areas, although a Ridgeline is never specifically defined in the code. Section 15-7.3-1D of the LMC states that development of ridgelines may be potential safety concerns, but the applicant has demonstrated in their previous 'build-ability' submittal that no such safety concerns exist on this site. Section 15-7.3-2D states that ridges should be protected from development that would be visible on the skyline from the designated Vantage Points. The LMC definitions list 11 vantage points. The applicant had reviewed these vantage points with previous planning staff and had been asked to do photo simulations from those points that might have a view of the site. Those photo simulations have been included in previous submittals and as Exhibit R in this packet.

Clustering

The General Subdivision Requirements (LMC 15-7.3-2(E)) Open Space reads:

"Units should be clustered in the most developable and least visually sensitive portions of the Site with common open space corridors separating clusters. This applies to both multi-family and single family projects. The open space corridors should be designed to coincide with Significant Vegetation and in many cases, should be left in the natural state."

The Applicant has provided an existing vegetation plan with the larger conifers to remain as discussed in previous years (Exhibit L: Vegetation Cover from the April 8, 2015 staff report). Outside of the stream channel, the disturbance from previous mining activities and the recent remediation, most of the rest of the site has stands

of oak, maple and aspen in addition to areas of smaller shrubs and grasses. The Applicant has provided a Visual Analysis Study (Exhibit I from the April 8, 2015 staff report).

A change to the home location on the Estate lot was proposed in response to the Planning Commission's prior feedback that the most developable portion of the site is at the bottom of the canyon where utilities, emergency vehicle access, and the least amount of disturbance of the land is best achieved. A comparison of clustering of the surrounding neighborhoods had also been provided (Exhibit J from the April 8, 2015 staff report). This exhibit shows that the adjacent HR-L District and homes are clustered much more close together and the similar HR-1 District adjacent to that to have even smaller lot sizes, house sizes and are clustered even closer together than the adjacent HR-L District and the proposed plat which is also within the HR-1 District.

Instead of clustering the homes closer together, the Applicant proposes that the homes will be no more than two (2) stories with no limitation to the height other than the LMC limits and up to 5,000 sq. ft. (maximum total floor area) in size (including basement and garages) and up to 2,500 ft. in footprint; however very few homes within the Historic Districts compare to house size and lot size as is proposed by the Applicant. Staff's opinion is that the layout of the homes is not as compatible to the historic density and clustering of homes within the nearby HR-1 and HR-L districts as it could be. The Planning Commission also had similar concerns with the proposed lack of clustering homes closely together. For this reason, the applicant brought Lot 7 down and adjacent to Lot 6 to be more clustered. With the footprints as proposed, Staff recommends and has placed conditions of approval that the building height should be limited to 25 feet, homes limited to two stories and maximum total square footage be limited to 5,000 square feet, so as to lower the height of the homes as they are spread out wider than other homes within the nearby HR-1 and HR-L zones.

Water Delivery Issue

Staff was previously informed by the Park City Water Department, that all of the Alice Claim property proposed for development may not be serviceable by the current City water system due to low water pressure. The low water pressure is due to the small elevation difference between the proposed development's elevation and the Woodside Tank's elevation. The Applicant was informed about this issue and is responsible for modeling the water service to the development and if it is still insufficient they will need to provide a remedy. The Applicant has prepared a water model addressing the limitations of the current water system on the proposed development (including factors such as the ability to meet: acceptable water system pressures and fire flow requirements to each home site (indoor and outdoor pressures are not adequate), the Fire Marshal's site specific requirements, and Division of Drinking Water regulations). Proposed Lots 1-4 and 8 as shown on the proposed plat are likely the lots most affected. The Applicant was to confirm the

elevation of each of the proposed building sites to determine the affected sites and either redesign the project accordingly, or work with the Water Department to determine the best solution. At the time of this report, the Water Department, Fire, Building and Engineering have received a revised letter from the Applicant's engineer addressing the previously submitted Water Model that will meet the City's requirements. With the change of location of Lot 7, the Water Department believes this will make the situation better than before. Any revisions to the previously submitted model will need to meet acceptable water pressure flows in order for the subdivision to meet water requirements. **This is listed as a specific condition of approval.**

The Assistant Fire Chief also required that the Applicant provide water modeling to demonstrate the available pressure for the fire sprinkler system design for Lots #2 and 7 which the Applicant has demonstrated can be achieved.

Sewer Utility Issue

Staff was informed by the Snyderville Basin Water Reclamation District that the Applicant has only met with them briefly prior to the April 8, 2015 meeting besides almost 10 years ago when the application was first submitted to discuss utility location and placement within the proposed roadways. The Sewer District has concerns regarding the placement of the sewers in relation to the retaining walls and in relations to other utilities. **This will need to be remedied before the proposed plat can be signed by SBWRD prior to plat recordation and is listed as a specific condition of approval.** The Applicant is aware of the Sewer Districts concerns and will work to obtain a Line Extension Agreement upon approval of the plat. The sewer design could affect the entire layout of the subdivision and if any changes are made to the layout of the subdivision upon SBWRD's approval, this approval shall be null and void and an application to amend the Ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, planning commission and city council review. Nothing has changed in respect to the Sewer District since the last meeting on April 8, 2015.

Good Cause

Planning Staff finds there is good cause for this subdivision with the appropriate items described in the analysis being incorporated as conditions of approval. There may be future geographical visual impacts to the City as a result of this application with respect to additional site stabilization, proposed retaining walls, and other unforeseen issues related to development within steep slope areas that can be addressed at the time of Steep Slope CUP applications.

Department Review

Staff took the project back before the Development Review Committee on September 9, 2014, February 10, 2015, March 24, 2015, and May 12, 2015. Engineering continues to express concerns with the site access, SBWRD continues to express concern with lack of sewer lateral design but the applicant will need to

continue to work with them until all requirements are satisfied in order for SBWRD to sign the plat. Each of these concerns however have been incorporated into conditions of approval. Planning's concerns are appropriate clustering of homes within the HR-1 district and visual impacts of such tall retaining walls in a historic residential district which the applicant has taken an attempt to mitigate.

Notice
The property was posted on February 11, 2015 and notice was mailed to property owners within 300 feet in accordance with requirements of the LMC on February 11, 2015. Legal notice was also published in the Park Record on February 6, 2015 and on the public notice website in accordance with the requirements of the LMC on February 9, 2015.

Public Input
Public comment was taken during the various past meetings held to discuss the project. The various Planning Commission meeting minutes will reflect that public input. Any public comment received prior to the meeting will be forwarded to the Planning Commission.

Process
This application is for a major subdivision and plat amendment as defined in 15-7.1-3(A) (2). A major subdivision requires a Preliminary Plat and a Final Plat although the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final Subdivision Plat approval. Staff is recommending the hearings be combined and a final Subdivision Plat is considered. The approval or denial of this subdivision and plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. Any retaining walls over 6 feet will require a CUP. Any new structures may require a Steep Slope CUP and all will require a Historic District Design Review. A Building Permit is publicly noticed by posting of the permit.

Alternatives
- The Planning Commission may forward a positive recommendation to the City Council for the Alice Claim Subdivision and Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Alice Claim Subdivision and Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the subdivision and plat amendment to a date certain and provide specific direction to the applicant and/or staff to provide additional information necessary to make a recommendation on this item.

Significant Impacts
There are no immediate significant fiscal impacts to the City from this application. If construction on the site were permitted, it will require a detailed Construction

Mitigation Plan (CMP) to protect existing development located near the proposed subdivision. Site stabilization might also be an important consideration depending upon the amounts of vegetation proposed to be removed as a result of the proposed development. A geotechnical report has been previously submitted and reviewed. Previous mining activities, strong ground motion, slope stability, debris flow and avalanche, shallow bedrock and perched groundwater are the most significant engineering geology and geotechnical aspects which could affect design and construction at the site. Most, if not all of the lots in the HR-1 zone will require Steep Slope Conditional Use Permits. Each home, including the home within the "Estate" zoning designation, will require a Historic District Design Review prior to home design and construction.

Consequences of not taking the Suggested Recommendation
The parcels would remain as is and no construction could take place.

Recommendation
Staff recommends that the Planning Commission hold a public hearing for the Alice Claim Subdivision and Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue and Sampson Avenue and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits
Exhibit A – Proposed Plat
Exhibit B – Existing Conditions Survey
Exhibit C – Vicinity & Zoning
Exhibit D – Aerial
Exhibit E – Revised Site Plan
Exhibit F – Revised Utility & Grading Plan
Exhibit G – Comparison of Old and Revised Site Plans
Exhibit H – Revised Open Space & Trail
Exhibit I – Revised Retaining Wall Illustrations & Site Sections
Exhibit J – Sample of 6' and 4' Retaining Walls Illustration
Exhibit K – PC Concerns Response Letter
Exhibit L – Buildability Response Letter
Exhibit M – Minutes from April 8, 2015 Planning Commission Meeting
Exhibit N – Geotech Report
Exhibit O – Mine Claim Geotechnical Consultants Letter
Exhibit P – Sensitive Lands Analysis
Exhibit Q – City Ridgeline Map
Exhibit R – Photo Simulations
Exhibit S – April 8, 2015 PC Staff Report
Exhibit T – October 8, 2015 PC Staff Report

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 15-

AN ORDINANCE APPROVING THE ALICE CLAIM PLAT AMENDMENT AND SUBDIVISION PLAT, LOCATED AT THE INTERSECTION OF KING ROAD, RIDGE AVENUE, WOODSIDE GULCH AND SAMPSON AVENUE (APPROXIMATELY), PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Alice Claim Subdivision located at the intersection of King Road, Ridge Avenue, Woodside Gulch and Sampson Avenue (approximately), have petitioned the City Council for approval of the Alice Claim Subdivision plat; 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 according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2006, January 28, 2009, February 25, 2009, April 8, 2015, May 27, 2015, and June 10, 2015 to receive input on the proposed subdivision;

WHEREAS, on June 10, 2015 the Planning Commission forwarded a recommendation to the City Council; and,

WHEREAS, on July 9, 2015 the City Council held a public hearing on the proposed Alice Claim Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Alice Claim Subdivision 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 Alice Claim Subdivision plat, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The plat is located at the intersection of King Road, Ridge Avenue, Woodside Gulch and Sampson Avenue (approximately), within the Historic Residential (HR-1) and Estate (E) Districts and Sensitive Lands Overlay (SLO).
2. The proposal includes nine (9) lots on 8.65 acres which will not be allowed to be subdivided further.

3. The property is a “metes and bounds" parcel with contiguous platted lots.
4. A City water tank and land owned by the City is adjacent to the subject property on the south end, and a City-owned parcel bisects the subject property. The City water line does not run within the City owned property, but rather is located within a prescriptive easement on the subject property.
5. The applicant previously undertook a voluntary remediation of the regulated soils on the site, which included soil remediation both in the Alice Claim 8.49 acre portion and within a 1.7 acre portion of the adjoining City property.
6. The property can only be accessed through the platted King Avenue right-of-way as the owner cannot secure legal access through the Woodside Gulch water tank access easement used by the City. The new roadway would require excavation and retaining walls up to and possibly in excess of ten feet (10’) in height.
7. The Woodside Gulch stream runs through the property and any changes to the stream will require a Stream Alteration Permit. The Applicant previously applied for this permit and will need to amend their existing Stream Alteration Permit from the Army Corp of Engineers. Any changes to the stream may also require an amendment to the Voluntary Clean-up Program remediation with the Utah Department of Environmental Quality.
8. The property, which was once the site of the Alice Load Mine, was previously the site of mining activities, which have since undergone recent remediation.
9. A Voluntary Clean Up of the property was initiated by the Applicant.
10. Most of the remainder of the site has mature stands of oak, maple and aspen trees in addition to areas of smaller shrubs and grasses.
11. A culvert for the stream is proposed for Lot 1 primarily in order to meet the 50’ setback regulations from streams within the Estate and SLO lot, otherwise the culvert would not be necessary.
12. The applicant has proposed retaining walls in 3 locations up to 10’ in height that will be reviewed under a concurrent CUP.
13. This development is located upstream of the FEMA Flood Plain Studies. Lots 1, 5, 6, 7, 8, and 9 at a minimum appear to be in the streams flood plain.
14. The applicant requests a setback reduction from the Planning Commission for Lot 1 to a 15’ front, 10’ side and 10’ rear setback from the required 30’ front, 30’ side and 30’ rear setbacks for this Estate District lot in order to allow the buildable area to be lower on the hill side and off of the Very Steep Slopes.
15. Water Service is available and as proposed can meet required water pressure to all of the proposed development sites (proposed Lots) within the development. The applicant will be responsible to propose acceptable mitigation should the water model or utility plans be further revised.
16. The utility plan does not show how each of the wet and dry utilities will be able to be placed within the drives with required separations or with special conditions as approved by the proper regulatory agencies and approved by the City Engineer.
17. A Debris Flow Study has not been completed for the stream to determine if a debris basin is required.
18. Existing trails are shown on the plat and granted a public easement.
19. Proposed utilities have not been engineered to meet City Engineer’s approval but shall be prior to plat recordation.

20. All roads are proposed over 10% grades and will not be eligible to be converted to public ROWs in the future.
21. Because the Estate lot is directly adjacent to the HR-1 zone, the architectural detail, height, building materials and other design features of the development of the Estate Lot must show compatibility with adjacent properties when reviewed under the HDDR application process.
22. The homes within the HR-1 District in this subdivision are proposed to be a maximum of 5,000 square feet total including basement and garages, the footprints of all homes within the subdivision are proposed to be a maximum of 2,500 square feet as stipulated to by the Applicant in order to minimize the visual effects of the homes on the steep slopes.
23. Building pads are shown in Exhibit A. Limits of disturbance as shown on Exhibit A are not legible and need to be revised. All other property as open space should be protected by 3rd party conservation easement to maintain the land.
24. All homes within the HR-1 District in this subdivision are proposed be limited to a building height maximum of 25 feet from existing grade and all other building height exceptions found within the LMC continue to apply, as stipulated to by the Applicant in order to reduce the visual impacts of the homes on the steep slopes.
25. The footprints of the proposed homes are larger than those in nearby streets. The average footprints on Daly Avenue are 1,465.44 square feet, on King Road are 1,342.31 square feet, on Sampson Avenue are 1,619.58 square feet, and on Ridge Avenue are 2,076.72 square feet.
26. Applicant does not have an approved Sewer Service Plan. Sewer Service must be designed to service the proposed development sites in accordance with the Snyderville Basin Water Reclamation District's requirements. The applicant will be responsible to determine this with Snyderville Basin Water Reclamation District prior to plat recordation.
27. Proposed drives with utilities that are not private driveways are required to be 20' wide and are shown as such on the plat. The drive grades are proposed to be 14%. Drives must be 10% in order to be eligible to be converted to public ROWs.
28. Public trails are shown on Exhibit A with a 15' public recreational trail easement.
29. The proposed lots range in size from 3.01 acres within the Estate District and .18 acres (7,714-7,910 square feet) within the HR-1 District.
30. A geotechnical report has been reviewed by the City Engineer for the overall site but individual geotechnical reports have not been submitted for each lot.
31. The applicant owns other adjoining properties within the Historic Residential Low-Density (HRL) District. Two of these contiguous properties are lots 1 and 2 of the Ridge Avenue Subdivision.
32. The Estate District lot (Lot 1) is within the Sensitive Lands Overlay (SLO) and is subject to the regulations of LMC 15-2.21.
33. The proposed building pad areas on proposed Lots 2, 3, 4, 5, 6, 7, and 8 are all on Very Steep Slopes (over 40%). Only the proposed building pad area on Lot 9 (and the Estate lot, Lot 1) is on slopes less than 30%. Lot 1 is 31%, Lot 2 is 48%, Lot 3 is 50%, Lot 4 is 44%, Lot 5 is 48%, Lot 6 is 50%, Lot 7 is 43%, Lot 8 is 47%, and Lot 9 is 26%.

34. The existing encumbered Lots 1-7 and 36-40, Block 77 will be dedicated to the City as right-of-way upon plat recordation as they current have a road over them.
35. The proposed location of the house on proposed Lot 1 is on Steep Slopes (15% - 40%) and not on Very Slopes (greater than 40%), and also more than 50' away from Very Steep Slopes and is thus not subject to review under LMC 15-2.21-2(A) and (C).
36. The lots are positioned as proposed to avoid ridgelines and allow for drives that contour with the topography in order to meet the required grades.
37. Very few homes within the Historic Districts compare in size to the total square footage, footprint and lot size as is proposed by the Alice Claim Subdivision. The layout of the homes is not as compatible to the historic density and clustering of homes within the nearby HR-1 and HR-L districts as it could be designed to meet the smaller average footprint size of other nearby HR-1 districts.
38. The existing mine shaft on the property is currently filled as stated on the site plan dated May 18, 2018.
39. The Applicant has shown on the plat the limits of disturbance as a diagonal line from the proposed footprints to the proposed lot lines which have not been limited since the last meeting and are not legible. The applicant will be required to show this on the plat.
40. The application for the Alice Claim subdivision was deemed "complete" by the Planning Department on May 23, 2005.
41. Between 2006 and 2009, the Planning Commission conducted three work sessions to discuss the project and visited the property during two site visits.
42. On October 8, 2014 the Planning Commission conducted a site visit and work session to discuss the history and 2009 site plan proposed for this project.
43. The Applicant submitted a revised site plan, plat and all required submittals for the subdivision and plat amendment on January 23, 2015.
44. The Applicant submitted further revisions to the plat to address the City's concerns on March 16, 2015.
45. On April 8, 2015 the Planning Commission held a public hearing for this project and continued the item to May 27, 2015 to give the applicant sufficient time to submit revisions to the layout and clarify the concerns brought up by the Commissioners.
46. The Applicant submitted a revised site plan, plat and all required submittals for the subdivision and plat amendment on May 4, 2015.
47. The Applicant submitted further revisions to the plat to correct discrepancies in the May 4, 2015 submittal on May 18, 2015.
48. On May 27, 2015 the Planning Commission held a public hearing for this project and continued the item to June 10, 2015 in order to give staff sufficient time to review the changes submitted on May 18, 2015.
    It order to ensure all site improvements are made the applicant must either complete all Site Improvements prior to plat recordation, or if that is not possible, provide adequate financial Guarantees for completion, together with a right of entry to the Property to complete that work be granted to the City.

Conclusions of Law:

1. There is good cause for this subdivision and plat amendment.

2. The subdivision and plat amendment are consistent with the Park City Land Management Code and applicable State law regarding subdivisions and plat amendments.
3. Neither the public nor any person will be materially injured by the subdivision or plat amendment.
4. Approval of the subdivision plat and plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment 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 amendment 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 complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council. If the plat is not recorded within this time period, it shall be null and void and any resubmittal shall be a new application which is subject to all review requirements, zoning restrictions and subdivision regulations at the time of the submittal.
3. Recordation of this plat and completion and approval of final Historic District Design Review (HDDR) and Steep Slope CUP, if required, applications are required prior to building permit issuance for any construction of buildings or retaining walls within this subdivision.
4. The architectural detail, height, building materials, and other design features of the development of the Estate Lot must show compatibility with adjacent properties when reviewed under the HDDR application process and will need to be part of the CC&Rs for the HOA. The applicant must adopt appropriate mitigation measures such as landscaping, screening, illumination standards, and other design features to buffer the adjacent properties from the developable land of the Estate Lot when reviewed under the HDDR application process and will need to be part of the CC&Rs for the HOA.
5. 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.
6. Snow storage of roads and private drives must be addressed and approved by the City Engineer throughout the development prior to plat recordation. Snow storage sites cannot discharge immediately into the stream.
7. Sewer lateral design and service will need to meet Snyderville Basin's requirements and receive written approval by SBWRD before the proposed plat can be signed by SBWRD. If the sewer lateral design requires a substantial change, as determined by the Planning Director, to the layout of this subdivision plat, this approval shall be null and void and a an application to amend the Ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, planning commission and city council review.

8. The submitted water model will need to be revised with the submitted updates to the layout and receive written approval from the Water, Building, Engineering and Fire Departments in order for the subdivision to meet water requirements prior to plat recordation. If the water system requires a substantial change, as determined by the Planning Director, to the layout of this subdivision plat, this approval shall be null and void and an application to amend the Ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, planning commission and city council review.
9. There shall not be any further subdivision of any additional lots in this subdivision. A plat note shall reflect this condition.
10. All state requirements must be met, state permits must be obtained and the culvert must be fully installed prior to plat recordation and owned and maintained by the HOA.
11. This development is located upstream of the FEMA Flood Plain Studies. Lots 1, 5, 6, 8, and 9 at a minimum appear to be in the streams flood plain. A study shall be completed extending the FEMA Flood Plains through this development prior to plat recordation. Any lots located in a FEMA Zone A will require an Elevation Certificate showing the lowest occupied floor is at or above base flood elevation prior to building permit approval.
12. A Stream Alteration Permit from the State will be required for the culvert along with the Flood Plain Study to identify the culverts upstream and downstream impacts prior to plat recordation. The Stream Alteration Permit and Flood Plain Study must be completed and approved prior to Planning and Engineering approval.
13. The culvert inlet shall be at least 50' away from any structure on Lot 1 and the culvert shall be owned and maintained by the HOA.
14. A Debris Flow Study must be completed prior to plat recordation for the stream to determine if a debris basin is required.
15. All homes within this subdivision shall be limited to the LMC required footprint maximums or 2,500 sf, whichever is lower and building pads shall be as shown in Exhibit A.
16. Limits of disturbance as shown on Exhibit A shall be clarified on the plat prior to plat recordation to be able to quantify the square footage upon which shall remain in place and no changes shall be made. All other property shall be restricted as open space and/or protected by 3rd party conservation easement.
17. All homes within the HR-1 District in this subdivision shall be limited to a building height maximum of 25 feet from existing grade and all other building height exceptions found within the LMC continue to apply.
18. The maximum total floor area of all homes within the HR-1 District in this subdivision shall be limited to 5,000 sf including basement and garages.
19. The utility plan will need to be revised to show how each of the wet and dry utilities will be able to be placed within the drives with required separations or with special conditions as approved by the proper regulatory agencies and approved by the City Engineer prior to plat recordation.
20. Any roads over 10% grade will not be eligible to be converted to public ROWs in the future.

21. Drives must provide 20 feet wide of clear space to meet Fire Code. If parking impacts this 20 feet wide clear space, it will not be allowed and shall be signed No Parking.
22. Roads less than 26 feet wide shall be marked NO Parking on both sides of the road.
23. The Applicant will need to receive City Council's approval to give them an access over the City's property for Alice Court and where they may cross water lines, storm drainage, sewer, etc. This will need to occur prior to plat recordation.
24. Applicant must still provide recommendations to the City Engineer for which scenario most satisfies turning movements and minimizes conflicts and implement the recommendations prior to plat recordation.
25. The Applicant will need to receive, from the Utah Department of Environmental Quality ("UDEQ") under the UDEQ Voluntary Cleanup Program, a final Certificate of Completion for remediated soils within the Applicant's property prior to building permit approval.
26. If a Site Management Plan is required for the UDEQ Certificate of Completion for Alice Claim, the UDEQ approved Site Management Plan must be submitted to the Building Department prior to building permit approval.
27. The applicant will need to receive CUP approval for the proposed retaining walls over 6' prior to plat recordation.
28. The applicant shall obtain an easement for use of city property for Alice Court drive prior to plat recordation.
29. Public trails are shown on Exhibit A with a 15' public recreational trail easement.
30. Any structures built near the existing mine shaft shall be setback at least 10' if the shaft is filled up to the ground surface with soil and/or gravel and 40' setback if the shaft is not filled. The mine shaft shall be shown on the plat and the setback noted.
31. If the site plan is substantially altered, as determined by the Planning Director, due to any utility redesign or retaining wall redesign or other unforeseen issues, this approval shall be null and void and an application to amend the Ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, planning commission and city council review.
32. All Site and Public Improvements shall be completed prior to plat recordation or if the Applicant submits a finalized and engineered design the Applicant may petition the Planning Commission to allow the Applicant to submit an adequate financial Guarantee for all Site and Public Improvements prior to the expiration of the plat approval.
33. City utility maintenance access is required across the drives for Lots A & C.
34. Individual water booster or fire sprinkler system pumps to increase water pressure will not be allowed.
35. Individual geotechnical reports will be required for each lot prior to issuance of a building permit.
36. All mature trees that will be lost due to the subdivision, retaining walls, addition of drives and building pads, shall be approved by the Planning Department and be replaced in kind or with three smaller trees as close to the original location as possible within 1 year of tree removal.

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

PASSED AND ADOPTED this ___day of _____, 2015

PARK CITY MUNICIPAL CORPORATION

_____
Jack Thomas, MAYOR
ATTEST:

_____
Marci Heil, City Recorder

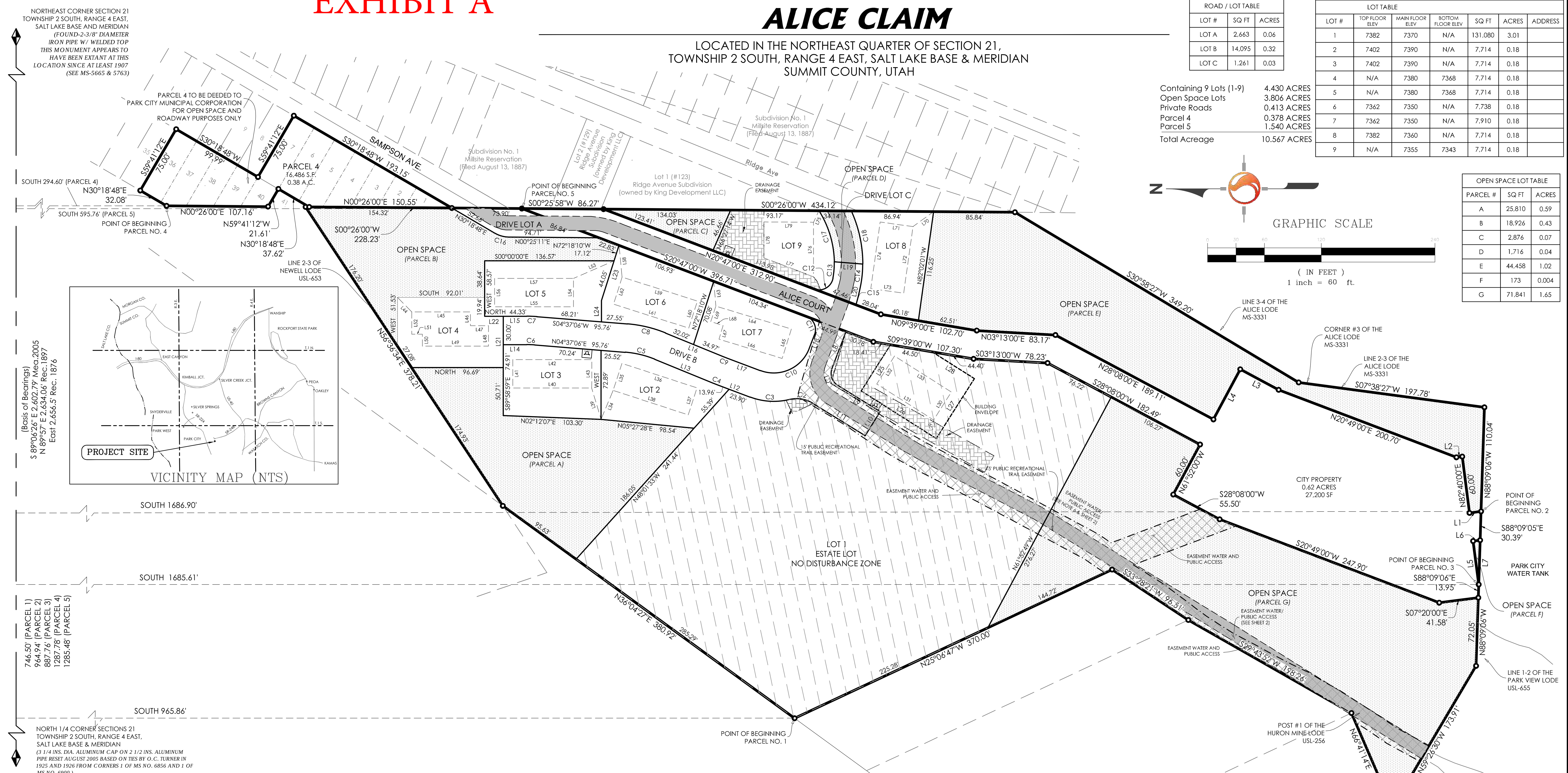
APPROVED AS TO FORM:

_____
Mark Harrington, City Attorney

EXHIBIT A

ALICE CLAIM

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



NORTHEAST CORNER SECTION 21 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
(FOUND 2-3/8" DIAMETER IRON PIPE W/ WELDED TOP THIS MONUMENT APPEARS TO HAVE BEEN EXTANT AT THIS LOCATION SINCE AT LEAST 1907 (SEE MS-5665 & 5763))
PARCEL 4 TO BE DEEDED TO PARK CITY MUNICIPAL CORPORATION FOR OPEN SPACE AND ROADWAY PURPOSES ONLY
PARCEL 4
16,486 S.F.
0.38 A.C.
SAMPSON AVE.
Ridge Ave
POINT OF BEGINNING PARCEL NO. 5
POINT OF BEGINNING PARCEL NO. 4
POINT OF BEGINNING PARCEL NO. 1
POINT OF BEGINNING PARCEL NO. 2
POINT OF BEGINNING PARCEL NO. 3
OPEN SPACE (PARCEL A)
OPEN SPACE (PARCEL B)
OPEN SPACE (PARCEL C)
OPEN SPACE (PARCEL D)
OPEN SPACE (PARCEL E)
OPEN SPACE (PARCEL F)
OPEN SPACE (PARCEL G)
DRIVE LOT A
DRIVE LOT C
ALICE COURT
DRIVE B
LOT 1 ESTATE LOT NO DISTURBANCE ZONE
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
CITY PROPERTY 0.62 ACRES 27,200 SF
PARK CITY WATER TANK
15' PUBLIC RECREATIONAL TRAIL EASEMENT
EASEMENT WATER AND PUBLIC ACCESS
DRAINAGE EASEMENT
BUILDING ENVELOPE
LINE 2-3 OF NEWELL LODE USL-653
LINE 3-4 OF THE ALICE LODE MS-3331
CORNER #3 OF THE ALICE LODE MS-3331
LINE 2-3 OF THE ALICE LODE MS-3331
LINE 1-2 OF THE PARK VIEW LODE USL-655
LINE 1-2 OF THE HURON MINE LODE USL-256
LINE 1-2 OF THE ALICE LODE MS-3331
POST #1 OF THE HURON MINE LODE USL-256
CORNER NO. 7 OF THE ALICE LODE MS - 3331
CORNER NO. 1 OF THE ALICE LODE MS - 3331
SOUTH 294.60' (PARCEL 4)
SOUTH 595.76' (PARCEL 5)
SOUTH 1686.90'
SOUTH 1685.61'
SOUTH 965.86'
(Basis of Bearings) S 89°06'26" E 2,602.79' Mea.2005 N 89°57' E 2,634.06' Rec.1897 East 2,656.5' Rec. 1876
746.50' (PARCEL 1) 964.94' (PARCEL 2) 887.76' (PARCEL 3) 1287.78' (PARCEL 4) 1285.48' (PARCEL 5)
NORTH 1/4 CORNER SECTIONS 21 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
(3 1/4 INS. DIA. ALUMINUM CAP ON 2 1/2 INS. ALUMINUM PIPE RESET AUGUST 2005 BASED ON TIES BY O.C. TURNER IN 1925 AND 1926 FROM CORNERS 1 OF MS NO. 6856 AND 1 OF MS NO. 6900.)
PROJECT SITE
VICINITY MAP (NTS)
GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.

ROAD / LOT TABLE		
LOT #	SQ FT	ACRES
LOT A	2,663	0.06
LOT B	14,095	0.32
LOT C	1,261	0.03

Containing 9 Lots (1-9)	4.430 ACRES
Open Space Lots	3.806 ACRES
Private Roads	0.413 ACRES
Parcel 4	0.378 ACRES
Parcel 5	1.540 ACRES
Total Acreage	10.567 ACRES

LOT TABLE						
LOT #	TOP FLOOR ELEV	MAIN FLOOR ELEV	BOTTOM FLOOR ELEV	SQ FT	ACRES	ADDRESS
1	7382	7370	N/A	131,080	3.01	
2	7402	7390	N/A	7,714	0.18	
3	7402	7390	N/A	7,714	0.18	
4	N/A	7380	7368	7,714	0.18	
5	N/A	7380	7368	7,714	0.18	
6	7362	7350	N/A	7,738	0.18	
7	7362	7350	N/A	7,910	0.18	
8	7382	7360	N/A	7,714	0.18	
9	N/A	7355	7343	7,714	0.18	

OPEN SPACE LOT TABLE		
PARCEL #	SQ FT	ACRES
A	25,810	0.59
B	18,926	0.43
C	2,876	0.07
D	1,716	0.04
E	44,458	1.02
F	173	0.004
G	71,841	1.65

SURVEYOR'S CERTIFICATE

I, Gregory A. Cates, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 161226 as prescribed under the laws of the State of Utah. I certify that the boundary and adjoining information of this survey is based on the Mineral Survey Replacement Plat Record of Survey for Alice Lode performed by Loyal D. Olson III. I further certify that by authority of the Owners, I have subdivided said tract of land into lots and streets, hereafter to be known as

ALICE CLAIM

and that same has been surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Parcel No.1

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on Line 6-7 of the Alice Lode, Mineral Survey #3331, said point being also S89°06'26"E 746.50 feet, along the Section Line, and South 965.86 feet from the North Quarter Corner of said Section 21, and running thence, along said Line 6-7, N36°04'27"E 380.92 feet to a point on Line 2-3 of the Newell Lode USL-653; thence, along said Line 2-3, Newell Lode, N56°36'34"E 378.21 feet to a point on the Westerly Boundary Line of Subdivision No.1 of Millsite Reservation (Filed Aug. 13, 1887); thence, along said Westerly Boundary Line, S00°26'00"W 228.22 feet to a point on the Westerly Right-of-Way Line of the Park City Water Company Access Road; thence, along said Westerly Right-of-Way Line, the following four (4) courses: (1) S20°47'00"W 396.71 feet, (2) S09°39'00"W 107.30 feet, (3) S03°13'00"W 78.23 feet, (4) S28°08'00"W 182.49 feet to a point on the Park City Property; thence, along the Westerly Boundary Line of said Park City Property, the following four (4) courses: (1) N61°52'00"W 60.00 feet, (2) S28°08'00"W 55.50 feet, (3) S20°49'00"W 247.90 feet, (4) S07°20'00"E 41.58 feet to a point on Line 1-2 of the Park View Lode USL-655; thence, along said Line 1-2, Park View Lode, N88°09'06"W 72.05 feet to a point on Line 1-2 of said Alice Lode MS-3331; thence, along said Line 1-2, Alice Lode, N59°26'30"W 173.91 feet to a point on Line 1-2 of the Huron Mine Lode USL-256; thence, along said Line 1-2, Huron Mine Lode, N66°41'14"E 108.84 feet to Post #1 of said Huron Mine Lode; thence N29°43'52"E 198.26 feet; thence N33°28'21"E 96.51 feet; thence N25°06'47"W 370.00 feet to the Point of Beginning.

Containing 310,925 square feet or 7.138 acres.

Parcel No.2

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the Easterly Boundary Line of the Park City Property, said point being also on the Line 1-2 of the Park View Lode USL-655, said point being also S89°06'26"E 964.94 feet, along the Section Line, and South 1686.90 feet from the North Quarter Corner of said Section 21, and running thence, along said Easterly Boundary Line, the following six (6) courses: (1) N07°20'00"W 12.32 feet, (2) N82°40'00"E 60.00 feet, (3) N07°20'00"W 6.20 feet, (4) N20°49'00"E 200.70 feet, (5) N28°08'00"E 45.91 feet, (6) N61°52'00"W 60.00 feet to the Easterly Right-of-Way Line of the Park City Water Company Access Road; thence, along said Easterly Right-of-Way Line, the following four (4) courses: (1) N28°08'00"E 189.11 feet, (2) N03°13'00"E 83.17 feet, (3) N09°39'00"E 102.70 feet, (4) N20°47'00"E 312.90 feet to a point on the Westerly Boundary Line of the Subdivision No.1 of Millsite Reservation (Filed Aug. 13, 1887); thence, along said Westerly Boundary Line, S00°26'00"W 434.12 feet to a point on Line 3-4 of the Alice Lode Mineral Survey-3331; thence, along said Line 3-4, Alice Lode, S30°58'27"W 349.20 feet to Corner #3 of said Alice Lode MS-3331; thence, along Line 2-3, Alice Lode, S07°38'27"W 197.78 feet to a point on said Line 1-2 of the Park View Lode USL-655; thence, along said Line 1-2, Park View Lode, N88°09'06"W 110.04 feet to the Point of Beginning.

Containing 65,741 square feet or 1.509 acres.

Parcel No.3

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the Southerly Boundary Line of the Park City Property, said point being also on the Line 1-2 of the Park View Lode USL-655, said point being also S89°06'26"E 887.76 feet, along the Section Line, and South 1685.61 feet from the North Quarter Corner of said Section 21, and running thence, along said Southerly Boundary Line, the following two (2) courses: (1) N82°40'00"E 46.23 feet, (2) S07°20'00"E 7.47 feet to a point on said Line 1-2 of the Park View Lode; thence, along said Line 1-2, Park View Lode, N88°09'06"W 46.83 feet to the Point of Beginning.

Containing 173 square feet or 0.004 acres.

Parcel No.4

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Lots 1 through 7 inclusive and Lots 36 through 40 inclusive, block 77, Millsite Reservation to Park City, according to the official plat thereof filed in the office of the Summit County Recorder, being more particularly described as follows:

Beginning at a point on the Westerly Boundary Line of Subdivision No.1 of Millsite Reservation (dated 06/25/1887), said point being also on the Northwesterly Line of Lot 37 of said Millsite Reservation, said point being also S89°06'26"E 1287.78 feet, along the Section Line, and South 294.60 feet from the North Quarter Corner of said Section 21, and running thence, along said Northwesterly Line of Lot 37 and Lot 36, N30°18'48"E 32.08 feet to the Northerly Corner of said Lot 36, thence along the Northeasterly Line of Said Lot 36, S59°41'12"E 75.00 feet to the Easterly Corner of said Lot 36; thence, along the Southeasterly Line of Lots 36 through 39 inclusive of said Millsite Reservation, S30°18'48"W 99.99 feet to the Northerly Corner of Lot 7 of said Millsite Reservation; thence, along the Northeasterly Line of said Lot 7, S59°41'12"E 75.00 feet to the Easterly Corner of said Lot 7; thence, along the Southeasterly Line of Lots 7 through 1 inclusive of said Millsite Reservation, S30°18'48"W 193.15 feet to the Southerly Corner of Lot 1 and of said Westerly Boundary Line of Millsite Reservation; thence, along said Westerly Boundary Line, N00°26'00"E 150.55 feet to the Southerly Corner of Lot 41 of said Millsite Reservation; thence, along the Southeasterly and Northeasterly Lines of said Lot 41, the following two (2) courses: (1) N30°18'48"E 37.62 feet, (2) N59°41'12"W 21.61 feet to said Westerly Boundary Line of Millsite Reservation; thence, along said Westerly Boundary Line, N00°26'00"E 107.16 feet to the Point of Beginning.

Containing 16,486 square feet or 0.378 acres.

Parcel No.5

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point S89°06'26"E 1285.48 feet, along the Section Line, and South 595.76 feet from the North Quarter Corner of said Section 21, and running thence, S00°26'00"W 86.27 feet; thence S20°47'00"W 312.90 feet; thence S09°39'00"W 102.70 feet; thence S03°13'00"W 83.17 feet; thence S28°08'00"W 189.11 feet; thence S61°52'00"E 60.00 feet; thence S28°08'00"W 45.90 feet; thence S20°49'00"W 200.70 feet; thence S07°20'00"E 6.20 feet; thence S82°40'00"W 60.00 feet; thence S07°20'00"E 12.32 feet; thence N88°09'05"W 30.39 feet; thence N07°20'00"W 7.47 feet; thence S82°40'00"W 46.23 feet; thence N88°09'06"W 13.95 feet; thence N07°20'00"W 41.58 feet; thence N20°49'00"E 247.90 feet; thence N28°08'00"E 55.50 feet; thence S61°52'00"E 60.00 feet; thence N28°08'00"E 182.49 feet; thence N03°13'00"E 78.23 feet; thence N09°39'00"E 107.30 feet; thence N20°47'00"E 396.71 feet to the Point of Beginning.

Containing 67,071 square feet or 1.54 acres.

LICENSED PROFESSIONAL LAND SURVEYOR No. 161226 GREGORY A. CATES STATE OF UTAH

DATE

GREGORY A. CATES
P.L.S. 161226

OWNER'S DEDICATION

Know all men by these presents that ________________________, the ________________________ undersigned owner(s) of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as

ALICE CLAIM

do hereby dedicate for perpetual use of the public all parcels of land, right-of-ways and easements as shown on this plat as intended for Public use.

In witness whereof _____ have hereunto set _____ this _____ day of ___________, AD 20 _____.

KING DEVELOPMENT GROUP L.L.C

PARK CITY MUNICIPAL CORPORATION (PARCEL NO. 5 ONLY)

ALICE CLAIM

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

PLAT NOTES:

1. THE MAXIMUM GROSS BUILDING SQUARE FOOTAGE IN THE HR-1 ZONE IS RESTRICTED TO 5,000 SQUARE FEET, INCLUDING GARAGE SPACE.
2. THE MAXIMUM SQUARE FOOTAGE OF A BUILDING FOOTPRINT IN THE ESTATE ZONE AND HR-1 ZONE IS 2,500 SQUARE FEET.
3. LOTS A, B AND C CONTAIN A PUBLIC / PRIVATE EASEMENT ACROSS THE ENTIRE LOT FOR ACCESS AND THE INSTALLATION, OPERATION, & MAINTENANCE OF UTILITIES.
4. THE PUBLIC RECREATIONAL TRAIL EASEMENT SHOWN HEREON IS 15 FEET WIDE AND IS FOR PUBLIC, NON-MOTORIZED ACCESS.
5. THE HOMEOWNER'S ASSOCIATION WILL OWN AND MAINTAIN LOTS A, B AND C INCLUDING ASSOCIATED STORM DRAINAGE SYSTEMS AND CULVERTS. LOTS A, B AND C ARE FOR ROADWAY ACCESS AND THE PUBLIC SHALL HAVE THE ABILITY TO USE THESE LETTERED LOTS FOR PEDESTRIAN NON-MOTORIZED ACCESS.
6. THE WATER/PUBLIC ACCESS EASEMENT ALLOWS FOR PUBLIC ACCESS THRU THE ALICE CLAIM SUBDIVISION AS WELL AS INSTALLATION, OPERATION, & MAINTENANCE OF THE PUBLIC WATER SYSTEM.
7. HOA WILL MAINTAIN ALL STORM WATER DETENTION FACILITIES.
8. COMPLIANCE WITH RESTRICTIONS OF THE STATE VOLUNTARY CLEANUP CERTIFICATE OF COMPLETION IS REQUIRED, AND NO DEVELOPMENT IS ALLOWED IN OPEN SPACE PARCELS OR NON-DISTURBANCE AREAS.

LEGEND

- SUBDIVISION BOUNDARY
- LIMIT OF DISTURBANCE
- LOT LINE
- BUILDING FOOTPRINT
- SECTION LINE
- FOUND SECTION CORNER
- SUBDIVISION BOUNDARY CORNER
- STREET MONUMENT
- PROPOSED STREET LIGHT
- PROPOSED FIRE HYDRANT
- OPEN SPACE
- NO DISTURBANCE AREA
- EASEMENT WATER AND PUBLIC ACCESS
- 15' PUBLIC RECREATIONAL TRAIL EASEMENT
- DRAINAGE EASEMENT

WATER SYSTEM NOTES:

1. A fire flow of 1,500 gpm has been approved for the project.
2. Water Service Laterals shall be 2"-diameter for all lots with 1.5" meters.
3. Lots 1, 2, 3, 4, & 7 require special fire sprinkler design to be approved by the City.
4. Dead end water lines serving fire hydrants shall be 10"-diameter.
5. Water system pressures within the development are at the lower limit of acceptability. Building plumbing and fire sprinkler systems shall be designed accordingly. Individual water booster or fire sprinkler system pumps to increase water pressure will not be allowed.
6. All landscaping shall be comprised of native plants, trees, and shrubs that do not require irrigation.
7. Relocation of existing City infrastructure, if required, is subject to review and approval of the City. No relocations that adversely affect City systems will be approved.

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	12.32'	N07°20'00"W
L2	6.20'	N07°20'00"W
L3	45.90'	N28°08'00"E
L4	60.00'	N61°52'00"W
L5	46.23'	N82°40'00"E
L6	7.47'	S07°20'00"E
L7	46.83'	N88°09'06"W
L8	41.66'	N69°14'52"W
L9	52.42'	S31°38'26"W
L10	30.00'	N58°21'34"W
L11	64.93'	N31°38'26"E
L12	37.86'	N20°39'44"E
L13	66.99'	N22°12'31"E
L14	24.73'	N00°00'00"E
L15	24.73'	S00°00'00"E
L16	66.99'	S22°12'31"W
L17	37.86'	S20°39'44"W
L18	15.79'	S69°14'52"E
L19	30.11'	S04°36'31"W
L20	8.18'	N77°12'24"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L21	54.20'	S89°59'33"E
L22	19.60'	S00°00'00"E
L23	61.17'	N72°18'10"W
L24	22.53'	N90°00'00"W
L25	57.80'	N57°36'57"W
L26	93.87'	S32°23'03"W
L27	75.00'	S57°36'57"E
L28	52.83'	N32°23'03"E
L29	19.77'	S81°44'41"W
L30	35.00'	S57°36'57"E
L31	71.00'	S32°23'03"W
L32	35.00'	N57°36'57"W
L33	71.00'	N32°23'03"E
L34	33.18'	S67°19'08"E
L35	30.00'	N71°54'38"W
L36	83.33'	N18°05'22"E
L37	30.00'	S71°54'38"E
L38	83.33'	S18°05'22"W
L39	34.52'	S73°29'01"W
L40	83.33'	S00°00'54"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L41	30.00'	N89°59'06"W
L42	83.33'	N00°00'54"E
L43	30.00'	S89°59'06"E
L44	21.46'	S45°27'27"W
L45	61.96'	S00°00'00"E
L46	14.64'	N90°00'00"W
L47	19.08'	S00°00'00"E
L48	21.52'	N90°00'00"W
L49	69.73'	N00°00'00"E
L50	12.59'	N90°00'00"E
L51	11.31'	N00°00'00"E
L52	23.58'	N90°00'00"E
L53	46.65'	N23°27'38"W
L54	30.00'	N90°00'00"E
L55	83.33'	S00°00'00"E
L56	30.00'	N90°00'00"W
L57	83.33'	N00°00'00"E
L58	33.65'	N84°22'19"E
L59	83.33'	N17°41'50"E
L60	30.00'	S72°18'10"E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L61	83.33'	S17°41'50"W
L62	30.00'	N72°18'10"W
L63	26.25'	N85°09'47"E
L64	83.33'	S16°56'00"W
L65	32.50'	N72°32'39"W
L66	69.72'	N16°56'00"E
L67	15.00'	S73°04'00"E
L68	13.63'	N17°58'48"E
L69	17.25'	S72°01'12"E
L70	26.89'	S35°56'06"E
L71	35.00'	N07°57'59"E
L72	71.00'	S82°02'01"E
L73	35.00'	S07°57'59"W
L74	71.00'	N82°02'01"W
L75	13.35'	S65°00'52"E
L76	57.62'	N90°00'00"W
L77	56.00'	N20°53'48"E
L78	37.99'	N90°00'00"E
L79	52.31'	S00°21'59"W

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
C1	15.00'	20.71'	79°06'42"	S71°11'47"W	19.10'
C2	33.00'	26.00'	45°08'32"	N09°04'10"E	25.33'
C3	70.00'	41.74'	34°09'50"	N03°34'49"E	41.12'
C4	135.00'	3.64'	1°32'47"	N21°26'08"E	3.64'
C5	105.00'	32.24'	17°35'25"	N13°24'49"E	32.11'
C6	105.00'	8.46'	4°37'06"	N02°18'33"E	8.46'
C7	135.00'	10.88'	4°37'06"	S02°18'33"W	10.88'
C8	135.00'	41.45'	17°35'25"	S13°24'49"W	41.28'
C9	105.00'	2.83'	1°32'47"	S21°26'08"W	2.83'
C10	40.00'	62.77'	89°54'36"	S24°17'34"E	56.52'
C11	15.00'	23.55'	89°58'08"	N65°46'04"E	21.21'
C12	15.00'	26.26'	100°18'45"	S29°22'23"E	23.03'
C13	85.00'	17.49'	11°47'10"	S85°25'20"E	17.45'
C14	115.00'	26.32'	13°06'40"	N83°45'44"W	26.26'
C15	115.00'	9.37'	4°40'01"	N74°52'23"W	9.36'
C16	30.00'	15.65'	29°53'37"	S15°22'00"W	15.48'
C17	105.44'	56.90'	30°55'17"	N73°13'26"E	56.21'
C18	135.44'	57.72'	24°24'58"	N77°47'31"E	57.28'

SHEET 1 OF 2

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF UTAH } S.S.

On the ______________ day of ________________ A.D., 20 _____ personally appeared before me, ________________________, who being duly sworn or affirmed, did say that he/she is the ________________ of ________________________ and that the within owner's dedication was signed by him/her in behalf of the said corporation by authority of its bylaws, or Board of Directors, and that said corporation executed the same.

My commission number:

My commission expires: Name Notary Public commissioned in Utah

MUNICIPAL ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF UTAH } S.S.

On this _______ day of ______________, A.D. 20 _______, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, ________________________, who, being by me duly sworn or affirmed, did say that he/she is the ________________ of ________________, a municipal corporation of the State of Utah, and that he/she signed the Owner's Dedication freely and voluntarily for and in behalf of said municipal corporation, for the purposes therein mentioned, and he/she acknowledged to me that said municipal corporation executed the same.

My commission number:

My commission expires: Name Notary Public commissioned in Utah

Stantec

Stantec Consulting Services Inc.
3995 S 700 E Ste. 300
Salt Lake City, UT
84107-2540
Tel. 801.261.0090
Fax. 801.266.1671
www.stantec.com

Planning Commission Meeting June 10, 2015

No.	Revisions	By	Date
1	Total plat revision	SV	5-06-15

Project Number 205303057	PM PMD
Filename 03057v_fb.dwg	Plot Date 05/06/15
Designed By JRJ	Drawn By SRV
Checked By GAC	Date 05/07/15
Scale 1"= 60'	Date Issued Date

OWNER/SUBDIVIDER:

KING DEVELOPMENT GROUP L.L.C

P.O. BOX 244
PARK CITY, UTAH
84060

SNYDERVILLE BASIN SEWER DISTRICT

REVIEW FOR CONFORMANCE ON THIS ________ DAY OF ______________ A.D., 20 _______.

S.B.W.R.D.

MAYOR

APPROVED AND ACCEPTED BY THE SUMMIT COUNTY PLANNING COMMISSION THIS ____________ DAY OF ____________ A.D., 20________.

MAYOR

PARK CITY ENGINEER

I, ________________________, PARK CITY ENGINEER HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS ________ DAY OF ______________ A.D., 20 _______.

ATTORNEY

RECORDED # ________________

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF : ________________

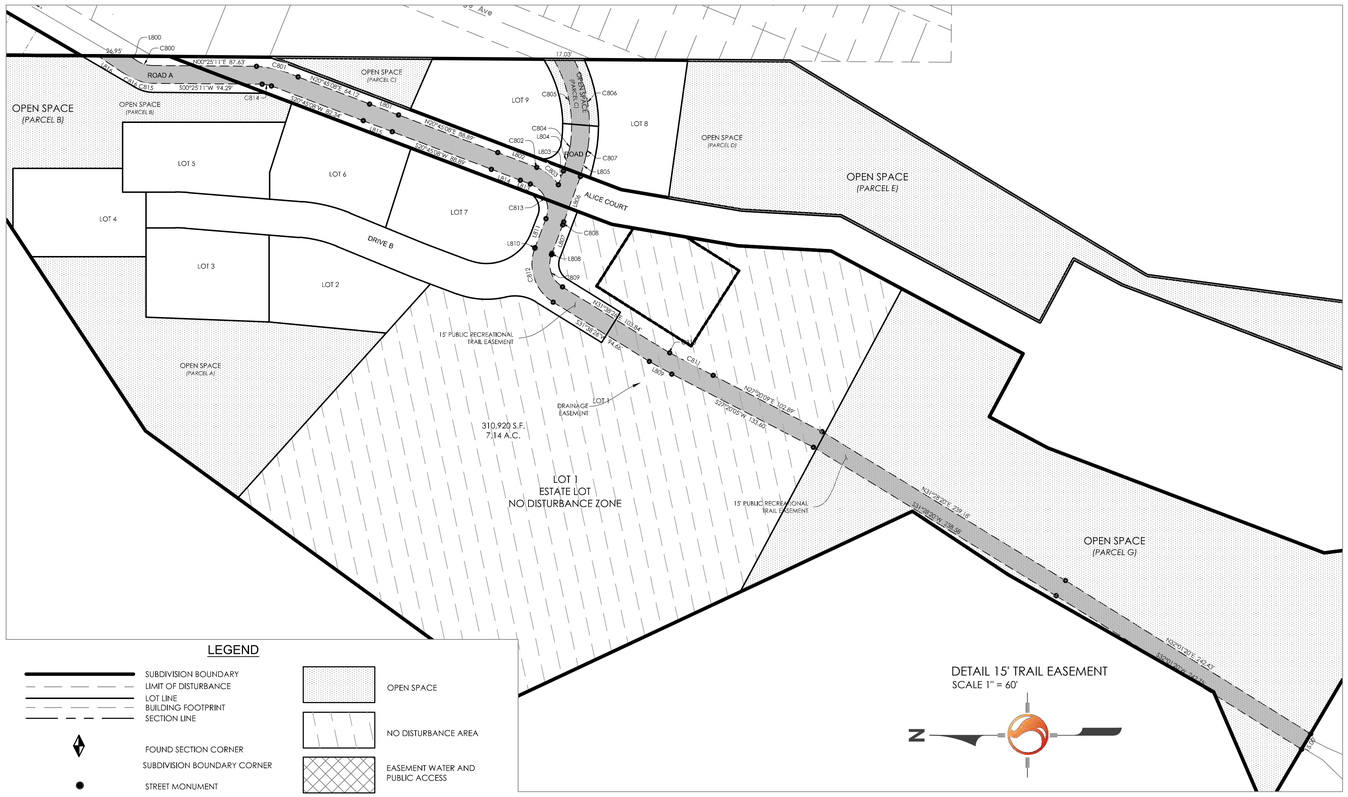
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

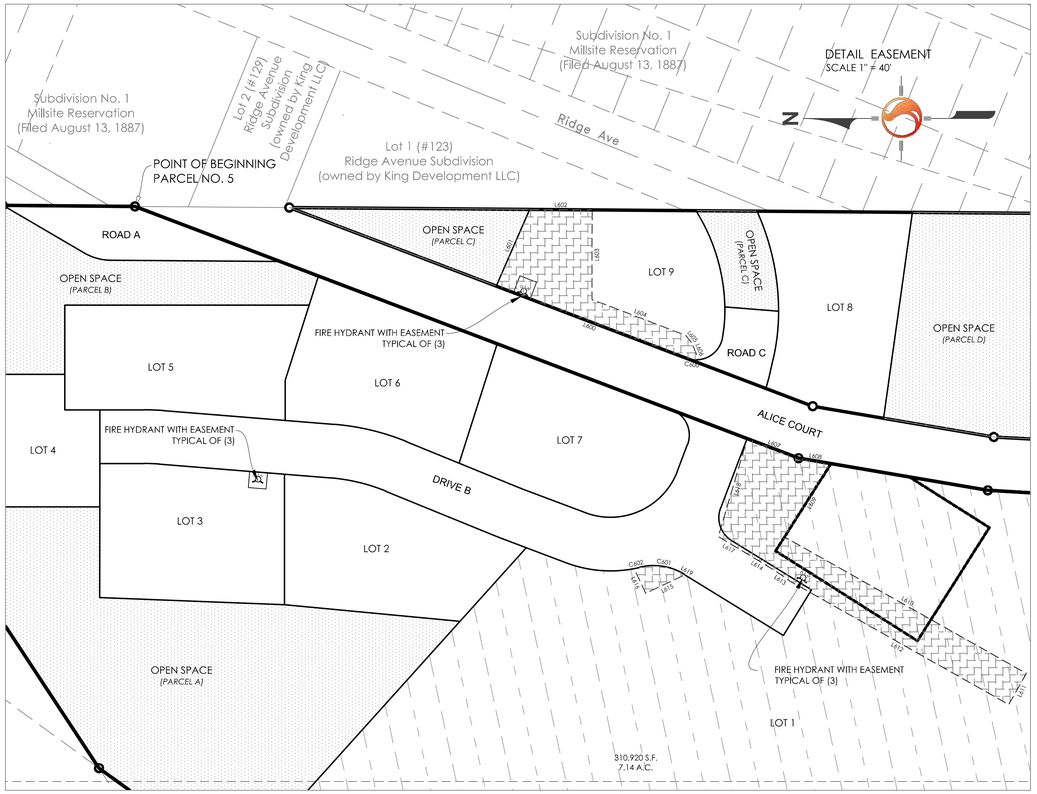
FEE$ COUNTY RECORDER

V:\2053\Active\205303057\drawing\survey\3057v_fb_sh 5-18-15.dwg 5/18/2015 3:15 PMVernon, Shawn

ALICE CLAIM

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



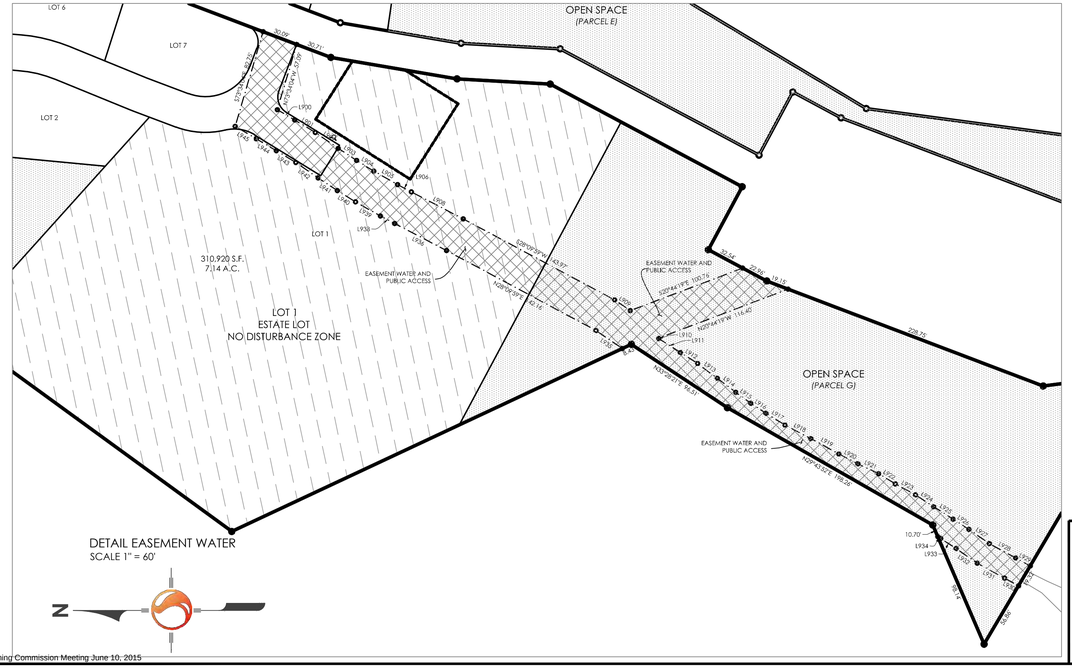


DETAIL EASEMENT
SCALE 1" = 40'

DETAIL 15' TRAIL EASEMENT
SCALE 1" = 60'

LEGEND

- SUBDIVISION BOUNDARY
- LIMIT OF DISTURBANCE
- LOT LINE
- BUILDING FOOTPRINT
- SECTION LINE
- FOUND SECTION CORNER
- SUBDIVISION BOUNDARY CORNER
- STREET MONUMENT
- PROPOSED STREET LIGHT
- PROPOSED FIRE HYDRANT
- OPEN SPACE
- NO DISTURBANCE AREA
- EASEMENT WATER AND PUBLIC ACCESS
- 15' PUBLIC RECREATIONAL TRAIL EASEMENT
- DRAINAGE EASEMENT



DETAIL EASEMENT WATER
SCALE 1" = 60'

TRAIL EASEMENT CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
C800	22.50'	13.29'	33°49'54"	N17°20'08"E	13.09'
C801	99.91'	36.18'	20°44'59"	N14°21'23"E	35.99'
C802	22.50'	0.19'	0°28'18"	N20°33'34"E	0.19'
C803	37.51'	25.65'	36°07'54"	N38°47'23"E	25.24'
C804	34.50'	4.81'	7°59'35"	N78°22'39"W	4.81'
C805	112.94'	73.83'	37°27'17"	S78°53'55"W	72.52'
C806	127.94'	75.04'	33°36'27"	N80°49'20"E	73.97'
C807	49.50'	6.91'	7°59'35"	S78°22'39"E	6.90'
C808	37.50'	2.72'	4°09'47"	S71°19'46"E	2.72'
C809	22.50'	31.07'	79°06'42"	N71°11'47"E	28.66'
C810	22.50'	1.69'	4°17'29"	N29°29'41"E	1.68'
C811	71281.01'	40.97'	0°01'59"	N27°19'57"E	40.97'
C812	37.50'	51.78'	79°06'42"	S71°11'47"W	47.76'
C813	22.50'	35.34'	90°00'00"	S65°45'08"W	31.82'
C814	22.50'	7.98'	20°19'57"	S10°35'09"W	7.94'
C815	17.50'	4.99'	16°20'50"	S08°35'36"W	4.98'
C816	68.50'	20.90'	17°29'04"	S25°30'33"W	20.82'

TRAIL EASEMENT LINE TABLE		
LINE #	DIRECTION	LENGTH
L800	N34°15'05"E	7.04'
L801	N20°45'08"E	26.00'
L802	N20°45'08"E	34.76'
L803	N69°52'36"W	12.22'
L804	N74°22'51"W	18.45'
L805	S74°22'51"E	19.04'
L806	S69°52'36"E	40.55'
L807	S69°14'52"E	25.52'
L808	S69°14'52"E	1.00'
L809	S29°28'05"W	21.69'
L810	N69°14'52"W	1.00'
L811	N69°14'52"W	26.52'
L813	S20°45'08"W	8.97'
L814	S20°45'08"W	26.00'
L815	S20°45'08"W	26.00'
L816	S34°15'05"W	23.70'

WATER / PUBLIC EASEMENT ACCESS LINE TABLE		
LINE #	DIRECTION	LENGTH
L900	S30°45'55"W	16.95'
L901	S31°08'34"W	20.18'
L902	S34°45'48"W	23.30'
L903	S33°18'11"W	18.52'
L904	S31°51'40"W	16.98'
L905	S29°32'43"W	22.92'
L906	S27°58'15"W	13.06'
L908	S27°29'25"W	49.01'
L909	S34°23'17"W	15.89'
L910	S35°10'15"W	0.42'
L911	S32°33'47"W	21.66'
L912	S32°33'47"W	17.04'
L913	S36°52'25"W	20.64'
L914	S37°13'23"W	19.50'
L915	S36°13'27"W	15.55'
L916	S33°16'29"W	15.23'
L917	S31°54'37"W	18.84'
L918	S27°34'03"W	24.46'
L919	S28°44'42"W	26.82'
L920	S27°24'41"W	17.87'
L921	S25°23'29"W	19.31'
L922	S31°29'39"W	16.45'

WATER / PUBLIC EASEMENT ACCESS LINE TABLE		
LINE #	DIRECTION	LENGTH
L923	S28°30'29"W	19.27'
L924	S33°14'48"W	18.16'
L925	S32°29'59"W	19.32'
L926	S32°54'57"W	15.83'
L927	S34°51'19"W	20.81'
L928	S28°33'46"W	25.17'
L929	S28°43'47"E	13.98'
L930	N28°43'47"E	13.33'
L931	N28°33'46"E	26.21'
L932	N34°51'18"E	21.55'
L933	N32°54'57"E	15.44'
L934	N32°29'59"E	2.84'
L935	N34°23'17"E	26.69'
L936	N27°29'25"E	48.95'
L938	N27°58'15"E	13.60'
L939	N29°32'43"E	23.94'
L940	N31°51'40"E	17.96'
L941	N33°18'11"E	19.28'
L942	N34°45'48"E	22.73'
L943	N31°08'34"E	19.13'
L944	N30°45'55"E	19.49'
L945	N30°31'57"E	20.63'

DRAINAGE EASEMENT LINE TABLE		
LINE #	DIRECTION	LENGTH
L600	N20°47'00"E	113.67'
L601	S66°27'14"E	46.78'
L602	S00°26'00"W	34.88'
L603	N89°56'42"W	50.18'
L604	S20°53'48"W	56.03'
L605	S51°44'23"W	5.88'
L606	S68°14'55"W	9.76'
L607	S20°47'00"W	30.78'
L608	S09°39'00"W	18.41'
L609	N57°36'57"W	48.51'
L610	S29°26'57"W	155.20'
L611	N60°33'03"W	20.00'
L612	N29°26'57"E	139.87'
L613	N34°45'48"E	10.60'
L614	N31°08'34"E	20.18'
L615	N25°11'59"W	24.17'
L616	N64°48'01"E	15.21'
L617	N30°45'55"E	16.95'
L618	S73°34'04"E	57.09'
L619	S31°38'26"W	0.28'

DRAINAGE EASEMENT CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
C600	15.00'	6.98'	26°40'12"	N07°26'34"E	6.92'
C601	33.00'	26.00'	45°08'32"	S09°04'10"W	25.33'
C602	70.00'	3.17'	2°35'35"	S12°12'19"E	3.17'

SHEET 2 OF 2

ALICE CLAIM

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

Stantec

Stantec Consulting Services Inc.
3995 S 700 E Ste. 300
Salt Lake City, UT
84107-2540
Tel. 801.261.0090
Fax. 801.266.1671
www.stantec.com

No.	Revisions	By	Date

Project Number	PM
205303057	JRJ
Filename	Plot Date
03057v_fb.dwg	01/22/15
Designed By	Drawn By
JRJ	SRV
Checked By	Date
GAC	01/22/15
Scale	Date Issued
1"= 60'	Date

RECORDED #

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF : _____

DATE: ____ TIME: ____ BOOK: ____ PAGE: ____

FEE$ _____ COUNTY RECORDER

V:\205\Active\205303057\drawing\survey\03057v_fb_alt2.dwg
5/18/2015 3:17 Patterson, Shawn

EXHIBIT B

VICINITY MAP

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	60.00'	N82°40'00"E
L2	6.20'	N07°20'00"W
L3	12.32'	N07°20'00"W
L4	46.83'	S88°09'06"E
L5	7.47'	N07°20'00"W
L6	46.23'	S82°40'00"E

Parcel No.1

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on Line 6-7 of the Alice Lode, Mineral Survey #3331, said point being also S89°06'26"E 746.50 feet, along the Section Line, and South 965.86 feet from the North Quarter Corner of said Section 21, and running thence, along said Line 6-7, N36°04'27"E 380.92 feet to a point on Line 2-3 of the Newell Lode USL-653; thence, along said Line 2-3, Newell Lode, N56°36'34"E 378.21 feet to a point on the Westerly Boundary Line of Subdivision No.1 of Millsite Reservation (Filed Aug. 13, 1887); thence, along said Westerly Boundary Line, S00°26'00"W 228.22 feet to a point on the Westerly Right-of-Way Line of the Park City Water Company Access Road; thence, along said Westerly Right-of-Way Line, the following four (4) courses: (1) S20°47'00"W 396.71 feet, (2) S09°39'00"W 107.30 feet, (3) S03°13'00"W 78.23 feet, (4) S28°08'00"W 182.49 feet to a point on the Park City Property; thence, along the Westerly Boundary Line of said Park City Property, the following four (4) courses; (1) N61°52'00"W 60.00 feet, (2) S28°08'00"W 55.50 feet, (3) S20°49'00"W 247.90 feet, (4) S07°20'00"E 41.58 feet to a point on Line 1-2 of the Park View Lode USL-655; thence, along said Line 1-2, Park View Lode, N88°09'06"W 72.05 feet to a point on Line 1-2 of said Alice Lode MS-3331; thence, along said Line 1-2, Alice Lode, N59°26'30"W 173.91 feet to a point on Line 1-2 of the Huron Mine Lode USL-256; thence, along said Line 1-2, Huron Mine Lode, N66°41'14"E 108.84 feet to Post #1 of said Huron Mine Lode; thence N29°43'52"E 198.26 feet; thence N33°28'21"E 96.51 feet; thence N25°06'47"W 370.00 feet to the Point of Beginning.

Containing 310,925 square feet or 7.138 acres.

Parcel No.2

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the Easterly Boundary Line of the Park City Property, said point being also on the Line 1-2 of the Park View Lode USL-655, said point being also S89°06'26"E 964.94 feet, along the Section Line, and South 1686.90 feet from the North Quarter Corner of said Section 21, and running thence, along said Easterly Boundary Line, the following six (6) courses: (1) N07°20'00"W 12.32 feet, (2) N82°40'00"E 60.00 feet, (3) N07°20'00"W 6.20 feet, (4) N20°49'00"E 200.70 feet, (5) N28°08'00"E 45.91 feet, (6) N61°52'00"W 60.00 feet to the Easterly Right-of-Way Line of the Park City Water Company Access Road; thence, along said Easterly Right-of-Way Line, the following four (4) courses: (1) N28°08'00"E 189.11 feet, (2) N03°13'00"E 83.17 feet, (3) N09°39'00"E 102.70 feet, (4) N20°47'00"E 312.90 feet to a point on the Westerly Boundary Line of the Subdivision No.1 of Millsite Reservation (dated 06/25/1887); thence, along said Westerly Boundary Line, S00°26'00"W 434.12 feet to a point on Line 3-4 of the Alice Lode Mineral Survey-3331; thence, along said Line 3-4, Alice Lode, S30°58'27"W 349.20 feet to Corner #3 of said Alice Lode MS-3331; thence, along Line 2-3, Alice Lode, S07°38'27"W 197.78 feet to a point on said Line 1-2 of the Park View Lode USL-655; thence, along said Line 1-2, Park View Lode, N88°09'06"W 110.04 feet to the Point of Beginning.

Containing 65,741 square feet or 1.509 acres.

Parcel No.3

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the Southerly Boundary Line of the Park City Property, said point being also on the Line 1-2 of the Park View Lode USL-655, said point being also S89°06'26"E 887.76 feet, along the Section Line, and South 1685.61 feet from the North Quarter Corner of said Section 21, and running thence, along said Southerly Boundary Line, the following two (2) courses: (1) N82°40'00"E 46.23 feet, (2) S7°20'00"E 7.47 feet to a point on said Line 1-2 of the Park View Lode; thence, along said Line 1-2, Park View Lode, N88°09'06"W 46.83 feet to the Point of Beginning.

Containing 173 square feet or 0.004 acres.

Parcel No.4

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Lots 1 through 7 inclusive and Lots 36 through 40 inclusive, block 77, Millsite Reservation to Park City, according to the official plat thereof filed in the office of the Summit County Recorder, being more particularly described as follows:

Beginning at a point on the Westerly Boundary Line of Subdivision No.1 of Millsite Reservation (dated 06/25/1887), said point being also on the Northwesterly Line of Lot 37 of said Millsite Reservation, said point being also S89°06'26"E 1287.78 feet, along the Section Line, and South 294.60 feet from the North Quarter Corner of said Section 21, and running thence, along said Northwesterly Line of Lot 37 and Lot 36, N30°18'48"E 32.08 feet to the Northerly Corner of said Lot 36, thence along the Northeasterly Line of Said Lot 36, S59°41'12"E 75.00 feet to the Easterly Corner of said Lot 36; thence, along the Southeasterly Line of Lots 36 through 39 inclusive of said Millsite Reservation, S30°18'48"W 99.99 feet to the Northerly Corner of Lot 7 of said Millsite Reservation; thence, along the Northeasterly Line of said Lot 7, S59°41'12"E 75.00 feet to the Easterly Corner of said Lot 7; thence, along the Southeasterly Line of Lots 7 through 1 inclusive of said Millsite Reservation, S30°18'48"W 193.15 feet to the Southerly Corner of Lot 1 and of said Westerly Boundary Line of Millsite Reservation; thence, along said Westerly Boundary Line, N00°26'00"E 150.55 feet to the Southerly Corner of Lot 41 of said Millsite Reservation; thence, along the Southeasterly and Northeasterly Lines of said Lot 41, the following two (2) courses: (1) N30°18'48"E 37.62 feet, (2) N59°41'12"W 21.61 feet to said Westerly Boundary Line of Millsite Reservation; thence, along said Westerly Boundary Line, N00°26'00"E 107.16 feet to the Point of Beginning.

Containing 16,486 square feet or 0.378 acres.

Planning Commission Meeting June 10, 2015

ORIGINAL SHEET - ARCH D

Stantec

3995 South 700 East, Suite 300
Salt Lake City, Utah 84107
www.stantec.com

Owner/Project

KING DEVELOPMENT GROUP L.L.C
P.O. BOX 244
PARK CITY, UTAH 84060

Legend

- CONTOUR MAJOR
- CONTOUR MINOR
- BOUNDARY LINE
- SECTION LINE
- BOUNDARY TIE LINE
- ROAD DIRT
- ROAD ASPHALT
- (oh) EXISTING OVERHEAD POWER LINE
- (w) EXISTING WATER LINE
- EXISTING STORM DRAIN LINE
- (ss) EXISTING SEWER LINE
- (g) EXISTING GAS LINE
- EXISTING FENCE LINE
- EXISTING CURB
- EXISTING POWER POLE
- EXISTING WATER MANHOLE
- EXISTING WATER VALVE
- EXISTING SEWER MANHOLE
- EXISTING FIRE HYD.
- EXISTING VEGETATION
- EXISTING TREE
- SECTION CORNER

Notes

SURVEYOR'S CERTIFICATE

I, SHAWN R. VERNON, A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 8744084 IN ACCORDANCE WITH THE LAWS OF THE STATE OF UTAH HEREBY CERTIFY THAT I MADE A TOPOGRAPHY SURVEY AREA SHOWN.

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO MAP THE EXISTING TOPOGRAPHY OF THE BOUNDARY OF ALICE CLAIM. THIS SURVEY WAS PREPARED USING EXISTING TOPOGRAPHIC INFORMATION DATA FROM A 2005 SURVEY COMPLETED BY OLYMPUS AERIAL SURVEYS AND UPDATED IN OCTOBER 2014 BY STANTEC CONSULTING INC., THE ACCURACY OF THE 2-FOOT CONTOURS SHOWN IS EQUAL TO ONE-HALF (OR BETTER THAN) THE CONTOUR INTERVAL. THIS IS NOT A BOUNDARY SURVEY PLAT.

Revision	By	Appd.	YY.MM.DD
1 PARK CITY SUBMITTAL	SRV	SRV	15.01.22
Issued	By	Appd.	YY.MM.DD
File Name: 03057v_cert_topo.dwg	SDJ	JRJ	SDJ 15.01.19
	Dwn.	Chkd.	Dsgn. YY.MM.DD

Permit-Seal

LICENSED PROFESSIONAL LAND SURVEYOR No. 8744084 SHAWN R. VERNON 1-23-15 STATE OF UTAH

CALL BEFORE YOU DIG! BLUE STAKES 1 800 662 4111

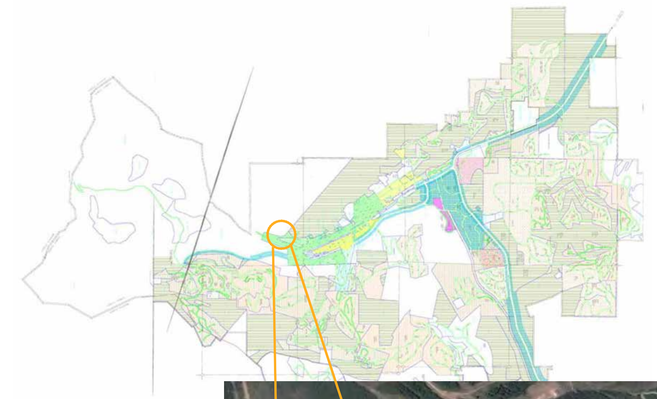
Client/Project

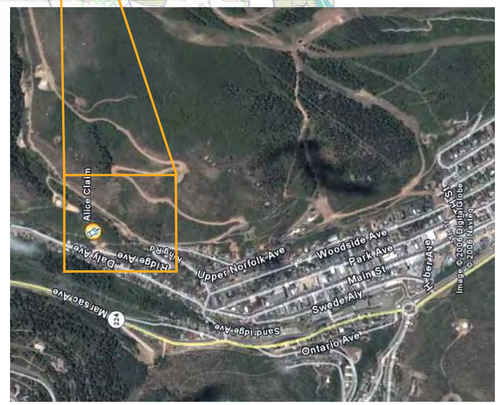
ALICE CLAIM
CERTIFIED TOPOGRAPHICAL BOUNDARY SURVEY
PARK CITY, UTAH

Title

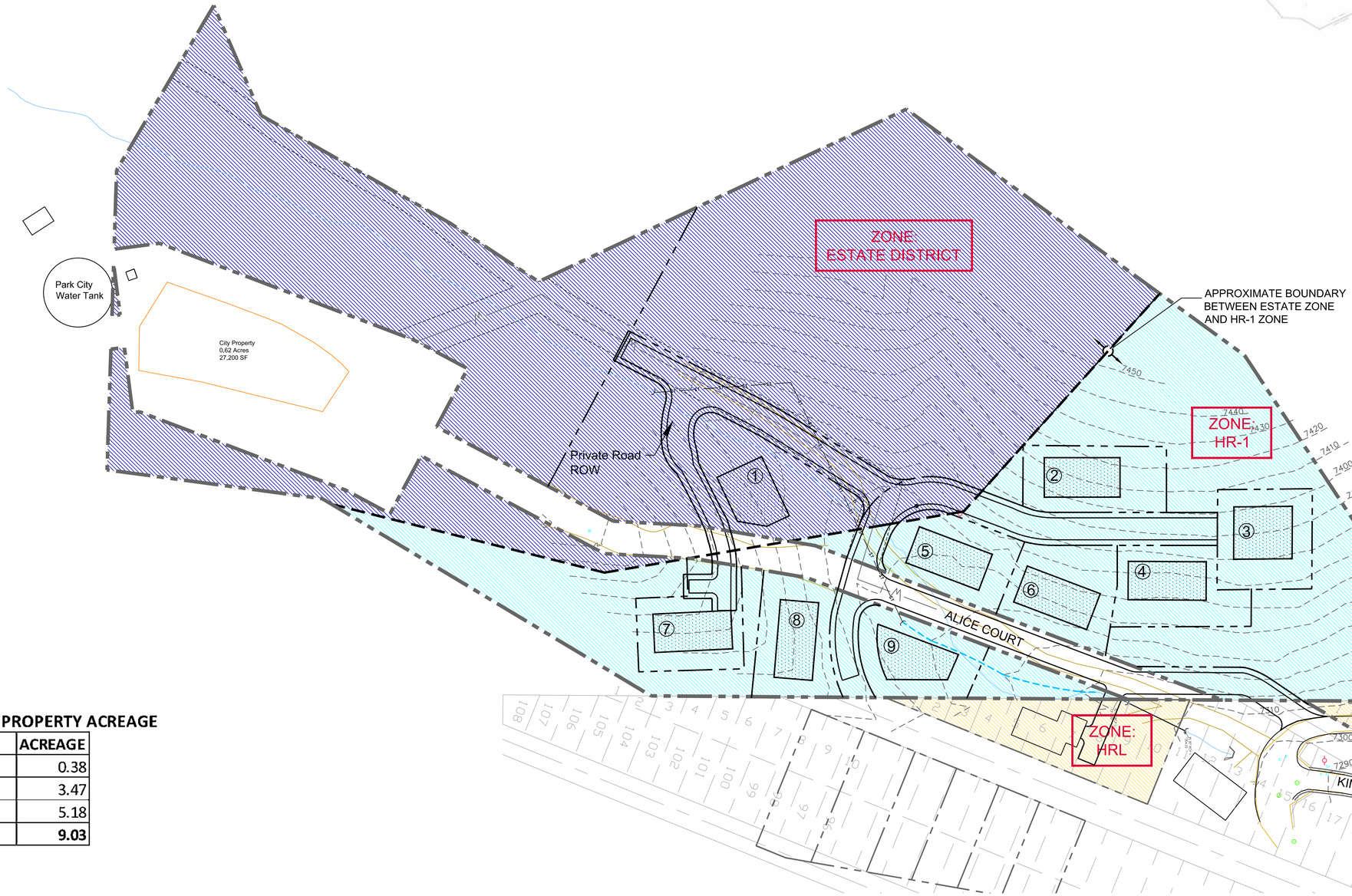
Project No.	Scale	
205303057	1" = 60'	
Drawing No.	Sheet	Revision
1	1 of 1	0

EXHIBIT C





VICINITY MAP NOT TO SCALE



TOTAL PROPERTY ACREAGE

ZONE	ACREAGE
HRL	0.38
HR1	3.47
ESTATE	5.18
TOTAL	**9.03**

ALICE CLAIM

VICINITY & ZONING MAP

KING DEVELOPMENT GROUP L.L.C.
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

0 10 50
5 30 100
SCALE: 1"=50'-0"

DATE: JAN 23 2014

DHM DESIGN

EXHIBIT D

ALICE CLAIM

AERIAL IMAGE WITH SITE PLAN OVERLAY

KING DEVELOPMENT GROUP L.L.C.
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

0 10 50
5 30 100
SCALE: 1"=50'-0"

DATE: JAN 23 2015

DHM DESIGN

EXHIBIT E

LEGEND

- LOT BOUNDARY
- LIMIT OF DISTURBANCE/ BUILDING ENVELOPE (ESTATE LOT ONLY)
- BUILDING FOOTPRINT
- PROPOSED CONTOUR
- PROPOSED RETAINING WALL (INCLUDED IN C.U.P. APPLICATION)
- LANDSCAPE RETAINING WALL (DO NOT REQUIRE C.U.P)
- TRAIL EASEMENT

LOT TABLE

ZONE	LOT NO	TOTAL (SF)	TOTAL (ACRE)	ALLOWABLE BUILDING FOOTPRINT(SF)	BUILDING FOOTPRINT (SF)	ZONE ACREAGE	TOTAL UNDISTURBED AREA(ACRE)	% UNDISTURBED
ESTATE	1	131080	3.01	N/A	2500	5.18	4.93	95.1%
HR-1	2	7714	0.18	2500	2500	3.47	1.93	55.6%
	3	7714	0.18	2500	2500			
	4	7714	0.18	2500	2500			
	5	7714	0.18	2500	2500			
	6	7738	0.18	2505	2500			
	7	7910	0.18	2536	2500			
	8	7714	0.18	2500	2500			
	9	7714	0.18	2500	2500			

OPEN SPACE PARCEL

PARCEL NO	AREA (SF)	AREA (ACRE)
A	25810	0.59
B	18926	0.43
C	2876	0.07
D	1716	0.04
E	44458	1.02
F	173	0.004
G	71841	1.65

SUBDIVISION

- 8 LOTS IN HR-1 ZONE DISTRICT
  - MAXIMUM 0.18 ACRE LOTS
  - MAXIMUM 2500 SF FOOTPRINT
- DEFINED DISTURBANCE ENVELOPES
- 1 LOT IN ESTATE ZONE DISTRICT
  - DEVELOPED PER L.M.C.
- EVERGREEN TREES ARE PRESERVED AND SCREEN VIEWS OF HOME SITES

PLAT AMENDMENT

- 0.38 ACRE HRL ZONE
- LOTS DEDICATED TO CITY

NOTE:

1. LOTS #123 AND 129 OF ADJACENT RIDGE AVENUE SUBDIVISION ARE OWNED BY KING DEVELOPMENT GROUP, LLC
2. ROADS LESS THAN 26' WIDE SHALL BE MARKED NO PARKING ON BOTH SIDES OF THE ROAD

ALICE CLAIM

SITE PLAN

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

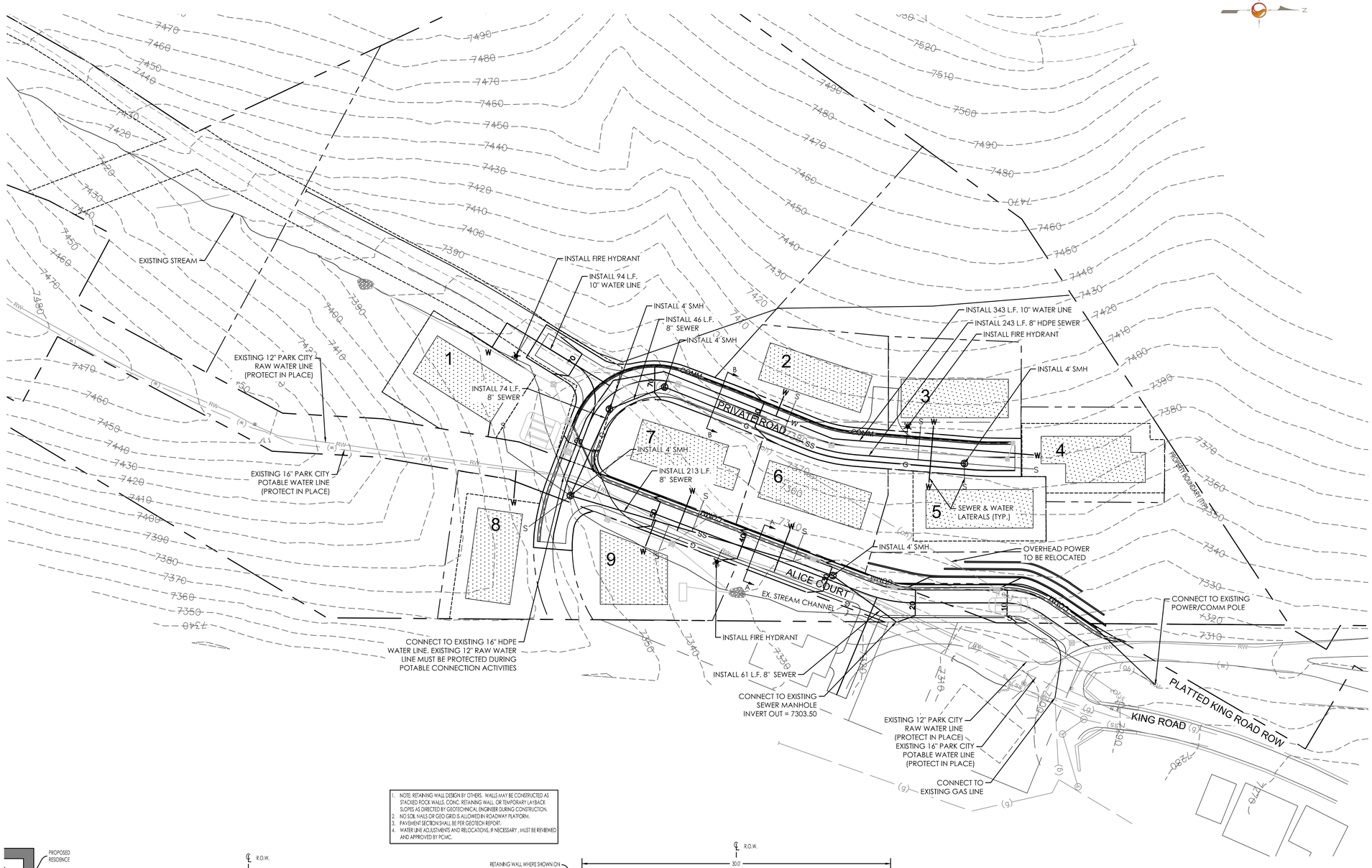
NORTH

0 10 50
5 30 100
SCALE: 1"=50'-0"

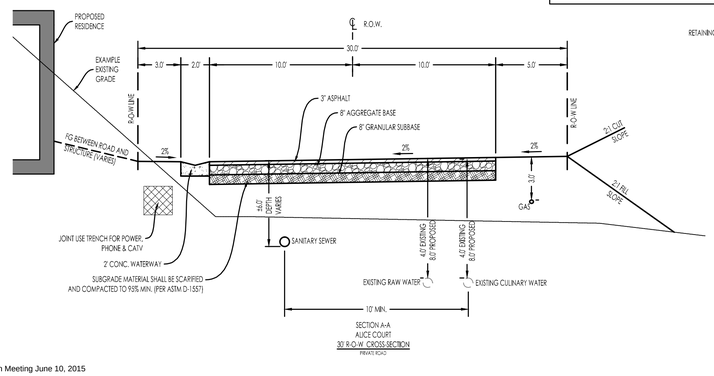
DATE: MAY 18 2015

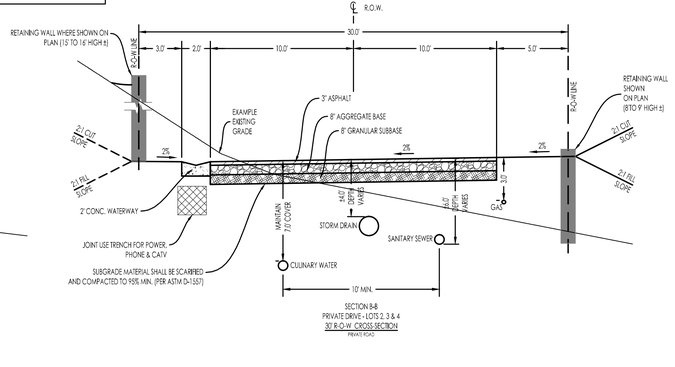
DHM DESIGN

EXHIBIT F



1. NOTE: RETAINING WALL DESIGN BY OTHERS. WALLS MAY BE CONSTRUCTED AS STACKED ROCK WALLS, CONC. RETAINING WALL OR TEMPORARY LAYBACK SLOPES AS DIRECTED BY GEOTECHNICAL ENGINEER DURING CONSTRUCTION.
2. NO SOIL NAILS OR GEO GRID IS ALLOWED IN ROADWAY PLATFORM.
3. PAVEMENT SECTION SHALL BE PER GEOTECH REPORT.
4. WATER LINE ADJUSTMENTS AND RELOCATIONS, IF NECESSARY , MUST BE REVIEWED AND APPROVED BY PCMC.





Stantec

3995 South 700 East, Suite 300
Salt Lake City, Utah 84107
www.stantec.com

Owner/Project

Legend

NOTES:
1. SANITARY SEWER SHALL BE BUTT FUSED HDPE WHERE SEPARATION FROM WATER IS LESS THAN 10'.

Revision	By	Appd.	YY.MM.DD
3 PARK CITY RE-SUBMITTAL	BD	PMD	15.03.27
2 PARK CITY RE-SUBMITTAL	CB	PMD	15.03.16
1 PARK CITY SUBMITTAL	CB	JRJ	15.01.23

Issued	By	Appd.	YY.MM.DD
File Name: 03057-200-ut.dwg	SDJ	JRJ	EKW 14.12.19
	Dwn.	Chkd.	Dsgn. YY.MM.DD

Permit-Seal

LICENSED PROFESSIONAL ENGINEER
No. 374998
PETER M. DUBEROW
STATE OF UTAH

CALL BEFORE YOU DIG!
BLUE STAKES 1 800 662 4111

Client/Project

KING DEVELOPMENT L.L.C.
PO BOX 244
PARK CITY, UTAH 84060

ALICE CLAIM
Park City, Utah

Title

CONCEPTUAL UTILITY PLAN

Project No. 205303057

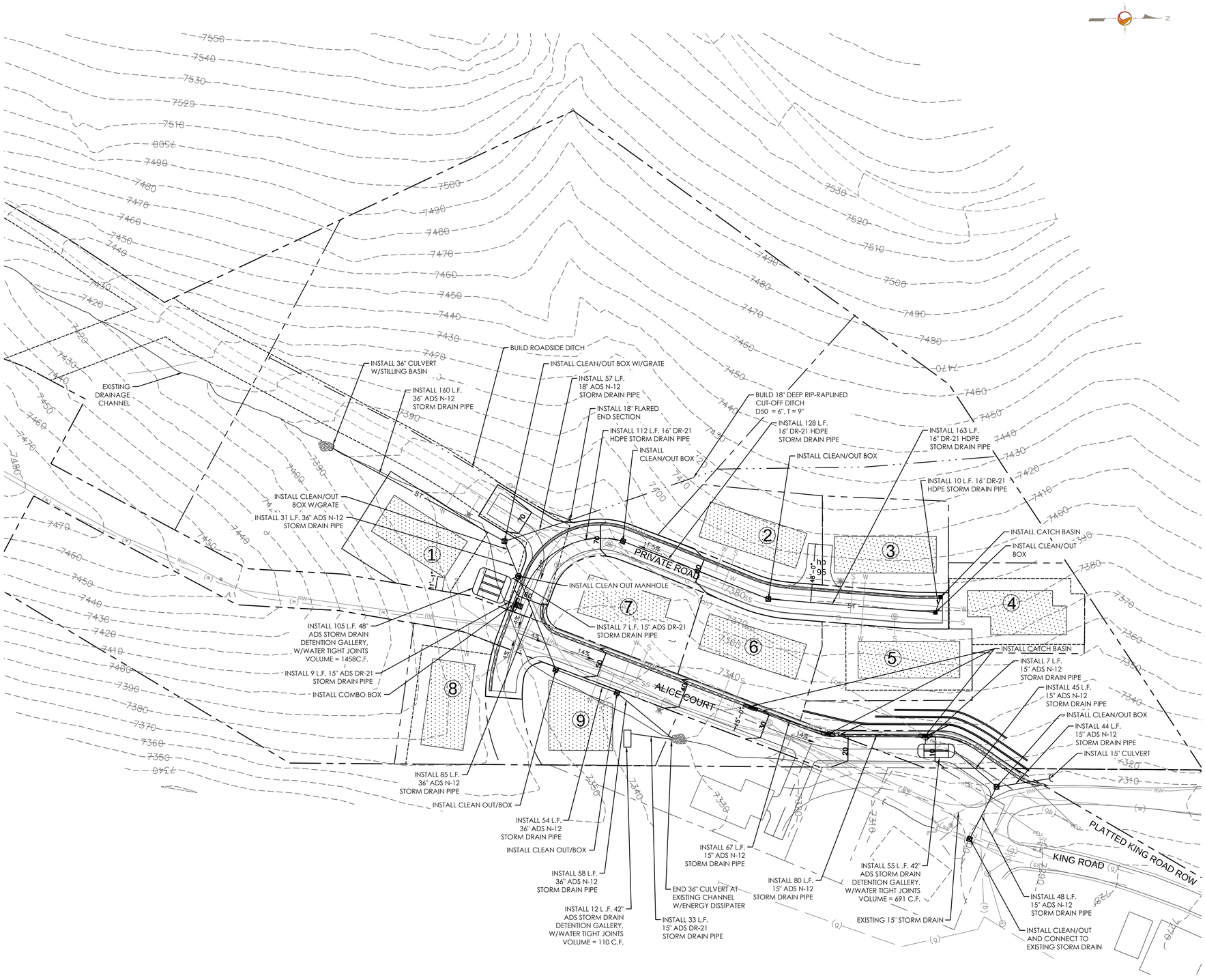
Scale 1"=40' (0, 40', 60', 80')

Drawing No. C-UTIL

Sheet 0 of

Revision

ORIGINAL SHEET - ARCH D



Stantec

3995 South 700 East, Suite 300
Salt Lake City, Utah 84107
www.stantec.com

Owner/Project

Legend

NOTES:
1. MODIFICATIONS TO EXISTING DRAINING CHANNEL WILL REQUIRE STATE STREAM ALTERATION PERMIT.

Revision		By	Appd.	YY.MM.DD
3	PARK CITY RE-SUBMITTAL	BD	PMD	15.03.27
2	PARK CITY RE-SUBMITTAL	CB	PMD	15.03.16
1	PARK CITY SUBMITTAL	CB	JRJ	15.01.23

Issued	By	Appd.	YY.MM.DD
File Name: 03057-201-gp.dwg	SDJ	JRJ	EKW	14.12.19
	Dwn.	Chkd.	Dsgn.	YY.MM.DD

Permit-Seal

LICENSED PROFESSIONAL ENGINEER
No. 374998
PETER M. DUBEROW
STATE OF UTAH

CALL BEFORE YOU DIG!
BLUE STAKES 1 800 662 4111

Client/Project

KING DEVELOPMENT L.L.C.
PO BOX 244
PARK CITY, UTAH 84060

ALICE CLAIM
Park City, Utah

Title

CONCEPTUAL DRAINAGE PLAN

Project No. 205303057

Scale 1"=40' (0, 40', 60', 80')

Drawing No. C-DR

Sheet of

Revision 0

ORIGINAL SHEET - ARCH D

EXHIBIT G

LEGEND

- LOT BOUNDARY
- LIMIT OF DISTURBANCE/ BUILDING ENVELOPE
- BUILDING FOOTPRINT
- PROPOSED RETAINING WALL

LOT TABLE (CURRENT)

ZONE	LOT NO	TOTAL (SF)	TOTAL (ACRE)	ALLOWABLE BUILDING FOOTPRINT(SF)	BUILDING FOOTPRINT (SF)	ZONE ACREAGE	TOTAL UNDISTURBED AREA(ACRE)	% UNDISTURBED
ESTATE	1	130909	3.01	N/A	2500	5.18	4.93	95.1%
HR-1	2	7714	0.18	2500	2500	3.47	1.93	55.6%
	3	7714	0.18	2500	2500			
	4	7714	0.18	2500	2500			
	5	7714	0.18	2500	2500			
	6	7714	0.18	2500	2500			
	7	7714	0.18	2500	2500			
	8	7714	0.18	2500	2500			
	9	7714	0.18	2500	2500			

LOT TABLE (MARCH 16)

LOT NO.	ZONE	TOTAL (SF)	TOTAL (ACRE)	ALLOWABLE BUILDING FOOTPRINT(SF)	BUILDING FOOTPRINT (SF)
1	ESTATE	130909	3.01	N/A	2500
2	HR-1	7852	0.18	2525	2500
3	HR-1	7866	0.18	2527	2500
4	HR-1	7909	0.18	2535	2500
5	HR-1	7812	0.18	2518	2500
6	HR-1	8145	0.19	2576	2500
7	HR-1	7998	0.18	2551	2500
8	HR-1	7560	0.17	2471	2471
9	HR-1	7164	0.16	2394	2394

Park City Water Tank

City Property
0.62 Acres
27,200 SF

ALICE COURT

SAMPSON AVE

PLATTED KING ROAD ROW

KING ROAD

ANCHOR AVENUE

STORM AVENUE

SUBDIVISION

- 8 LOTS IN HR-1 ZONE DISTRICT
  - MAXIMUM 0.18 ACRE LOTS
  - MAXIMUM 2500 SF FOOTPRINT
- DEFINED DISTURBANCE ENVELOPES
- 1 LOT IN ESTATE ZONE DISTRICT
  - DEVELOPED PER L.M.C.
- EVERGREEN TREES ARE PRESERVED AND SCREEN VIEWS OF HOME SITES

PLAT AMENDMENT

- 0.38 ACRE HRL ZONE
- LOTS DEDICATED TO CITY

NOTE:

1. LOTS #123 AND 129 OF ADJACENT RIDGE AVENUE SUBDIVISION ARE OWNED BY KING DEVELOPMENT GROUP, LLC
2. ROADS LESS THAN 26' WIDE SHALL BE MARKED NO PARKING ON BOTH SIDES OF THE ROAD

ALICE CLAIM

SITE PLAN

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

0 10 50
5 30 100
SCALE: 1"=50'-0"

DATE: 22 APRIL 2015

DHM DESIGN

EXHIBIT H

LEGEND

- LOT BOUNDARY
- LIMIT OF DISTURBANCE/ BUILDING ENVELOPE (ESTATE LOT ONLY)
- BUILDING FOOTPRINT
- PROPOSED RETAINING WALL (INCLUDED IN C.U.P. APPLICATION)
- LANDSCAPE BOULDER WALL (DO NOT REQUIRE C.U.P.)
- PUBLIC TRAIL ACCESS
- TRAIL EASEMENT
- HR1: OPEN SPACE
- HRL:OPEN SPACE
- NO DISTURBANCE ZONE WITHIN ESTATE LOT BOUNDARIES
- CITY PROPERTY

	ACRES	OPEN SPACE(ACRES)	%OPEN SPACE
ENTIRE SITE	9.03	7.02	77.76%

ZONE	ACRES	OPEN SPACE(ACRES)	% OPEN SPACE
HR1	3.47	1.74	50.24%
ZONE	**ACRES**	**NO DISTURBANCE/ OPEN SPACE (ACRES)**	**% NO DISTURBANCE /OPEN SPACE**
ESTATE	5.18	4.90	94.59%

(ESTATE LOT= 3.01 ACRES)

ALICE CLAIM

OPEN SPACE AND TRAILS PLAN

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

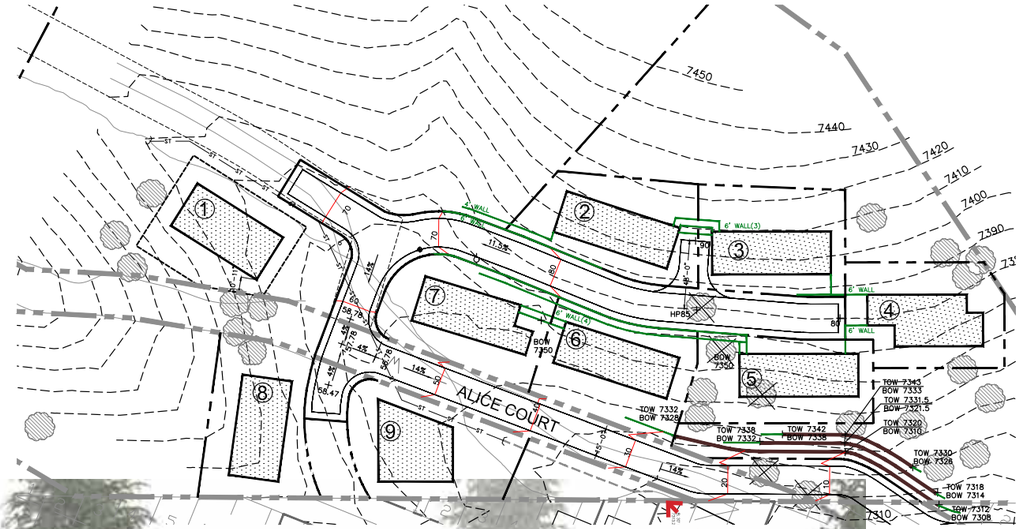
0 10 50
5 30 100
SCALE: 1"=50'-0"

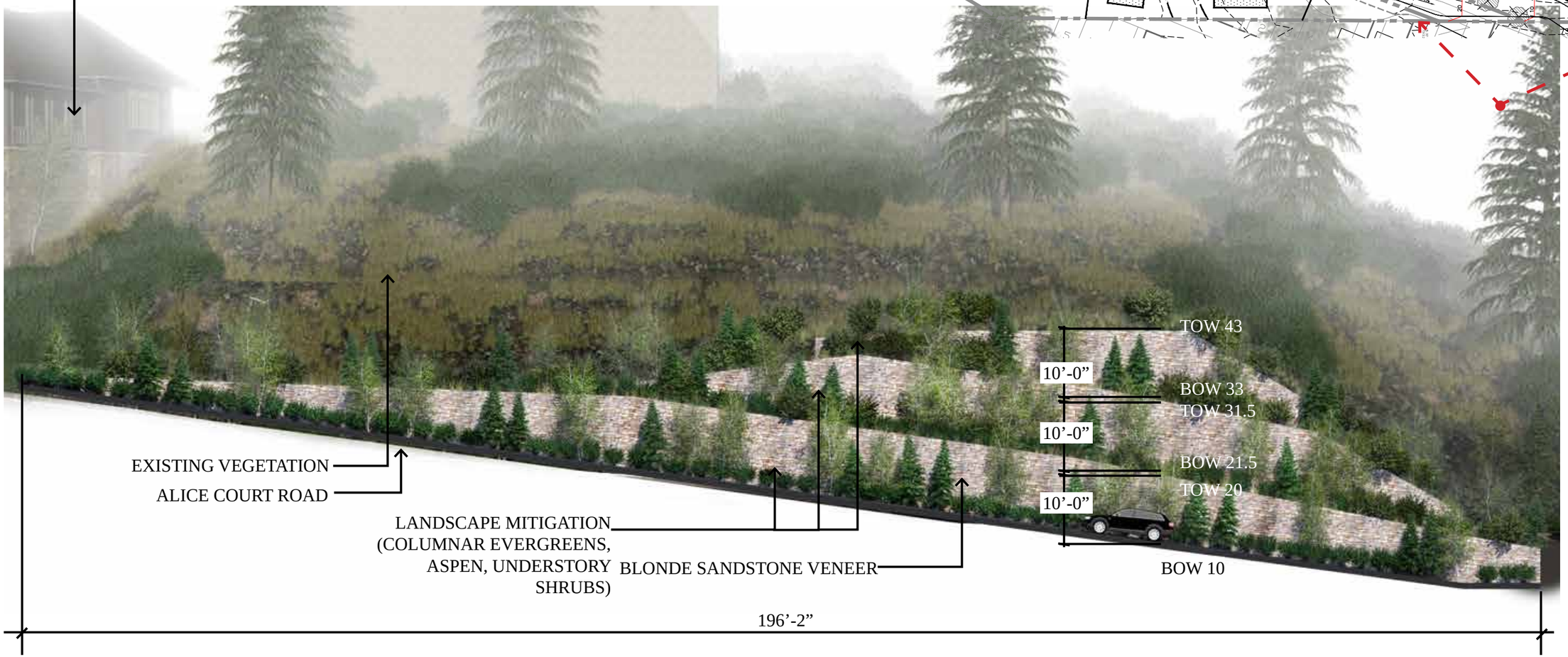
DATE: MAY 4 2015

DHM DESIGN

EXHIBIT I

ENTRY WALL KEY MAP





ALICE CLAIM

RETAINING WALL ILLUSTRATION

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

SCALE: N.T.S
DATE: MAY 6 2015

DHM DESIGN

ALICE CLAIM

SITE SECTIONS KEY MAP

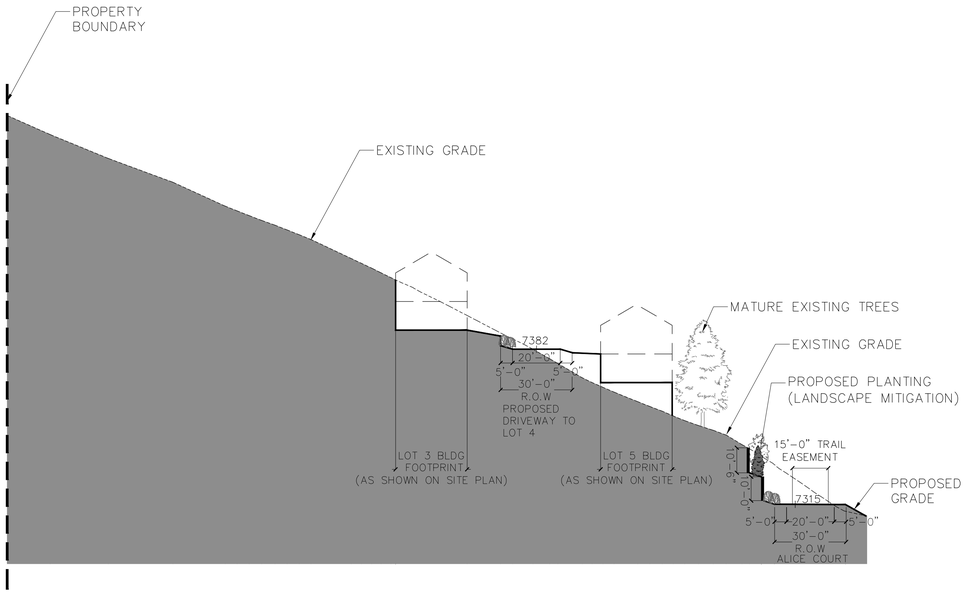
KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

0 10 50
5 30 100
SCALE: 1"=50'-0"

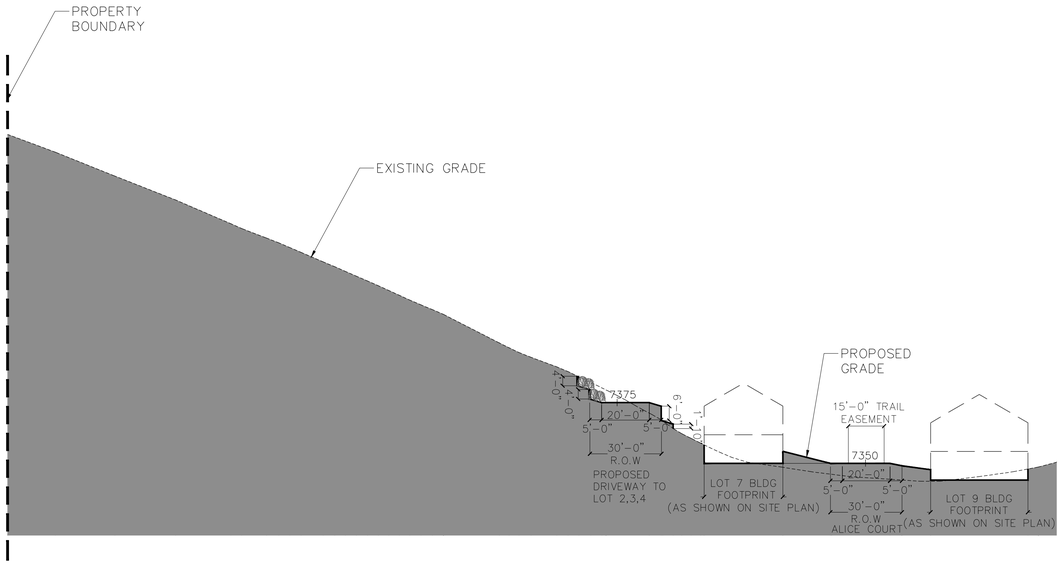
DATE: MAY 4 2015

DHM DESIGN



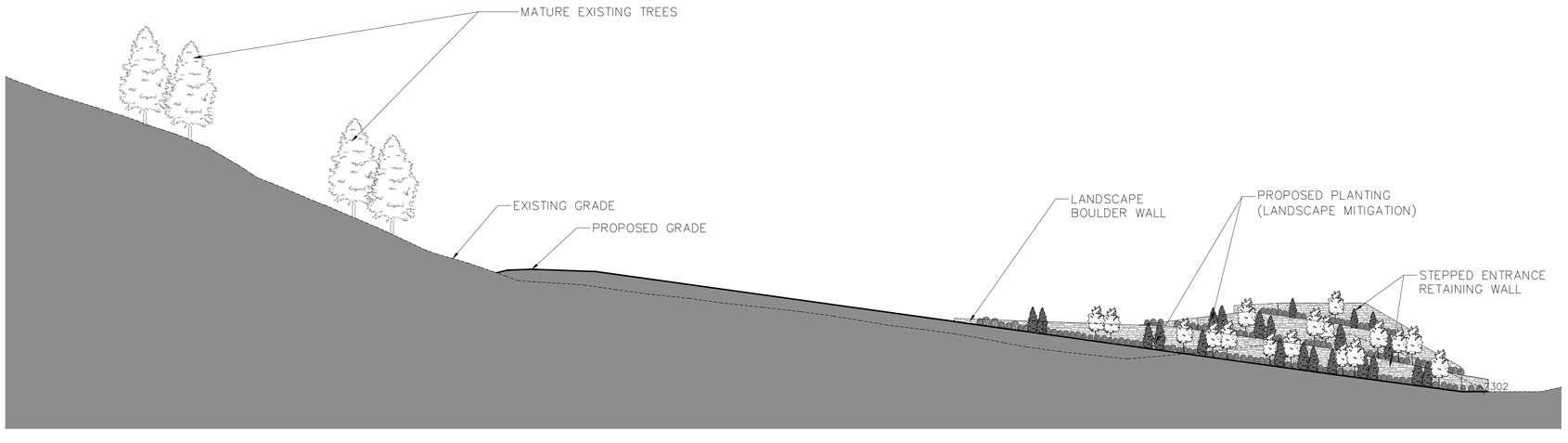
SECTION A

SCALE: 1"=30'



SECTION B

SCALE: 1"=30'



SECTION C

SCALE: 1"=30'

ALICE CLAIM

SITE SECTIONS

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

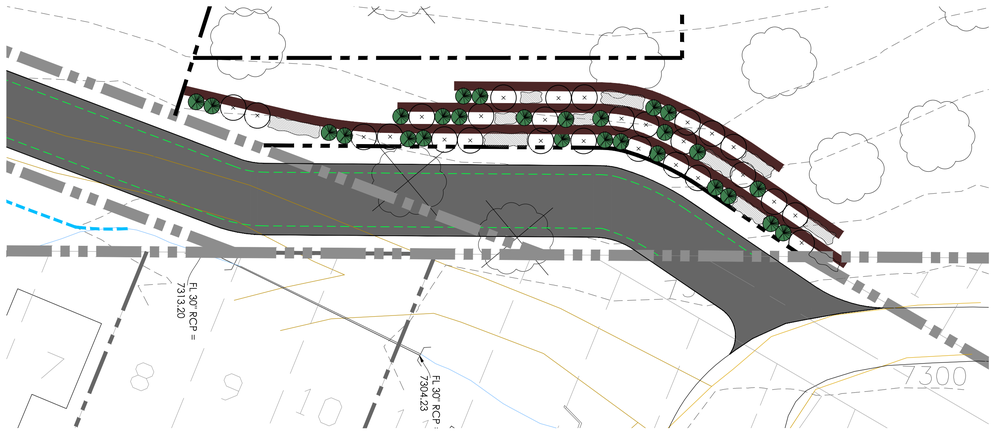
NORTH

0 5 15 30 60

SCALE: 1"=30'-0"

DATE: MAY 4 2015

DHM DESIGN

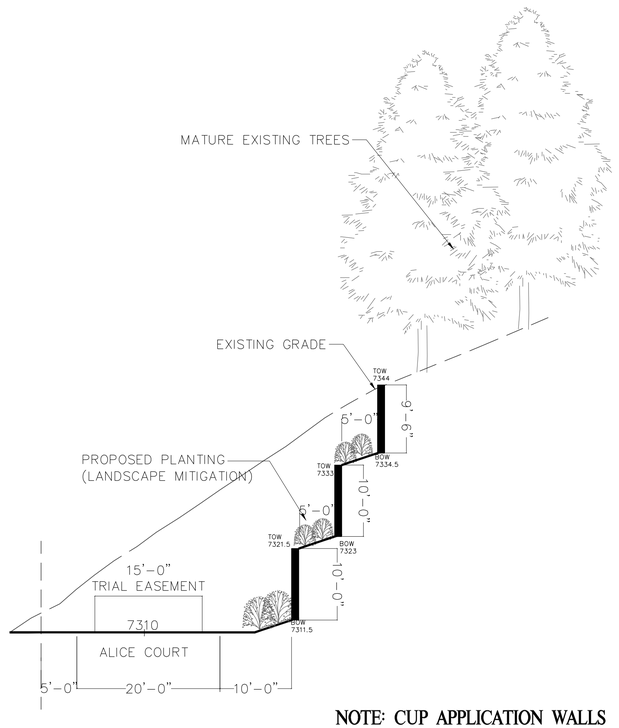


ENTRY WALL LANDSCAPE MITIGATION PLAN

SCALE: 1"=30'

LEGEND

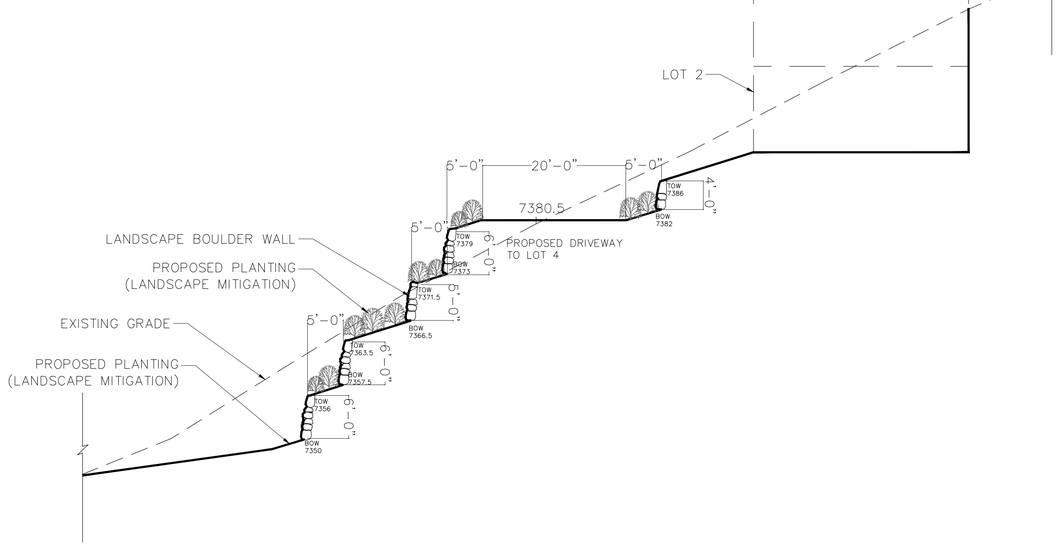
- EXISTING CONIFEROUS TREE TO BE REMOVED
- EXISTING CONIFEROUS TREE TO REMAIN
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED SHRUB



NOTE: CUP APPLICATION WALLS

SECTION D (ENTRY WALL)

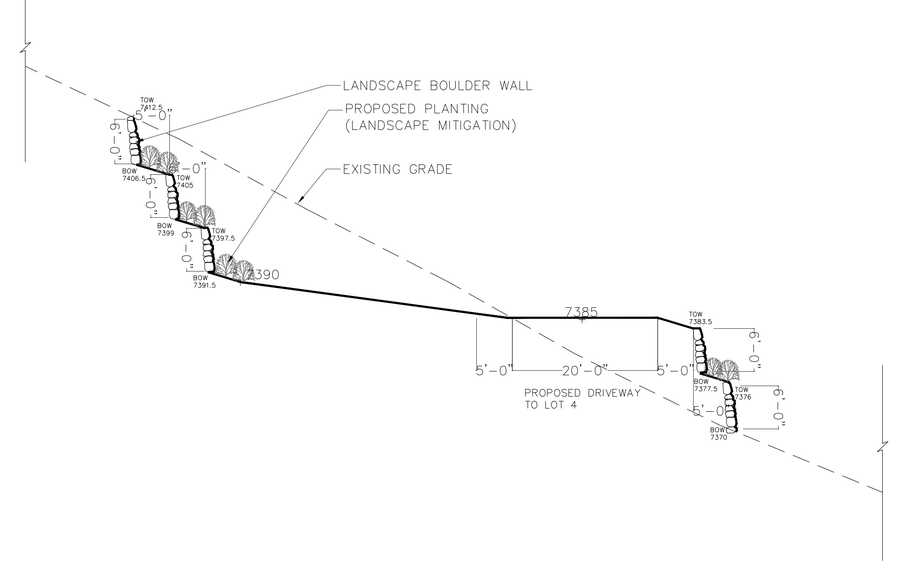
SCALE: 1"=10'



NOTE: LANDSCAPE BOULDER RETAINING WALLS NOT PART OF C.U.P APPLICATION

SECTION E

SCALE: 1"=10'



NOTE: LANDSCAPE BOULDER RETAINING WALLS NOT PART OF C.U.P APPLICATION

SECTION F

SCALE: 1"=10'

ALICE CLAIM

RETAINING WALL SECTIONS AND LANDSCAPE MITIGATION PLAN

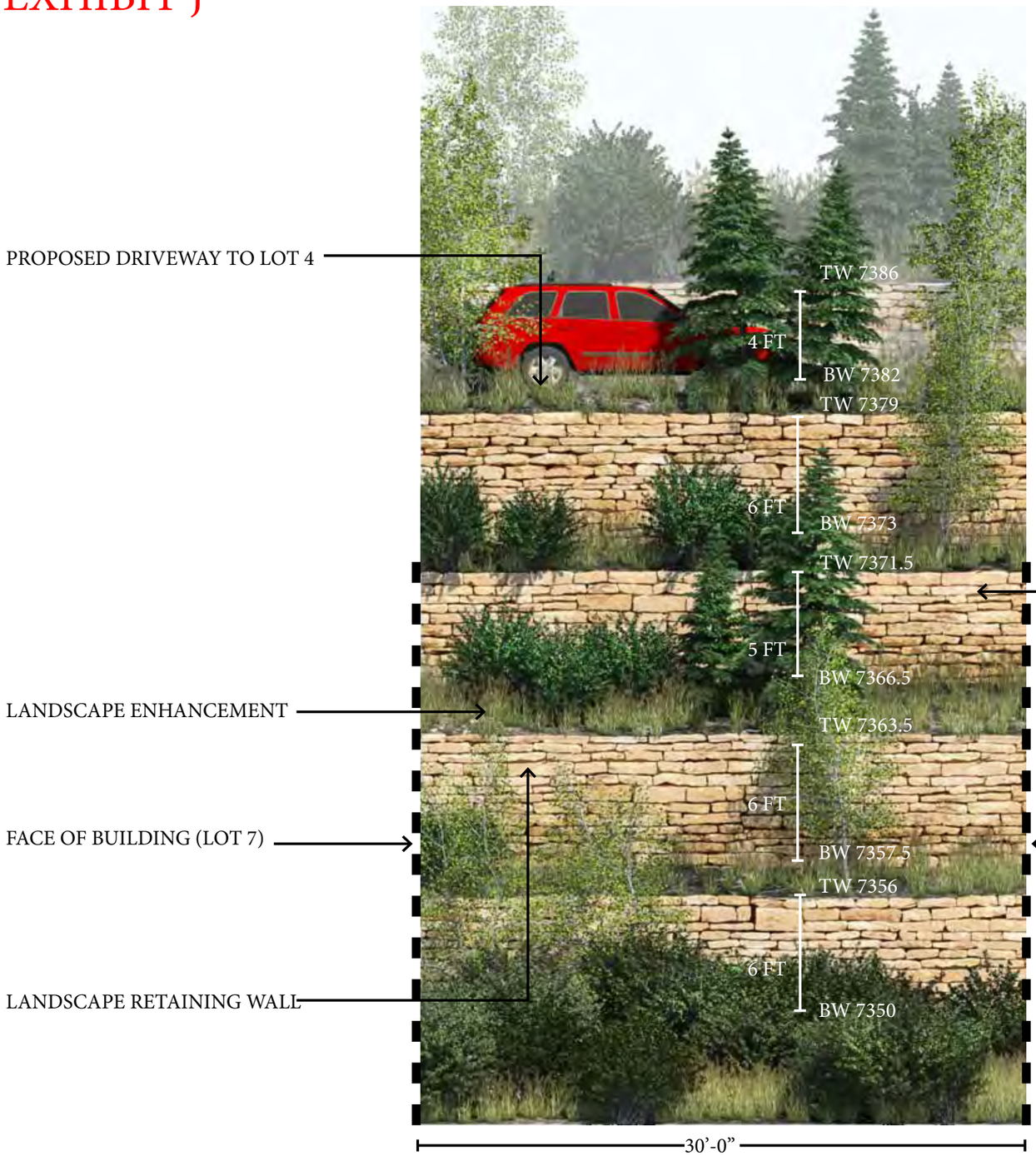
KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

DHM DESIGN

DATE: MAY 4 2015

EXHIBIT J



ALICE CLAIM

LANDSCAPE RETAINING WALL (SECTION E)

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

SCALE: N.T.S
DATE: MAY 18 2015

DHM DESIGN

EXHIBIT K

DHM DESIGN

LANDSCAPE ARCHITECTURE | LAND PLANNING | ECOLOGICAL PLANNING | URBAN DESIGN

May 4, 2015

Via Christy.alexander@parkcity.org

Christy Alexander, AICP Planner II
Park City Planning Department
445 Marsac Ave
Park City, UT 84060

Re: Alice Claim Applications for Subdivision, Plat Amendment, and Conditional Use Permit

Dear Ms. Alexander,
In response to specific comments made by the Planning Commission during the April 8th public hearing and outlined by you in your email dated 10 April 2015, specifically as follows:

1. Site Suitability with Slopes/Possible Geotechnical Issues/Build-ability
2. Further Terracing and Landscaping of Walls
3. Lot 7 Concerns
4. Clustering and Layout
5. Compatibility
6. Reduce Cut and Fill
7. Reduce Disturbance on Each Lot
8. Define Open Space Conservation Easement
9. Conditions of Approval Need "Teeth"

In response to each of the above comments, we have provided a response below and made some revisions to the Proposed Subdivision Site Plan.

Site Suitability/Possible Geotechnical Issues/Build-ability: we believe all are addressed. Please see the attached letter of 04 May 2015 that we sent to you along with supporting documentation.

Lot 7 Concerns: We have re-located the Lot 7 home to a lower elevation.

1. eliminated the driveway, retaining wall, and bridge located on the estate zone that served lot 7
2. removed the home site from the higher elevation
3. lowered elevation of the home to improve water pressure
4. further clustered the project
5. reduced hard surface area
6. reduced disturbance
7. reduced visibility from cross valley
8. shortened the length of the driveway

Further Terracing and Landscaping of Walls: We have eliminated the old driveway to lot 7, lowered and aligned the old driveway serving lots 2, 3 and 4, reconfigured the building pads to reduce the number and height of the retaining walls and have made the homes on lots 5 and 6 to serve as the retaining wall for the driveway above. In addition, where possible lower retaining walls have been replaced with landscape walls under 6 feet. At this time the only walls in need of a CUP approval are at the entry.

900 South Broadway, Suite 300 Denver, CO 80209 P: 303.892.5566 f: 303.892.4984

Clustering and Layout: Lot 7 has been relocated to be clustered within the three lots on the upper private drive. This creates a much more efficient use of the infrastructure in this area and removes the disturbance associated with this home from the Estate Zone.

Compatibility: Alice Claim is a transitional area between Old Town and the open space. The experience of walking through Alice Claim should transition gradually from the denser (HR1) Old Town linear layout to a more relaxed home layout that follows the natural contours of the gulch. The adjoining zoning is HRL and Estate. The adjoining homes are more relaxed and follow the contours of the hillside as we propose.
As viewed from across the valley the list represents all the homes directly below the Alice Load and above Sampson and Ridge roads) are the following representative homes. The size of the homes listed below is the grossed up number which includes garage, mechanical rooms, staircases and basements. The source of this information varied from listing sheets, to the architect, to the owner, to best guess:

- 220 King, Estate Zone, about 40,000 sq. ft. lot 3500 sq. ft. allowable foot print. 8500 sq. ft. of house (split into two structures), source; owner
- 200 King, Estate Zone about 40,000 sq. ft. vacant lot, 3500 sq. ft. allowable foot print Same as 220 King), source; plat
- 205 Upper Norfolk, HRL Zone, about 20,000 sq. ft. lot, 7500 sq. ft. house, source; personal knowledge
- 201 Upper Norfolk, HRL Zone 3750 lot 4,000 sq. ft. house. Source; personal knowledge
- 16 Sampson, HRL Zone 5,000 sq. ft. lot, 4,000 sq. ft. house. Source; personal knowledge
- 30 Sampson, HRL Zone 7,000 sq. ft. lot, 5,013 sq. ft. house. Source; architect
- 40 Sampson, HRL Zone 7,000 sq. ft. lot 3,000 sq. ft. house, however can be expanded to the same size 30 Sampson 5,000 sq. ft. Source; guess
- 50 Sampson, HRL Zone 7000 sq. ft. lot 5000 sq. ft. house same as 30 Sampson. Source; owner
- 60 Sampson 4000 sq. ft. lot, 4243 sq. ft. house. Source; architect
- 99 Sampson, HRL Zone 4000 sq. ft. lot 3000 sq. ft. house. Source; owner
- 123 Ridge Ave, HRL Zone 4000 sq. ft. lot 3,500 sq. ft. house. Source; owner
- 135 Ridge Ave, HRL Zone 4000 sq. ft. lot, 3,500 sq. ft. house Source; guess
- 141 Ridge Ave, HRL Zone 4,000 sq. ft. lot 3500 sq. ft. house. Source; guess
- 147 Ridge Ave, HRL Zone 4,000 sq. ft. lot 4,382 sq. ft. house. Source; architect

The average square footages of the homes listed above is 4,438 SF, this list outlines all adjoining existing houses to Alice Claim property.

The existing HR1 zoning on Alice Claim is clearly an oversight. The overall layout and purpose of the HRL was to lower the density and create a transition zone, i.e., to go from the HR1 as the inside ring, to HRL as the intermediate ring, to Estate as the outer ring. To create a Subdivision that looks like HR1 above the existing HRL and Estate would be in conflict with the original intent and not good zoning practice.

Reduce Cut and Fill: The Applicant has proposed reshaping the footprint of the homes so they are less deep on the lots. In other words so they sit better along the contours. This will reduce the amount of cut and fill needed for home construction. It is still the Applicant's desire to build homes that are only two stories rather than multi-storied homes that are built "against" the contours and require many steps up the slope. Additionally, we propose to replace larger retaining walls shown on the previous CUP application with lower landscape walls stepped up the slopes which will also reduce cut and fill.

Reduce Disturbance Area: Most of the reduction in the area of disturbance has been accomplished by limiting the lot sizes to what code requires for the zone and/or footprint and to make the open space areas accessible to the public, subject to restrictions, if any, of the forthcoming Voluntary Cleanup Certificate of Completion. Open space now amounts to 77.63% of the total site or 7.01 acres.

In addition, the applicant has suggested and provided a limit of disturbance envelope for the Estate lot. This further restricts the area of disturbance by limiting all site improvements to within the disturbance envelope. Although the Estate Lot must be minimum of 3 acres by definition, the home and all site improvements will be limited to within the disturbance envelope, as shown, preserving the majority of the lot as open space.

Define Open Space Conservation Easement:
Subject to restrictions, if any, of the forthcoming Voluntary Cleanup Certificate of Completion, the applicant is proposing to create a conservation easement over the Open Space areas of Alice Claim with the right to deed the Open Space to a third-party conservation organization.

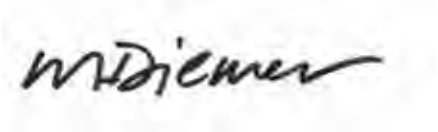
Conditions of Approval Need "Teeth": Please see the attached Conditions of Approval for the Subdivision and CUP that we propose. We believe these conditions as revised further clarify the intended requirements.

We would also like to discuss the deadlines defined in the Conditions of Approval. We have mapped out those required tasks and believe that the Conditions set this project up for failure; the proposed deadlines are nearly impossible to achieve. Specifically, the 12-month deadlines to complete and record the plat, on the one hand, and the first building permit from the date of Planning Commission approval of the CUP for walls, on the other hand, are unrealistic. This process requires final approval of water and sewer construction documents by the Districts and the City Engineer, Construction Mitigation Plan, Site Management Plan, Historic District Design Review, landscape plan approval and financial guarantee, and Certificate of Completion on the remediation. And those items may not proceed until we have final approval from City Council for this project. We request that Staff recommend and Planning Commission make the CUP effective upon recording of the Alice Claim Subdivision Plat. This will provide for the required submittal documents in a fully complete and more realistic time frame and would postpone site disturbance for the entry walls and homes until after the Plat is recorded and building permits are issued.

Thank you for your consideration on this item.

Respectfully,

DHM Design Corporation



Marc Diemer
Associate Principal

Att. Walls CUP Conditions of Approval requested edits.
Att. Alice Claim Subdivision Plat Conditions of Approval requested edits.

Walls CUP

Conditions of Approval

1. All Standard Project Conditions of the LMC 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. Planning Director and City Engineer will review the final design and materials for any necessary retaining walls and the proposed roads adjacent to the retaining walls. The maximum height of the retaining is not to exceed 20 feet above existing grade.
5. Snyderville Basin Water Reclamation District review and approval of the utility plans near the retaining walls for compliance with SBWRD standards and procedures, is a condition precedent to building permit issuance.
6. A final utility plan for roads near any retaining walls is required to be approved by the City Engineer prior to issuance of a building permit. The City Engineer will review the final construction documents and confirm that all existing utilities will not be impacted near the retaining walls and anticipated utilities will be located in accordance with the site plans as submitted.
7. A Historic District Design application shall be submitted prior to submittal of a building permit application for the retaining walls.
8. A building permit will be required to build any ~~roads~~ drives and retaining walls.
9. A final landscape plan and guarantee shall be submitted with the Historic District Design Review for approval by the Planning Department prior to issuance of a building permit for the retaining walls. The landscaping shall be complete prior to issuance of a final certificate of occupancy for the lots within the Alice Claim subdivision. The landscape plan shall provide mitigation of the visual impacts of the 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. The guarantee ~~shall~~ shall address site restoration in the event there is a work stoppage in excess of 180 days, including removing any partially constructed retaining wall(s), unless the Applicant requests an extension of time.
10. The Conditional Use Permit will become effective upon the recording of the Alice Claim Subdivision Plat with the Summit County Recorder and will expire on the second anniversary of the Plat recording date, if an extension has not been granted or a building permit has not been issued for the walls.
11. The Planning Department and City Engineer will review any proposed guardrail and lighting considerations at time of final design.
12. The City Engineer must approve any snow storage requirements near the retaining walls prior to building permit approval.
13. This CUP is conditioned upon the Alice Claim Subdivision receiving plat approval and plat recordation. All conditions of approval of the Alice Claim Subdivision Plat must be adhered to.
14. No building permits shall be issued until the Alice Claim Subdivision plat is recorded.

~~15.All proposed retaining walls shall be further terraced two tiers and additional landscaping shall be incorporated by 20% what is shown on the proposed illustrations.~~

15. ~~16.~~If any retaining wall<u>s</u> disturb~~s~~ existing mature trees, the trees shall be replaced in kind as close to the original location as possible or with <u>an equivalent number in caliper and size as determined by the City Arborist</u>~~three smaller trees~~.
16. ~~17.~~The City Engineer and SBWRD must approve the engineered plans for the walls and utility plan prior to building permit approval.
17. ~~18.~~
18. ~~19.~~

;

19. ~~20. The Applicant must receive a Certificate of Completion for the VCP from UDEQ and Steep Slope CUPs for any adjacent homes prior to building permit approvals.~~
20. Any substantial changes <u>not contemplated by the CUP</u> as determined by the Planning Director to the proposed location of retaining walls will require the applicant to submit an application to the Planning Department requesting a modification to the CUP.
21. <u>The Applicant will need to receive from the Utah Department of Environmental Quality ("UDEQ") under the UDEQ Voluntary Cleanup Program, a final Certificate of Completion for remediated soils within the Applicant's property prior to building permit approval.</u>
22. <u>If a Site Management Plan is required for the UDEQ Certificate of Completion for Alice Claim, the UDEQ approved Site Management Plan must be submitted to the Building Department prior to building permit approval.</u>

<u>Exhibits</u>

Exhibit A – Site plan
Exhibit B – Perspective Rendering
Exhibit C – Site Sections
Exhibit D – Wall Illustrations
Exhibit E – Landscape Mitigation of Site Walls Plan
Exhibit F – Certified Topo
Exhibit G – Vicinity & Zoning Map Exhibit
H – Vegetative Cover Exhibit I – Slope
Analysis
Exhibit J – Visual Analysis

Alice Claim Subdivision Plat

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment 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 amendment 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 complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council. If the plat is not recorded within this time period, it shall be null and void and any resubmittal shall be a new application which is subject to all review requirements, zoning restrictions and subdivision regulations at the time of the submittal.
3. Recordation of this plat and completion and approval of final Historic District Design Review (HDDR) and Steep Slope CUP, if required, applications are required prior to building permit issuance for any construction of buildings or retaining walls over 6' within this subdivision.
4. 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.
5. Snow storage of roads and private drives must be addressed and approved by the City Engineer throughout the development prior to plat recordation. Snow storage sites cannot discharge immediately into the stream.
6. Sewer lateral design and service will need to meet Snyderville Basin's requirements and receive written approval by SBWRD before the proposed plat can be signed by SBWRD. If the sewer lateral design requires a substantial change, as determined by the Planning Director, to the layout of this subdivision plat, the Applicant will need to obtain approval of an application to modify the approved Plat before any work may be done on the modified sewer lateral.
7. If the water system requires a substantial change, as determined by the Planning Director, to the layout of this subdivision plat, the Applicant will need to obtain approval of an application to modify the approved Plat before any work may be done on the modified water system.

8. There shall not be any further subdivision of any additional lots in this subdivision. A plat note shall reflect this condition.
9. ~~No building permits shall be issued until the culvert is fully installed.~~ All state requirements must be obtained for and the culvert must be fully installed or sufficient financial assurance posted in accordance with the LMC prior to plat recordation.
10. A study shall be completed extending the FEMA Flood Plains through this development prior to plat recordation. Any lots located in a FEMA Zone A will require an Elevation Certificate showing the lowest occupied floor is at or above base flood elevation prior to building permit approval.
11. A Stream Alteration Permit from the State will be required for the culvert along with the Flood Plain Study to identify the culverts upstream and downstream impacts prior to plat recordation. The Stream Alteration Permit and Flood Plain Study must be completed and approved prior to Planning and Engineering approval.
12. A Debris Flow Study must be completed for the stream to determine if a debris basin is required.
13. All homes within this subdivision shall be limited to the LMC required footprint maximums or 2,500 sf, whichever is lower. Lot 8 as proposed shall be limited to a footprint of 2,442.3 sf and Lot 9 as proposed shall be limited to a footprint of 2,355.5 sf. . Limits of disturbance for Lot 1 as shown on Exhibit A shall remain in place and no changes shall be made. Subject to retrictions, if any, of the Voluntary Cleanup Certificate of Completion, open space areas depicted on the Plat will be subject to a conservation easement, and Applicant will have right to transfer all or any portion of the open space areas to a third-party conservation organization.
14. All homes within the HR-1 District in this subdivision shall be limited to a building height maximum of 25 feet from existing grade and all other building height exceptions found within the LMC continue to apply.
15. The maximum total floor area of all homes within the HR-1 District in this subdivision shall be limited to 5,000 sf including basement and garages.
16. The utility plan will need to be revised to show how each of the ~~main~~ wet and dry utilities will be able to be placed within the drives with required separations or with special conditions as approved by the proper regulatory agencies and approved by the City Engineer prior to plat recordation.
17. Any roads over 10% grade will not be eligible to be converted to public ROWs in the future.
18. Drives must provide 20 feet wide of clear space to meet Fire Code. If parking impacts this 20 feet wide clear space, it will not be allowed and shall be signed No Parking.
19. Roads less than 26 feet wide shall be marked NO Parking on both sides of the road.
20. .~~Upon review of the Intersection Evaluation the City Engineer determined that the~~
21. The Applicant will need to receive, from the Utah Department of Environmental Quality ("UDEQ") under the UDEQ Voluntary Cleanup Program, a final Certificate of Completion for remediated soils within the Applicant's property ~~from the UDEQ~~ prior to building permit approval~~, which they do not have at the time of this report~~.
22. If a Site Management Plan is required for the UDEQ Certificate of Completion for Alice Claim, ~~T~~the UDEQ approved Site Management Plan must be submitted to the Building Department prior to building permit approval.
23. The applicant will need to receive CUP approval for the proposed retaining walls prior to plat recordation. The approval of the Alice Claim Plat includes the approval of the alternative historic access roadway into Alice Claim.
24. Public trails are shown on Exhibit A with a 15' public recreational trail easement.
25. If the site plan is substantially altered, as determined by the Planning Director, due to any utility redesign or retaining wall redesign or other unforeseen issues, Applicant may need to obtain approval of an application to modify the approved Plat.
26. All Site and Public Improvements shall be completed prior to plat recordation or if the Applicant

submits a finalized and engineered design, the Applicant may petition the Planning Commission to allow the Applicant to submit an adequate financial Guarantee for all Site and Public Improvements prior to the expiration of the plat approval.

27. Utility maintenance access is required across Lots A & C.
28. ~~27.~~Individual water booster or fire sprinkler system pumps to increase water pressure will not be allowed.

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

PASSED AND ADOPTED this _____day of _____, 2015

PARK CITY MUNICIPAL CORPORATION

_____
Jack Thomas, MAYOR

ATTEST:

_____

Marci Heil, City Recorder

APPROVED AS TO FORM:

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Mark Harrington, City Attorney

EXHIBIT L

DHM DESIGN
LANDSCAPE ARCHITECTURE | LAND PLANNING | ECOLOGICAL PLANNING | URBAN DESIGN

May 4, 2015

Via Christy.alexander@parkcity.org

Christy Alexander, AICP Planner II
Park City Planning Department
445 Marsac Ave
Park City, UT 84060

Re: Alice Claim Applications for Subdivision, Plat Amendment, and Conditional Use Permit

Dear Ms. Alexander:

In response to concerns raised by the Planning Commission during the April 8th public hearing questioning the 'build-ability' of the site for the development plan specific to the LMC. Title 15 of the LMC, Chapter 7.3 – "Requirements for Improvements, Reservations, and Design" specifies the potential site hazards that could not allow approval of a development plan. That section reads:

> (D) **RESTRICTIONS DUE TO CHARACTER OF THE LAND**. Land which the Planning Commission finds to be unsuitable for Subdivision or Development due to flooding, improper drainage, Steep Slopes, rock formations, Physical Mine Hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, geologic hazards, utility easements, or other features, including ridge lines, which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the Subdivision and/or its surrounding Areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendation of a qualified engineer, to solve the problems created by the unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for Uses as shall not involve such a danger.

Set forth below is King Development's response to each of the hazards listed above in the LMC. Some items have been previously noted by Staff as potential hazards and have already been addressed for future verification in the Conditions of Approval.

-Flooding: No Flooding
FEMA mapping does not show flood hazard on the site. The Applicant's Engineer does not believe there is a flood hazard on this site. No flooding has been reported or seen in this location.

The City has requested from the applicant as a Condition of Approval that a study be completed extending the FEMA Flood Plains through this development prior to plat recordation. Any lots located in a FEMA Zone A will require an Elevation Certificate showing the lowest occupied floor is at or above base flood elevation prior to building permit approval. The Applicant accepts and expects to satisfy this condition.

-Improper Drainage: Drainage is correct
See attached memo by Stantec titled Alice Claim Drainage Narrative. The site currently drains down into the reconstructed (as part of the remediation project) channel that runs south to north through the site. That channel carries small volumes of spring runoff and the drainage from the site and the small basin above the site. Minor drainage alterations are proposed to accommodate site development, but generally proposed site drainage remains consistent with existing conditions. A portion of the existing drainage channel will be carried in a culvert pipe as shown on the Engineering Plans prepared by Stantec Engineers.

The City as part of the Conditions of Approval requires a "Debris Flow Study" to be completed for the stream to determine if a debris basin is required. The Applicant accepts and expects to satisfy this condition.

An additional Condition states that the City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

-Slopes: No Issues were identified that would prohibit development
This item is addressed in the Geotechnical report which states: Active landslides were not identified in the office studies or during the field reconnaissance completed for the project. While each specific site was not addressed, the site as a whole was inspected and soil borings and sampling were taken. It is more appropriate to address specific site issues unique to each lot and mitigation of those issues, which may vary depending on the house design, after plat approval.

The Applicant suggests that a Geotechnical Engineer review each home design and site prior to issuance of a building permit by the City to determine if any additional measures and/or mitigation are needed.

The Applicant is willing to accept a Condition of Approval requiring a geo-tech report for each specific home prior to issuance of a building permit

-Rock Formations: No Development is proposed below rock outcrops
This item is addressed in the Geotechnical report that cautions development below rock outcrops. A small rock outcrop is located on this site or immediately above the Estate Lot. We do not believe there is any instability and/or risk from this outcrop; however, there will be no development below this outcrop. A Geotechnical Engineer will review each home site development prior to and during construction to determine if there are any specific measures and/or mitigation needed.

-Mine Hazards: Have all been addressed
This item is addressed in the 2006 Geotechnical Report which recommends filling of the mine shaft as well as the follow up report from AGEC dated Dec 13, 2006, which outlines procedures for safely filling the mine shaft. The mine shaft was subsequently filled and compacted during the site remediation project in 2008 and is included in the mitigation report. As recommended by the AGEC report, home sites will be setback a

minimum 10' from the mine shaft. All other mine related hazards were remediated in 2008.

-Potentially Toxic Wastes: Have all been addressed

In 2008, the Applicant's property, and the City's property that bisects the project site, was remediated in the VCP to levels necessary for the proposed residential subdivision. Alice Claim investigation and cleanup activities are being completed under the Utah Division of Environmental Response and Remediation Voluntary Cleanup Program. Mitigation of mine impacted soil was completed from July 2008 through September 2008 primarily by removal and proper disposal.

-Adverse Earth Formations or Topography: We do not believe exists.

The Geotechnical Report identifies "Surface Fault Rupture" and "Liquefaction" as two additional hazards for some developments but concludes that the conditions do not exist for either of these hazards.

As part of each house geo-tech report (agreed to in the Conditions of Approval) will review these issues as well as evaluate avalanche potential and develop appropriate design impact pressures for structures.

-Wetlands There are none

In 2006, as part of the Stream Alteration Permit, the U.S. Army Corps of Engineers issued an email dated July 25, 2006 confirming that there are no wetlands onsite and that a wetland delineation is not required.

-Geologic Hazards; Have been identified and accounted for by planned subdivision

This item is addressed in the specific items above. The Engineering Geology and Geotechnical Engineering Report prepared by AMEC dated October 21, 2014 reviews many of the specific items listed above and provides guidance for construction specifications to address any potential concerns.

-Utility Easements: All Accounted for

All existing and proposed utility and access easements are included on the Plat that will be reviewed by the City Engineer in its final format prior to recordation. The City Engineer has not provided any negative reviews of the proposed easements.

-Ridgelines: No Development on Ridgelines

The City's Ridgeline Map indicates that there are no ridgelines within the property as defined by the Land Management Code. While lot 7 was not on a Ridgeline, we have moved Lot 7 to a new location lower and away from the visual ridge.

DHM DESIGN

Thank you for your consideration on this item.
Respectfully,
DHM Design Corporation

Marc Diemer
Associate Principal

EXHIBIT M

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
APRIL 8, 2015

COMMISSIONERS IN ATTENDANCE:

Vice-Chair Steve Joyce, Preston Campbell, John Phillips, Doug Thimm, Nann Worel

EX OFFICIO:

Kayla Sintz, Planning Manager; Francisco Astorga, Planner; Christy Alexander, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

Vice-Chair Joyce called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioners Band and Strachan.

ADOPTION OF MINUTES

March 25, 2015

Commissioner Worel stated that she had reached her term limits as Chair and that a new Chair and Vice-Chair were appointed at the last meeting. On page 13 of the minutes she was referred to as Chair Worel and that should be corrected to read **Commissioner Worel**. .

MOTION: Commissioner Phillips moved to APPROVE the minutes of March 25, 2015 as amended. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

Brooke Hontz stated that she is a former Commissioner who served on the Planning Commission for 4-1/2 years. She truly appreciated their service because she could speak from experience about the difficulty of the job and how much work it entails. Ms. Hontz was present this evening because of the recent Land Management Code discussions regarding TDRs. She had been unable to attend the previous meetings but to her knowledge and from reading the minutes she understood that a recommendation had not been finalized. Ms. Hontz stated that in her profession she represents development

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 year's 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 tie breaker mechanism shall be included in the CC&Rs.
4. Required public improvements and landscaping, as applicable, shall be completed at the time of conversion or security provided to ensure completion as provided by ordinance.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. Alice Claim south of intersection of Kind Road and Ridge Avenue – Alice Claim Subdivision and Plat Amendment. (Application PL-08-00371)

2. Alice Claim south of intersection of King Road and Ridge Avenue – Conditional Use Permit for retaining walls up to 25' in height. (Application PL-15-02669)

Commissioner Phillips recused himself and left the room.

Planner Alexander requested that the Planning Commission combine the two applications for discussion and public hearing.

Planner Alexander stated that the applicant had reviewed the findings of fact and conditions of approval for both the subdivision and the CUP and requested some revisions. The Staff agreed to some of the revisions but not all, and a few additional conditions of approval were added.

Planner Alexander reported that the Alice claim property is at the top of King Road at the intersection where Ridge Avenue, Sampson Avenue and Gulch all come together. The subdivision is approximately 8.65 acres and a plat amendment on .38 acres. Eight of the homes are located within the HR-1 District. Lot 1 is located within the Estate Zone with a Sensitive Lands Overlay. Planner Alexander explained that because the proposal is less than 10 lots it is not a Master Planned Development.

Planner Alexander noted that the Planning Commission had visited the site and reviewed this application in October during work session. She noted that the applicants had been before the Planning Commission and City Council several times beginning in 2002 and the applicants were now looking at revising that plan.

Planner Alexander noted that at the last meeting the Planning Commission expressed comments and concerns and they requested additional information. They wanted to see what was above and around the site and how it was zoned and platted out. Some were concerned about development on the steep slopes, particularly in the Sensitive Lands Overlay and the Estate lot. The Commissioners had expressed concern regarding compatibility of the structures with surrounding HR-1 zones, as well as the adjacent HRL zone. Commissioner Thimm had requested to see cross sections of the homes. Planner Alexander had not been given cross sections and assumed they would be in the applicant's presentation this evening.

Planner Alexander reviewed the site plan from 2009 compared to the current site plan proposed. At the last meeting the Planning Commission requested that the applicants move the Estate lots down. Based on that recommendation the lots were moved further down closer to the City-owned property. Planner Alexander stated that the applicants were requesting additional items in the current site plan, which included a reduction in the setbacks for the Estate lot. Currently the Estate lot is required to have 30 feet on the front, side and rear of the homes. They were requesting a reduction down to 10 feet for the front, 10 feet for the side and 20 feet for the rear.

Planner Alexander referred to the table on page 188 of the Staff report which listed the individual lots and the percentage of slope across those lots. The Estate lot was moved off the very steep slope and the slope for the Estate lot was reduced to 31%. The rest of the open space would be left as is as a no disturb zone. She noted that the applicants would have to apply for a Steep Slope CUP for any lots over 30% slope in the HR-1 zone. Lot 7 was the steepest at 64%; Lot 6 was 55%; Lot 4 was 47%; Lot 2 was 45%; Lots 3 and 5 were 38%. Lot 1 was 31% and Lot 9 was 26%. Planner Alexander requested that the Planning Commission discuss the steep slopes and whether they were acceptable for development.

Planner Alexander reported that the Staff and the applicants had worked out solutions for the water pressure. The applicants have shown they can meet the minimum water pressure. She pointed out that it would be the minimum which may present an issue in the future. The applicants also met the requirements for access; however, the City Engineer has asked them to consider additional recommendations. Regarding sewer and utility issues, the Sewer Department has not received a finalized plan, but they were signers on the plat. Once the applicant receives approval from the City Council they must finalize everything with the Sewer Department. Planner Alexander noted that the Staff had drafted conditions of approval stating that if any redesign of the utilities pose issues or if the site plan is significantly altered as determined by the Planning Director, the applicant will be required to resubmit a new application and any approvals will be null and void.

Planner Alexander commented on clustering and asked the Planning Commission to provide input on whether or not it was compatible with the surrounding zone. She had included in the Staff report the footprint sizes of the homes along King Road, Sampson Avenue, Daly and Ridge Avenue to aid in their discussion this evening.

Planner Alexander noted that the applicants had stipulated to most of the conditions with the revisions submitted today, and she expected the applicant would discuss those revisions.

Greg Brown with DHM Design, introduced Jerry Fiat, representing King Development, Brad Cahoun, legal counsel, David Fagen from King Development, Joe Tesch, Tesch law, Mark Deemer with DHM Design Planning and Landscape Architecture, Seth Briggs from Stan-Tech Engineering, and Kathy Harris, Environmental Consultant. Mr. Brown thanked Planner Alexander and all of the City Staff for their efforts in this long process and for making sure the applicants had everything the Planning Commission needed to make what he hoped would be a positive decision.

Mr. Brown noted that DHM Design had prepared a site model. Vice-Chair Joyce stated that the Commissioners had the opportunity to look at the model prior to the meeting. Mr. Brown remarked that they would not be repeating the entire work session presentation they had given in October because Planner Alexander had assured him that it was already part of the record. The presentation this evening would primarily focus on the changes that were made to the site plan in response to the comments and concerns express by the Planning Commission in October.

Mr. Brown clarified that they were before the Planning Commission on four applications; the plat amendment, the subdivision, the side yard setback variance, and the conditional use permit retaining walls. They were four separate issues but they needed to be discussed together.

Mr. Brown outlined the five primary concerns they heard in October. One was a discussion about access for the open lands and having public access to the open space. There was a concern about the amount of site disturbance and trying to define how much site disturbance there would be. There was a need to further mitigate and study the entry retaining wall. The Staff had looked at compatibility with the surrounding neighborhoods and made recommendations regarding that issue. Mr. Brown believed the biggest discussion point was the location of the Estate lot.

Mr. Brown summarized their response to the issues. He noted that the HR-1 lots were significantly decreased in size, which created open space surrounding those lots. They were working with third parties, including the Summit Land Conservancy, to find someone

to deed that property to or who would hold the easement; or any other process that would hold the open space in perpetuity. Mr. Brown stated that they had shown disturbance envelopes and restrictions on the Estate lot and the eight lots on HR-1.

They did further terracing and landscaping to try to mitigate the retaining wall. In terms of building size and height, the Staff recommended further restrictions that they had agreed to. They also relocated the Estate lot to the bottom flatter portion of the gulch area on the site.

Mr. Brown presented the plan for the HR-1 lots that was shown in October, highlighting the lots that were proposed at that time. He presented the revised plan showing their current proposal for the eight lots and how they substantially decreased the size of the actual lots that would be sold. He reiterated that the surrounding space would be open space. Mr. Brown stated that a restriction would be placed on the Estate lot making the area outside of the building envelope and the road right-of-way a no disturb zone.

Mr. Brown noted that the entire site is a little over nine acres, and approximately 6.6 acres or 73% of the site is open space. The HR-1 zone is approximately 3.47 acres with 1.62 or 46% in open space. The Estate zone is 5.1 acres and 4.6 or 88% of that is open space for the Estate lot. Mr. Brown stated that the disturbance envelopes limit the amount of disturbance on all nine homes to 32,400 square feet, which is 8% of the site. He pointed out how they tried to limit the amount of disturbance to make sure people were comfortable with what they had planned for the site. Mr. Brown stated that most of the roadway or at least the disturbance zone parts already exist.

Mr. Brown remarked that the disturbance restriction on the nine lots is a platted requirement. He presented a slide showing the building envelope and the disturbance envelope around the building envelope. The limit of the disturbance envelope is 20 feet out from the building envelope.

Mr. Brown recalled significant discussion in October regarding the entry retaining wall, and noted that all the retaining walls were looked at as part of the CUP. One of the requests was to increase the landscaping. He presented the plan that was used to create the model. The landscaping shown assumed two-years of growth in an effort to be more realistic rather than exaggerated. Mr. Brown presented a drawing showing the entry wall as two-tiers. He noted that the Staff was recommending that it be broken up even further. Mr. Brown stated that one concern was the amount of landscaping that could fit and still accommodate snow storage, etc., and they tried to be practical in what was proposed. Mr. Brown presented a view of the site with the houses up above. He identified the existing evergreen trees. Another view was looking into the entry of the project with the houses behind the trees. Mr. Brown pointed out the entry wall, as well as the wall above, and

noted that houses would be built in front of that retaining wall. He and Mr. Fiat have discussed the possibility that the wall could become part of house. Mr. Brown identified the walls behind Lots 5 and 6. He presented a view looking up at the road coming up to Lot 7 and explained how they were bridging over the City property to access Lot 7. From the human scale view, the large evergreens trees would be saved to block the view of the retaining wall.

Mr. Brown commented on building size and height in the HR-1District and further restrictions that were done based on Staff recommendations. As mentioned at the last meeting, the buildings were restricted to a maximum of two stories. The Staff asked that they further restrict the height to a maximum height of 25 feet.

Mr. Brown stated that the Estate lot was a main topic during the work session in October and there was an issue with the location on the hillside. In relooking at the plan they realized that the Estate lot could be moved down to where it was currently shown on the plat. The new location is in the gulch and has a much lower visibility. Mr. Brown noted that the site is very tight and for that reason the applicants have asked for a reduction in the setback from 30 feet required for Estate lots to 10 feet on the side and front and 20 feet on the back. The reduction would allow them to better fit a home on the lot given the constraints of the roads and the City property. Mr. Brown believed that moving the house off of the hillside to a much flatter portion of the gulch area was a good compromise.

Mr. Brown commented on the modifications that were worked out with the help of the Staff and Engineering, including the water issue. Mr. Brown provided the Commissioners with a copy of the power point presentation.

Planner Alexander noted that representatives from the Sewer District, the Water Department and the City Engineer were present to answer questions.

Mr. Brown clarified that the footprints were too scale but they were still working on the design details and architecture of the houses.

Vice-Chair Joyce confirmed that the utilities, sewer, environmental cleanup and other issues that could affect the design of the project were outside of the Planning Commission purview. He understood that if the Planning Commission were to forward a positive recommendation and it was approved by the City Council; but the applicant later found that a reasonable change was required, they would have to reapply for the conditional use permit. Planner Alexander replied that this was correct.

Jerry Fiat recognized that they would have to reapply, although he was not pleased with that requirement. Mr. Fiat stated that more engineering work was done on this project

regarding those issues than has been done on any other project. He noted that it was difficult to finish this project without having the site selections completed. Mr. Fiat was comfortable moving forward at this point; however, if the Planning Commission thought this was a good site plan he would also be comfortable with a continuance to allow time to finalize the design and all of the conditions before bringing it back to the Planning Commission. He estimated that it would take two to three months to complete but it would eliminate the unknowns. Mr. Fiat was uncomfortable with the idea that the Planning Director would have the discretion to determine what constitutes a significant change. He thought that terminology was vague.

Commissioner Worel wanted to know how they would address the issue if there were differences between what the applicant proposed for the findings of fact and conclusions of law versus what was proposed by Staff.

Assistant Attorney McLean explained that the Staff had reviewed the applicant's proposed changes, made their own changes, and then provided the Planning Commission with the new changes. She pointed out that the Planning Commission had the purview to accept, change or amend any of the findings or conditions presented by either the applicant or the Staff.

Commissioner Thimm stated that because the Commissioners were handed the revised redlined findings and conditions at the beginning of the meeting, he requested that Planner Alexander review the differences.

Planner Alexander reviewed the changes to the Findings of Fact as follows:

A Finding was inadvertently labeled as #1 between Findings 19 and 20. The #1 was replaced with #20 and the rest of the Findings were renumbered.

The language stating that the proposed 5,000 square feet, as well as the 25 foot maximum, should only be for the HR-1lots. The applicants were still proposing a 2,500 square foot footprint for the Estate Lot.

Newly numbered Finding 25 – There were minor errors with the differences of the submittals and calculations of the grid of the lots.

Findings 34 and 35 were new findings that correlate with the Conditions of Approval that were added stating that the applicant shall complete all site and public improvement prior to plat recordation. Or if the applicant submits a finalized or engineered design, the applicant may petition the Planning Commission to allow the applicant to submit an adequate financial guarantee for all site and public improvements.

Planner Alexander reviewed the revised Conditions of Approval as follows:

The #1 was inadvertently left out and the first condition was numbered #2. The Conditions were renumbered.

Planner Alexander referred to Condition #7 in the applicant's submitted conditions, and noted that the applicant was asking to come back before the Planning Commission if there was a substantial change to the site plan. However, because a subdivision is approved by the City Council, the applicant would not be allowed to come back to the Planning Commission. The Staff stands firm on their condition that if there is a substantial change as determined by the Planning Director, the approval shall be null and void, and the applicant would have to submit a new application.

Planner Alexander noted that the same applied for the next condition regarding the Sewer.

Planner Alexander referred to the newly numbered Condition #10 and noted that the Staff had removed the language, "no building permits shall be issued until the culvert is fully installed" and replaced it with "All State requirements must be obtained and the culvert must be fully installed prior to plat recordation." Planner Alexander explained that if the culvert is not put in, they could not meet the 50-foot setback from the streams required for the lot, which would change the entire site plan.

Planner Alexander referred to newly numbered Condition #15, and pointed out that the 25 foot height maximum was only for the HR-1 district. The same changed applied to #16 regarding the 5,000 square foot maximum total floor area.

Newly numbered Condition 17, change "main" utilities to "wet" utilities. Planner Alexander noted that the applicant had requested "or with special conditions." The Staff added that language with additional language, "as approved by the proper and regulatory agencies." She noted that in addition to the City Engineer approval, the State would have to approve a stream alteration permit and other requirements.

Planner Alexander referred to newly numbered Condition #21 which states that The Applicant will need to receive City Council's approval to give them an access over the City's property. She noted that the Applicant wanted to execute an agreement, but it was something the City Council would have to decide at the time of subdivision approval because approval of the subdivision is contingent on approving the access. Approving the subdivision would automatically grant the access.

Planner Alexander noted that newly numbered Condition #22 was cleaned up to require the applicant to provide recommendations to the City Engineer. Condition #23 regarding the Utah Department of Environmental Quality, the first part was what the applicant had requested. The second part "if required by UDOT the City will cooperate in allowing for the Certificate of Completion to cover remediated soils inside the City property." In speaking with the City soils person they were told that the language was not necessary and it was removed. Condition #24 - the applicant request adding "If the site management plan is required", which the Staff agreed to add. Condition #27, "if the site plan is substantially altered as determined by the Planning Director", Planner Alexander reiterated that the applicant had requested that it come back to the Planning Commission, but the previous explanation implied that it would be a City Council approval and the approval should be null and void.

Planner Alexander noted that three Conditions of Approval were added. Condition #28, "Off-site and public improvements shall be completed prior to plat recordation." If not, they could come back to the Planning Commission to allow the applicant to submit an adequate financial guarantee to make sure the improvements are put in before the lots are sold off.

Condition #29, "Utility maintenance access is required across lots A & C." This condition was requested by the Water Department. They also requested Condition #30, "The individual water booster or fire sprinkler system pumps to increase water pressure will not be allowed."

Vice-Chair Joyce understood that Lots A and C were under the roadway. Planner Alexander replied that this was correct.

Planner Alexander reviewed the revised Findings and Condition of the CUP application. She noted that there was a slight discrepancy in showing the walls. She stated that some of the walls were not showing the correct heights. She presented a slide identifying the correct wall heights. She noted that the wall heights were changed in Finding #7 to reflect the correct wall heights.

The language was cleaned up in Finding of Fact #11 to make the sentence more easily readable. Planner Alexander referred to Finding #14 and noted that because they did not have the plat as an exhibit, they changed the language to "site plan". Findings 17 & 18 were added today. Finding 17, "Proposed tree heights will only screen approximately 50% of the walls vertically where located. Proposed trees will only screen approximately 25% of the walls horizontally, which creates a visual impact that can be mitigated by Condition of Approval #17". Finding 18, "The walls as proposed create an unbroken massing that will be visibly clear from vantage points and create a visual impact that can be mitigated by Condition of Approval #18."

Planner Alexander reviewed the Conditions of Approval. Condition of Approval #8, the word “roads” was replaced with “drives”.

Planner Alexander noted that the applicants were concerned with the stated expiration date in Condition #10 because if they did not get the plat recorded in time the CUP would expire. The applicant was requesting language stating that it would expire one year after the date of recording of the plat. The Code states that the CUP would expire after one year; however, the applicant can come back and request a year extension. Another option is that the Planning Commission may grant a two-year approval.

Planner Alexander noted that Condition #15 was removed because it was addressed in Conditions 17 and 18. The language in Condition #16 was clarified to say that if any of the existing mature trees are disturbed, they would have to be replaced in kind and with the equivalent number and caliper and size as determined by the City Arborist.

Regarding Condition 18, Planner Alexander stated that the applicant had requested that the Planning Director should have the discretion to determine terracing the walls between two and four tiers. The Staff recommended adding, “And they must show further terracing of the walls between two to six tiers at each location, with each wall to be limited to ten feet in height to be approved by the Planning Director.” The Staff believed that a ten foot height could be properly mitigated with trees to cover the walls and reduce the visual impacts of the high walls.

Condition 19 was removed because it was not needed. Condition #21 was revised to include the language requested by the applicant, “Any substantial changes not contemplated by Condition of Approval 19 above.” The condition also addresses the requirement for the applicant to submit a new application if the site plan is significantly altered.

Planner Alexander noted that Conditions were added to include the language suggested by the applicant, but without the language “the City will cooperate in allowing for the soils inside the City’s property.” Language requiring a site management plan was also added.

Planner Alexander stated that in January the applicant had submitted in each of their retaining wall locations one very large wall and different sizes at each location. She requested that they show alternatives with terracing. Planner Alexander clarified that the drawings shown included the terracing of the walls. She explained the terracing and noted that the Staff believed it was an improvement but thought that it could be mitigated further with more terracing and landscaping.

Mr. Fiat clarified that the applicants were comfortable with the Staff recommendations with the exception of minor housekeeping issues. Mr. Fiat requested that the Planning Commission grant the CUP approval for two years on the walls because logistically it was not possible to meet the one-year date.

Assistant City Attorney McLean explained that the Code states, "Unless otherwise indicated, Conditional Use Permits expire one year from the date of Planning Commission approval". A typical CUP is approved for one year and the Planning Commission can extend it for a second year. It would have to come back to the Planning Commission to be extended for the third year. However, the Planning Commission can indicate a special circumstance and initially approve the CUP for two years.

Vice-Chair Joyce opened the public hearing on both the plat amendment and the CUP for the retaining wall.

Planner Alexander had forwarded to the Planning Commission two public input emails she received that day from two neighbors, and she would submit those emails into the record.

Lee Gurstein addressed the access component of the proposal as discussed on page 184 of the Staff report. It talks about alternative access and alternative access problems and issues since the applicant does not have access to property at 135 Ridge Avenue. The problems include creating a five-way intersection, width of the roads, emergency access, creating a retaining wall, removing part of the mountain and protecting mature trees. Mr. Gurstein stated that he is one of the owners of 135 Ridge Avenue. Before he lived there he understood that there were some negotiations about sale or provision of access for this project. For some reason those negotiations were stopped. Prior to this meeting he had a brief conversation with legal representative Joe Tesch and Mr. Gurstein wanted it on the record that those negotiations will be resumed.

Carol Sletta a resident at 135 Sampson had concerns regarding the five-way intersection. She has traveled the road over 35 years and she was concerned about the public safety and functionality of the road. She encouraged them to make that part of the road safe for everyone and that it can be easily accessed by emergency vehicles and nightly renters.

Brooke Hontz requested that the Planning Commission asked that a letter she wrote earlier that day be submitted into the record in its entirety so she would not have to read it verbatim and could just highlight specific points. Mr. Hontz recalled that this project came before the Planning Commission when she was a Commissioner; however, a decision was never made and this Planning Commission was now faced with addressing the issues. Ms. Hontz stated that she reviewed the information that was submitted in October from the standpoint of a private citizen as well as a former Planning Commissioner. She asked

herself what she would be able to do on the site without the current applications. If no access is provided nothing could be done because some of the land is partial lots of record but another part is a metes and bounds parcel. She pointed out that where the development was occurring is really one big lot. Ms. Hontz thought it was imperative that the Planning Commission spend sufficient time on this subdivision application not only because of the mining history and steep slopes, but also to make sure that it fits within the LMC and the General Plan before moving forward. Ms. Hontz stated that in 2010 the Planning Commission saw a similar development nearby on Upper Ridge. Five comments at that time centered around whether they would be creating lots that are difficult to build or unbuildable based on current Codes; road widths and substandard roads; issues in terms of how this relates to the Streets Master Plan which is still in effect; geotechnical issues and sensitive lands. She noted that the Commissioners discussed these issues not only for the Alice Claim project but also for the surrounding areas. Ms. Hontz stated that access is a moving target and warrants looking at other solutions. She thought it was ridiculous to create an alternative access in that location and on a right-of-way that does not have to be approved by the City. Ms. Hontz noted that the definition of right-of-way in the LMC means it can actually be a ski lift, a stairway or a trail. So many things are related to access, including going against the purpose statements and the specifics of subdivision themselves that it should be looked at. Ms. Hontz was glad that people were concerned about reaching this project in the case of an emergency. She stated that what the Fire Department requires adds additional impacts of impervious surface, turnarounds and more vegetation removal. It is needed but it also speaks to the undevelopable nature of the site. Ms. Hontz stated that more concerning was the fact that it talks about secondary access and it references Ridge Avenue as a potential future secondary access. Ms. Hontz stated that her letter outlines ten points referencing the concerns related to even contemplating Ridge Avenue as a secondary access in the future.

Ms. Hontz agreed with the Staff analysis regarding clustering. She thought the lot configuration and density were in question. Regarding water delivery and sewer, Ms. Hontz thought things may have moved faster than what was identified in the packet. She recognized that there may be acceptable water solutions that make sense in some projects. It is logical to allow someone to sort out the water delivery details after the subdivision is approved. However, in this instance with all the other issues and the way the Conditions are written, she believed was setting up the City for failure. Too many pieces still need to be addressed and it is important to first understand whether the solution is feasible. Ms. Hontz remarked that another key are the restrictions due to the character of the land, which is LMC Section 15.7.3-1 Section D. It was also highlighted on page 188 of the Staff report. She encouraged the Commissioners to spend time on that section because she did not believe the information provided by the applicant addresses the concerns of the very steep slopes, which are significant issues. She commented on recent training the Commissioners had by Brent Bateman from Ombudsman's Office and the fact

that it is up to the Planning Commission and the City Council to make sure this subdivision meets all the standards and codes and that it is safe. She believed the Ombudsman's analysis throughout the State has brought problems to light in terms of dealing with steep slopes. Ms. Hontz stated that her conclusions of law differ from the Staff's, and she requested that the Planning Commission consider asking the Staff to prepare conditions for denial based on her information, as well as additional information that could be provided that proves there is no good cause for this plat amendment. It does not meet the Subdivision Code policy 15-7-3, Policy B, because the sewer and water service to be required as stated within that section are not clear enough. Additional proof is Policy C and the subdivision purpose statements.

Charlie Wintzer stated that the last time this project came before the public no public input was taken in the interest of time. He handed out copies of the statements he had prepared for that meeting. Mr. Wintzer stated that when he was on the Planning Commission and this project came before them, all the remediation work was done based on the hopes of getting the subdivision approved. He remarked that the project never reached the point of discussion where the Commissioners could ask questions about the details. Mr. Wintzer stated that whatever the Planning Commission does during this meeting would either strengthen or weaken the Code going forward. He stated that the comments he made in 2011 regarding the Ridge Subdivision hold true for this proposed subdivision. He stated that the City has spent time and energy protecting the open space around this area and around Old Town. They negotiated a deal with the Sweeney's to move Treasure off of the hill, density was moved off of the hill when they negotiated the Montage project, and the City purchased open space on the hill across the canyon. What they do here could jeopardize that work. This applicant wants to build on two hillsides and one ridgeline. Mr. Wintzer noted that this application falls under the old General Plan. He handed out pages from the old General Plan that talks about staying off of hillsides and ridgelines, which is reinforced by all the purpose statements. For this particular project the most important purpose statements are the ones for the SLO and the two purpose statements about subdivision, which talks about ridgelines and hillside. Mr. Wintzer stated that the LMC backs up the statements in the General Plan and in the purpose statements. He counted 30 different places that he did not believe the Staff had properly addressed. This project could be built on flat ground at the bottom of the hill, and both the General Plan and the LMC directs them to do that. The homes should be clustered together to keep them off the hillside, to reduce cuts and fills, and to create a sense of community. Mr. Wintzer also provided a handout with all the Code issues he had identified. He encouraged the Planning Commission to continue this project until Commissioner Strachan was present, since he was the only Commissioner on the Planning Commission who saw this project the last time. He thought it would be important for the new Commissioners to hear his perspective. Mr. Wintzer provided another handout that did not pertain to this project, but it was where he had gathered all the information on this project.

Peter Marth stated that he lives at 27 Hillside Avenue, which is a HR-1 street that is currently being overrun by commercial vehicles. He asked the applicants to think about how it was possible to mitigate construction traffic impacts for nine homes in a subdivision on a steep slope at the top of Old Town. Mr. Marth reminded the Planning Staff that you cannot mitigate impacts from construction traffic. What they do is mitigate the impacts for cars and trucks, but not for the people living in Old Town. He commented on a hole in the ground on the PCMR hillside that has been sitting there for two years and it is an eyesore. He wanted to know what guarantees that this would not happen again. Mr. Marth wanted to know what would guarantee that they could mitigate traffic impacts. These impacts affect the "quality of life" and those words are littered throughout the Building Code and the LMC. It is impossible to mitigate the impacts from a development of this size in Old Town. The streets are substandard and the slopes are steep. Mr. Marth requested significantly more discussion before any of this project could be considered. It was difficult enough contemplating this project living on Hillside Avenue, but he was very sensitive to the people in Upper Old Town who live on King Road and Sampson because they would be experiencing a decrease in quality of life which is a permanent loss that cannot be mitigated.

Vice-Chair Joyce closed the public hearing.

Commissioner Worel thanked the applicants for listening to their concerns and she appreciated having the model to see what they were proposing. She appreciated that they were willing to reduce the lot sizes to create more open space and that they moved the Estate lot down into the gulch. However, she had concerns about the retaining walls and the fact the City Engineer and the Sewer and Water Department had concerns about this project. Commissioner Worel asked the City Engineer to address questions regarding the traffic. She noted that the Staff report indicated that Mr. Cassel had expressed concerns about the proposed intersection and that his questions were not answered with the traffic study.

City Engineer Matt Cassel explained that the original traffic study looked at volumes, but he knows that the volumes up there would not exceed any limits they have. He stated that the issue was not about volume. It was about maneuverability of the intersection having five or six roads coming together, and whether there were ways to improve the intersection from the standpoint of health and safety. Mr. Cassel stated that the applicant had submitted a report and they have presented alternatives and recommendations. He was not completely comfortable with it yet, but he felt like they were making progress.

Commissioner Worel commented on the CUP application regarding the retaining walls. She understood from the Staff report that there were concerns that the retaining walls may

not work or might damage some of the infrastructure. City Engineer Cassel stated that at this point he did not know the exact design of the walls or whether there would be anything behind the retaining walls. He explained that the concern with utilities is having offsets. For example, water lines are supposed to be buried six feet in depth, but if they are placed two feet away from a retaining wall they are exposed the same as if they are not buried deep enough. He stated that the drives are narrow and the sewer and water need to be spaced at least 10 feet apart. Putting all the dry utilities together takes up a lot of space rather quickly. If retaining walls are placed next to the road it exposes the utilities to the environment. They were trying to make sure that all the utilities fit together and that the retaining walls do not cause impact to the utilities as they move forward.

Vice-Chair Joyce thought from earlier comments that they were close to resolving the safety piece of the traffic. However, he understood from. Mr. Cassel that there was uncertainty as to whether or not it might work. Mr. Cassel replied that they were close to a resolution. He reiterated that volume of traffic was less of an issue than maneuverability. The applicant has ideas on the table and Mr. Cassel did not think they were far from resolving the issues.

Commissioner Worel had questions for Kyle MacArthur with the Water Department. Mr. MacArthur stated that he was the distribution manager and he was not entirely familiar with this project. He has been communicating with the Water Engineer who does all the plan reviews, and he would try to answer their questions.

Commissioner Worel commented on concerns expressed in the Staff report about getting enough water pressure. Mr. MacArthur stated that they were right at the bottom of the pressured required by the Division of Drinking Water. This project will meet the minimum requirements given the modifications proposed for the design. He stated that as future operators of the system, he could almost guarantee that the first person moving in would complain about the minimal water pressure and the Water Company will not be able to do anything. The remaining concern with the low pressure is the ability to meet the fire flow requirement.

Commissioner Thimm asked Mr. MacArthur if he was comfortable with the fire flow for that area. Mr. MacArthur replied that it was up to the Fire Marshall and he believed the Fire Marshall had made the determination that it was sufficient.

Commissioner Worel asked Brian Atwood, the District Engineer for the Water Reclamation District, if he was comfortable with the site regarding sewage. Mr. Atwood stated that a specific process must be followed to get to final design approval and construction before they can provide waste water service. The final design must be approved before they can move on to platting. However, all they have seen so far is a preliminary utilities plan, which

does not show a lot of detail. Based on review of the preliminary utilities plan the Water Reclamation District raised questions with the developer and their engineer, who was confident that all their concerns could be addressed. Until they have that information they could not determine whether or not the proposal would work.

Commissioner Worel was concerned that they may be creating unbuildable lots. She asked if there was a precedent for building on a 64% slope. Planner Alexander stated that there are many areas with varying amount of steep slopes within the Old Town District. She identified specific properties that were developed on steep slopes. She pointed out that 30% slope stated in the Steep Slope CUP is an average. A property may be steeper at the front of the lot and gradually decrease, but if it is a 30% slope overall it requires a Steep Slope CUP. Planner Alexander commented on 429 Woodside and noted that the first 50% of the lot was 80% slope and they were approved to build. Planner Alexander clarified that not every site is suitable for development. For the Alice Claim project the Staff made sure that no building would occur on a ridgeline. She offered to do a more in-depth analysis if requested by the Planning Commission to determine how buildable the 64% lot would be and whether there were any old mine sites.

Commissioner Worel thought the in-depth analysis would be helpful. Planner Alexander noted that the homes would come back for a Steep Slope CUPs and additional mitigation could be done with that process as well. Commissioner Worel reiterated that her concern was whether they were creating something that would not be buildable. Commissioner Worel stated that excellent points were made during the public hearing and the Commissioners were given a significant amount of material this evening that they had not had the opportunity to review. She favored a continuance to give the Commissioners time to read through the material and consider the input.

Commissioner Thimm agreed with Commissioner Worel. Considering the amount of written information they received and the information provided by the City Engineer and representatives from the Water and Sewer Departments, he would support a continuance to be able to study all the information. Commissioner Thimm commented on the discussion in the Staff report regarding the stream diversion and dealing with the Army Corp of Engineers. He has worked with other wetlands situations and it has never been easy. It appears that a lot of this subdivision depends on that diversion and he asked if there has been any discussion with the Army Corp of Engineers.

Jerry Fiat stated that it was a dry stream bed. The only time water runs down it is when they clear the water tank. The old road used to run down the stream bed. Mr. Fiat stated that they rebuilt the stream bed as part of the cleanup. Part of the cleanup plan is to culvert part of the stream and they already have a permit in place to do so.

Commissioner Thimm referred to page 188 of the Staff report which states that the applicant had not provided information regarding mitigation of potential hazards. It was after a statement that was quoted by the LMC which says that until hazards have been adequately addressed in terms of mitigation the land cannot be subdivided. Commissioner Thimm asked where they were in terms of looking at these potential hazards and whether it was even proper to be discussing this plat amendment before that was addressed.

Planner Alexander stated that these were issues that could be mitigated during the Steep Slope CUP process, but they could require a mitigation plan from the applicant now if the Planning Commission preferred. Assistant City Attorney McLean clarified that this section of the Code was talking about the actual site itself. A Steep Slope CUP is a conditional use but it is allowed. Things such as reducing the building pad, relocating the building pad or expressing how it could be done are the types of mitigations addressed in the LMC. Relying on the Steep Slope CUP would not address those issues.

Commissioner Thimm thought there appeared to be a general list in the Staff report rather than specific by lot. As part of moving forward he thought those should be identified to make sure the lots are not unbuildable because the hazards cannot be mitigated.

A representative for the applicant noted that a geo-technical report was submitted and there were generally no issues on the site. A geo-technical report had not been done for each building site. The applicant assumed that would be done as part of the submittals for the individual houses.

Commissioner Thimm asked if the conditions of approval could be specific enough to talk about making provision for mitigation for any of the houses. Planner Alexander stated that the City Engineer reviewed the draft technical report and nothing was flagged from his reading of the report. Assistant City Attorney McLean stated that the Planning Commission could request that the applicant come back with geo-tech reports for the individual lots if they have concerns related to the provision of the Code. She pointed out that once the site is divided into lots they are sellable and people are entitled to develop them. Commissioner Thimm clarified that his concern was that these hazards would not be mitigated and someone has a legal lot to build on. He thought they should find a way to address those issues since the Staff felt that adequate information had not yet been provided.

Mr. Brown asked if that could be accomplished with a plat note so when someone buys a parcel they have the information that a geo-technical report must be done for each lot. Assistant City Attorney McLean explained that if the geo-technical report concludes that the site is not suitable to build, they would be in the situation of having created a lot that was sold but not buildable. Ms. McLean remarked that a subdivision creates a lot of record and

essentially says those lots can be developed. The purpose of the subdivision process is to make sure the infrastructure is in place and that it meets the subdivision requirements.

Mr. Brown stated that the challenge was doing a geo-technical report for each site in the subdivision because that is typically not part of the subdivision process. Commissioner Thimm acknowledged that he said for each lot, but he would be satisfied with a general report that would cover the points in the Land Management Code holistically for the site. Mr. Brown offered to review the geo-tech report to make sure it aligns with the LMC.

Commissioner Thimm commented on the house size. It was noted that the lot size was reduced but the square footage of the homes is more than what exists in the neighborhood. The statement in the Staff report was that it did not comply with the intent of the purpose statement and he agreed with that statement. Commissioner Thimm thought the amount of square footage proposed was not compatible with the adjacent areas. He asked how the Planning Staff arrived at the suggested modifications considering that they were still larger than the adjacent homes.

Planner Alexander recognized that the square footage of the proposed homes for the footprint was much larger than the surrounding neighborhoods. The Staff wanted more clustering but it was an effort to find compromises on limiting the height and for the 5,000 square feet to include the basement and any garages. She noted that the Estate lot was not reduced because it was taken off the hill located into the gully. If the Planning Commission preferred, the Staff could look at bringing the homes off the hillside and clustered to be more compatible with the surrounding neighborhoods.

Mr. Brown commented on the concern regarding compatibility. He noted that they were proposing a maximum of two stories with a larger footprint, keeping in mind that most of the surrounding structures were more than two stories. From a massing standpoint they tried to push the mass down and locate the house on the contour rather than against the contour. Mr. Fiat stated that most of the houses in Old Town are uphill/downhill lots that are dug deep into the hill with multiple stories. Many have one bedroom per level and it is not conducive for family living. The purpose of the larger footprint was to allow multiple bedrooms on one level and the kitchen and living space on another level. A larger footprint also allows more articulation in the architectural design. Mr. Fiat remarked that the 5,000 square foot gross limit was proposed to eliminate the games being played about excluding garages or basements. He did not believe the numbers in the Staff report truly represent the true size of the houses in the neighborhood. Many of the houses are significantly larger than what they were proposing as a gross square footage. Mr. Fiat pointed out that 5,000 square feet was a cap because on some lots they would not be able to build that amount of square footage.

In terms of the retaining walls and terracing, Commissioner Thimm understood the maximum height would be 10' with the potential for additional terracing. When they terrace and create planting areas between walls, he asked what Mr. Brown thought would be a good distance to create healthy vegetated planting zones wall to wall as they go up the hillside. Mr. Brown thought it was a trade-off because they were chasing the slope. Wider planting beds are better for plants but it will result in more walls. He understood the Code specifies a minimum of four feet and it is possible to grow plants in four feet. Commissioner Thimm stated that if this is approved, he suggested a more organic flow with terracing as opposed to the long straight lines. He suggested that applicants give more thought to the wall design.

Commissioner Campbell thought the applicant was in a situation where they did not know how much money to invest in plans without knowing whether it would be approved. Their application appears to be incomplete because they did not want to spend the money on a more complete application until they heard direction from the Planning Commission. Commissioner Campbell was comfortable with the fact that the applicant was willing to use the Staff's conditions of approval rather than their own. He was unsure why the Commissioners were given two different versions this evening rather than consolidating it beforehand.

Commissioner Campbell referred to Condition #22 for the subdivision and felt that the language was vague. He had the same complaint about the rest of the conditions. He would like the conditions of approval to be more clear and concise so the applicants understand what the Planning Commission was asking and the consequences if the conditions are not met. Commissioner Campbell thought 30 conditions were too many and he would like to see it reduced to a more manageable number.

Commissioner Joyce appreciated the revisions the applicants had made in response to their concerns at the work session. One of his biggest concerns was the Sensitive Lands Overlay. It is the most protected land in the LMC and anything they can do to avoid digging and dredging and putting things on steep hillside is appreciated. From his perspective giving the setback reduction to get the Estate lot off the hill was a good trade-off. Commissioner Joyce noticed that the changes talked about in the findings of fact in the CUP of the houses being 2,500 square feet, 5,000 square feet in total size, and 25' in height were only for the HR-1 lots and not the Estate lot. For the Estate lot the 2,500 square foot footprint was mentioned but square footage and height were not addressed. He assumed the applicant would build whatever was allowed for the Estate lot within the footprint. Mr. Fiat answered yes. He noted that 28' was the height limit for the Estate lot.

Vice-Chair Joyce was concerned about having 30 feet of retaining wall at the entrance where it is most visible. He encouraged the applicant to do whatever they could to

negotiate an easement to be able to use the existing right-of-way. Vice-Chair Joyce understood from public comments that the previous Planning Commission had discussed various ideas; however in his reading of the minutes from those meetings he did not believe the Commissioners had reached the level of detail they were discussing this evening. Vice-Chair Joyce recognized that the applicant took a financial risk when they decided to do the environmental cleanup. However, he did not believe the Planning Commission has not had the opportunity to evaluate whether or not this was a legitimate plat layout for the property. He sees a neighborhood that is extremely difficult to develop for many reasons, and they were basically building in a steep gulch. In his eight months as a Commissioner he has never seen a situation where almost every house in the neighborhood is on very steep lot and he personally has not seen a 64% slope developed.

Vice-Chair Joyce stated that he walked the neighborhood and all the streets and this project did not have the same feel. There were a number of issues to be considered such as the steep slope requirements, size, clustering and mass and scale compatibility. He thought this proposal was something he would see in a Park Meadows subdivision. Vice-Chair Joyce believed the map clearly showed how different this project was from the rest of the HR-1 District. He did not have actual numbers to compare the square footage, but in looking at the footprint even the reduction to 2,500 square feet was still 80% larger than most of the houses in the neighborhood. Vice-Chair Joyce stated that if size was the only issue he might be able to consider it, but he was bothered by the decision not to cluster the houses as recommended by Staff.

Vice-Chair Joyce also questioned the ability to mitigate a 30' wall. In his opinion planting bushes and shrubs was not sufficient mitigation. Vice-Chair Joyce stated that the applicants decided the plat layout and the Planning Commission was being asked to make it work with retaining walls. He pointed out that if they were building more compatible with the HR-1 District, the buildings would be smaller and tightly clustered and retaining would not be a problem.

Vice-Chair Joyce had the biggest issue with Lot 7 and the proposal to build a raised road with a bridge as a driveway with two-thirds of it in the Sensitive Lands Overlay, and then building Lot 7 on a ridge on a 60% slope. He personally did not believe Lot 7 should be considered a buildable lot. Vice-Chair Joyce commented on the non-disturbance areas as defined and he did not believe the proposed lot layout was compatible with the requirements of the HR-1 zone. As a result, they were left to deal with other issues that may or may not be mitigated.

Vice-Chair Joyce requested that the applicants work with the Planning Department to make the houses more compatible from the standpoint of size and clustering. In addition to his concerns regarding Lot 7, he also had problems with Lots 2 and 3 because building n those

lots require multiple tiers of retaining walls that would not otherwise be required. He could not support the driveway and bridge on the Sensitive Land Overlay to access one lot. Vice-Chair Joyce would like the limits of disturbance reduced to a more reasonable number and he suggested approximately 75% of the lot size.

Vice-Chair Joyce was also interested in hearing more about the Planning Director's discretion to determine whether or not a change is significant enough to require a re-application. Planning Manager Sintz wanted to come back and have that discussion with the Planning Commission. She believed the difference between minor and major alterations actually rests with the specifics of the application.

Assistant City Attorney McLean stated that if the changes to the site plan pertain to retaining wall size, etc., those start to become significant. She stated that if this item is continued, the applicant would have the opportunity to provide more detail in terms of what the final site plan will be based on utility plans, sewer plans, etc.

Vice-Chair Joyce wanted more detail but he did not want the applicants spending a lot of money before the Commissioners could concur on giving specific direction on certain items. Vice-Chair Joyce understood that the applicants have the right to develop their property, but he wanted to see a different layout that clusters the houses more tightly, reduces the house size to be more compatible with the HR-1 District, and minimizes the need for retaining walls.

Vice-Chair Joyce pointed to the comment that the applicant was discussing a conservation easement with the Summit Lands Conservancy. He disclosed that he sits on the Summit Lands Conservancy Board and he had spoken with the Director who told him that she had spoken with the applicant but had not yet received a proposal. Vice-Chair Joyce requested something clearer than the word "open space" because someone has to own the land. It was not clear whether the applicant was willing to obtain conservation easements and deed transfers as part of this plat.

Vice-Chair Joyce clarified that his relationship with Summit Land Conservancy would not affect his ability to be fair in reviewing this application.

Commissioner Worel requested a conversation with the other land owner regarding access to the property. Mr. Fiat stated that they spent two years and hundreds of thousands of dollars on negotiations, and the other landowner backed out at the last minute. They would like to do it because it is a better access and more economically feasible, but they were not successful then and he did not want high expectations that it would happen now. Mr. Fiat offered to pursue it with the landowner because it would be beneficial to the community and the applicants, but he was not hopeful.

Assistant City Attorney McLean suggested that the Commissioners give a head nod on whether or not they agreed with the direction Vice-Chair Joyce had recommended to the applicants because it would affect what comes back at the next meeting.

Commissioner Campbell asked if Vice-Chair Joyce was suggesting that they carve the site into 25' x 75' lots to look like the rest of Old Town. Vice-Chair Joyce answered no, because that is not what the rest of Old Town looks like. He pointed out that the Staff analysis was on King Road and Sampson, which are not the smaller lots in the oldest part of town. Vice-Chair Joyce clarified that he would like the houses clustered more tightly to minimize the retaining walls and the driveways. If the lots were flatter he would not be so concerned.

Commissioner Thimm stated that when he looked at the contours of the ground and thought about the HR zone and the typical lots, he tried to visualize how the clustering could work to feel more like Old Town. He determined that it might be possible, but it would require compromise in terms of number of buildable lots they would achieve because of the amount of ground that is the slope. Commissioner Thimm had concerns with the massing compared to the Old Town model as outlined by the LMC. He would like the applicants to make an attempt to show how it could work, or possibly an attempt to show that it would not work and why.

Commissioner Campbell believed that when a development is on the edge of any of these Districts the rules should be different. He pointed out that this development would back up to what will be open space. Commissioner Campbell disagreed that it should look the rest of Old Town. In his opinion, it was a gateway to the open space that they all hope remains open space and he preferred to see the houses spread out rather than clustered.

Vice-Chair Joyce asked if Commissioner Campbell had a problem with the size and number of retaining walls. Commissioner Campbell stated that he was not pleased with the retaining walls but sometimes there is no way to get around it.

Commissioner Worel reiterated that her main concern was whether they were creating something that was not buildable. She believed the concerns they expressed and what they would like to see in the future would give them the answers. She did not favor the retaining walls, particularly since the width of the walls will require irrigation for the trees and vegetation. Commissioner Worel noted that there were already water issues and she was concerned about adding more irrigation. Mr. Fiat stated that the irrigation would only be until the vegetation was established. He commented on other examples around town where that has occurred on retaining walls. Commissioner Worel did not want the

applicants to go through the expense of redesigning the layout. However, she would like to see the geo-tech report to know whether the steep slopes are buildable.

Planner Alexander summarized the major issues as compatibility, whether the slopes are buildable, access, and terracing and mitigating the retaining walls.

Mr. Fiat believed they had a clear idea of what the Commissioners wanted to see and they would try to address their concerns. He thought they could complete their study and be ready to come back to the Planning Commission in May. Planner Alexander requested the second meeting in May.

MOTION: Commissioner Worel moved to CONTINUE both the Alice Claim South of Intersection of King Road and Ridge Avenue - Alice Claim Subdivision and Plat Amendment; and the Alice Claim South of Intersection of King Road and Ridge Avenue Conditional Use Permit for retaining walls up to 25 feet in height, to May 27th, 2015. Commissioner Thimm seconded the motion. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Commissioner Phillips returned to the meeting.

3. 74 Daly Avenue – Steep Slope Conditional Use Permit for a new single-family home on a vacant lot. (Application PL-15-02684)

Planner Alexander noted that this item and the next item for 80 Daly Avenue have the same property owner and architect. The applicant previously came before the Planning Commission for a plat amendment for a subdivision into two lots. The Planning Commission had forwarded a positive recommendation and the request was approved by the City Council. Planner Alexander remarked that during the plat amendment process concerns were raised regarding neighborhood compatibility, size of the homes and the mass and scale. The Planning Commissioner requested that the applicant provide compatibility studies in relation to the streetscape, footprint and square footages in the area. The requested study was included in the Staff report.

Planner Alexander reviewed the proposal for a 2,304 square foot single family home on 74 Daly Avenue on a slope greater than 30%, which requires a Steep Slope CUP. Planner Alexander had not yet approved the HDDR pending concerns and possible revisions this evening. Planner Alexander stated that the applicant had revised the windows and some materials to address some of the concerns.

EXHIBIT N

ENGINEERING GEOLOGY AND GEOTECHNICAL ENGINEERING REPORT
PROPOSED ALICE CLAIM DEVELOPMENT
PARK CITY, UTAH

Submitted To:

DHM Design Corporation
1390 Lawrence Street, Suite 100
Denver, Colorado 80204

Submitted By:

AMEC Environment & Infrastructure, Inc.
9865 South 500 West
Sandy, Utah 84070
(801) 999-2002

October 21, 2014

Project No. 6-817-005165

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APPENDIX B LABORATORY TESTING

October 21, 2014

DHM Design Corporation
1390 Lawrence Street, Suite 100
Denver, Colorado 80204

Attention: Mr. Gregg Brown

SUBJECT: Engineering Geology and Geotechnical Engineering Report
Alice Claim Development
Park City, Utah
AMEC Project No. 6-817-005165

1. INTRODUCTION

1.1 Objectives and Scope

This report presents the results of our geotechnical investigation for the proposed Alice Claim residential development to be located in Woodside Gulch south of the intersection of King Road and Ridge Avenue in Park City, Utah. The objective of our study was to evaluate engineering geology and geotechnical engineering characteristics of project area and develop recommendations for design and construction of the project. The studies were conducted in accordance with the scope of work outlined in AMEC proposal No. PL06-074 dated June 8, 2006 and authorized by King Development Group, LLC on June 16, 2006. The scope of work included a site reconnaissance, field explorations, laboratory testing, engineering analyses, and report preparation.

2. PROPOSED CONSTRUCTION

We understand the project will include development of private streets and utility access to nine proposed residential lots that range from about 0.22 acres to 3.0 acres in area. Proposed building and grading plans for the individual lots have not been finalized. The project also includes 3.05 acres of natural open space, 0.37 acres of landscaped open space, and 0.34 acres dedicated to Park City Municipal Corporation.

3. SITE DESCRIPTION

3.1 Site Conditions

The project site is located in an undeveloped area of Woodside Gulch at the south end of old-town Park City. Woodside Gulch is a north-trending drainage with east and west facing side slopes. An abandoned mine dump was located on the east side of the drainage bottom. An abandoned water storage reservoir is located on the southern portion of the property on the ridge top between Woodside Gulch and Daly Canyon. Ground surface vegetation consists primarily of oak brush and scattered deciduous and evergreen trees.

3.2 Topography

Slope angles range from about 10 degrees in the bottom of Woodside Gulch up to about 37 degrees on the side slopes of the drainages, and up to about 60 degrees at localized rock

outcrops on the western slope of the drainage. Ground surface elevations range from about 7,490 feet on the western and eastern slopes of Woodside Gulch to about elevation 7,300 feet at King Road.

3.3 Geology

The project site is located in the Middle Rocky Mountain physiographic province. The Middle Rocky Mountain physiographic province is characterized by a complex system of mountain ranges with intermountain basins and plains formed during mountain building episodes, the latest of which, known as the Laramide Orogeny occurred about 70 to 40 million years ago (late Cretaceous and early Tertiary periods).

Seismically, the project site is located within the Intermountain Seismic Belt (ISB), a zone of earthquake activity that runs north-south through the Intermountain West from northwestern Montana in the North, through Wyoming, Idaho, and Utah, and southern Nevada/northern Arizona to the south. Most earthquakes in the ISB are shallow and occur at depths less than 12 miles (20 km). There have been approximately 50 moderate-to-large (magnitude 5.5 to 7.5) earthquakes in this zone since 1900.

The Wasatch fault is located within the ISB and delineates the boundary between the Basin and Range and Middle Rocky Mountain and Colorado Plateau physiographic provinces. The Wasatch fault is considered active and, although has not produced large earthquakes in historic time, is believed capable of producing earthquake magnitudes greater than 7.0 (Richter scale). According to McCalpin and Nishencko (1996), the combined average repeat time for large earthquakes (magnitude greater than 7) on any of the 5 central segments (Brigham City, Weber, Salt Lake City, Provo, and Nephi segments) of the Wasatch fault zone is 350 years. The average return time on any single segment ranges from about 1,200 to 2,600 years. The time since the last earthquakes on the 5 central segments ranges from 620 to 2,120 years.

Based on a review of a geologic map prepared by Bromfield and Crittenden, Jr., (1971) the project site is underlain by the Pennsylvanian-age Weber Quartzite Formation, consisting of pale-gray and tan-weathering quartzite and limy sandstone with some interbedded layers of gray to white limestone and dolomite.

4. FIELD EXPLORATION & LABORATORY TESTING

4.1 Field Exploration

4.1.1 Geologic Reconnaissance

A ground level reconnaissance of the project area was completed on July 12, 2006 by a licensed geologist and geotechnical engineer in the State of Utah. Outcrops of hard, fractured quartzite bedrock were observed in the road cut in the bottom of Woodside Gulch and on the adjacent drainage slopes. The bedding plane orientation of the rock dips steeply in varying directions. Field measurements of bedding plane orientations (strike and dip) ranged from N35E 64NW in the road cut in the bottom of Woodside Gulch to N30W 86NE on the ridge top north of the abandoned reservoir.

Evidence of previous mining activity was apparent in the form of a mine waste dump in the bottom of the drainage. A mine shaft and adit was discovered in one of the test pits made for the field exploration. Mine waste was also observed east of the project area on the west slope of Daly Canyon. No openings were observed, but it appears from aerial photographs (See Figure 2) that there may have been two mine prospects in that area at one time.

Evidence of deep-seated landsliding was not observed on the natural slopes within the project area. Some raveling and shallow sloughing was observed in unvegetated areas on the slope above the mine waste dump on the east slope of Woodside Gulch.

4.1.2 Test Pits

Subsurface materials and conditions at the project site were investigated on June 28, 2006 with 5 test pits designated TP-1 through TP-5. The approximate locations of the test pits are shown on Figure 2, Site Plan. All field operations were observed by a staff engineer provided by our firm, who maintained a detailed log of the materials and conditions encountered in each test pit and directed the sampling operation. A detailed description of the field exploration program is presented in Appendix A.

4.2 Laboratory Testing

Laboratory testing completed for the project included determinations of natural moisture content, grain size analysis, Atterberg limits, pH, resistivity, and soluble sulfate concentration. A description of the test procedures and results is presented in Appendix B, Laboratory Testing.

5. SUBSURFACE CONDITIONS

5.1 Soil and Rock

Logs of Test Pits TP-1 through TP-5 are presented on Figures 3A through 3E. The terms used to describe the soil and rock disclosed by the test pits are defined on Figures 4 and 5, respectively. For the purpose of discussion, the materials disclosed by the explorations have been grouped into 2 major units based on their physical characteristics and engineering properties. The units are:

1. **Clayey Sand and Gravel (Colluvium)**
2. **Quartzite (Weber Quartzite Formation)**

1. Clayey Sand and Gravel (Colluvium). Sand and gravel soils containing variable percentages of silt and clay and angular cobbles were encountered at the ground surface extending to depths ranging from about 1.5 to 3 feet below the ground surface. The sand and gravel soils are typically dark brown and contain roots and organic material. Gravel clasts are comprised of tan to yellowish-brown angular quartzite. The relative density is estimated at loose to medium dense based on excavation effort.

2. Quartzite. Beneath the colluvial soils, the test pits encountered hard quartzite of the Weber Quartzite Formation. The quartzite is tan to yellowish brown in color, hard (RH-4), moderately weathered and has close to very closely spaced joints. Practical excavation refusal was encountered in TP-3 and TP-4 on hard rock at depths of 5 and 12 feet, respectively.

5.2 Groundwater

Groundwater was not encountered in the test pit excavations at the time the field explorations were performed. Fluctuations in groundwater levels can occur due to variations in precipitation, runoff, water levels in nearby ditches, drainages and other factors. Longer-term groundwater fluctuations should be anticipated with the highest seasonal levels generally occurring during the late spring and early summer.

Perched groundwater conditions, seeps and springs should be anticipated on hillsides and near the bottoms of local drainages during and following periods of prolonged precipitation and snow melt. The potential for perched groundwater, seeps and springs is enhanced by the presence of shallow bedrock and topographic relief across the site.

6. CONCLUSIONS AND RECOMMENDATIONS

6.1 General

The project can be developed with careful planning and engineering. The most significant engineering geology and geotechnical aspects which could affect design and construction at the site are:

1. **Previous Mining Activities**
2. **Strong Ground Motion**
3. **Slope Stability**
4. **Debris Flow and Avalanche**
5. **Shallow Bedrock**
6. **Perched Groundwater (Seeps And Springs)**

More detailed discussions pertaining to the engineering geology and preliminary geotechnical engineering recommendations are presented in the following sections.

6.2 Engineering Geology

6.2.1 Hazards

The term geologic hazard refers to a geologic condition, either natural or man-made, that poses a potential danger to life and property. Common examples include earthquakes, landslides, flooding, volcanoes, and tsunamis. Specific geologic hazards vary with location. In Utah, potential geologic hazards include seismically-induced ground motion, surface fault rupture, liquefaction, landslides, debris flow, avalanche and rockfall. Another potential hazard related to geology is mining. The following sections briefly describe these potential hazards and present information pertinent to the project site.

6.2.1.1 Previous Mining Activities

A mine shaft and associated adit was encountered in test pit TP-1 located about 10 feet south of the center of Lot 4 (see Figure 2). Measurements indicate that the shaft has a diameter of 6 to 8 feet and a depth of over 230 feet. The adit (horizontal opening) is located just below the ground surface and extends from the shaft into the hillside for an unknown distance. An approximate bearing of N20W was estimated for the trend of the adit at the shaft opening.

The shaft and adit represent a public safety hazard and a potential for property damage resulting form ground subsidence. In our opinion, the openings should be closed to prevent accidental entry and potential subsidence. Typically mine openings are closed by backfilling and capping with concrete. Closure should be performed in accordance with Utah Division of Oil & Gas and Mining Abandoned Mine Reclamation Program Guidelines. Structures should not be located over the closed shaft and adit.

The existing mine dump materials are unsuitable for support of roadways, utilities, or other structures.

6.2.1.2 Seismic Ground Motion

The International Building Code (IBC) 2012 determines the seismic hazard for a site based upon regional acceleration mapping prepared by the United States Geologic Survey (USGS) and the soil site class. The structures should be designed in accordance with the procedures presented in Chapter 16 of the IBC 2012 edition.

Design spectral acceleration values are based on information obtained from the USGS 2008 Hazard Data for the maximum considered earthquake (MCE). For the Wasatch fault zone, the MCE ground acceleration is associated with approximately a 2 percent probability of being exceeded in 50 years or a 2,475-yr return period. Design spectral acceleration values are calculated as 2/3 of the maximum values.

The results of the investigation indicate that Site Class B (Rock) as described in Section 1613.3.2 of the 2012 edition of the International Building Code (IBC) best characterizes the site class definition for the project area. Using 40.6371 degrees north latitude and 111.4972 degrees west longitude as the project coordinates; seismic design criteria based on the maximum considered earthquake are summarized below.

TABLE 1. Seismic Design Criteria

Latitude/Longitude	40.6371° North, 111.4972° West		
Design Level	MCE (2,475-yr Return Period)		
Site Class	B		
Parameter	Period, T		
	T = 0 Sec	T = 0.2 Sec	T = 1.0 Sec
Spectral Acceleration for Site Class B (Rock)	PGA = 0.253 g	S_S = 0.641 g	S_1 = 0.214 g
Site Coefficient	F_{pga} = 1.0	F_a = 1.0	F_v = 1.0
Maximum Spectral Acceleration	PGA_M = 0.253 g	S_{MS} = 0.641 g	S_{M1} = 0.214 g
Design Spectral Acceleration	PGA_D = 0.253 g	S_{DS} = 0.427 g	S_{D1} = 0.143 g

6.2.1.3 Slope Stability

Active landslides were not identified in the office studies or during the field reconnaissance completed for the project. Although the steep site topography appears to be an expression of relatively strong rock materials and stable slopes, the risk of slope instability generally increases with increasing slope inclination. Site specific grading and development plans for individual lots should be reviewed by a geotechnical engineer.

6.2.1.4 Surface Fault Rupture

Large earthquakes can produce offset at the ground surface. Surface fault rupture represents a severe hazard to structures and the most common mitigation method is establishing a minimum setback distance to avoid the hazard. Active faults are not mapped in the project area; therefore, the risk of surface fault rupture affecting the project site is very low.

6.2.1.5 Liquefaction

Liquefaction is the condition where sandy soils that are submerged below groundwater loose shear strength because of increased pore water pressure induced by earthquake ground shaking. When soil liquefies, it loses strength and behaves as a viscous liquid. Structures supported on liquefiable soils can experience large settlements and buried tanks can rise to the ground surface. Loss of shear strength induced by liquefaction can also result in slope failures and lateral spreading and flow-related ground failures. In general, soils most susceptible to liquefaction are located along rivers, streams, and lake shorelines. The gravelly soils and quartzite bedrock underlying the project site are not susceptible to liquefaction.

6.2.1.6 Debris Flow, Avalanche and Rockfall

Civil design should consider hydrological aspects of the local drainages. Removal of surface vegetation resulting from grading will increase the potential for debris flows during peak storm events.

A review of the topography indicates that slopes in excess of 30 degrees are common in the project area on varying aspects, primarily east and west facing slopes. An avalanche expert should be consulted to evaluate avalanche potential and develop appropriate design impact pressures for structures.

Localized areas may be subject to rockfall hazard. Typically, these areas are associated with rock outcrops and steep terrain. Development in these areas should be evaluated by a qualified engineering geologist or geotechnical engineer.

6.3 Geotechnical Recommendations

6.3.1 Earthwork

Site civil design was in progress at the time this report was prepared and plans showing locations of roadways, proposed grading and specific structures was not available. We anticipate that some earthwork will be required to construct roadways to provide access to the lots. Because of shallow rock conditions, we recommend that civil design consider minimizing

cut and fill heights to reduce rock excavation costs. The following earthwork sections provide preliminary recommendations pertaining to earthwork.

6.3.1.1 Site Preparation

The ground surface should be stripped of all vegetation, organic material, unsuitable fill, or any other deleterious material within the building and pavement areas or areas to receive structural fill. The spoil materials should be removed from the site or stockpiled on-site for use as fill in landscaped areas. Upon completion of the site stripping, the exposed subgrade should be observed by a qualified soils engineer or engineering geologist. Proof rolling with rubber-tire construction equipment may be part of this evaluation. Any soft areas during the subgrade evaluation should be over-excavated to firm undisturbed soil and backfilled with structural fill.

6.3.1.2 Excavations

We anticipate that excavations up to about 10 to 12 feet in depth will be required for roadway, and utility construction. Excavation refusal was encountered at depth ranging from about 5 to 12 feet below the ground surface in the test pits excavated for this investigation. It should be anticipated that large hydraulic excavators equipped with rock teeth, rock splitting tools, and possibly drilling and blasting techniques will be required to excavate the rock.

Temporary construction excavations in soils/bedrock not exceeding 4 feet in depth may be constructed with near-vertical side slopes. Temporary excavations slopes up to 12 feet in height may be constructed no steeper than one-half horizontal to one vertical (½H:1V). Excavation slopes greater than 12 feet and up to 20 feet should be constructed no steeper than ¾H:1V. Excavations up to 12 feet in stable bedrock may be constructed no steeper than ¼H:1V. Loose rock on the sides of the excavation should be scaled or covered with a wire mesh or some other covering to prevent rock fall. The inclination of permanent cut slopes will depend on the type of material. For planning purposes, it should be anticipated that cut steeper than 2H:1V will require retaining walls.

The contractor is solely responsible for designing and constructing stable, temporary evaluations and should shore, slope, or bench the sides of the excavations as required to maintain stability of both the excavation sides and bottom. The contractor's responsible person, as defined in 29 CFR Part 1926, should evaluate the soil exposed in the excavations as part of the contractor's safety procedures. In no case should scope height, slope inclination, or excavation depth, including utility trench evacuation depth, exceed those specified in local, State, and Federal safety regulations.

6.3.1.3 Structural Fill

On-site or imported, organic-free, fine-grained soils approved by the geotechnical engineer may be used to construct structural fills. However, fine-grained soils are sensitive to moisture content and should be placed only during the dry summer months. During the wet winter and spring months, fills should be constructed using imported, relatively clean, granular materials. All structural fills should extend to a minimum horizontal distance of 10-feet beyond the limits of buildings.

Approved, organic-free, fine-grained soils used to construct structural fills should be placed in 9-inch-thick lifts (loose) and compacted using pneumatic or segmented pad rollers to a density not less than 95 percent of the maximum dry density as determined by ASTM D 1557. Fill placed in landscaped areas should be compacted to a minimum of 90 percent ASTM D 1557. In our opinion, the moisture content of fine-grained soils at the time of compaction should be controlled to within 3 percent of optimum. Some aeration and drying of the on-site fine-grained soils may be required to meet the above recommendations for compaction.

All backfill placed in utility trench excavations within the limits of the buildings and paved areas should consist of sand, sand and gravel, or crushed rock with a maximum size of up to 1½-inch, and with not more than 5 percent passing the No. 200 sieve (washed analysis). In our opinion, the granular backfill should be placed in 9-inch-thick lifts (loose) and compacted using vibratory plate compactors or tamping units to at least 95 percent of the maximum dry density as determined by ASTM D 1557. Flooding or jetting the backfilled trenches with water to achieve the recommended compaction should not be permitted.

Fill slopes should be constructed no steeper than 2H:1V. Fills constructed on natural slopes steeper than 5H:1V should be keyed in at the toe a minimum of 2-feet below the stripped ground surface and benched into the existing hillside as the fill is constructed. The benches should be at least 8-feet wide and should be cut into the slope every 4-feet of vertical rise. The naturally occurring existing soils should be prepared and fill placed in accordance with the previously described structural fill guidelines. A representative of the geotechnical engineer should monitor the benching and fill placement operations.

6.3.1.4 Subdrainage

It should be anticipated that subdrains will be required to control groundwater flow in certain areas of mass grading, such as at the base of fills in the natural drainages. The proposed grading plans should be reviewed by the geotechnical engineer to determine possible locations for subdrains. The actual locations of the subdrains should be determined by a representative of the geotechnical engineer during construction.

Structures with embedded walls and floors should be provided with adequate drainage to reduce the potential for buildup of hydrostatic pressures behind walls and reduce the potential for water entering the building space.

6.3.2 Foundations

We anticipate that most building structures can likely be supported on conventional spread footing foundations established on suitable on-site soils, on structural fill, or on bedrock. Allowable bearing pressures will depend on the specific structure and the soil and rock conditions at the specific locations. For residential foundations, a maximum allowable bearing pressure of 2,000 psf is recommended. This allowable bearing pressure may be increased by 50 percent for wind and seismic loads.

Foundations should be established to a minimum of 42-inches below the ground surface for frost protection. Continuous and isolated column footings should have minimum dimensions of

18-inches and 24-inches, respectively. A summary of foundation design recommendations are presented below.

TABLE 2. Spread Footing Design Parameters

Minimum Embedment Depth for Frost Protection	42 in.
Minimum Width for Continuous Wall Footings	18 in.
Minimum Width for Footings Isolated Column Footings	24 in.
Net Allowable Bearing Pressure for Real Load Conditions	2,000 psf
Bearing Pressure Increase for Seismic Loading	50 percent

It should be anticipated that some overexcavation and replacement will be required to remove unsuitable soils, such as hydro-collapsible or expansive soils beneath foundations during construction.

Footings for buildings should bear on similar materials. We recommend that footing excavations that encounter relatively hard rock are overexcavated and backfilled with granular material to a depth of approximately 2-feet. The footings will then bear on more similar materials to reduce the magnitude of the potential differential settlement.

6.3.2.1 Lateral Resistance

Horizontal shear forces can be resisted partially or completely by frictional forces developed between the base of spread footings and the underlying soil and by soil passive resistance. The total frictional resistance between the footing and soil is the normal force times the coefficient of friction between the soil and the base of the footing. The normal force is the sum of the vertical forces (dead load plus real live load). We recommend ultimate values of 0.30 and 0.40 for the coefficient of friction for footings established and clay and gravel, respectively. If additional lateral resistance is required, passive earth pressures against embedded footings can be computed on the basis of an equivalent fluid having a unit weight of 300 pcf. This design passive earth pressure would be applicable only if the footing is cast neat against undisturbed soil, or if backfill for the footings is placed as granular structural fill. A combination of passive earth resistance and friction may be utilized provided that the friction component of the total is divided by 1.5.

6.3.2.2 Lateral Earth Pressures

Design lateral earth pressures for embedded walls depend on the type of construction, i.e., the ability of the wall to yield. The two possible conditions regarding the ability of the wall to yield include the at-rest and the active earth pressure cases. The at-rest earth pressure case applies to walls that are relatively rigid and laterally supported at top and bottom and therefore unable to yield. The active earth pressure case applies to walls that are capable of yielding slightly away from the backfill by either sliding or rotating about the base. A conventional cantilevered retaining wall is an example of a wall that develops the active earth pressure case by yielding.

Yielding and non-yielding walls can be designed using a lateral earth pressure based on an equivalent fluid having a unit weight of 35 and 55 pcf, respectively. The recommended lateral earth pressures are for level backfill and free-draining backfill conditions. Lateral earth pressures from

seismic forces can be computed based on an equivalent fluid having a unit weight of 15 pcf and 45 pcf for the active and at-rest cases, respectively.

The total seismic lateral earth pressure is the sum of the static and seismic pressures. In contrast to the static pressure, which is represented by a triangular pressure distribution that increases in the downward direction and the resultant force is applied at 1/3H, where H is the embedded height of the wall, the seismic pressure is applied as an inverted triangular pressure distribution with the maximum at the top of the backfill and the resultant force is applied at a distance of 0.6H up from the base of the backfilled wall.

Surcharge-induced lateral loads such as wheel loads associated with traffic on the backfill behind the walls are not included. In this regard, heavy compactors and large pieces of construction equipment should not operate within a horizontal distance equal to the height of the embedded wall. Compaction close to the walls should be accomplished with hand-operated compactors.

The backfill behind embedded walls must be fully drained. The drainage system should consist of a minimum 2-foot-wide zone of free-draining granular fill adjacent to the embedded walls. The drainage layer should consist of ¾- to ¼-inch crushed rock, or similar gap graded drain rock, containing less than 2 percent passing the No. 200 sieve. A 4-inch-diameter, rigid, perforated drain pipe should be provided near the bottom of the embedded wall. A nonwoven geotextile filter fabric, such as AMOCO 4545, is recommended between the free-draining backfill and the general wall backfill to prevent contamination of the wall drain system.

6.3.3 Floor Support

To provide uniform support for the floor slab and a capillary break, we recommend the floor slab be underlain by a minimum 4-inch-thick layer of granular base course. The base course material should consist of crushed rock of up to 1-inch maximum size, with less than about 5 percent passing the No. 200 sieve (washed analysis). This material should be placed in a single lift and compacted until well keyed using a minimum of four passes with a medium- to heavy-weight vibratory roller.

Floor slab subgrade preparation should be conducted in accordance with recommendations in Section 6.3.1.1, Site Preparation prior to placement of the granular base course.

If moisture-sensitive flooring will be placed on the slab, it may be appropriate to install a suitable vapor-retarding membrane, such as MoistStop beneath slab-on-grade floors. Membranes should be installed in accordance with manufacturer's recommendations.

6.3.4 Pavement

The fine-grained soils that mantle the site will provide fair pavement support properties. For design purposes, we have assumed a CBR value of 5 for the subgrade soils. A suitable pavement section resulting in adequate pavement performance is highly dependent on actual traffic loading, typically expressed as 18-kip Equivalent Single Axle Loads ESALs. Typical Light Trucks impart 0.25 to 0.50 ESAL's per truck; medium sized trucks and school buses impart 1.0 to 1.5 ESAL's per truck; heavy trucks impart 2.0 to 2.5 ESAL's per truck. It takes approximately 1,200 passenger cars to impart 1 ESAL.

Design traffic information has been estimated based on the anticipated usage for similar projects. Based on our understanding of the proposed traffic and the anticipated subgrade soil types and conditions, the pavement sections presented on the following table are recommended. Pavement subgrade should be prepared and proof rolled prior placement of base course and pavement as described in Section 6.3.1.1 Site Preparation. The following parameters were used in the pavement design:

Pavement Design Parameters

Design Life	20 years
Initial Serviceability	4.5
Terminal Serviceability	2.5
Reliability	95%
Std Deviation - Flexible	0.4
Std Deviation - Rigid	0.35
AC Structural Coefficient	0.4
Untreated Road Base	0.10
Granular Subbase	0.08
Design CBR	5

Flexible Pavement

Pavement Use	Design 18-kip ESALs	Layer Thickness (inches) AC	Base Course
Auto and Light Truck Traffic	30,000	3	8

If the design team considers that the assumptions presented above are not accurate, AMEC should be informed so that we can review the pavement designs as necessary. Similarly, AMEC should be contacted if alternate designs are needed. The pavement materials and placement should be in accordance with the Utah Department of Transportation (UDOT) or American Public Works Association (APWA) specifications.

6.3.5 Final Grading

Final grading should be constructed and maintained to convey water away from foundation walls and backfill. Down spouts should discharge outside of the foundation backfill at least 10 feet away from the building. Irrigation above or near wall backfill should be minimized. We recommend that landscaped surfaces adjacent to buildings be sloped down away from the buildings at a minimum slope of 5 percent. Concrete flatwork or pavement adjacent to buildings should slope down away from the buildings at a slope of 2 percent or more.

6.4 Soil Corrosivity

A soil sample collected from the site was tested to determine pH and resistivity values. The measured pH value was 6.2 and the measured resistivity was 18,607 ohm-cm. The results are included in Appendix B. These values are indicative of a mildly corrosive environment.

6.5 Cement Types

A soluble sulfate concentration of 175 parts per million (ppm) was measured from a representative sample of on-site soil collected from the site. This result indicates that the site soils contain negligible amounts of water soluble sulfates and standard Type I-II cement may be used for concrete in contact with the on-site soils.

7. DESIGN REVIEW AND CONSTRUCTION SERVICES

We welcome the opportunity to review and discuss construction plans and specifications for this project as they are being developed. In addition, AMEC should be retained to review all geotechnical-related portions of the plans and specifications to evaluate whether they are in conformance with the recommendations provided in our report. Additionally, to observe compliance with the intent of our recommendations, design concepts, and the plans and specifications, we are of the opinion that all construction operations dealing with earthwork and foundations should be observed by a representative of AMEC. Our construction-phase services will allow for timely design changes if site conditions are encountered that are different from those described in this report. If we do not have the opportunity to confirm our interpretations, assumptions, and analyses during construction, we cannot be responsible for the application of our recommendations to subsurface conditions that are different from those described in this report.

8. LIMITATIONS

This report has been prepared to aid the architect and engineer in the design of this project. The scope is limited to the specific project and location described herein, and our description of the project represents our understanding of the significant aspects of the project relevant to the design and construction of the earthwork, foundations, and floor slabs. In the event that any changes in the design and location of the building as outlined in this report are planned, we should be given the opportunity to review the changes and to modify or reaffirm the conclusions and recommendations of this report in writing.

The conclusions and recommendations submitted in this report are based on the data obtained from the test pits made at the locations indicated on the Site Plan, Figure 2 and from other sources of information discussed in this report. In the performance of subsurface investigations, specific information is obtained at specific locations at specific times. However, it is acknowledged that variations in soil conditions may exist between explorations. This report does not reflect any variations that may occur between these explorations. The nature and extent of variation may not become evident until construction. If, during construction, subsurface conditions are different from those encountered in the explorations, we should be advised at once so that we can observe and review these conditions and reconsider our recommendations where necessary.

Our professional services have been performed, our findings obtained, and our recommendations prepared in accordance with generally accepted engineering principles and practices at this time along the Wasatch Front.

9. CLOSURE

We appreciate the opportunity to provide this service for you. If you have any questions or require additional information, please do not hesitate to contact us.

Respectfully submitted,
AMEC Environment & Infrastructure, Inc.

David K. Fadling, PE, PG
Senior Geotechnical Engineer/Geologist

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10. REFERENCES

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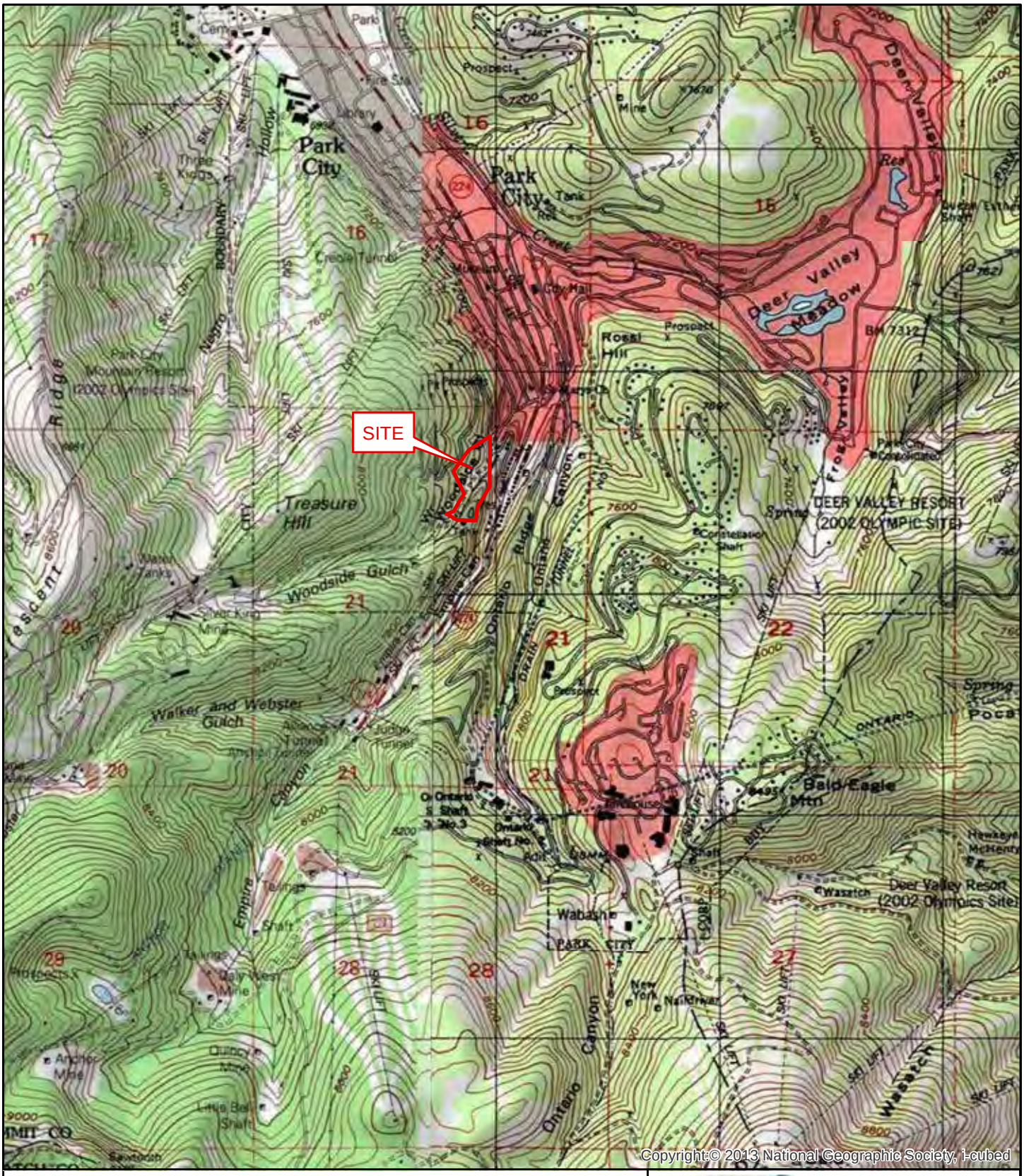
McCalpin, J.P., and Nishenko, S.P., 1996, Holocene paleoseismicity, temporal clustering, and probabilities of future large (M>7) earthquakes on the Wasatch fault zone, Utah: Journal of Geophysical Research, February, 1996.



N

0 0.25 0.5 1 Miles

Heber City, Brighton, Park City West, and Park City East Quadrangles
USGS 7.5 Minute Series (Topographic)

amec
Environment & Infrastructure, Inc.
9865 South 500 West
Sandy, Utah 84070
Tel: (801) 999-2002
Fax: (801) 999-2102

Figure 1
Vicinity Map

Alice Lode Site
King Development Group, LLC
Park City, Utah

Alice Lode\Drawings\MXD\Project\Figure1.mxd
Job No. 5-814-000223

Document Path: P:\Environmental\Projects\2005 Projects (0209-0248)\54-0223 Alice Lode\Drawings\GIS\2014_Oct\Figure2_site_map_10-2014.mxd

LOG OF TEST PIT NO. TP-1

Project Name: **Alice Claim Development**
Location: **Woodside Gulch**
Park City, Utah
Project No: **6-817-005165** Sheet 1 of 1

Date Excavated: **6/28/06**
Backhoe Type: **JCB 214S**
Excavated By: **Skyline**
Logged By: **R. Buxton**

Elevation, feet	Depth, feet	Graphic Log	Surface El.: MATERIAL DESCRIPTION	Samples	Unit Dry Weight, pcf	Water Content, %	% Passing No. 200 Sieve	Liquid Limit	Plasticity Index	REMARKS
			Clayey SAND with some gravel (SC); dark brown; dry; loose to medium dense; major roots; (topsoil) to 2"							
			2.0							
	5		QUARTZITE; yellowish-brown; moderately weathered, hydrothermally altered; hard (RH-4); close to very close joint spacing (WEBER QUARTZITE)							
			Mine shaft and adit encountered							
			6.0							
			Bottom of Excavation @ 6.0' Groundwater Not Encountered							
	10									
	15									
	20									
	25									

Remarks:

Water Level Observations

▽		
▼		

The discussion in the report is necessary for a proper understanding of the nature of subsurface materials.

Figure 3A

AMEC.TEST PIT LOG.SLC 5165 TESTPIT LOGS.GPJ AMEC.SLC.GENGEO.1.GDT 7/14/06

LOG OF TEST PIT NO. TP-2

Project Name: **Alice Claim Development**
Location: **Woodside Gulch**
Park City, Utah
Project No: **6-817-005165** Sheet 1 of 1

Date Excavated: **6/28/06**
Backhoe Type: **JCB 214S**
Excavated By: **Skyline**
Logged By: **R. Buxton**

Elevation, feet	Depth, feet	Graphic Log	MATERIAL DESCRIPTION	Samples	Unit Dry Weight, pcf	Water Content, %	% Passing No. 200 Sieve	Liquid Limit	Plasticity Index	REMARKS
			Surface El.:							
			Clayey SAND with some gravel (SC); some roots; (topsoil)							
			1.5							
			QUARTZITE; brown; slightly to moderately weathered; hard (RH-4); close to very close joint spacing; some clay infilling (WEBER QUARTZITE)	SB-1		17				
	5			SB-2		12	6	NP	NP	
	10		12.0							
			Bottom of Excavation @ 12.0' Groundwater Not Encountered							
	15									
	20									
	25									

Remarks:

Water Level Observations

▽		
▼		

The discussion in the report is necessary for a proper understanding of the nature of subsurface materials.

Figure 3B

AMEC.TEST PIT LOG.SLC 5165 TESTPIT LOGS.GPJ AMEC.SLC.GENGEO.1.GDT 7/14/06

LOG OF TEST PIT NO. TP-3

Project Name: **Alice Claim Development**
Location: **Woodside Gulch**
Park City, Utah
Project No: **6-817-005165** Sheet 1 of 1

Date Excavated: **6/28/06**
Backhoe Type: **JCB 214S**
Excavated By: **Skyline**
Logged By: **R. Buxton**

Elevation, feet	Depth, feet	Graphic Log	Surface El.: MATERIAL DESCRIPTION	Samples	Unit Dry Weight, pcf	Water Content, %	% Passing No. 200 Sieve	Liquid Limit	Plasticity Index	REMARKS
			Clayey SAND with some gravel (SC); brown; loose to medium dense; dry; major roots from topsoil to 1"							
			2.0							
			Clayey GRAVEL with sand and cobbles (GC); brown; dry; very dense; (colluvium)	SB-1		4				PH=6.2 RES=18,607 ohm-cm
	5		5.0							
			Backhoe Refusal on Hard (RH-4) Quartzite at 5' Groundwater Not Encountered							
	10									
	15									
	20									
	25									

Remarks:

Water Level Observations

▽		
▼		

The discussion in the report is necessary for a proper understanding of the nature of subsurface materials.

Figure 3C

AMEC.TEST PIT LOG.SLC 5165 TESTPIT LOGS.GPJ AMEC.SLC.GENGEO.1.GDT 7/14/06

LOG OF TEST PIT NO. TP-4

Project Name: **Alice Claim Development**
Location: **Woodside Gulch**
Park City, Utah
Project No: **6-817-005165** Sheet 1 of 1

Date Excavated: **6/28/06**
Backhoe Type: **JCB 214S**
Excavated By: **Skyline**
Logged By: **R. Buxton**

Elevation, feet	Depth, feet	Graphic Log	Surface El.: MATERIAL DESCRIPTION	Samples	Unit Dry Weight, pcf	Water Content, %	% Passing No. 200 Sieve	Liquid Limit	Plasticity Index	REMARKS
	0		Clayey SAND with some gravel (SC); dark brown; dry; medium dense; fine to coarse, subangular to subrounded gravel	SB-1		9				
			3.0							
	5		Sandy clayey GRAVEL (GC) with occassional cobbles; brown; angular to subangular, fine to coarse gravel; fine sand; damp; dense; (colluvium)	SB-2		8				
	10			SB-3		11				
			12.0							
	15		Backhoe Refusal on Hard (RH-4) Quartzite @ 12'							
			Groundwater Not Encountered							
	20									
	25									

Remarks:

Water Level Observations

▽		
▼		

The discussion in the report is necessary for a proper understanding of the nature of subsurface materials.

Figure 3D

AMEC.TEST PIT LOG.SLC 5165 TESTPIT LOGS.GPJ AMEC.SLC.GENGEO.1.GDT 7/14/06

LOG OF TEST PIT NO. TP-5

Project Name: **Alice Claim Development**
Location: **Woodside Gulch**
Park City, Utah
Project No: **6-817-005165** Sheet 1 of 1

Date Excavated: **6/28/06**
Backhoe Type: **JCB 214S**
Excavated By: **Skyline**
Logged By: **R. Buxton**

Elevation, feet	Depth, feet	Graphic Log	Surface El.: MATERIAL DESCRIPTION	Samples	Unit Dry Weight, pcf	Water Content, %	% Passing No. 200 Sieve	Liquid Limit	Plasticity Index	REMARKS
			Clayey SAND with some gravel (SC); dark brown; fine to coarse, angular to subangular gravel; fine to coarse sand; major roots (topsoil) to 2"; dry; medium dense	SB-1		5	17			
			2.0							
	5			SB-2		3				
			7.5							
			Bottom of Excavation @ 7.5' Groundwater Not Encountered							
	10									
	15									
	20									
	25									

Remarks:

Water Level Observations

▽		
▼		

The discussion in the report is necessary for a proper understanding of the nature of subsurface materials.

Figure 3E

AMEC.TEST PIT LOG.SLC 5165 TESTPIT LOGS.GPJ AMEC.SLC.GENGEO.1.GDT 7/14/06

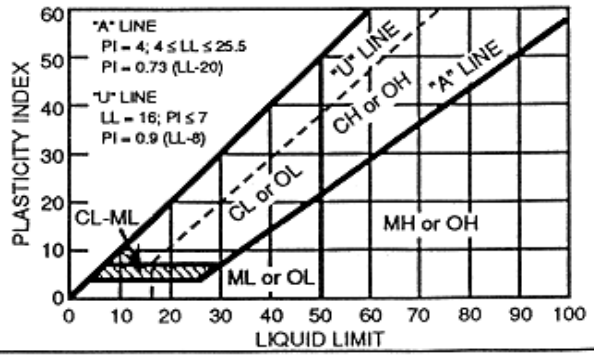
UNIFIED SOIL CLASSIFICATION SYSTEM

Soils are visually classified for engineering purposes by the Unified Soil Classification System. Grain-size analyses and Atterberg Limits tests often are performed on selected samples to aid in classification. The classification system is briefly outlined on this chart. Graphic symbols are used on boring logs presented in this report. For a more detailed description of the system, see "Standard Practice for Description and Identification of Soils (Visual-Manual Procedure)" ASTM Designation: 2488-84 and "Standard Test Method for Classification of Soils for Engineering Purposes" ASTM Designation: 2487-85.

MAJOR DIVISIONS				GRAPHIC SYMBOL	GROUP SYMBOL	TYPICAL NAMES
COARSE-GRAINED SOILS Less than 50% passes No. 200 sieve)	GRAVELS (50% or less of coarse fraction passes No. 4 sieve)	CLEAN GRAVELS (Less than 5% passes No. 200 sieve)			GW	Well graded gravels, gravel-sand mixtures, or sand-gravel-cobble mixtures
					GP	Poorly graded gravels, gravel-sand mixtures, or sand-gravel-cobble mixtures
		GRAVELS WITH FINES (More than 12% passes No. 200 sieve)	Limits plot below "A" line & hatched zone on plasticity chart		GM	Silty gravels, gravel-sand-silt mixtures
			Limits plot above "A" line & hatched zone on plasticity chart		GC	Clayey gravels, gravel-sand-clay mixtures
	SANDS (50% or more of coarse fraction passes No. 4 sieve)	CLEAN SANDS (Less than 5% passes No. 200 sieve)			SW	Well graded sands, gravelly sands
					SP	Poorly graded sands, gravelly sands
		SANDS WITH FINES (More than 12% passes No. 200 sieve)	Limits plot below "A" line & hatched zone on plasticity chart		SM	Silty sands, sand-silt mixtures
			Limits plot above "A" line & hatched zone on plasticity chart		SC	Clayey sands, sand-clay mixtures
FINE-GRAINED SOILS (50% or more passes No. 200 sieve)	SILTS Limits plot below "A" line & hatched zone on plasticity chart	SILTS OF LOW PLASTICITY (Liquid Limit less than 50)			ML	Inorganic silts, clayey silts of low to medium plasticity
		SILTS OF HIGH PLASTICITY (Liquid Limit 50 or more)			MH	Inorganic silts, micaceous or diatomaceous silty soils, elastic silts
	CLAYS Limits plot above "A" line & hatched zone on plasticity chart	CLAYS OF LOW PLASTICITY (Liquid Limit less than 50)			CL	Inorganic clays of low to medium plasticity, gravelly, sandy, and silty clays
		CLAYS OF HIGH PLASTICITY (Liquid Limit 50 or more)			CH	Inorganic clays of high plasticity, fat clays, sandy clays of high plasticity
	ORGANIC SILTS AND CLAYS	ORGANIC SILTS AND CLAYS OF LOW PLASTICITY (Liquid Limit less than 50)			OL	Organic silts and clays of low to medium plasticity, sandy organic silts and clays
		ORGANIC SILTS AND CLAYS OF HIGH PLASTICITY (Liquid Limit 50 or more)			OH	Organic silts and clays of high plasticity, sandy organic silts and clays
ORGANIC SOILS		PRIMARILY ORGANIC MATTER (dark in color and organic odor)			PT	Peat

NOTE: Coarse-grained soils with between 5% and 12% passing the No. 200 sieve and fine-grained soils with limits plotting in the hatched zone on the plasticity chart have dual classifications.

PLASTICITY CHART

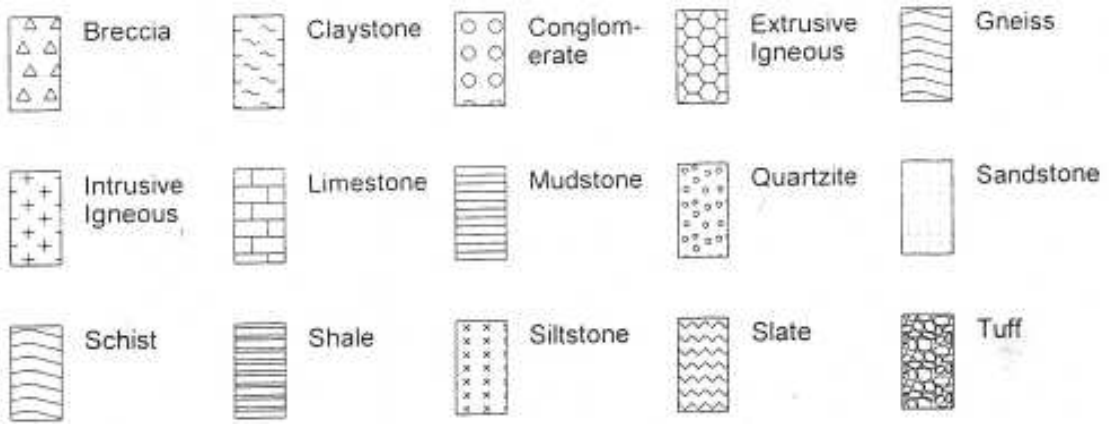


DEFINITION OF SOIL FRACTIONS

SOIL COMPONENT	PARTICLE SIZE RANGE
Boulders	Above 12 in.
Cobbles	12 in. to 3 in.
Gravel	3 in. to No. 4 sieve
Coarse gravel	3 in. to 3/4 in.
Fine gravel	3/4 in. to No. 4 sieve
Sand	No. 4 to No. 200 sieve
Coarse sand	No. 4 to No. 10 sieve
Medium sand	No. 10 to No. 40 sieve
Fine sand	No. 40 to No. 200 sieve
Fines (silt and clay)	Less than No. 200 sieve

Figure 4

ROCK TYPE AND DESCRIPTION KEY



RELATION OF RQD & ROCK QUALITY (DEERE 1968)		DESCRIPTIVE TERMINOLOGY FOR JOINT SPACING	
RQD, Rock Quality Designation %	Description of Rock Quality	Spacing of Joints	Descriptive Terms
0-25	Very Poor	< 2 in	Very Close
25-50	Poor	2 in – 1 ft	Close
50-75	Fair	1 ft – 3 ft	Moderately Close
75-90	Good	3 ft – 10 ft	Wide
90-100	Excellent	> 10 ft	Very Wide

Description of Relative Hardness / Strength

RH 0	Extremely Soft	Can be indented with difficulty by thumbnail. May be moldable or friable with finger pressure.
RH 1	Very Soft	Crumbles under firm blows with point of a geology pick. Can be peeled by a pocket knife. Scratched with finger nail.
RH 2	Soft	Can be peeled by a pocket knife with difficulty. Cannot be scratched with fingernail. Shallow indentation made by firm blow of geology pick.
RH 3	Medium Hard	Can be scratched by knife or pick. Specimen can be fractured with a single firm blow of hammer/geology pick.
RH 4	Hard	Can be scratched with knife or pick only with difficulty. Several hard hammer blows required to fracture specimen.
RH 5	Very Hard	Cannot be scratched by knife or sharp pick. Specimen requires many blows of hammer to fracture or chip. Hammer rebounds after impact.

Term Used to Describe the Degree of Weathering

Fresh	Crystals are bright. Discontinuities may show some minor surface staining. No discoloration in rock fabric.
Slightly	Rock mass is generally fresh. Discontinuities are stained and may contain clay. Some discoloration in rock fabric. Decomposition extends up to 1 inch into rock.
Moderately	Rock mass is decomposed 50% or less. Significant portions of rock show discoloration and weathering effects. Crystals are dull and show visible chemical alteration. Discontinuities are stained and may contain secondary mineral deposits.
Predominately	Rock mass is more than 50% decomposed. Rock can be excavated with geologists' pick. All discontinuities exhibit secondary mineralization. Complete discoloration of rock fabric. Surface of core is friable and usually pitted due to washing out of highly altered minerals by drilling water.
Decomposed	Rock mass is completely decomposed. Original rock "fabric" may be evident. May be reduced to soil with hand pressure.

Figure 5

APPENDIX A

FIELD EXPLORATIONS

APPENDIX A

FIELD EXPLORATION

FIELD EXPLORATION

General

Subsurface materials and conditions at the project site were investigated on June 28, 2006 with 5 test pits designated TP-1 through TP-5. The approximate locations of the test pits are shown on Figure 2, Site Plan. All field operations were observed by a staff engineer provided by our firm, who maintained a detailed log of the materials and conditions encountered in each boring and directed the sampling operations.

Test Pits

The test pits were excavated with a Volvo JCB 214S excavator provided and operated by Skyline of Salt Lake City, Utah. The test pits were excavated to depths of 5 to 12 feet below the ground surface. Disturbed samples were obtained from the test pits at appropriate intervals. The soil samples obtained were carefully examined in the field, and representative portions were saved in plastic bags and transported to our laboratory for further examination and physical testing.

The field program was supervised by a member of our geotechnical staff who maintained a continuous log of the subsurface conditions encountered. The soils were classified by visual and textural examination in the field. These classifications were later reviewed by subsequent re-examination of the soil samples in our laboratory. Graphical representations of the subsurface conditions encountered are presented on Figures 3A through 3E, Log of Test Pits. Terms used to describe the soil and rock are presented on Figure 4, Unified Soil Classification System and Figure 5, Rock Type and Description Key. The stratification boundaries indicated on the logs are approximate. Actual transitions between differing materials may be gradual.

APPENDIX B

LABORATORY TESTING

APPENDIX B

LABORATORY TESTING

LABORATORY TESTING

General

All samples obtained from the field were transported to our laboratory for examination and testing. The physical characteristics were noted, and the field classifications were modified where necessary. The laboratory testing program was conducted to provide data for our engineering analyses. The laboratory program included determinations of natural moisture content, grain size distribution, partial sieve analysis, Atterberg limits tests and corrosion tests. The following sections describe the testing program in more detail.

Natural Moisture Content

Natural moisture content determinations were made in conformance with ASTM D 2216. The results are presented on Figures 3A through 3E, Log of Test Pits.

Grain Size Distribution

A determination of grain size distribution was conducted on a selected sample of the on-site soil in general conformance with ASTM 422. The result of the test is summarized in the following table.

SUMMARY OF
GRAIN SIZE ANALYSIS DETERMINATIONS

	Percent Passing By Dry Weight														
Test Pit	Depth (feet)	3”	2”	1-1/2”	1"	3/4"	1/2"	3/8"	No. 4	No. 10	No. 20	No. 40	No. 100	No. 200	Unified Soil Classification
TP-2	6.0	73	67	58	47	41	35	32	22	17	11	9	7	6	GP-GM

Percent Passing the No. 200 Sieve (Washed Sieve Analysis)

The silt and clay content (percent passing the No. 200 sieve) was evaluated for selected soil samples in general conformance with ASTM D 1140. Oven-dried samples were weighed and placed on the No. 200 sieve. The silt and clay were washed through the sieve, and the sample remaining on the sieve was oven-dried and weighed. The change in sample weight is used to calculate the percent of material passing than the No. 200 sieve. The test results are summarized below.

SUMMARY OF
GRAIN SIZE ANALYSIS DETERMINATIONS

		Percent Passing	
TP	Depth, ft	No. 200 Sieve	Classification
TP-5	0.0	17	Clayey Sand (SC)

Atterberg Limits

Atterberg Limit tests were performed in accordance with ASTM D 4318 on a representative sample of the native soil encountered at the site to verify field classifications. The test results are tabulated below:

Test Pit No.	Sample Depth (ft)	Unifed Soil Classification System Group Symbol	Liquid Limit (%)	Plastic Limit (%)	Plasticity Index (%)
TP-2	6.0	GP-GM	NP	NP	NP

Analytical Tests

Analytical tests were conducted on a representative sample collected from the site. The pH test was conducted by AMEC in our laboratory. The water soluble sulfate test was performed by TEI Testing Services, Inc. of Salt Lake City, Utah. The results are summarized in the following table.

Test Pit No.	Sample Depth (ft)	Unifed Soil Classification System Group Symbol	pH	Resistivity (ohm-cm)	Water Soluble Sulfate Concentration (ppm)
TP-3	2.0-4.5	GC	6.2	18,607	175

EXHIBIT O

Applied Geotechnical Engineering Consultants, Inc.

December 13, 2006

Resource Management Consultants
8138 South State Street, Suite 2A
Midvale, UT 84047

Attention: Todd Leeds
FAX: 255-3266

Subject: Geotechnical Consultation
Alice Mine Claim
In Woodside Gulch
Near Intersection of King Road and Ridge Road
Park City, Utah
AGEC Project No. 1060955

Gentlemen:

Applied Geotechnical Engineering Consultants, Inc. (AGEC) was requested to provide geotechnical consultation with regards to the Alice Mine Claim located in Woodside Gulch near the intersection of King Road and Ridge Road in Park City, Utah. There is a mine shaft and mine adit which are located near the proposed development.

AMEC previously provided a draft of a preliminary geotechnical report for the Alice Mine Claim and presented their findings and recommendations in a report addressed to DHM Design Corporation dated July 13, 2006 under Project No. 6-817-005165.

BACKGROUND

Based on information provided in the above-referenced geotechnical report and conversation with the client, we understand that the mine shaft has a reported depth of approximately 500 feet. The open depth of the mine shaft was measured at approximately 230 feet. The mine shaft has a diameter of approximately 6 feet to 8 feet.

A horizontal adit is located at the ground surface near the mine shaft and extends into the hillside at an approximate bearing of north 20 degrees west. The length of the adit is unknown.

FIELD STUDY

A geologist from AGEC visited the site on November 22, 2006 to observe the mine shaft and adit. Three test pits were excavated near the mine shaft. The test pits were excavated using a trackhoe. The test pits were logged and samples of the subsurface material were obtained by a geologist from AGEC.

The material used to backfill the test pits was not compacted and should be removed and replaced with properly compacted fill if the test pits are in areas of proposed buildings, concrete flatwork and/or pavement.

SUBSURFACE CONDITIONS

The subsurface materials encountered in the test pits consist of approximately 9 to 14 inches of topsoil overlying bedrock. The maximum depth investigated was approximately 11½ feet.

The bedrock consists of quartzite which is highly weathered and fractured near the ground surface. Excavation in the bedrock became more difficult with depth. The bedrock is slightly moist and yellowish brown.

SUBSURFACE WATER

No subsurface water was encountered in the test pits at the time of excavating to the maximum depth investigated, approximately 11½ feet.

PROPOSED CONSTRUCTION

We understand that residential development is planned for the area around and including the mine shaft and adit. A conceptual site plan indicates that a residence is planned to be constructed above the mine shaft.

CONCLUSIONS AND RECOMMENDATIONS

Based on our observations at the site and information presented in the above-referenced geotechnical report, the following conclusions and recommendations are given:

1. Based on the subsurface conditions encountered in the test pits excavated near the mine shaft, we recommend a setback distance of at least 40 feet. The setback distance could be reduced to 10 feet if the mine shaft were filled up to the ground surface with soil and/or gravel.

2. If a building or other structure is planned to be constructed above the mine shaft, the following recommendations are given:

a. The upper approximately 10 feet of the mine shaft should be excavated to have a slope of approximately ½ horizontal to 1 vertical.

b. Concrete should be placed in the mine shaft from a depth of at least 110 feet up to within 5 feet of the footing bearing elevation for the proposed building. The concrete should have a slump less than 4 inches and a 28-day compressive strength of at least 3,000 psi. The concrete used should be a low shrinkage concrete mix.

c. Reinforcement should be placed in the upper portion of the concrete to connect the concrete in the wider portion of the mine shaft to the concrete below.

   The reinforcement should be designed by a structural engineer.

d. If the shaft is open below a depth of 110 feet, the portion of the shaft below this depth should be filled using soil, broken-up bedrock or other imported fill. The fill should have a maximum particle size of approximately 4 inches.

e. A representative of AGEC should observe remediation of the mine shaft.

3. Buildings should not be constructed above the mine adit unless the adit is remediated or the foundation support of buildings near the adit extends below the adit elevation.

4. The adit which extends into the hillside from near the mine shaft could be remediated by excavating down to the adit and filling the adit and the excavated area above with compacted structural fill. As an alternative, buildings which are located near the adit could be supported on a deep foundation extending down to or deeper than the adit elevation.

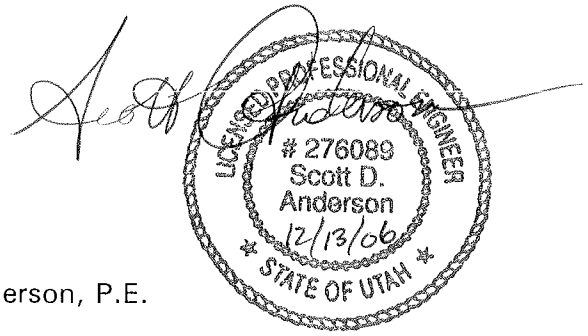
LIMITATIONS

This letter has been prepared in accordance with generally accepted soil and foundation engineering practices in the area for the use of the client. The conclusions and recommendations included in the letter are based on conditions observed at the time of our site visit. Variations in the subsurface conditions may not become evident until additional exploration or excavation is conducted. If the subsurface conditions or proposed construction is significantly different from what is described in this letter, we should be notified to reevaluate our recommendations.

If you have any questions or if we can be of further service, please call.

Sincerely,

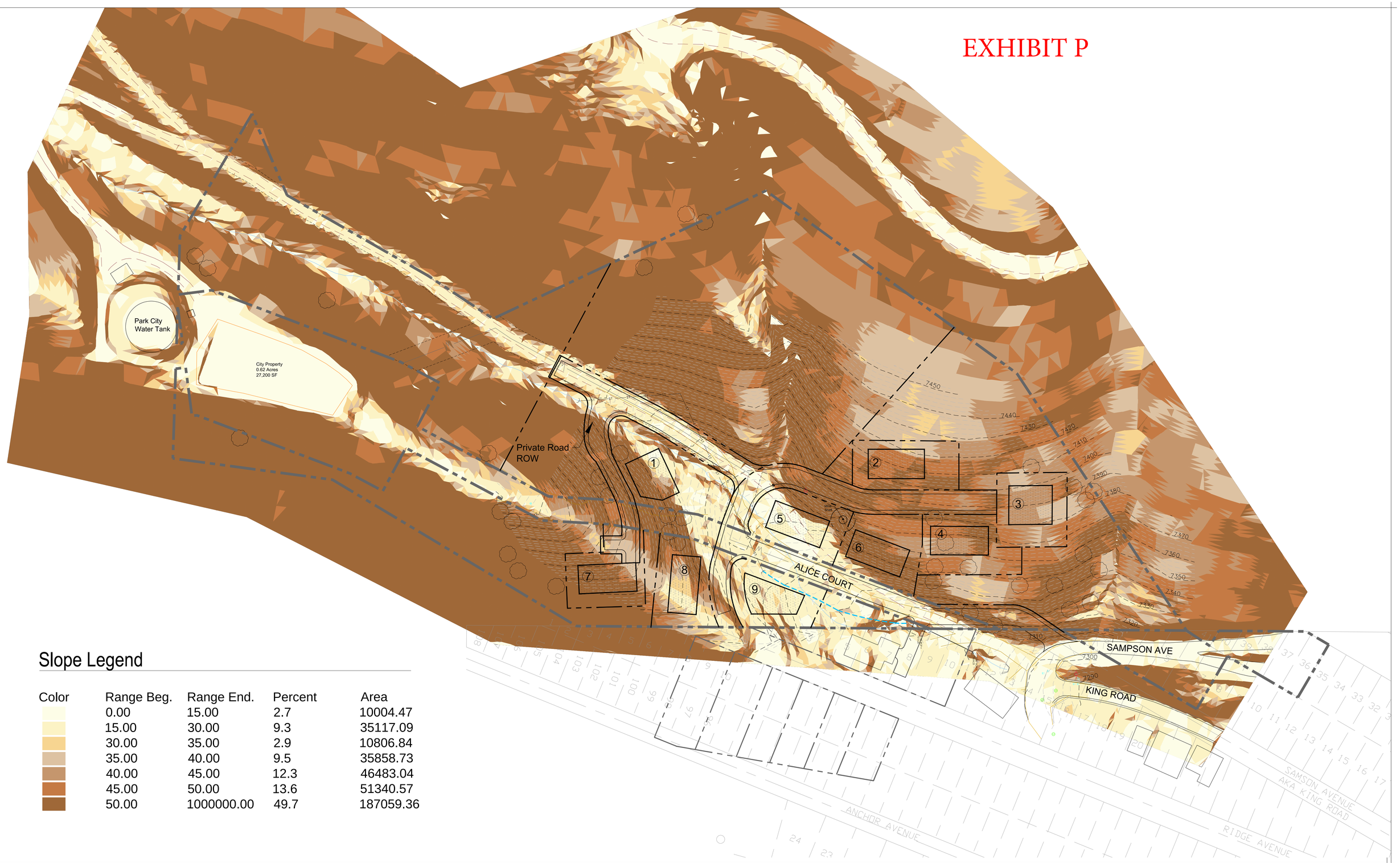
APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.



Scott D. Anderson, P.E.

Reviewed by DRH, P.E., P.G.
SDA/dc

EXHIBIT P



Slope Legend

Color	Range Beg.	Range End.	Percent	Area
	0.00	15.00	2.7	10004.47
	15.00	30.00	9.3	35117.09
	30.00	35.00	2.9	10806.84
	35.00	40.00	9.5	35858.73
	40.00	45.00	12.3	46483.04
	45.00	50.00	13.6	51340.57
	50.00	1000000.00	49.7	187059.36

ALICE CLAIM

SLOPE ANALYSIS

KING DEVELOPMENT GROUP L.L.C.
P.O. BOX 244
PARK CITY, UTAH 84060

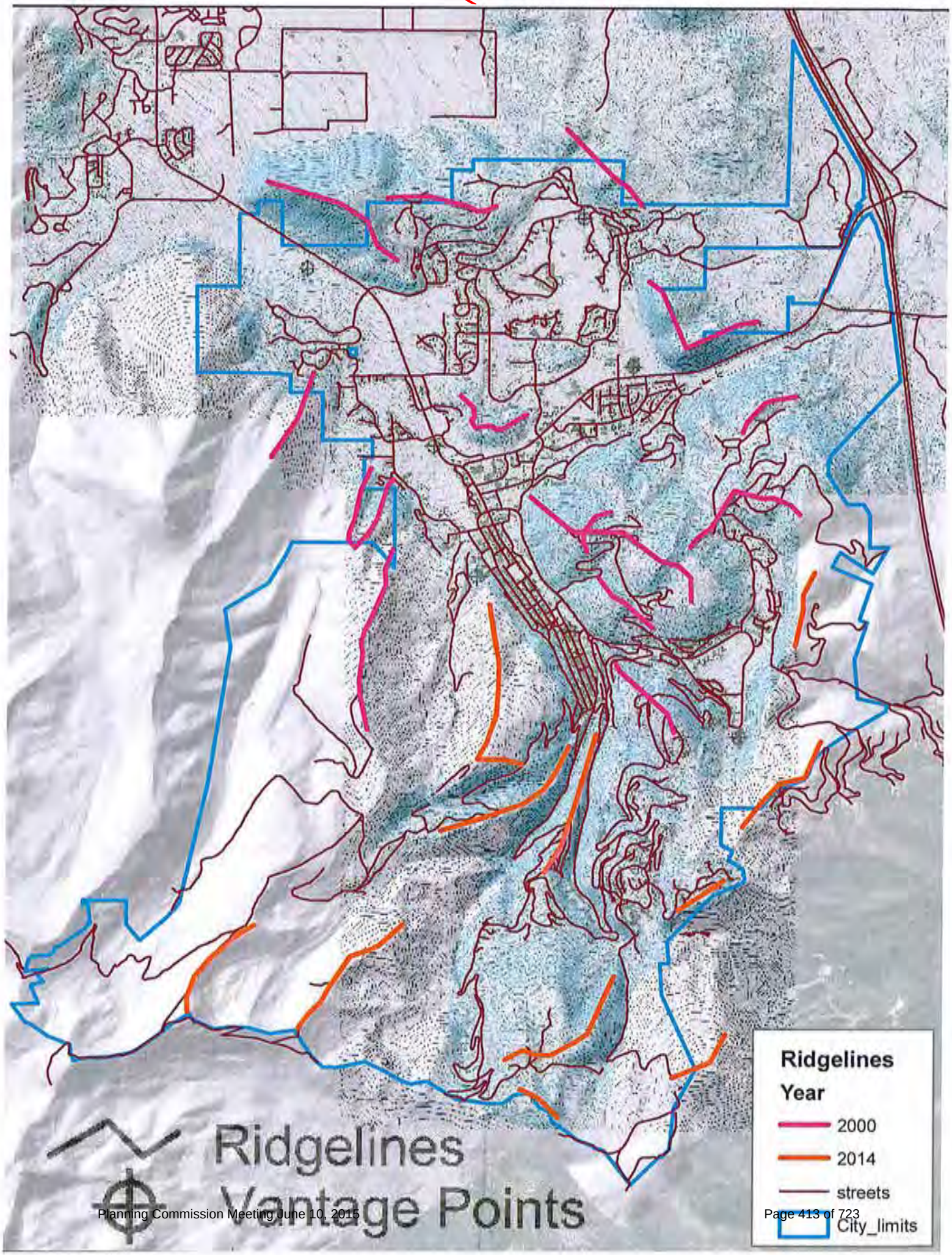
NORTH

0 10 50
5 30 100
SCALE: 1"=50'-0"

DATE: JAN 23 2014

DHM DESIGN

EXHIBIT Q


Ridgelines
Vantage Points
Ridgelines
Year
2000
2014
streets
City_limits

ALICE CLAIM

VISUAL ANALYSIS KEY MAP

KING DEVELOPMENT GROUP L.L.C.
P.O. BOX 244
PARK CITY, UTAH 84060

DATE: JAN 23 2015

DHM DESIGN

NOTE: VISUAL IMPACTS ARE MINOR
FROM KEY PARK CITY VANTAGE POINTS

1. View from Cross Valley High Point

View Location Map

ALICE CLAIM

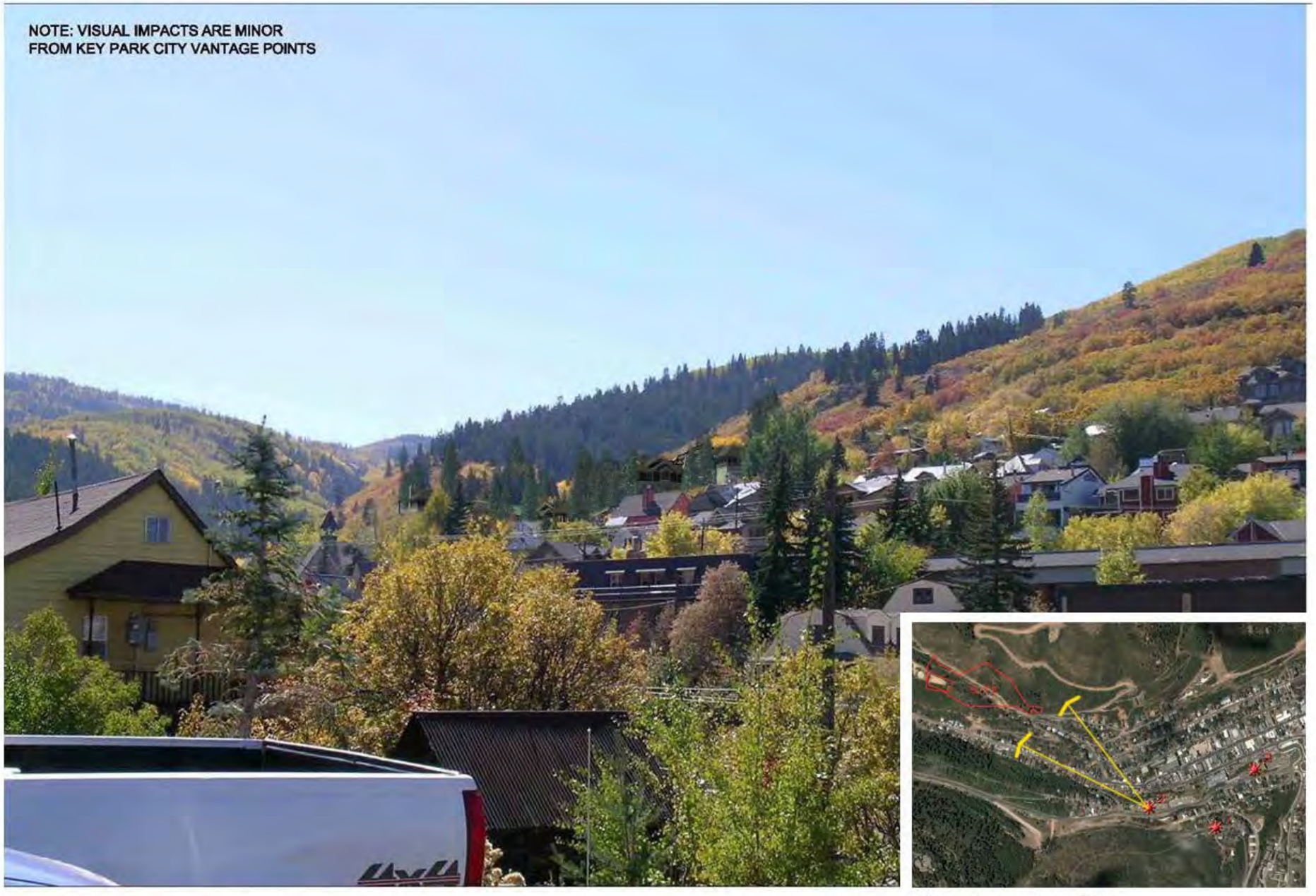
VISUAL ANALYSIS-LOCATION 1

KING DEVELOPMENT GROUP L.L.C.
P.O. BOX 244
PARK CITY, UTAH 84060

DATE: JAN 23 2015

DHM DESIGN

NOTE: VISUAL IMPACTS ARE MINOR
FROM KEY PARK CITY VANTAGE POINTS



2. View From South End of McHenry Ave

View Location Map

ALICE CLAIM

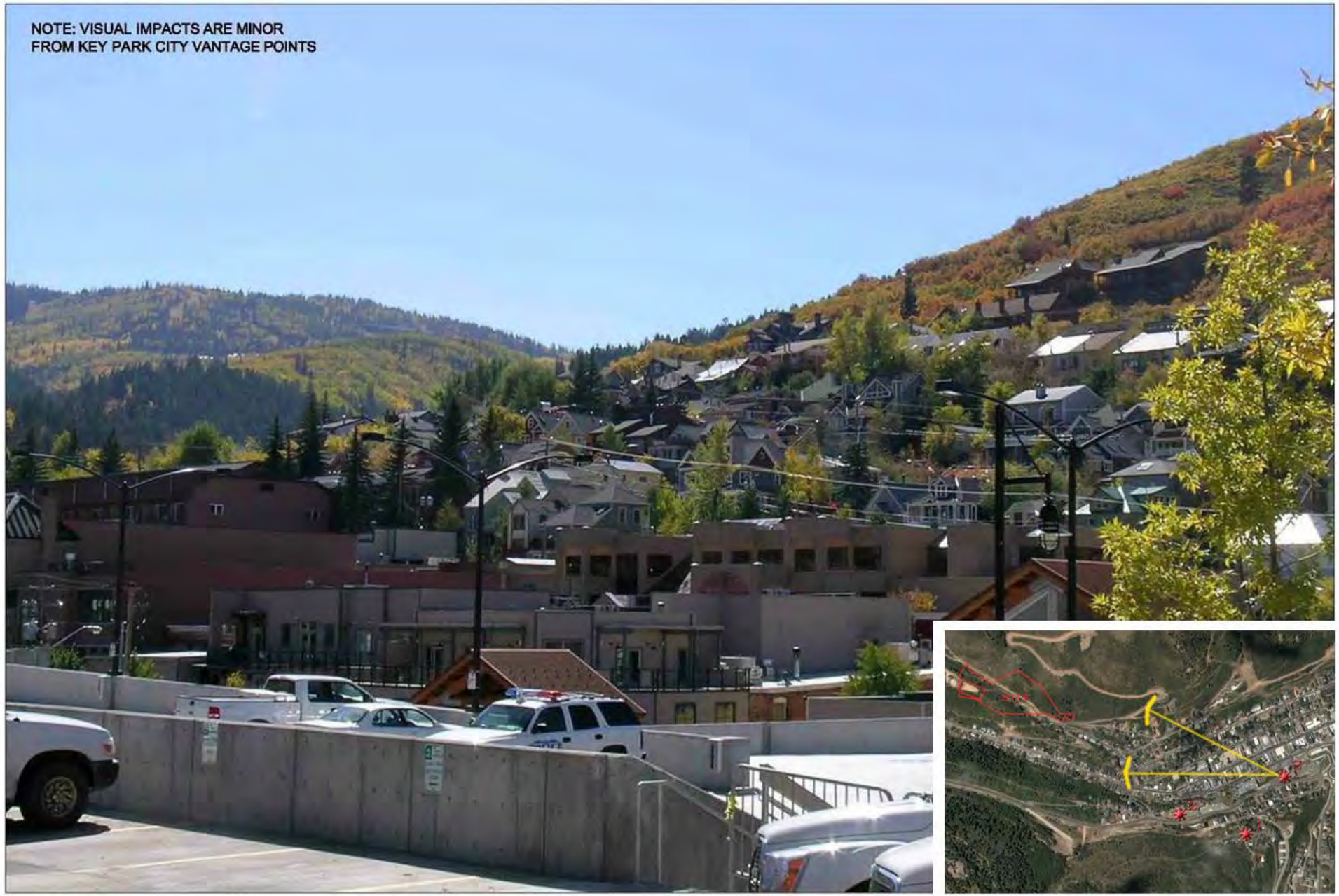
VISUAL ANALYSIS-LOCATION 2

KING DEVELOPMENT GROUP L.L.C.
P.O. BOX 244
PARK CITY, UTAH 84060

DHM DESIGN

DATE: JAN 23 2015

NOTE: VISUAL IMPACTS ARE MINOR
FROM KEY PARK CITY VANTAGE POINTS



3. View From Marsac Building Upper Parking Lot

View Location Map

ALICE CLAIM

VISUAL ANALYSIS-LOCATION 3

KING DEVELOPMENT GROUP L.L.C.
P.O. BOX 244
PARK CITY, UTAH 84060

DATE: JAN 23 2015

DHM DESIGN

EXHIBIT S

Planning Commission
Staff Report

Subject:	**Alice Claim aka Alice Lode Subdivision & Plat Amendment**
Project #:	**PL-08-00371**
Author:	**Christy Alexander, AICP, Planner II**
Date:	**April 8, 2015**
Type of Item:	**Legislative – Subdivision & Plat Amendment**

Summary Recommendations
Staff recommends that the Planning Commission hold a public hearing for the Alice Claim Subdivision and Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue and Sampson Avenue and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the Planning Department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Topic

Applicant:	King Development Group, LLC ("Applicant" or "King Development")
Location:	Alice Claim south of intersection of King Road, Ridge Avenue and Sampson Avenue
Zoning:	Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO)
Adjacent Land Uses:	Open Space and Residential (developed and undeveloped)
Reason for Review:	Planning Commission review and recommendation to City Council

Proposal
The Applicant is proposing that the Planning Commission consider the application of a nine (9) lot Preliminary and Final subdivision and plat amendment on 8.65 acres and a Plat Amendment on 0.38 acres, located at approximately the intersection King Road and Sampson Avenue within the City's Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO). One lot is within the Estate (E) District and is 3.01 acres in size. The other eight (8) lots are within the Historic Residential (HR-1) District and range in size from 0.17 acres (7,405.2 square feet) to 0.19 acres (8,276.4 square feet). Because there are less than ten (10) lots being proposed, the Master Planned Development criteria don't apply.

The current plan will also include a plat amendment that will eliminate other contiguous platted lots encumbered by the existing King Road and Sampson

Avenue. If approved, the existing lot lines will be removed and the property will be dedicated to the City.

Background
On May 23, 2005, the City received a completed Plat Amendment application for the Alice Claim Subdivision (also known as “Alice Lode”). The Alice Claim is located within the Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO) zoned property south of the King Road, Sampson Avenue, Woodside Gulch and Ridge Avenue intersection. The property is comprised of 8.65 acres and includes platted lots and a “metes and bounds" parcel.

Contiguous to this site are Historic Residential Low (HRL) zoned lots under the same ownership. The two contiguous lots which are owned by the same owner are Lots 1 and 2 of the Ridge Avenue Subdivision. Lot 1 is improved with a contemporary house, Lot 2 is vacant. The applicant is requesting that these two lots not be part of this subdivision.

The rest of the contiguous Lots are within the Park City Survey (Lots 1-7 and 36-40, Block 77) and are mostly encumbered by existing King Road and Sampson Avenue; thus rendering portions of them undevelopable. The Applicant is requesting the Planning Commission consider the proposed subdivision for the nine (9) proposed lots and a plat amendment for the existing encumbered Lots 1-7 and 36-40, Block 77.

This area, historically known as Woodside Gulch, has some mining history and served as an early access to the Silver King Mine further up the gulch. The City owns an adjacent and bisecting parcel of land where a City-owned potable water tank and water lines are located. The City-owned parcel includes a 30 foot wide strip of land extending from the water tank site to the existing Ridge Avenue Subdivision bisecting the Applicant’s proposed subdivision property. The City-owned strip of property contains a raw water pipeline and a potable water transmission line which extends from the water tank to the Ridge Avenue Subdivision. The raw water line and the potable water line continue through the Ridge Avenue Subdivision to King Road within an existing driveway and a public utility easement. A second existing potable water transmission line, which is scheduled to be abandoned upon completion of the new potable water line on City-owned property, extends through the subject property. Additionally, access to the existing water tank and pump station is via an existing unpaved access roadway across the subject property. The access is provided by a recorded grant of easement which will be slightly modified (see Subdivision Layout within Exhibit A).

Please reference the October 8, 2014 Staff Report for the brief subdivision timeline and brief timeline of events related to the Alice Claim property Voluntary Clean-Up Program (VCP).

A Draft Site Mitigation Plan has been submitted to the Utah Department of Environmental Quality, but a Site Management Plan and Environmental Covenant have not been completed. The VCP is still active and the site has not been given a completion letter from the UDEQ. The Applicant will need to receive a final Certificate of Completion for remediated soils from the UDEQ prior to building permit approval. **This has been listed as a condition of approval.**

At the October 8, 2014 Planning Commission Work Session, the Applicant presented and discussed the plan dated January 28, 2009, as depicted in the copies attached hereto as Exhibit Q. The applicant has submitted updates and an amended site plan in the six months since the last meeting on January 23, 2015 and March 16, 2015. The Applicant provided Staff in 2010 with several binders of information dating from 2006-2010 as well as other documentation dating from 2003-2013. The binders are available at the Planning Department for the public to review. Staff has also provided minutes from the 2005, 2006, 2008, 2009, 2011 and 2014 Planning Commission meetings as exhibits to the October 8, 2014 staff report. The minutes from the October 8, 2014 work session are attached hereto as Exhibit R.

A summary of the Commissioner's concerns and items requested at the October 8, 2014 Work Session are described below:

Commissioner Joyce stated that in looking at compatibility, he has concerns with the HR-1 District and the surrounding houses. Commissioner Joyce stated that **those issues were important to him from the standpoint of HR -1 compatibility and compatibility with the surrounding neighborhoods.** Commissioner Joyce requested that the Staff provide **an analysis of what was around this site, above this site, and how it is all zoned and platted out as the plats exist today.**

Commissioner Strachan reiterated his comments from the 2010 meeting that the Estate lot was his biggest problem and the impacts created by a 20' retaining wall was his second biggest concern. He was unsure **how they could mitigate the impacts on a 50% slope, particularly when they have to dig a road and do retaining.** He suggested that the applicants come back with good ideas for how to mitigate the impacts on that steep of a slope, because that part of Sampson is over 42% based on the slope analysis. He remarked that **the purpose statement of the HR-1 zone is to minimize the cut and fill and to minimize the damage to the environment** as much as possible.

Commissioner Strachan was also **concerned about the term "private open space."** He asked how they would calculate the square footage and whether basements or other components would be excluded from the calculation. Mr. Fiat replied that the **5,000 square foot number was designed to include 100% of the structure including basement and garages.** Commissioner Strachan stated that **page 154 of the packet, which was the Google map showing where the lots are, should be included in every submission** because it is a good benchmark to show where the houses might be.

Commissioner Thimm shared the concerns with the slope in excess of 40% on some of the lots. He asked if it was possible to **generate some cross sections and understand how the building envelopes and the building footprints were coming to rest on the land.** He wanted to know if there **was a mechanism to make sure the trails remain accessible** to the public.

Commissioner Band wanted to know how much of the lot is cleared around the footprint site. Mr. Fiat thought they could **create an exhibit showing the limits of disturbance**. Commissioner Band stated that **a visual taken around the site would also be helpful.** She agreed with the request by other Commissioners for **a larger map to see how it relates to the rest of the HRL zone.**

On January 23, 2015 the applicant submitted the following Exhibits A-O updating the site plan and plat and incorporating the items the Commission requested. Additional Revisions were made on March 16, 2015 to the January 23, 2015 submittal and are included in Exhibits A-O.

Purpose of "HR-1" and "E" Zoning Districts

The purpose of the Historic Residential HR-l 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 purpose of the Estate (E) District is to:
(A) Allow very low density, environmentally sensitive residential Development which:
(1) Preserves ridge tops, meadows, and visible hillsides,
(2) Preserves large, cohesive, unbroken Areas of Open Space and undeveloped land,
(3) Preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development,
(4) Mitigates geologic and flood hazards,
(5) Protects views along the City's entry corridors, and
(6) Decreases fire risk by keeping Development out of sensitive wild land interface Areas.

(B) Incorporate pedestrian trail linkages between and through neighborhoods; and
(C) Encourage comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.

Analysis

Estate Lot

The Estate District lot (Lot 1) is within the Sensitive Lands Overlay (SLO) and is thus subject to the regulations of LMC 15-2.21. The lot has Steep Slopes (15%-40%), Very Steep Slopes (greater than 40%) and a Stream Corridor. A Slope Analysis map was provided by the Applicant (See Exhibit M: Sensitive Lands Analysis) showing the various slope categories. The following steps need to and have been completed:

LMC 15-2.21-2(A) **SENSITIVE LANDS ANALYSIS**. Applicants for Development within the SLO must identify the Property's sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, wetlands, Stream Corridors, wild land interface, and wildlife habitat Areas, and provide at time of Application a Sensitive Land Analysis. Every annexation must provide a Sensitive Land Analysis. The Applicant has submitted this and meets the LMC requirements.

LMC 15-2.21-2(C) **SITE DEVELOPMENT SUITABILITY DETERMINATION**. Staff shall review the Sensitive Land Analysis, apply the applicable Sensitive Land Overlay (SLO) Regulations, Sections 15-2.21-4 through 15-2.1-9, and shall prepare a report to the Applicant and the Planning Commission identifying those Areas suitable for Development as Developable Land. Staff has determined that the Applicant meets all regulations based on the footprint of 2,500 sf that is not benched or terraced, retaining walls are addressed within the concurrent CUP, the development will have no adverse impact on adjacent properties, the density is compatible with that of adjacent properties within the subdivision, the **applicant will be required at Steep Slope CUP for the home on Lot 1 to adopt appropriate mitigation measures such as landscaping, screening, etc. to buffer the adjacent properties from the Developable Land.**

The previously proposed location of the house on Lot 1 was on Steep (15% - 40%) and Very Steep Slopes (greater than 40%). After the October 2014 Planning Commission meeting, the Applicant revised the site plan to bring the home on Lot 1 much further down the hillside, as the Commissioners suggested, and closer to Lots 7 and 8. As proposed Lot 1 is now on a slope of 31% which is only considered Steep and not Very Steep. Within the SLO, 100% of the Very Steep Slopes shall remain as Open Space (LMC 15-2.21-4(I), no vegetation can be disturbed within fifty (50) vertical feet in elevation of Very Steep Slopes, and no Development can occur within fifty (50) feet, map distance, of Very Steep Slopes unless the Planning Commission makes findings as listed in LMC 15-2.21-4(A): All of the Very Steep Slopes found on Lot 1 now as proposed remain as open space, no vegetation is proposed to be

disturbed within 50 vertical feet in elevation of Very Steep Slopes and no development is proposed within 50 feet distance. The home on Lot 1 is approximately 135 feet away from the Very Steep Slopes and the private drive running across Lot 1 is approximately 60 feet away from the Very Steep Slopes.

The Applicant took the Planning Commission's recommendation to move the Estate Lot home further down the hillside and has shown that on the proposed plat. With this revision of location **the Applicant is requesting a reduction in the setback requirements for this lot, from the Planning Commission, to a 10' front, 10' side and 20' rear setback from the required 30' front, 30' side and 30' rear setbacks for this District.** As per LMC 15-2.10-3 (C) The Planning Commission may vary required yards in Subdivisions. In no case shall the Planning Commission reduce Side Yards to allow less than ten feet (10') between Structures. The Applicant meets these requirements and proposes approximately 65' between structures. Staff recommends granting these reductions in setbacks so that the home on Lot 1 can be placed further down the hillside as shown on the current proposed site plan thus avoiding the Very Steep Slopes.

The applicant has proposed a no disturbance area of the Estate District lot of 2.62 acres, which is 87% of the total 3.01 acre Estate District lot. As per LMC 15-2.21-4 (H): the following Open Space and Density regulations apply:

(1) 75% of the steep slope area must remain as open space, *the applicant proposes 87%.*

(2) 25% of the Steep Slope area may be developed in accordance with the underlying zoning subject to the following conditions:

a. The maximum density on developable land within a steep slope area is governed by the underlying zoning and proof that the proposed density will not have a significant adverse visual or environmental effect on the community. *The applicant proposes limiting the footprint to the same size of 2,500 sf to be consistent with other lots within the subdivision*.

b. The developable land in the steep slope area is that area with the least visual and environmental impacts, including the visual assessment, and considering the visual impact from key vantage points, potential for screening location of natural drainage channels, erosion potential, vegetation protection, Access, and similar site design criteria. *The applicant has proposed development on the lowest and least steep portion of the lot and the other criteria may be addressed at Steep Slope CUP to mitigate any adverse impacts.*

c. The applicant may transfer up to 25% of the densities from the open space portion of the site to the developable land. *The applicant does not propose this transfer.*

d. The applicant must prove that the development will have no adverse impact on adjacent properties

i. The density is compatible with that of adjacent properties. *The density is proposed to be the same as adjacent properties.*

ii. The architectural detail, height, building materials, and other design features of the development are compatible with adjacent properties. *This will be mitigated at Steep Slope CUP and during the HDDR process.*

iii. The applicant has adopted appropriate mitigation measures such as landscaping, screening, illumination standards, and other design features to buffer the adjacent properties from the developable land. *This will be mitigated at Steep Slope CUP and during the HDDR process.*

The Applicant proposes to deed this open space to the Summit Land Conservancy. No documentation has been provided to the City to show that Summit Land Conservancy is in agreement with this dedication at the time of this report. This open space will still remain part of the lot if it is deeded to the Summit Land Conservancy.

The stream corridor is also protected within the Sensitive Lands Overlay as provided in the LMC:

LMC 15-2.21-6(C) “No person shall disturb, remove, fill, dredge, clear, destroy or alter any Area, including vegetation, surface disturbance within wetlands and Stream Corridors and their respective Setbacks, except as may be expressly allowed herein.”

The setbacks required per LMC 15-2.21-6(F) for stream corridors are a minimum of fifty feet (50') outward from the Ordinary High Water Mark. There is no exception to this 50’ setback in the LMC other than Hardship Relief under LMC 15-2.21-2(D) which states: If the Applicant demonstrates that the regulations would deny all reasonable Use of the Property , the Planning Commission may modify application of these r(SLO) regulations to provide the Applicant reasonable Use of the Property.

The proposed subdivision creates a driveway for lot 1 and lot 7 within the fifty foot (50’) setback area from the stream corridor within the Estate zone with Sensitive Lands Overlay. In the January 23, 2015 submittal, the Applicant proposes to culvert the stream underground so as to divert from the 50’ setback requirement (see Exhibit ??). The culvert will address this problem as the stream will no longer be above ground within 50’ of the home on Lot 1. Any change to the stream will require a Stream Alteration Permit from the State Army Corp of Engineers (regardless if it is navigable water) and may require an amendment to the Voluntary Clean-up Program remediation with the Utah Department of Environmental Quality. The Stream Alteration Permit will be will be required prior to plat recordation. If the Applicant does not obtain the Permit the plat will not be able to be recorded and any approvals shall be null and void. The applicant would then need to submit a new application with a design that meets the 50’ setback requirements. Any amendments to the Voluntary Clean-up Program remediation will be required prior to any Building Permit approvals. **These items have been listed as conditions of approval.**

Historic Residential Zone

The zoning for the subdivision is HR-1 subject to the following criteria:

Regulation	Permitted	Proposed
Height	27 feet above existing grade, maximum. 35 feet above existing grade is permitted for a single car garage on a downhill lot upon Planning Director approval. Plat: cannot exceed eighteen feet (18') in height above the garage floor with an appropriate pitched roof (8:12 or greater). Height exception for the garage may be granted if it meets the preceding criteria.	Maximum height is twenty seven feet (27') and no home can exceed this requirement; Applicant is proposing 2 stories max**; Staff is proposing height limit of twenty five feet (25') max for a 2 story home which will be listed as a condition of approval**.
Lot sizes: Lot 1: 3.01 acres Lot 2: 0.18 acres Lot 3: 0.18 acres Lot 4: 0.18 acres Lot 5: 0.18 acres Lot 6: 0.19 acres Lot 7: 0.18 acres Lot 8: 0.17 acres Lot 9: 0.16 acres	Footprint based on lot area based on LMC requirements at time of application. Lot 1 (Estate): No restriction except as applied during subdivision. Lot 2: 2523.4 sf Lot 3: 2523.4 sf Lot 4: 2523.4 sf Lot 5: 2523.4 sf Lot 6: 2599.2 sf Lot 7: 2523.4 sf Lot 8: 2442.3 sf Lot 9: 2355.5 sf	Proposed maximum total floor area of each home is 5,000 square feet (including basement and garages). Proposed maximum footprint area (square feet) by the Applicant: Lot 1 (Estate): 2500 sf Lot 2: 2500 sf Lot 3: 2500 sf Lot 4: 2500 sf Lot 5: 2500 sf Lot 6: 2500 sf Lot 7: 2500 sf **Lot 8: 2471 sf; does not comply but will be listed as condition of approval to comply**

		Lot 9: 2394 sf; does not comply but will be listed as condition of approval to comply
Front setback	Depends on lot depth; ranging from a minimum 10’ to 15’; 30’ for Estate Lot	
Rear setback	Depends on lot depth; ranging from a minimum 10’ to 15’; 30’ for Estate Lot	
Side setbacks	Depends on lot width; ranging from a minimum 3’ to 10’ and 6’ to 30’ total; 30’ for Estate Lot	Applicant is requesting a reduction of the setbacks for Lot 1 within the Estate zone to be 10’ for front and side setbacks and 20’ for rear setback. **Planning Commission would need to grant that request based on discussion above.**
Parking	Two (2) off-street spaces required for each dwelling	Two (2) spaces proposed for each dwelling
Final Grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	
Vertical Articulation	A ten foot (10’) minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23’) from where Building Footprint meets the lowest point of existing	

	Grade.	
Roof Pitch	Between 7:12 and 12:12. A roof that is not part of the primary roof design may be below the required 7:12 roof pitch.	

Based on the analysis above, the average lot size (excluding the Estate Lot) is 0.18 acres (7,840.8 square feet); the average proposed footprint is 2,500 square feet. Based on analysis for other nearby developments (Exhibit S), the proposed lot size and footprints would far exceed the vast majority of those within the nearby developed areas (King Road, Sampson Avenue and Ridge Avenue). For example the average lot size on nearby Sampson Avenue is 0.13 acres and the average footprint is 1,314 square feet. Due to the footprint of the homes proposed to be nearly twice the size of the average footprints in the nearby neighborhoods, staff's opinion is that the footprints as proposed do not comply with the HR-1 Purpose Statement, specifically the following:
(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,

In order for the homes to be more compatible with such large footprint, Staff recommends placing conditions of approval on the plat that the homes shall be limited to 5,000 square feet maximum total floor area including basement and garages, two stories, and no more than 25 feet maximum building height from existing grade. Staff recommends if the homes are allowed the wider footprint than what is average in the surrounding neighborhoods, then the square footage, height and stories should be limited. In addition, the proposed maximum footprints for Lots 8 & 9 exceed what is permitted by the Land Management Code. Staff has listed a condition of approval which would reduce the size of the footprints for Lots 8 & 9 to the LMC maximum as listed in the table above. All homes in the proposed subdivision will need to go through a full Historic District Design Review process and Steep Slope CUP applications if necessary.

Access
Currently, legal access to the property is proposed to be gained through the platted but un-built King Road right-of-way. This access point is approximately 50 feet west (off-set) of the King Road – Ridge Avenue intersection where King Road turns north. Ideally, the primary access would be through the existing Woodside Gulch right-of-way, thus avoiding the need to build a new road, however this access isn't possible because legal access has not been secured over the private property at 135 Ridge Avenue. The Applicant states that the King Road right-of-way access (north access) would create a driveway gradient of 14% versus 14.2% for the Woodside Gulch

road. The proposed northern access would also require retaining walls (upwards of 25 feet in height) on the western side as the road would cut into the toe of the slope would protect the existing mature trees. Without access over the private property at 135 Ridge Avenue, the Applicant's only proposed access is using the platted King Road right-of-way. The Code requires a Conditional Use Permit from the Planning Commission, which is being heard concurrently with this Subdivision application, for any retaining walls over 6 feet in height..

The proposed access to the Alice Claim Subdivision is at a point, although offset, where essentially four existing roadways meet, King Road, Sampson Avenue, Woodside Gulch, and Ridge Avenue. The proposed Alice Court would be a fifth point of access in the existing intersection.

> The Applicant is proposing to use "platted" King Road, which does not match where the road known as "Woodside Gulch driveway" is actually built. The proposed roadway is off-set from the King Road/Ridge Avenue/Woodside Gulch/Sampson Avenue intersection by about fifty (50) feet. Offset intersections are not ideal for traffic stacking and turning, and the City Engineer requested a traffic engineer analysis evaluating the intersection layout to determine critical failures. Such information is necessary for the City Engineer to determine if the proposed roadway would violate any City street standards. According to the City Engineer, the traffic report that was issued in 2006 for this area addresses volume only and does not address the uniqueness of the proposed intersection. The City Engineer requested information from the applicant for analysis to evaluate the proposed intersection, poor site triangle, and recommend adjustments/mitigations to King Road, Ridge Avenue, Woodside Gulch, Sampson Avenue, and/or the main proposed Alice Court entrance drive.
>
> The Applicant therefore submitted a Traffic Impact Study (TIS) on January 23, 2015 to the City. However, the TIS was not responsive to the City Engineer's request. The area does not have high traffic volumes. The City Engineer requested that the traffic engineer study the layout of the intersection with the hopes that there are improvements that can be incorporated to make it more maneuverable. This did not happen in the submitted TIS, instead Fehr and Peers evaluated using the existing Woodside Gulch entrance versus moving the entrance up the street a short distance to the proposed Alice Court. The recommendation of the study was that the existing entrance be used. However, the Woodside Gulch entrance isn't an option as it crosses private property.

The City Engineer's request was to look at moving the entrance west along King Avenue, square the entrance up to King Avenue and determine the best location for this intersection. The City Engineer requested they look at the intersection for King Road, Ridge Avenue, Sampson Avenue, Alice Claim drive, along with two existing drives and lots of slope, to determine if there is a better way to configure this intersection.

The requested evaluation was provided by the Applicant on March 16, 2015 for the City Engineer. The exact location of the access is important due to the associated location of the retaining walls related to the access. Fehr and Peers submitted an intersection evaluation that presented the sight distance for the King Road/Ridge Ave intersection, presented modifications for the existing King Road/Ridge Ave intersection, and details the proposed King Road/Ridge Ave intersection developed by Fehr and Peers (Exhibit T). Upon review of the March 16, 2015 King Road/RidgeAve. Intersection Evaluation by Fehr and Peers, the City Engineer determined that the applicant fulfilled his request for evaluation and given the 5 point intersection can make the difficult turning movements minimize conflicts but the Applicant must still 1) provide costs to implement and 2) provide recommendations to the City Engineer for which scenario most satisfies turning movements and minimizes conflicts and they must implement this scenario. **This has been listed as a condition of approval.** The results will not move the entrance to the subdivision nor change the plat.

The Applicant does not propose to dedicate streets within the proposed development to the City but will complete the proposed Alice Court to meet City Standards for emergency access and parking. If the Applicant decides to dedicate the streets at a later date, all of the streets will need to meet all City Standards, including right-of-way widths, minimum street widths, cul-de-sac standards, stubbed street standards, grading requirements, etc. All of the roads within the proposed subdivision are proposed to be private drives at this time. Private drives shall not exceed 14% gradients and the Applicant has shown the drives meeting this requirement.

The existing City's easement for access has been revised on the plat to incorporate trails and the City's access easement changed by the Alice Court road. The Applicant will need to receive City Council's approval to give them an access over the City's property as the Applicant's drive to Lot 7 will have a crossing bridge over the City's property, which will have water lines, storm drainage, sewer, etc. (See Exhibit O). This will need to occur prior to plat recordation and has **been listed as a condition of approval.**

Emergency access has been a continual concern with the Building and Fire Departments. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 of the 2012 International Fire Code (IFC). The Fire Code Official is authorized to make exceptions to these codes as noted.

The recent review comments from the Assistant Fire Chief are that:

- The road/driveway from King Road to Alice Court to lots 2-3-4 will need to be a minimum of 20-feet clear width as required by the IFC, along with the turn-around / hammer head. The proposed roads meet the required 20 ft. width. **The utility plan will need to be revised to show how each of the main and dry utilities**

will be able to be placed within the roads with required separations prior to plat recordation.

- Access to Lots 1 and 7, which is not a Private Road ROW, is acceptable as a private driveway, however, if any additional lots are added or developed, then this driveway will then need to be upgraded to meet the requirements of 20-feet wide for the fire department access road, based on the road now not serving more than two structures. Staff has **listed a condition of approval to not allow for subdivision of any additional lots in this subdivision**.
- Also, even though it is not required, the Assistant Fire Chief strongly encourages the Applicant to provide turn-outs and turn-around for lots 1 and 7 where the length of the driveway is in excess of 200 feet. These have been identified on the plat.
- The Applicant has revised the utility plan to show cross sections of how they will grade the private drive to Lot 7. Retaining walls cannot be built over utility lines and as presented the site plan appears that the private drive will need retaining walls greater than 6'. The Applicant has thus proposed a bridge over the City's property to Lot 7. **The proposed drive and bridge shall be engineered to meet City Standards prior to plat recordation and has been listed as a condition of approval.** Any retaining wall over 6 feet in height along this private drive will need a Conditional Use Permit approved by the Planning Commission. The applicant has included the retaining walls along the private drive as part of their concurrent CUP.

The recent review comments from the Chief Building Official are that:

- The road to homes 1 and 7 shall be 20 ft. wide and there must be an area at the end of the road past the hammerhead that is a snow storage area so they do not fill the hammerhead with piles of snow. This shall be signed as a snow storage area with a 10 ft. sign at end of hammer head. **Snow storage must be revised and approved by the City Engineer throughout the development prior to plat recordation. The utility plan will need to be revised to show how each of the main and dry utilities will be able to be placed within the roads with required separations prior to plat recordation.**
- The drive to home 7 will be considered a private driveway to a single family residence.
- The roads shall be able to support an imposed load of a fire apparatus weighing 75,000 pounds.
- The grade of the roads and drives may exceed 10% and shall not go over 14% for only 100 ft. The International Fire Code states max grade is 10% per appendix D for access road per section 503.2.7 IFC. Any roads over 10% grade will never be eligible to be converted to public ROWs in the future. The proposed plan meets these requirements.
- **Roads less than 26 ft. wide shall be marked NO Parking on both sides of the road.** With Parking there shall be at least 20 ft. minimum of driveway width from the parked cars to the other side of the road.
- Secondary Emergency Access would be most appropriate in the future off the east side of the property through the Ridge Avenue ROW if that ROW is ever

developed. The proposed plans show a stubbed road at Lot 8 that could potentially be extended in the future.

- Fire Hydrants must be approved by the Fire Code Official. A map was provided to Applicant with suitable Hydrant locations which there shall be 3 hydrants so that no point shall the hydrant be farther than 600 ft. from the farthest home per section 507.5.1 of the 2012 IFC. The proposed plan shows these hydrants as required.

Slope

According to the Slope Analysis provided by the Applicant (Exhibit M: Sensitive Lands Analysis), 2.7% of the land located in the HR-1 zone is under 15% slope, 21.7% is 15-40% slope (defined as a Steep Slope), and 75.6% is over 40% slope (defined as a Very Steep Slope). Below is a table of the average slopes of each lot:

Lot 1	31%
Lot 2	45%
Lot 3	38%
Lot 4	47%
Lot 5	38%
Lot 6	55%
Lot 7	64%
Lot 8	47%
Lot 9	26%

The proposed building pad areas on proposed Lots 2, 4, 6, 7, and 8 are all on Very Steep Slopes (over 40%). The Applicant has shown on the plat the limits of disturbance around the proposed home sites. Only the proposed building pad area on Lot 9 is on slopes less than 30%. This lot is not located in the SLO, however the following Subdivision regulations (LMC 15-7.3-1(D)) should be discussed by the Planning Commission:

"Restrictions Due to Character of the Land: Land which the Planning Commission finds to be unsuitable for Subdivision or Development due to flooding, improper drainage, Steep Slopes, rock formations, mine hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, geologic hazards, utility easements, or other features, including ridgelines, which will be reasonably harmful to the safety, health and general welfare of the present or future inhabitants of the Subdivision and/or its surrounding Areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendation of a qualified engineer, to solve the problems created by unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for Uses as shall not involve such a danger."

Currently the Applicant has not provided information regarding the mitigation of potential hazards due to the Steep and Very Steep Slopes**.** Staff has concerns on

developments over 40% slopes. Staff also has concerns for existing mine hazards that may be open as a historic mine shaft exists on this property but staff recommends these concerns are flagged and mitigated when they apply for Steep Slope CUPs for each home.

Clustering

The General Subdivision Requirements (LMC 15-7.3-2(E)) Open Space reads:

"Units should be clustered in the most developable and least visually sensitive portions of the Site with common open space corridors separating clusters. This applies to both multi-family and single family projects. The open space corridors should be designed to coincide with Significant Vegetation and in many cases, should be left in the natural state."

The Applicant has provided an existing vegetation plan with the larger conifers to remain as discussed in previous years (Exhibit L: Vegetation Cover). Outside of the stream channel, the disturbance from previous mining activities and the recent remediation, most of the rest of the site has stands of oak, maple and aspen in addition to areas of smaller shrubs and grasses. The Applicant has provided a Visual Analysis Study (Exhibit I).

A change to the home location on the Estate lot is proposed in response to the Planning Commission's prior feedback that the most developable portion of the site is at the bottom of the canyon where utilities, emergency vehicle access, and the least amount of disturbance of the land is best achieved. A comparison of clustering of the surrounding neighborhoods has also been provided (Exhibit J). This exhibit shows that the adjacent HR-L District and homes are clustered much more close together and the similar HR-1 District adjacent to that to have even smaller lot sizes, house sizes and are clustered even closer together than the adjacent HR-L District and the proposed plat which is also within the HR-1 District. Instead of clustering the homes closer together, the Applicant proposes that the homes will be no more than two (2) stories with no limitation to the height other than the LMC limits and up to 5,000 sq. ft. (maximum total floor area) in size (including basement and garages) and up to 2,500 ft. in footprint; however very few homes within the Historic Districts compare to house size and lot size as is proposed by the Applicant. Staff's opinion is that the layout of the homes is not as compatible to the historic density and clustering of homes within the nearby HR-1 and HR-L districts as it could be. The Planning Commission also had similar concerns with the proposed lack of clustering homes closely together. With the footprints as proposed, Staff recommends and has placed conditions of approval that the building height should be limited to 25 feet, homes limited to two stories and maximum total square footage be limited to 5,000 square feet, so as to lower the height of the homes as they are spread out wider.

Water Delivery Issue

Staff was previously informed by the Park City Water Department, that all of the Alice Claim property proposed for development may not be serviceable by the

current City water system due to low water pressure. The low water pressure is due to the small elevation difference between the proposed development's elevation and the Woodside Tank's elevation. The Applicant was informed about this issue and is responsible for modeling the water service to the development and if it is still insufficient they will need to provide a remedy. The Applicant has prepared a water model addressing the limitations of the current water system on the proposed development (including factors such as the ability to meet: acceptable water system pressures and fire flow requirements to each home site (indoor and outdoor pressures are not adequate), the Fire Marshal's site specific requirements, and Division of Drinking Water regulations). Proposed Lots 1-4 and 7-8 as shown on the proposed plat are likely the lots most affected. The Applicant was to confirm the elevation of each of the proposed building sites to determine the affected sites and either redesign the project accordingly, or work with the Water Department to determine the best solution. At the time of this report, the Water Department, Fire, Building and Engineering has received a revised Water Model from the Applicant that will meet the City's requirements. Any revisions to the submitted model will need to meet acceptable water pressure flows in order for the subdivision to meet water requirements. **This is listed as a specific condition of approval.**

The Assistant Fire Chief also required that the Applicant provide water modeling to demonstrate the available pressure for the fire sprinkler system design for Lots #2 and 7 which the Applicant has demonstrated can be achieved.

Sewer Utility Issue

Staff was informed by the Snyderville Basin Water Reclamation District that the Applicant has only met with them briefly besides almost 10 years ago when the application was first submitted to discuss utility location and placement within the proposed roadways. The Sewer District has concerns regarding the placement of the sewers in relation to the retaining walls and in relations to other utilities. **This will need to be remedied before the proposed plat can be signed by SBWRD prior to plat recordation and is listed as a specific condition of approval.** The Applicant is aware of the Sewer Districts concerns and will work to obtain a Line Extension Agreement upon approval of the plat. The sewer design could affect the entire layout of the subdivision and if any changes are made to the layout of the subdivision upon SBWRD's approval, this approval shall be null and void and a new application shall need to be submitted with any amendments.

Good Cause

Planning Staff finds there is good cause for this subdivision with the appropriate items described in the analysis being incorporated as conditions of approval. There may be future geographical visual impacts to the City as a result of this application with respect to additional site stabilization, proposed retaining walls, and other unforeseen issues related to development within steep slope areas that can be addressed at the time of Steep Slope CUP applications.

Department Review

Staff took the project back before the Development Review Committee on September 9, 2014, February 10, 2015 and March 24, 2015. Engineering continues to express concerns with the site access and height of retaining walls, Building expressed concern with the emergency access, and Water continues to express concern with ability to service due to lack of water pressure which the applicant is currently trying to work out with the review agencies. SBWRD continues to express concern with lack of sewer lateral design but the applicant will need to continue to work with them until all requirements are satisfied in order for SBWRD to sign the plat. Each of these concerns however have been incorporated into conditions of approval. Planning's concerns are appropriate clustering of homes within the HR-1 district and visual impacts of such tall retaining walls in a historic residential district.

Notice

The property was posted on February 11, 2015 and notice was mailed to property owners within 300 feet in accordance with requirements of the LMC on February 11, 2015. Legal notice was also published in the Park Record on February 6, 2015 and on the public notice website in accordance with the requirements of the LMC on February 9, 2015.

Public Input

Public comment was taken during the various past meetings held to discuss the project. The various Planning Commission meeting minutes will reflect that public input. Any public comment received prior to the meeting will be forwarded to the Planning Commission.

Process

This application is for a major subdivision and plat amendment as defined in 15-7.1-3(A) (2). A major subdivision requires a Preliminary Plat and a Final Plat although the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final Subdivision Plat approval. Staff is recommending the hearings be combined and a final Subdivision Plat be considered. The approval or denial of this subdivision and plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. Any retaining walls over 6 feet will require a CUP. Any new structures may require a Steep Slope CUP and will require a Historic District Design Review. A Building Permit is publicly noticed by posting of the permit.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the Alice Claim Subdivision and Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Alice Claim Subdivision and Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the subdivision and plat amendment to a date certain and provide specific direction to the applicant and/or

staff to provide additional information necessary to make a recommendation on this item.

Significant Impacts
There are no immediate significant fiscal impacts to the City from this application. If construction on the site were permitted, it will require a detailed Construction Mitigation Plan (CMP) to protect existing development located near the proposed subdivision. Site stabilization might also be an important consideration depending upon the amounts of vegetation proposed to be removed as a result of the proposed development. A draft geotechnical report has been previously submitted and reviewed. Previous mining activities, strong ground motion, slope stability, debris flow and avalanche, shallow bedrock and perched groundwater are the most significant engineering geology and geotechnical aspects which could affect design and construction at the site. Most, if not all of the lots in the HR-1 zone will require Steep Slope Conditional Use Permits. Each home, including the home within the "Estate" zoning designation, will require a Historic District Design Review prior to home design and construction.

Consequences of not taking the Suggested Recommendation
The parcels would remain as is and no construction could take place.

Recommendation
Staff recommends that the Planning Commission hold a public hearing for the Alice Claim Subdivision and Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue and Sampson Avenue and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits
Exhibit A – Proposed Plat
Exhibit B – Existing Conditions Survey
Exhibit C –Vicinity & Zoning
Exhibit D –Aerial
Exhibit E –Site Plan
Exhibit F –Utility Plan
Exhibit G–Photographs/Panoramic Images
Exhibit H–Perspective Rendering
Exhibit I –Visual Analysis
Exhibit J –Figure Ground Maps
Exhibit K –Open Space & Trail
Exhibit L –Vegetative Cover
Exhibit M –Slope Analysis
Exhibit N –Landscape Mitigation of Site Walls Plan
Exhibit O –Retaining Wall Illustrations & Site Sections
Exhibit P – Letter from SBWRD
Exhibit Q – January 28, 2009 Site Plan

Exhibit R – Minutes from October 8, 2014 Planning Commission Work Session
Exhibit S – Mean building footprint analysis for other nearby neighborhoods and zones
Exhibit T - Intersection Evaluation by Fehr and Peers

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 15-

AN ORDINANCE APPROVING THE ALICE CLAIM SUBDIVISION PLAT, LOCATED AT THE INTERSECTION OF KING ROAD, RIDGE AVENUE, WOODSIDE GULCH AND SAMPSON AVENUE (APPROXIMATELY), PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Alice Claim Subdivision located at the intersection of King Road, Ridge Avenue, Woodside Gulch and Sampson Avenue (approximately), have petitioned the City Council for approval of the Alice Claim Subdivision plat; 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 according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2006, January 28, 2009, February 25, 2009, and April 8, 2015 to receive input on the proposed subdivision;

WHEREAS, on April 8, 2015 the Planning Commission forwarded a recommendation to the City Council; and,

WHEREAS, on May 7, 2015 the City Council held a public hearing on the proposed Alice Claim Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Alice Claim Subdivision 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 Alice Claim Subdivision plat, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The plat is located at the intersection of King Road, Ridge Avenue, Woodside Gulch and Sampson Avenue (approximately), within the Historic Residential (HR-1) and Estate (E) Districts and Sensitive Lands Overlay (SLO).
2. The proposal includes nine (9) lots on 8.65 acres.

3. The property is a “metes and bounds" parcel with contiguous platted lots.
4. A City water tank and land owned by the City is adjacent to the subject property on the south end, and a City-owned parcel bisects the subject property. The City water line does not run within the City owned property, but rather is located within a prescriptive easement on the subject property.
5. The applicant previously undertook a voluntary remediation of the regulated soils on the site, which included soil remediation both in the Alice Claim 8.49 acre portion and within a 1.7 acre portion of the adjoining City property.
6. The property can only be accessed through the platted King Avenue right-of-way as the owner cannot secure legal access through the Woodside Gulch water tank access easement used by the City. The new roadway would require excavation and retaining walls up to and possibly in excess of twenty five feet (25’) in height.
7. The Woodside Gulch stream runs through the property and any changes to the stream will require a Stream Alteration Permit. The Applicant previously applied for this permit and will need to amend their existing Stream Alteration Permit from the Army Corp of Engineers. Any changes to the stream may also require an amendment to the Voluntary Clean-up Program remediation with the Utah Department of Environmental Quality.
8. The property, which was once the site of the Alice Load Mine, was previously the site of mining activities, which have since undergone recent remediation.
9. A Voluntary Clean Up of the property was initiated by the Applicant.
10. Most of the remainder of the site has stands of oak, maple and aspen trees in addition to areas of smaller shrubs and grasses.
11. A culvert for the stream is proposed for Lot 1 in order to meet the 50’ setback regulations from streams within the Estate and SLO lot.
12. The applicant has proposed a bridge over the City’s property to Lot 7.
13. The applicant has proposed retaining walls in 8 locations up to 20’ in height that will be reviewed under a concurrent CUP.
14. This development is located upstream of the FEMA Flood Plain Studies. Lots 1, 5, 6, 8, and 9 at a minimum appear to be in the streams flood plain.
15. The applicant requests a setback reduction from the Planning Commission for Lot 1 to a 10’ front, 10’ side and 20’ rear setback from the required 30’ front, 30’ side and 30’ rear setbacks for this Estate District lot.
16. Water Service is available to meet required water pressure to all of the proposed development sites (proposed Lots) within the development. The applicant will be responsible to propose acceptable mitigation should the water model be further revised.
17. Existing trails are shown on the plat and granted a public easement.
18. Proposed utilities have not been engineered to meet City Engineer’s approval but shall be prior to plat recordation.
19. All roads are proposed over 10% grades and will not be eligible to be converted to public ROWs in the future.
1. The homes are proposed to be 5,000 square feet total including basement and garages, the footprints are proposed to be 2,500 square feet or lower to meet LMC requirements. Building pads are shown in Exhibit A. Limits of disturbance as shown on Exhibit A shall remain in place and no changes shall be made. All other property

shall be restricted as open space and/or protected by 3rd party conservation easement.

20. The footprints of the proposed homes are larger than those in nearby streets. The average footprints on Daly Avenue are 1,465.44 square feet, on King Road are 1,342.31 square feet, on Sampson Avenue are 1,619.58 square feet, and on Ridge Avenue are 2,076.72 square feet.
21. Sewer Service must be designed to service the proposed development sites in accordance with the Snyderville Basin Water Reclamation District's requirements. The applicant will be responsible to determine this with Snyderville Basin Water Reclamation District prior to plat recordation.
22. Proposed roads with utilities that are not private driveways are required to be 20' wide and are shown as such on the plat.
23. Public trails are shown on Exhibit A with a 15' public recreational trail easement.
24. The proposed lots range in size from three (3) acres within the Estate District and from .17 acres (8,712 square feet) to 0.198 acres (20,909 square feet) within the HR-1 District.
25. The applicant owns several other adjoining properties within the Historic Residential Low-Density (HRL) District. Two of these contiguous properties are lots 1 and 2 of the Ridge Avenue Subdivision.
26. The Estate District lot (Lot 1) is within the Sensitive Lands Overlay (SLO) and is subject to the regulations of LMC 15-2.21.
27. The proposed location of the house on proposed Lot 1 is on Steep Slopes (15% - 40%) and not on Very Slopes (greater than 40%), and is thus not subject to review under LMC 15-2.21-2(A) and (C).
28. The application for the Alice Claim subdivision was deemed "complete" by the Planning Department on May 23, 2005.
29. Between 2006 and 2009, the Planning Commission conducted three work sessions to discuss the project and visited the property during two site visits.
30. On October 8, 2014 the Planning Commission conducted a site visit and work session to discuss the history and 2009 site plan proposed for this project.
31. The Applicant submitted revised site plan, plat and all required submittals for the subdivision and plat amendment on January 23, 2015.
32. The Applicant submitted further revisions to the plat to address the City's concerns on March 16, 2015.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
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:

2. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
3. The applicant will record the plat amendment 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 complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council. If the plat is not recorded within this time period, it shall be null and void and any resubmittal shall be a new application which is subject to all review requirements, zoning restrictions and subdivision regulations at the time of the submittal.
4. Recordation of this plat and completion and approval of final Historic District Design Review (HDDR) and Steep Slope CUP, if required, applications are required prior to building permit issuance for any construction of buildings or retaining walls within this subdivision.
5. 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.
6. Snow storage of roads and private drives must be addressed and approved by the City Engineer throughout the development prior to plat recordation. Snow storage sites cannot discharge immediately into the stream.
7. Sewer lateral design and service will need to meet Snyderville Basin's requirements and receive written approval by SBWRD before the proposed plat can be signed by SBWRD. If the sewer lateral design requires a substantial change to the layout of this subdivision plat, this approval shall be null and void and a new application shall need to be submitted with any amendments.
8. The submitted water model will need to be redone to meet acceptable water pressure flows and receive written approval from the Water, Building, Engineering and Fire Departments in order for the subdivision to meet water requirements prior to plat recordation. If the water system requires a substantial change to the layout of this subdivision plat, this approval shall be null and void and a new application shall need to be submitted with any amendments.
9. The Applicant has proposed a bridge over the City's property to Lot 7. The proposed drive and bridge shall be engineered to meet City Drive Standards and UDOT Bridge Standards prior to plat recordation.
10. There shall not be any further subdivision of any additional lots in this subdivision. A plat note shall reflect this condition.
11. No building permits shall be issued until the culvert is fully installed.
12. This development is located upstream of the FEMA Flood Plain Studies. Lots 1, 5, 6, 8, and 9 at a minimum appear to be in the streams flood plain. A study shall be completed extending the FEMA Flood Plains through this development prior to plat recordation. Any lots located in a FEMA Zone A will require an Elevation Certificate showing the lowest occupied floor is at or above base flood elevation prior to building permit approval.
13. A Stream Alteration Permit from the State will be required for the culvert along with the Flood Plain Study to identify the culverts upstream and downstream impacts

prior to plat recordation. The Stream Alteration Permit and Flood Plain Study must be completed and approved prior to Planning and Engineering approval.

14. A Debris Flow Study must be completed for the stream to determine if a debris basin is required.
15. All homes within this subdivision shall be limited to the LMC required footprint maximums or 2,500 sf, whichever is lower. Lot 8 as proposed shall be limited to a footprint of 2,442.3 sf and Lot 9 as proposed shall be limited to a footprint of 2,355.5 sf. and building pads shall be as shown in Exhibit A. Limits of disturbance as shown on Exhibit A shall remain in place and no changes shall be made. All other property shall be restricted as open space and/or protected by 3rd party conservation easement.
16. All homes within this subdivision shall be limited to a building height maximum of 25 feet from existing grade and all other building height exceptions found within the LMC continue to apply.
17. The maximum total floor area of all homes within this subdivision shall be limited to 5,000 sf including basement and garages.
18. The utility plan will need to be revised to show how each of the main and dry utilities will be able to be placed within the drives with required separations and approved by the City Engineer prior to plat recordation.
19. Any roads over 10% grade will not be eligible to be converted to public ROWs in the future.
20. Drives must provide 20 feet wide of clear space to meet Fire Code. If parking impacts this 20 feet wide clear space, it will not be allowed and shall be signed No Parking.
21. Roads less than 26 feet wide shall be marked NO Parking on both sides of the road.
22. The Applicant will need to receive City Council's approval to give them an access over the City's property as the Applicant's drive to Lot 7 will have a crossing bridge which will contain water lines, storm drainage, sewer, etc. This will need to occur prior to plat recordation.
23. Upon review of the Intersection Evaluation the City Engineer determined that the applicant must still provide recommendations for which scenario most satisfies turning movements and minimizes conflicts and implement the recommendations prior to plat recordation.
24. The Applicant will need to receive a final Certificate of Completion for remediated soils from the UDEQ prior to building permit approval, which they do not have at the time of this report.
25. The UDEQ approved Site Management Plan must be submitted to the Building Department prior to building permit approval.
26. The applicant will need to receive CUP approval for the proposed retaining walls prior to plat recordation.
27. Public trails are shown on Exhibit A with a 15' public recreational trail easement.
28. If the site plan is altered due to any utility redesign or retaining wall redesign or other unforeseen issues, this approval shall be null and void and a new application shall need to be submitted with any amendments.

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

publication.

PASSED AND ADOPTED this ___day of _____, 2015

PARK CITY MUNICIPAL CORPORATION

_____
Jack Thomas, MAYOR

ATTEST:

_____
Marci Heil, City Recorder

APPROVED AS TO FORM:

_____
Mark Harrington, City Attorney

EXHIBIT T

Planning Commission Staff Report

Subject: Alice Claim aka Alice Lode Subdivision & Plat Amendment
Project #: PL-08-00371
Author: Christy Alexander, AICP, Planner II
Date: October 8, 2014
Type of Item: Work Session (Administrative – Subdivision & Plat Amendment)

Summary Recommendations

This is a Work Session item. Staff recommends that the Planning Commission review the project history and provide staff with input and direction regarding any additional information the Commission would like to see before it is placed on the Regular Agenda at a future date.

Topic

Applicant:	King Development Group, LLC ("Applicant" or "King Development")
Location:	Alice Claim south of intersection of King Road and Ridge Avenue
Zoning:	Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO)
Adjacent Land Uses:	Open Space and Residential (developed and undeveloped)

Proposal

The Applicant is proposing that the Planning Commission consider the approval of a nine (9) lot Preliminary and Final subdivision on 8.65 acres and a Plat Amendment on 0.38 acres, located at approximately the intersection King Road and Sampson Avenue within the City's Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO). This will be discussed as a Work Session item only at this time until brought forth on the Regular Agenda at a future date.

Background

On May 23, 2005, the City received a completed Plat Amendment application for the Alice Claim Subdivision (also known as "Alice Lode"). The Alice Claim is located within the Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO) zoned property south of the King Road and Ridge Avenue intersection. The property is comprised of 8.65 acres and includes platted lots and a "metes and bounds" parcel. Contiguous to this site are Historic Residential Low (HRL) zoned lots under the same ownership. Two (2) of these contiguous properties are Lots 1 and 2 of the Ridge Avenue Subdivision. Lot 1 is improved with a contemporary house, Lot 2 is vacant. The rest of the contiguous Lots are within the Park City Survey (Lots 1-7 and 36-40, Block 77) and are partially encumbered by existing King Road and Sampson Avenue;

thus rendering portions of them undevelopable as they exist currently. The Applicant is requesting the Planning Commission consider the proposed subdivision for the nine (9) proposed lots and a plat amendment for the existing encumbered Lots 1-7 and 36-40, Block 77 in order to provide an easement for King Road and Sampson Avenue.

This area, historically known as Woodside Gulch, has some mining history and served as an early access to the Silver King Mine further up the gulch. The City owns an adjacent parcel of land where a City-owned potable water tank and water lines are located. The City-owned parcel includes a 30 foot wide strip of land extending from the water tank site to the existing Ridge Avenue Subdivision bisecting the Applicant's proposed subdivision property. The City-owned strip of property contains a raw water pipeline and a potable water transmission line which extends from the water tank to the Ridge Avenue Subdivision. The raw water line and the potable water line continue through the Ridge Avenue Subdivision to King Road within an existing driveway and a public utility easement. A second existing potable water transmission line, which is scheduled to be abandoned upon completion of the new potable water line on City-owned property, extends through the subject property. Additionally, access to the existing water tank and pump station is via an existing unpaved access roadway across the subject property. The access is provided by a recorded grant of easement (see Subdivision Layout within Exhibit A).

Brief Subdivision Timeline:

- May 23, 2005 - Complete Application for the Plat Amendment received.
- July 27, 2005 - Planning Commission work session and introduction of project.
- January 11, 2006 - Planning Commission work session on revised site plan reflecting comments from July 2005 Planning Commission work session.
- October 25, 2006 - Planning Commission public hearing on further revised site plans. Applicant requested the hearing to be continued to a date uncertain.
- August 27, 2008 - Planning Commission site visit and work session on specific site issues and the voluntary remediation of the regulated soils on the site.
- October 22, 2008 - Binder of revised proposals received from Applicant. Access is proposed from platted Sampson Avenue to the property. Binders provided to each Planning Commission member.
- November 12, 2008 - Planning Commission work session discussion scheduled. Prior to the meeting Applicant requested the discussion be continued.
- January 28, 2009 - Planning Commission site visit, work session meeting and regular meeting with a public hearing with a revised site plan. It is this site plan that the Applicant would like the Commission to review (see Exhibit A). The item was continued to the February 25, 2009 meeting and asked to be scheduled for a full hour work session.
- February 25, 2009 – Planning Commission public hearing, no public comment was made and the item was continued to a date uncertain.
- March 11, 2009 – Planning Commission work session, Commissioners review Plan A, Plan B, and Plan C. They note a preference for Plan B – the plan illustrating clustering of housing low in the valley.

- December 17, 2010 – Applicant submitted a new binder containing Preliminary Plat documents to Planning Director Thomas Eddington with a similar design as the plan presented at the January 28, 2009 Planning Commission work session. Submittal includes the original Site Plan C, but not Site Plan B – the one presented at the March 11, 2010 Planning Commission work session meeting and generally favored by the Planning Commissioners. Follow up by Planning Director Eddington to determine when receipt of Site Plan B option will be received.
- February 9, 2011 – Planning Commission meeting to discuss whether to appoint a subcommittee regarding project at the request of Applicant. Planning Commission decides not to appoint a subcommittee.
- November 20, 2012 - Application is closed due to inactivity by the Applicant.
- November 30, 2012 - An appeal of the closing of the file for the Alice Claim Subdivision is filed by the Applicant's attorney.
- January 2, 2013 - Planning Director, Thomas Eddington rescinds the closing of the file with the provision that the Applicant specify which site plan they wanted to move forward with (the last submitted plan or a revised plan per discussions) and agree to proceed before the Planning Commission by March 13, 2013. The Applicant decided to proceed with the last submitted plan and both parties mutually agreed to proceed before the Planning Commission by March 13, 2013.
- February 14, 2013 – Planning Director Eddington, City Attorney Harrington, and Applicant, through its attorney Joe Tesch, mutually agree to continue the March 13, 2013 meeting with the Planning Commission and to meet on February 26, 2013.
- February 26, 2013 – Representatives of Applicant and City Planning and Legal Departments meet to resolve outstanding issues.
- June 23, 2014 – Representatives of Applicant and City Planning and Legal Departments meet. Applicant through one of the Applicant's attorneys (Brad Cahoon) emailed Thomas Eddington the same day with their desire to proceed with their January 2009 nine (9) home subdivision plan. After several emails, a Planning Commission Work Session date was agreed upon of October 8, 2014.

The Applicant has previously performed soil remediation under the Utah Voluntary Clean-Up Program (VCP) on mine-waste contaminated soils in both the Applicant's property and on the adjoining City property. No report on clean-up activities has been submitted to Park City Municipal. The VCP is still active and the site has not been given a completion letter from the UDEQ. A brief timeline of events related to the Alice Claim property VCP:

- April 1, 2003 – Owner submits field sampling plan for targeted "Brownfields" assessment.
- September 1, 2003 – Grant Submittal for Brownfields Clean-up Grant by Park City Municipal Corporation.
- September 23, 2003 – Memo from Environmental Coordinator Jeff Schoenbacher to Planning Director Patrick Putt, Planner Ray Millner, Chief

Building Official Ron Ivie, and City Engineer Eric Dehaan conveying the results of the Brownfields Assessment Phase II Report.

- February 10, 2004 – final Phase II Environmental Site Assessment (ESA) (by URS operating Services).
- July 7, 2005 – Original VCP Application (King Development Group)
- July 13, 2005 – Initial ESA by King Development (submitted with the VCP Application).
- July 14, 2005 – King Development request to be included in Soils Ordinance Boundary which was not accepted, property was entered into the VCP instead.
- September 9, 2005 – Sampling Analytical Plan and Quality Assurance Project Plan for Additional Site Characterization.
- March 31, 2006 – Sampling and Analysis Report.
- August 3, 2006 – Mitigation Work Plan Accepted by DEQ
- April 28, 2008 – Letter to DEQ from King Development authorizing PCMC to be included in VCP.
- July 18, 2008 – Acceptance of Park City as co-Applicant into VCP.
- October 16, 2013 – Park City provides UDEQ final legal description for the City owned property to be withdrawn from the VCP.

By the City signing on as a co-Applicant to the VCP, King Development remediated the soils of the City owned property, in exchange the City was able to assist in making disposal arrangements for the contaminated soil to be deposited in Richardson's Flats instead of to Tooele. Being able to take the contaminated soil to Richardson Flats instead of Clean Harbors Grassy Mountain Landfill (located in Tooele County) reduced the cost for each truck load of soil. Additionally, with the City as a co-applicant, the remediation work was able to use the City's access easement to the property. Chief Building Official Ron Ivie correctly estimated that Richardson Flats would soon be closed to third party access, and worked with the applicant to finalize the VCP with City property. CBO Ivie and Planning Director Pat Putt provided the applicant feedback regarding progress on the site planning, but at no time agreed to "approve" or otherwise support the draft site plan accompanying the City's application to join the VCP. CBO Ivie indicated the Building Department would support retaining the access in its current location as a private drive to minimize site disturbance that would accompany re-grading the site if a public right of way at City standards was required (14% v 10% grade). However, Ivie clarified that he did take any such position on the upper, west spur proposed off the main road and all grading and work permits under the VCP were issued by the state, not the City Building Department. The Planning Commission attempted to get the applicant to cease work in this area after the August 27, 2008 site visit but CBO Ivie clarified the Planning Commission had no such authority.

The Applicant confirmed that they wish to proceed with the plan dated January 28, 2009, as depicted in the copies attached hereto as Exhibit A. The Applicant has provided Staff with several binders of information dating from 2006-2010 as well as other documentation dating from 2003-2013. The binders are available at the Planning Department for the public to review. Staff has also provided minutes from the 2005

(Exhibit C), 2006 (Exhibits D & E) 2008 (Exhibits F & G), 2009 (Exhibits H, I, & J), and 2011 (Exhibit K) Planning Commission meetings.

Below is a summary of discussions by the Planning Commission regarding the Alice Claim Subdivision during the January 2009 site visit and work session which was the last discussion the Planning Commission had concerning the project itself. The plan that is currently being proposed is the same as was reviewed in January 2009. Staff recommends the Planning Commissioners read the actual minutes in full. Former Principal Planner, Brooks Robinson (now the Transportation Planner) and the Planning Commission made several comments and observations regarding the proposals which are listed below:

- The lot within the Estate District (Lot 1) is also within the Sensitive Lands Overlay and must meet criteria for steep slopes and wetlands. The Applicant would need to provide that analysis for Staff review and report back to the Planning Commission.
- The HR-1 is not within the Sensitive Lands Overlay district, but some of the criteria are applicable within the subdivision application, particularly the restrictions due to the character of the land. The Planning Commission may find some land unsuitable for a subdivision or development unless the impacts could be mitigated and the Applicant can demonstrate that the listed hazards would not carry forward into the future for residents or neighbors of this development.
- Within the general subdivision requirements of the LMC, there is an element on clustering and open space. The language states that units must be clustered within the most developable and least visually sensitive portions of the site. This applies to multi-family and single-family projects.
- The Applicant's representative (Jerry Fiat) commented that the new design moved the structures down the slope as much as possible and clustered them further south to preserve the evergreen trees, and that it would be necessary to remove only three (3) of the large evergreen trees.
- The Applicant's representative noted that 27% of the Estate Zone is designated as open space. The remaining land would be the three (3) acre Estate zoned lot. In the HR-1 zone, 22% of that site would be designated as open space.
- The design shows how it would allow the individual homes to step up the slope and still stay within/under the twenty-seven foot (27') height requirement. It was brought up that the stepping increases the building footprint but it would help to limit the apparent height and mass. The Applicant indicated that stepping the foundation will help minimize the amount of excavation, and that because the site is large, most of the excavated material can be left on site.
- It was indicated that the grading plan noted that the actual building footprint was 6% of the total site. The Applicant's representative indicated that approximately 3-5% of the site would be disturbed beyond what was disturbed during remediation. It was reiterated that a cut into the toe of the hill is required for the access into the project. A retaining wall would be required at a height over 20 feet tall, and the Applicant proposed "heavy landscaping" at the entrance to soften the look of the wall.

- The Applicant demonstrated how the Alice Claim project could merge with the Ridge Avenue project. The Alice Claim project has been designed to allow a possible loop between the two (2) projects if the City finds this desirable.
- A question was asked regarding the use prohibition of development on identified ridgelines. Since then the ridgelines have been re-assessed and this development will not occur on any identified ridgelines.
- It was noted that the previous General Plan, page 148, states: "encourage future hillside development that is clustered at the base of the hills and off of ridgelines, compatible with the Historic District."
- It was reiterated that the entrance road could not utilize the existing easement from the owner of 135 King Road and the entrance would come off the public right-of-way with a new access drive and retaining wall. That proposed access has not changed with the current submission package.
- It was mentioned that the Planning Commission had discussed location and reconfiguration of the proposed lots, but they had not talked about lot sizes and how they compare with the historic district. They have also not addressed the square footage that would be associated with the proposed lot sizes. It was mentioned that the Applicant should consider reducing the footprint to be more compatible with the historic district.
- The Planning Commission commented that, regardless of existing development in either zone, the purpose statement for both zones says to build to the toe of the hill and historically compatible structures, which are traditionally smaller tightly compact houses. The Planning Commission commented that they were disappointed with a development that was not consistent with "Old Town." It was noted that both the General Plan and the LMC give the direction to stay off the ridgelines and build at the bottom of the hill.
- All Commissioners commented that they were not supportive of having the homes further (Lots 1 through 4) up towards the ridge, and would like to see the homes clustered toward the middle of the canyon rather than "pushed to the sides."
- It was also noted that the during the Conditional Use Permit process, the Planning Commission would have the opportunity to restrict or reduce height.
- The Applicant noted that most of the homes in Old Town are very vertical with a lot of stairways and bedrooms are separated on different levels. The Applicant believes this site provides the opportunity to create more horizontal living and concurred with the idea of keeping the ridgelines low and he supported and agreed with a lower roof height. The Applicant asked the Planning Commission to consider the idea of more horizontal living as a way to create a more comfortable home.
- The Applicant pointed out that the Historic District Design Guidelines discourage garages off the front of houses and encourage side-entry garages. The Applicant noted that a side garage is not possible on a 25 foot lot and if the lots are narrowed, the only choice would be to put the garage in front.
- The Applicant stated that the placement of proposed Lots 6 and 7 as shown on the plan resulted from a conversation with former Planning Director, Patrick Putt, who indicated that it was not a significant ridge. The Applicant remarked that a

rendering showing a cross-canyon view of the homes on all the ridges could be provided (the cross section is provided within Exhibit B).

- The Planning Commission suggested that the Applicant provide an overlay of the old plan and a new plan showing revised Lots 6 and 7 and noted that a cross section through that area perpendicular to the ridgeline would be helpful. The Planning Commission commented that they appreciated the Applicant's desire to make the homes more horizontal, but that they did not believe it was consistent with the purpose statement of the zoning in that area.

Analysis

Purpose of "HR-1" and "E" Zoning Districts

The purpose of the Historic Residential HR-l 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 purpose of the Estate (E) District is to:
(A) Allow very low density, environmentally sensitive residential Development which:
(1) Preserves ridge tops, meadows, and visible hillsides,
(2) Preserves large, cohesive, unbroken Areas of Open Space and undeveloped land,
(3) Preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development,
(4) Mitigates geologic and flood hazards,
(5) Protects views along the City's entry corridors, and
(6) Decreases fire risk by keeping Development out of sensitive wild land interface Areas.
(B) Incorporate pedestrian trail linkages between and through neighborhoods; and
(C) Encourage comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.

The proposed subdivision creates a nine (9) lot subdivision on 8.65 acres. One lot is within the Estate (E) District and is three (3) acres in size. The other eight (8) lots are within the Historic Residential (HR-1) District and range in size from 0.20 acres (8,712

square feet) to 0.48 acres (20,909 square feet). Because there are less than ten (10) lots being proposed, the Master Planned Development criteria don't apply.

The current plan will also include a plat amendment that will eliminate other contiguous platted lots encumbered by the existing King Road and Sampson Avenue. If approved, the existing lot lines will be removed and the property will be included in the open space for the Alice Claim Subdivision and/or as an easement for those public streets.

Estate Lot

The Estate District lot (Lot 1) is within the Sensitive Lands Overlay (SLO) and is thus subject to the regulations of LMC 15-2.21. The lot has Steep Slopes (15%-40%), Very Steep Slopes (greater than 40%) and a Stream Corridor. A Slope Analysis map was provided by the Applicant (See Exhibit B: Sensitive Lands Analysis) showing the various slope categories. The following steps need to be completed:

LMC 15-2.21-2(A) **SENSITIVE LANDS ANALYSIS**. Applicants for Development within the SLO must identify the Property's sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, wetlands, Stream Corridors, wildland interface, and wildlife habitat Areas, and provide at time of Application a Sensitive Land Analysis. Every annexation must provide a Sensitive Land Analysis.

LMC 15-2.21-2(C) **SITE DEVELOPMENT SUITABILITY DETERMINATION**. Staff shall review the Sensitive Land Analysis, apply the applicable Sensitive Land Overlay (SLO) Regulations, Sections 15-2.21-4 through 15-2.1-9, and shall prepare a report to the Applicant and the Planning Commission identifying those Areas suitable for Development as Developable Land.

The proposed location of the house on Lot 1 is on Steep (15% - 40%) and Very Slopes (greater than 40%). Within the SLO, 100% of the Very Steep Slopes shall remain as Open Space (LMC 15-2.21-4(I), no vegetation can be disturbed within fifty (50) vertical feet in elevation of Very Steep Slopes, and no Development can occur within fifty (50) feet, map distance, of Very Steep Slopes unless the Planning Commission makes findings as listed in LMC 15-2.21-4(A):

The Planning Commission may vary the Setback from Very Steep Slopes if the Planning Commission can make all of the following findings during the suitability review:

1. Varying the Setback does not create an intrusion of Buildings into the Ridge Line Area when viewed from Land Management Code designated Vantage Points (15-2-2.1(A)(4) or other Vantage Points designated by the Planning staff or Commission (15-2.21-3(B);
2. Building Areas in the Setback do not create excessive cut or fill Slopes; minimal retaining walls to limit disturbance and meet Grade may be required by the Planning Commission subject to sections 15-2.21-4(B), (C), and (E);

3. Limits of Disturbance around any Structure within the Setback shall be limited to the minimal Area necessary to excavate and backfill the foundation. Decks and patios in the Area of the Very Steep Slope Setback, may not extend more than fifteen feet (15') beyond the foundation walls or the minimal excavation or backfill Area, whichever is greater;
4. No additional erosion, land subsidence, or avalanche hazard is created;
5. The Site plan results in an improved organization of units through vegetation avoidance, minimization of changes to the viewshed from public Areas, and reduction of Site disturbance;
6. The reduction in Setback results in a reduction in overall project Density as established by the Planning Staff's Site suitability determination; and
7. In no case shall additional disturbance be allowed beyond the maximum Area determined in the Site Development suitability determination, see Section 15-2.21-2(C).

The stream corridor is also protected within the Sensitive Lands Overlay as provided in the LMC:

LMC 15-2.21-6(C) “No person shall disturb, remove, fill, dredge, clear, destroy or alter any Area, including vegetation, surface disturbance within wetlands and Stream Corridors and their respective Setbacks, except as may be expressly allowed herein.”

The setbacks required per LMC 15-2.21-6(F) for stream corridors are a minimum of fifty feet (50') outward from the Ordinary High Water Mark. There is no exception to this 50’ setback in the LMC other than Hardship Relief under LMC 15-2.21-2(D).

The proposed subdivision creates a driveway for lot 1 and lot 7 within the fifty foot (50’) setback area from the stream corridor within the Estate zone with Sensitive Lands Overlay. Any change to the stream will require a Stream Alteration Permit from the Army Corp of Engineers (regardless if it is navigable water) and may require an amendment to the Voluntary Clean-up Program remediation with the Utah Department of Environmental Quality.

Historic Residential Zone
The zoning for the subdivision is HR-1 subject to the following criteria:

Regulation	Permitted	Proposed
Height	27’	Maximum height is twenty seven feet (27’) and no home can exceed this requirement
	Footprint based on lot area based on LMC	Proposed maximum gross floor area of each home is 5,000 square feet. Proposed maximum footprint area (square feet)

Lot sizes: Lot 1: 3.0 acres Lot 2: 0.48 acres Lot 3: 0.44 acres Lot 4: 0.34 acres Lot 5: 0.20 acres Lot 6: 0.21 acres Lot 7: 0.31 acres Lot 8: 0.25 acres Lot 9: 0.26 acres	requirements at time of application. Lot 1 (Estate): No restriction except as applied during subdivision. Lot 2: 3228.8 Lot 3: 3264.2 Lot 4: 3221.8 Lot 5: 2669.8 Lot 6: 2735.5 Lot 7: 3161.4 Lot 8: 2952.8 Lot 9: 2996.7	by the Applicant: Lot 1 (Estate): 2540 Lot 2: 2760 Lot 3: 3000 Lot 4: 3000 Lot 5: 2270 Lot 6: 2740 Lot 7: 2400 Lot 8: 2270 Lot 9: 2060
Front setback	Depends on lot depth; ranging from a minimum 10' to 15'	
Rear setback	Depends on lot depth; ranging from a minimum 10' to 15'	
Side setbacks	Depends on lot width; ranging from a minimum 3' to 10' and 6' to 30' total	
Parking	Two (2) spaces required for each house	

Based on the analysis above, the average lot size (excluding the Estate Lot) is 0.31 acres (13,501 square feet); the average proposed footprint is 3,029 square feet. Based on previous analysis for other nearby developments, the proposed lot size and footprints would far exceed the vast majority of those within the nearby developed areas (King Road, Sampson Avenue and Ridge Avenue). For example the average lots size on nearby Sampson Avenue is 0.13 acres and the average footprint is 1,314 square feet. In addition, the proposed maximum footprint for Lot 6 exceeds what is permitted by the Land Management Code.

Access

Currently, legal access to the property is proposed to be gained through the platted but un-built King Road right-of-way. This access point is approximately 50 feet west (off-set) of the King Road – Ridge Avenue intersection where King Road turns north. Ideally, the primary access would be through the existing Woodside Gulch right-of-way, thus avoiding the need to build a new road, although legal access has not been secured over the private property at 135 Ridge Avenue. The Applicant estimates that the King Road right-of-way access (north access) would create a driveway gradient of 14% versus 14.2% for the Woodside Gulch road. The proposed northern access would also require

retaining walls (upwards of 20 feet in height) on the western side as the road would cut into the toe of the slope. Without access over the private property at 135 Ridge Avenue, the Applicant's only access is using the platted King Road right-of-way. Based on Staff's initial research, the Code in place at time of initial application, would require a Conditional Use Permit from the Planning Commission concurrently with Subdivision approval for any retaining walls over 6 feet in height. This is subject to further Staff research into the viable code requirements at time of application in 2005.

The proposed access to the Alice Claim Subdivision is at a point, although offset, where essentially three roadways meet, King Road, Sampson Avenue, and Ridge Avenue.

The Applicant is proposing to use "platted" King Road, which does not match where the road known as "Woodside Gulch driveway" is actually built. The proposed roadway is off-set from the King Road/Ridge Avenue intersection by about fifty (50) feet. Offset intersections are not ideal for traffic stacking and turning, and additional analysis by the City Engineer is necessary to determine if the proposed roadway would violate any City street standards. The City Engineer would require the developer, once a layout is developed, to have a traffic engineer evaluate the intersection layout to determine critical failures. Minor issues with the intersection will need to be mitigated by the developer. According to the City Engineer, the traffic report that was issued in 2006 for this area addresses volume only and does not address the uniqueness of the proposed intersection. There will need to be more analysis done to evaluate the proposed intersection, poor site triangle, and recommend adjustments/mitigations to King Road, Ridge Avenue, or the main Alice Court entrance drive.

The Applicant does not propose to dedicate streets within the proposed development to the City but will complete the proposed Alice Court to meet City Standards. If the Applicant decides to dedicate the streets at a later date, all of the streets will need to meet City Standards, including right-of-way widths, minimum street widths, cul-de-sac standards, stubbed street standards, etc. Again, additional analysis by the City Engineer will be necessary to determine if the streets, as proposed, will meet the adopted City Standards. The developer will need to submit a plan showing how they will meet City Standards, if intended to be. All of the roads within the proposed subdivision are proposed to be private drives at this time. Private drives shall not exceed 14% gradients and the Applicant will need to show the drives meeting this requirement. If 14% gradients are not met by the Applicant and they propose anything higher than 14%, they must first receive a variance to the gradient requirement from the Board of Adjustment before requesting subdivision approval from the Planning Commission.

Emergency access has been a continual concern with the Building and Fire Departments. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 of the 2012 International Fire Code (IFC). The Fire Code Official is authorized to make exceptions to these codes as noted and will make a determination based on an updated preliminary plat submittal from the Applicant.

The recent review comments from the Assistant Fire Chief are that:

- The road/driveway from King Road to Alice Court to lots 2-3-4 will need to be a minimum of 20-feet clear width as required by the IFC, along with the turn-around / hammer head as shown on the marked up drawing.
- Lots 1 and 7, Private Road ROW, is acceptable as a driveway, however, if any additional lots are added or developed, then this driveways will then need to be upgraded to meet the requirements of 20-feet wide for the fire department access road, based on the road now serving more than two structures.
- Also, even though it is not required, the Assistant Fire Chief strongly encourages the Applicant to provide turn-outs and turn-around for lots 1 and 7 were the length of the driveway are in excess of 200 feet.

The recent review comments from the Chief Building Official are that:

- The road to homes 1 and 7 shall be 20 ft. wide and there must be an area at the end of the road past the hammerhead that is a snow storage area so they do not fill the hammerhead with piles of snow. This shall be signed as a snow storage area with a 10 ft. sign at end of hammer head.
- The drive to home 7 will be considered a private driveway to a single family residence.
- The roads shall be able to support an imposed load of a fire apparatus weighing 75,000 pounds.
- The grade of the roads and drives may exceed 10% and shall not go over 14% for only 100 ft. The International Fire Code states max grade is 10% per appendix D for access road per section 503.2.7 IFC.
- Roads less than 26 ft. wide shall be marked NO Parking on both sides of the road. With Parking there shall be at least 20 ft. minimum of driveway width from the parked cars to the other side of the road.
- The plan does not show any traffic calming devices or gates. These must be approved by the Fire Code Official and Fire Chief. Under Code traffic calming is prohibited.
- Cannot tell where Fire Hydrants are located, These Hydrants must be approved by the Fire Code Official. Map provided with Hydrant location which there shall be 5 hydrants so that no point shall the hydrant be farther than 600 ft. from the farthest home per section 507.5.1 of the 2012 IFC

Slope

According to the Slope Analysis provided by the Applicant (Exhibit B: Sensitive Lands Analysis), 2.7% of the land located in the HR-1 zone is under 15% slope, 21.7% is 15-40% slope (defined as a Steep Slope), and 75.6% is over 40% slope (defined as a Very Steep Slope). These lots are not located in the SLO, however the following Subdivision regulations (LMC 15-7.3-1(D)) should be discussed by the Planning Commission:

"Restrictions Due to Character of the Land: Land which the Planning Commission finds to be unsuitable for Subdivision or Development due to flooding, improper drainage, Steep Slopes, rock formations, mine hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, geologic hazards, utility easements,

or other features, including ridgelines, which will be reasonably harmful to the safety, health and general welfare of the present or future inhabitants of the Subdivision and/or its surrounding Areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendation of a qualified engineer, to solve the problems created by unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for Uses as shall not involve such a danger."

The proposed building pad areas on proposed Lots1-4 and 6-8 are all on Very Steep Slopes. Only the proposed building pad area on Lots 5 and 9 are on slopes less than 30%. Currently the Applicant has not provided information regarding the mitigation of potential hazards due to the Steep and Very Steep Slopes**.** Staff has concerns on developments over 40% slopes and will research further to find whether there is a provision allowing Planning Commission to review Steep Slope CUPs concurrent with subdivision review.

Clustering
The General Subdivision Requirements (LMC 15-7.3-2(E)) Open Space reads:

"Units should be clustered in the most developable and least visually sensitive portions of the Site with common open space corridors separating clusters. This applies to both multi-family and single family projects. The open space corridors should be designed to coincide with Significant Vegetation and in many cases, should be left in the natural state."

The Applicant has provided an existing vegetation plan with the larger conifers to remain or be removed (Exhibit B: Vegetation Cover). Outside of the stream channel and the disturbance from previous mining activities and the recent remediation, most of the rest of the site has stands of oak, maple and aspen in addition to areas of smaller shrubs and grasses. The Applicant has provided a Visual Analysis Study (Exhibit B). No changes have been proposed in response to the Planning Commission's prior feedback that the most developable portion of the site is at the bottom of the canyon where utilities, emergency vehicle access, and the least amount of disturbance of the land is best achieved. The Applicant proposes that the homes will be no more than two (2) stories and up to 5,000 sq. ft. (gross floor area) in size.

Water Delivery Issue
Staff was informed by the Park City Water Department, that much of the Alice Claim property proposed for development may not be serviceable by the current City water system. The low water pressure is due to the small elevation difference between the proposed development's elevation and the Woodside Tank's elevation. It is up to the Applicant to model the water service to the development and if it is insufficient in any way they will need to provide a remedy. The Applicant will need to prepare a water study addressing the limitations of the current water system on the proposed development (including factors such as the ability to meet: acceptable water system pressures and fire flow requirements to each home site (indoor and outdoor pressures

are not adequate), the Fire Marshal's site specific requirements, and Division of Drinking Water regulations). Proposed Lots 1-4 and 7-8 as shown on the 2009 Plan are likely the lots most affected. The Applicant should confirm the elevation of each of the proposed building sites to determine the affected sites and either redesign the project accordingly, or work with the Water Department to determine the best solution. At the time of this report, the Water Department has not received confirmation that the Applicant has demonstrated that these requirements can be met.

Good Cause
Planning Staff is still determining if there is good cause for this subdivision. There may be future fiscal and or geographical visual impacts to the City as a result of this application with respect to additional site stabilization, proposed retaining walls, and other unforeseen issues related to development within steep slope areas.

Department Review
Due to the length of time since the previous Development Review, Staff took the project back before the Development Review Committee on September 9, 2014. Engineering expressed concern with the above 14% private drive gradients, site access, and height of retaining walls, Building expressed concern with the emergency access and turn-arounds on steep slopes, and Water expressed concern with ability to service due to lack of water pressure.

Notice
The property was courtesy posted but no notice was mailed to property owners within 300 feet due to this item being a Work Session only. Legal notice will be published in the Park Record when it comes back before the Planning Commission on the Regular Agenda.

Process
This application is for a major subdivision as defined in 15-7.1-3(A) (2). A major subdivision requires a Preliminary Plat and a Final Plat although the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final Subdivision Plat approval. The approval of this subdivision application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. The applicant may request this item be placed on the next appropriate regular Planning Commission agenda.

Public Input
Public comment was taken during the various past meetings held to discuss the project. The various Planning Commission meeting minutes will reflect that public input. Any public comment received prior to the meeting will be forwarded to the Planning Commission.

Significant Impacts
There are no immediate significant fiscal impacts to the City from this application. If construction on the site were permitted, it will require a detailed Construction Mitigation

Plan (CMP) to protect existing development located near the proposed subdivision. Site stabilization might also be an important consideration depending upon the amounts of vegetation proposed to be removed as a result of the proposed development. A draft geotechnical report has been previously submitted and reviewed. Six of the lots in the HR-1 zone will require a Steep Slope Conditional Use Permits. Each home, including the home within the "Estate" zoning designation, will require a Historic District Design Review prior to home design and construction.

Recommendation
This is a Work Session item. Staff recommends that the Planning Commission review the project history and provide staff with input and direction regarding any additional information the Commission would like to see before it is placed on the Regular Agenda at a future date.

Exhibits
Exhibit A – January 28, 2009 Site Plan
Exhibit B – January 2010 proposed plat and various attachments
Exhibit C – Minutes from July 27, 2005 Planning Commission Work Session
Exhibit D – Minutes from January 11, 2006 Planning Commission Work Session
Exhibit E – Minutes from October 25, 2006 Planning Commission Meeting
Exhibit F – Minutes from August 27, 2008 Planning Commission Work Session
Exhibit G – Minutes from November 12, 2008 Planning Commission Work Session
Exhibit H – Minutes from January 28, 2009 Planning Commission Work Session and Regular Meeting
Exhibit I – Minutes from January 28, 2009 Planning Commission Meeting
Exhibit J – Minutes from February 25, 2009 Planning Commission Meeting
Exhibit K – Minutes from March 11, 2009 Planning Commission Work Session
Exhibit L – Minutes from February 9, 2011 Planning Commission Meeting

Planning Commission
Staff Report

Subject: **Alice Claim - Conditional Use Permit for Retaining Walls up to 10' in Height**
Project Number: **PL-15-02669**
Author: **Christy Alexander, AICP, Planner II**
Date: **June 10, 2015**
Type of Item: **Administrative – Conditional Use Permit**

Summary Recommendations

Staff recommends the Planning Commission conduct a public hearing, review the proposed CUP for 3 retaining walls up to 10' in height associated with the proposed Alice Claim Subdivision and Plat Amendment, and consider approving the CUP according to the findings of fact, conclusions of law, and conditions of approval outlined in this report.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant:	King Development Group, LLC ("Applicant" or "King Development")
Location:	Alice Claim south of intersection of King Road, Ridge Avenue and Sampson Avenue
Zoning:	Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO)
Adjacent Land Uses:	Open Space and Residential (developed and undeveloped)
Reason for Review:	Conditional Use Permits require Planning Commission review and approval

Proposal

The Applicant is requesting approval of a Conditional Use Permit (CUP) for retaining walls up to 10' in height to stabilize cut and fill slopes for roadway and house construction. The walls are proposed to be real blonde sandstone veneer. The wall at the entry of the proposed Alice Claim Subdivision will be the most visible to surrounding neighborhoods but will be screened with landscaping that is proposed to soften the visual impacts of the stone walls.

Background

On May 23, 2005, the City received a completed Plat Amendment application for the Alice Claim Subdivision (also known as "Alice Lode"). The Alice Claim is located within the Historic Residential (HR-1) and Estate (E) Districts with Sensitive Lands Overlay (SLO) zoned property south of the King Road, Sampson Avenue, Woodside Gulch and

Ridge Avenue intersection. The property is comprised of 8.65 acres and includes platted lots and a metes and bounds parcel. Contiguous to this site are Historic Residential Low (HRL) zoned lots under the same ownership. The rest of the contiguous Lots are within the Park City Survey (Lots 1-7 and 36-40, Block 77) and are partially encumbered by existing King Road and Sampson Avenue; thus rendering portions of them undevelopable.

The subdivision and plat amendment application are being considered concurrently with this Conditional Use Permit application which was submitted on January 23, 2015 and deemed complete on January 23, 2015.

This area, historically known as Woodside Gulch, has some mining history and served as an early access to the Silver King Mine further up the gulch. Currently, access to the property and City owned water tank is through an existing unpaved access roadway across the subject property. The access for the water tank is provided by a recorded grant of easement (see Subdivision Layout within Exhibit A).

Currently, legal access to the property is proposed to be gained through the platted but un-built King Road right-of-way. This access point is approximately 50 feet west (off-set) of the King Road – Ridge Avenue intersection where King Road turns north. Ideally, the primary access would be through the existing Woodside Gulch right-of-way, thus avoiding the need to build a new road, however this access isn't possible because legal access has not been secured over the private property at 135 Ridge Avenue.

The Applicant states that the King Road right-of-way access (north access) would create a driveway gradient of 14% versus 14.2% for the Woodside Gulch road. The proposed northern access would also require retaining walls (upwards of 20 feet in combined height) on the western side as the road would cut into the toe of the slope would protect the existing mature trees as the Planning Commission in 2010 requested. Without access over the private property at 135 Ridge Avenue, the Applicant's only proposed access is using the platted King Road right-of-way.

At the April 8, 2015 Planning Commission meeting, the Planning Commissioners stated concerns with the long straight lines for the walls and not having an organic flow with proper terracing and landscaping of the walls. They were also concerned with the compatibility of height of the walls compared to the average four foot retaining walls found throughout the historic districts. The Commissioners were also very concerned with the retaining walls going to Lot 7 and creating a bridge over the City property. The applicant took that information into consideration and revised the site plan so as to move Lot 7 closer to the other homes in order to reduce the retaining walls and visual impacts to the community.

The Applicant revised their site plan May 4, 2015 and is now proposing only 3 blonde sandstone veneer retaining wall locations over 6' with walls up to 10' in height at the entrance to Alice Court. (see illustrations in Exhibit B) to stabilize cut and fill slopes for roadway and house construction. All other retaining necessary within the development

will be 6’ in height and under and does not require a CUP. An example of these 6’ terraced walls have been shown in Exhibit C. It is important to note that although the individual walls may only be 6’ each, the visual impact of 5 walls that terrace creates the visual image of a broken up 30’ wall.

Analysis

The Land Management Code (LMC) 15-4-2. Fences and Retaining Walls sets the following standards for process for the construction of retaining walls in excess of 6’ from Final Grade:

(A) Location. Retaining walls may be erected or allowed within the buildable Area, and as allowed in the Setback exceptions in Chapter 2. Retaining walls shall not exceed six feet (6’) in height measured from Final Grade within any require Rear Yard or Side Yard. Within any required Front Yard or Street Side Yard, retaining walls shall not exceed four feet (4’) in height, measure from Final Grade.

(1) Exception. The height of retaining walls in the Front Yard may exceed four feet (4’), measured from Final Grade subject to approval by the Planning Director and City Engineer, and may exceed six feet (6’) in height subject to approval of a Conditional Use permit.
The height of retaining walls in the Side or Rear Yards may exceed six feet (6’), measured from Final Grade, as approved as part of a Conditional Use permit.

*(*D) Permit. A Building Permit is required for construction of any retaining wall greater than six feet (6’) in height. Within any of the Historic zoning districts construction of any retaining wall greater than four feet (4’) in height requires a Building Permit.

The Applicant revised their site plan May 4, 2015 and is now proposing only 3 blonde sandstone veneer retaining wall locations over 6’ with walls up to 10’ in height and terraced with 4’ horizontal distance between each wall at the entrance to Alice Court (see illustrations in Exhibit B) to stabilize cut and fill slopes for roadway construction. All of the proposed 10’ retaining walls will be constructed in the Open Space Parcel B. All other retaining necessary within the development will be 6’ in height and under and does not require a CUP. An example of these 6’ terraced walls have been shown in Exhibit C. It is important to note that although the individual walls may only be 6’ each, the visual impact of 5 walls that terrace creates the visual image of a broken up 30’ wall. The applicant is proposing 6’ walls in 4 different locations. Near Lots 7 and 6 there are four 6’ walls proposed, near Lot 2 there are two 6’ walls proposed, near Lot 3 there are three 6’ walls proposed, and near Lot 4 there are two 6’ walls proposed, all of blonde sandstone veneer. Each wall will be setback 4’ horizontally from each other to provide the proper planting strip and terracing requirements as found in LMC 15

The LMC 15-1-10. Conditional Use Review Process sets the following standards for review of Conditional Use Permits:

There are certain Uses that, because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in Some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

If the reasonable anticipated detrimental effects of a proposed Conditional Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards, the Conditional Use may be denied. A Conditional Use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.

(D) Standards for Review. The City shall not issue a Conditional Use permit unless the Planning Commission concludes that:

(1) the Application complies with all requirements of this LMC;
(2) the Use will be Compatible with surrounding Structures in Use, scale, mass and circulations;
(3) the Use is consistent with the Park City General Plan, as amended; and
(4) the effects of any differences in Use or scale have been mitigated through careful planning.

Staff finds that the application **complies as conditioned** with the four standards above and has been mitigated as detailed below:

(1) the Application complies with all requirements of this LMC; **complies.**
The LMC 15-5-5. Architectural Design Guidelines sets the following standards for prohibited materials within the City:

(B) (6) Synthetic stone products such as simulated stone or brick, cultured stone or brick, pre-cast stone or concrete imbedded with stone fragments.

Complies. The applicant proposes to use a blonde sandstone veneer which is a real stone which is allowed within the City.

The 2009 Design Guidelines for Historic Districts and Historic Sites (which are incorporated into the LMC by reference in LMC 15-11-11) help define compatibility with surrounding structures, etc. This is a separate process and all retaining walls no matter their height will be required to go through the Historic District Design Review process. In order to comply with the HDDR criteria the Applicant will need to comply with the following section within the Historic District Design Guidelines but these criteria aren't tied to the CUP: Specific Guidelines for new construction in Park City's Historic Districts A.4. Site Grading and Steep Slope Issues sets the following guidelines:

A.4.1. Building and site design should respond to natural features. New building should step down/up to follow the existing contours of steep slopes.
A.4.2. The site's natural slope should be respected in a new building design in

order to minimize cuts into hillsides, fill and retaining walls; excavation should generally not exceed one-story in depth.
A.4.3. When retaining walls are necessary, the impact should be minimized by creating gradual steps or tiers, by using perennial plant materials to minimize visual impact, and by using forms and materials found on surrounding Historic Sites.
B.2.5. Materials should be compatible in scale, proportion, texture, finish and color to those used on Historic Sites in the neighborhood.
B.2.6. Materials, especially stone and masonry, should be used in the manner they were used historically.

The LMC 15-1-10. (E) Review. sets forth the review process as follows: 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**;
(2) Traffic considerations including capacity of the existing Streets in the Area; n/a
(3) Utility capacity, including Storm Water run-off;
(4) Emergency vehicle Access; n/a
(5) Location and amount of off-street parking; n/a
(6) Internal vehicular and pedestrian circulation system; n/a
(7) Fencing, screening, and landscaping to separate the Use from adjoining Uses;
(8) **Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots**;
(9) Usable open space; n/a
(10) Signs and lighting; n/a
(11) Physical design and compatibility with surrounding structures in mass, scale, style, design and architectural detailing;
(12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property off-site; n/a
(13) Control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup Areas; n/a
(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, n/a
(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.

Staff finds that the proposed application with the recommended conditions of approval mitigates the impacts of:

(1) Size and location of the Site; the applicant has determined the three 10’ walls

must be placed in this location due to the access they are providing. Should the applicant work through the access issues with the adjacent neighbor, less retaining would be needed and that could be a significant factor to mitigating the visual impact to the community. If the applicant were to shorten the height of the walls and further terrace the walls, the visual impact would be the same; however the visual image of the retaining would actually be higher. Staff finds that with 10' retaining walls, 10' trees and shrubs can be planted in the 4' terracing to visually mitigate the image of the walls.

(3) Utility capacity within the roads adjacent to the proposed walls as the Applicant has not properly engineered the roads or retaining walls. The impact of this is that the weight of the walls and/or placement of the utilities near the walls could significantly damage and negatively impact the public utilities and infrastructure. This could reasonably be mitigated with the following condition: City Engineer and SBWRD giving approval of the engineered plans of the walls and utility plan would show there will be no impacts to utilities and infrastructure. However, if any changes to the utilities or infrastructure change the location and heights of the walls, then the Applicant will need to amend this CUP application which will require going through the full process (staff review and Planning Commission Review);

(7) Screening and landscaping to separate the walls from adjoining uses. This creates a negative visual impact upon the historic district and surrounding neighborhoods. This could reasonably be mitigated with the following conditions: adding in 20% more trees than currently shown on Exhibit B and trees with a minimum height of 10 feet;

(8) Building mass, bulk and orientation as the walls are 10' in height which is considered massive, mass and orientation within the Historic District and approximately 2 times the height of the majority of retaining walls within the District which are typically 4' to 6' in height. This creates a negative visual impact upon the historic district and surrounding neighborhoods. This could be mitigated with the following condition: further landscaping the walls as discussed in (7) above and contouring the walls to the landscape;

(11) Physical design and compatibility with surrounding structures as the walls are not compatible in size. This creates a negative visual impact upon the historic district and surrounding neighborhoods. This could be mitigated with the following condition: incorporate additional landscaping with 20% more trees than currently shown and trees with a minimum height of 10 feet;

(15) Environmentally sensitive lands, physical mine hazards, historic mine waste and steep slopes have not been properly addressed in these locations with final engineered plans. This presents a negative health, safety and welfare impact if not addressed. This could reasonably be mitigated with the following condition: Receive a Certificate of Completion for the VCP from UDEQ and Steep Slope CUPs for the adjacent homes to ensure the walls are stepping to the contours of the land and will not negatively impact any future homes in that area.

Other large retaining walls within or nearby the historic districts can be found along Hillside Dr., around the north side of City Hall and near the Echo Spur subdivision but

do not compare in size to the proposed height of the Alice Claim retaining walls and none of these walls were for private development. They were completed for Public ROW improvements. Those walls were mitigated through multiple terracing, adequate landscaping or homes that completely hide the height of the walls. Staff finds that the walls as proposed at ten feet are twice in excess to those four to six feet heights typically found within the residential historic districts, there is some but not adequate mitigation to the adverse visual impacts upon the adjacent and neighboring community. The landscape screen of Aspen trees and columnar evergreens as proposed will not appropriately screen the heights of the walls as shown in Exhibit B. The Applicant did revise their plans Submitted in March 2015 to incorporate a further terracing of the entry wall to be 3 walls at 10' height each. Staff recommends requiring the applicant to replace any existing mature trees which are being removed due to the retaining walls in kind or with 3 smaller trees. From the Site Plan dated May 18, 2015 it does not appear that any existing mature trees will be lost due to the retaining walls but 5 trees will be lost due to the subdivision, addition of drives and building pads. Staff also recommends requiring that the walls be landscaped more with 20% more trees than is shown on the proposed plans submitted May 4, 2015.

Engineering, Building, Water and Sewer Departments had concerns the drive width available to install utilities might be too narrow to fit all the utilities in correctly (using the standard spacing requirements between utilities) or the weight of the retaining walls will impact the adjacent roads, thus impacting the utility lines and no engineering of the walls or final utility plans have been completed to date to mitigate these concerns.

Any approval or denial of the CUP should be concurrent with recommending approval or denial of the proposed subdivision and plat amendment, meaning one cannot be approved or denied without the Planning Commission finding the other acceptable for approval or denial. The reason being that if the CUP is not approved or needs modification then it may change the site plan of the subdivision layout regarding house or road placements. The subdivision will not be approved until City Council review. No building permit can be issued until the plat is recorded. The applicant is requesting an expiration date of one year from the date the plat is recorded. Staff however, recommends a two year expiration date of June 10, 2017 in order to complete all of the conditions of approval that are associated with the plat.

Department Review

This project has gone through an interdepartmental review. Issues were brought up at that time by Snyderville Basin Water Reclamation District, Water Department, City Engineer, Building Official, and the Planning Department. A final utility plan, including storm water plan, sewer, water, dry utilities will be required to be reviewed by each respective utility to mitigate their concerns with how the utilities within the roadways will be impacted with the location and weight of the retaining walls. Snow shedding and storage will need to be addressed as well as the width of the roads adjacent to the retaining walls.

A final Historic District Design Review (HDDR) is required for each wall in the historic district prior to issuance of a building permit. The landscape plan shall also be reviewed with the HDDR.

Notice

The property was posted and notice was mailed to property owners within 300 feet on February 11, 2015. Legal notice was also published in the Park Record on February 6, 2015 and on the public notice website in accordance with the requirements of the LMC on February 9, 2015.

Public Input

Staff has received public inquiries from surrounding neighbors about the height and visual impacts of the proposed CUP but no written comments have been sent in at the time of this report. Any public comment received prior to the meeting will be forwarded to the Planning Commission.

Process

The Planning Commission takes final action on Conditional Use permit applications. Approval or denial of a conditional use permit may be appealed to the City Council according to LMC Section 1-18. Prior to building permit issuance, approval of a Historic District Design Review application is required and any conditions of approval of the CUP, if approval is granted, must be met.

Alternatives

- The Planning Commission may approve the Conditional Use Permit conditioned or amended, or
- The Planning Commission may deny the Conditional Use Permit and direct staff to make Findings for this decision, or
- The Planning Commission may continue the discussion on the Conditional Use Permit to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item.

Significant Impacts

There are no immediate significant fiscal impacts to the City from this application. If construction on the site were permitted, it will require a detailed Construction Mitigation Plan (CMP) to protect existing development located near the proposed subdivision. Site stabilization might also be an important consideration depending upon the amounts of vegetation proposed to be removed as a result of the proposed development. A draft geotechnical report has been previously submitted and reviewed. Previous mining activities, strong ground motion, slope stability, debris flow and avalanche, shallow bedrock and perched groundwater are the most significant engineering geology and geotechnical aspects which could affect design and construction at the site. Many of the retaining walls will be visible from Old Town and be 2 times as high as any other residential retaining walls within the Historic District as proposed. If the walls are further tiered, some of the mature trees will be impacted. Utility services have expressed detrimental impacts to the roads and underground utilities contained therein with the

weight that such high walls impact the roads if not tied back properly. The walls may not be on top of any utility lines so that the lines may be properly maintained. The walls may also raise issues with snow storage and were not incorporated into the cross-valley visual analysis that the Applicant provided for the subdivision.

Consequences of not taking the Suggested Recommendation

The adjacent roadways to the retaining walls and future utilities could not be built thus no homes could be built within the property.

Recommendation

Staff recommends the Planning Commission conduct a public hearing, review the proposed CUP for 3 retaining walls up to 10' in height associated with the proposed Alice Claim Subdivision and Plat Amendment, and consider approving the CUP according to the findings of fact, conclusions of law, and conditions of approval outlined in this report.

Findings of Fact

1. The property is located at the intersection of King Road, Ridge Avenue, Woodside Gulch and Sampson Avenue (approximately), within the Historic Residential (HR-1) and Estate (E) Districts and Sensitive Lands Overlay (SLO).
2. The proposal includes nine (9) lots on 8.65 acres.
3. The property is a "metes and bounds" parcel with contiguous platted lots.
4. A City water tank and land owned by the City is adjacent to the subject property on the south end, and a City-owned parcel bisects the subject property. The City water line does not run within the City owned property, but rather is located within a prescriptive easement on the subject property.
5. The applicant previously undertook a voluntary remediation of the regulated soils on the site, which included soil remediation both in the Alice Claim 8.49 acre portion and within a 1.7 acre portion of the adjoining City property.
6. The property can only be accessed through the platted King Avenue right-of-way as the owner cannot secure legal access through the Woodside Gulch easement.
7. The new roadway would require excavation and 3 blonde sandstone veneer retaining walls of ten feet (10') in height with four feet (4') of horizontal terracing in between each wall, placed at the entrance to Alice Court. The four feet of horizontal terracing will be landscaped with vegetation and various trees of ten feet in height to mitigate the visual and massing/scale impacts of the walls.
8. The retaining walls have not been engineered as of the date of this report and would require the City Engineer to approve the engineered plans.
9. Historic District Design Review applications are required for any construction of retaining walls within the historic districts or any lots adjacent to the historic district.
10. Snow storage, guardrails and lighting are elements of the retaining walls that require City Engineer and Planning Department approval.
11. There are impacts created by the proposed retaining walls which include:
    a) Size and location of the Site; the applicant has determined the three 10' walls must be placed in this location due to the access they are providing.

Should the applicant work through the access issues with the adjacent neighbor, less retaining would be needed and that could be a significant factor to mitigating the visual impact to the community.

b) Utility capacity within the roads adjacent to the proposed walls as the Applicant has not properly engineered the roads or retaining walls. The impact of this is that the weight of the walls and/or placement of the utilities near the walls could significantly damage and negatively impact the public utilities and infrastructure. This could reasonably be mitigated with the following condition: City Engineer and SBWRD giving approval of the engineered plans of the walls and utility plan would show there will be no impacts to utilities and infrastructure. However, if any changes to the utilities or infrastructure change the location and heights of the walls, then the Applicant will need to apply for a new CUP;
c) Screening and landscaping to separate the walls from adjoining uses. This creates a negative visual impact upon the historic district and surrounding neighborhoods. This could reasonably be mitigated with the following conditions: adding in 20% more trees than currently shown on Exhibit B at a minimum height of 10 feet;
d) Building mass, bulk and orientation as the walls are 10' in height which is considered massive, mass and orientation within the Historic District and approximately 2 times the height of the majority of retaining walls within the District which are typically 4' to 6' in height. This creates a negative visual impact upon the historic district and surrounding neighborhoods. This could be mitigated with the following condition: further landscaping the walls as discussed in (c) above and contouring the walls to the landscape;
e) Physical design and compatibility with surrounding structures as the walls are not compatible in size. This creates a negative visual impact upon the historic district and surrounding neighborhoods. This could be mitigated with the following condition: incorporate additional landscaping with 20% more trees than currently shown at a minimum height of 10 feet;
f) Environmentally sensitive lands, physical mine hazards, historic mine waste and steep slopes have not been properly addressed in these locations with final engineered plans. This presents a negative health, safety and welfare impact if not addressed. This could reasonably be mitigated with the following condition: Receive a Certificate of Completion for the VCP from UDEQ and Steep Slope CUPs for the adjacent homes to ensure the walls are stepping to the contours of the land and will not negatively impact any future homes in that area.

12. The applicant submitted draft utility plans dated May 18, 2015 that have not received final approval by the Snyderville Basin Water Reclamation District, Water Department, and City Engineer. The applicant will be responsible to determine what portion of the property is serviceable by the current water system and proposed sewer and storm drainage systems or propose acceptable mitigation and if the proposed walls will negatively impact the utilities. Proposed roads with utilities that are not private driveways next to the retaining walls are

required to be 20' wide and are shown as such on the site plan.

13. The application for the Alice Claim CUP was deemed "complete" by the Planning Department on January 23, 2015.
14. Staff findings in the Analysis section are incorporated herein.
15. Proposed tree heights will only screen approximately 50% of the walls vertically where located and proposed spacing of trees will only screen approximately 25% of the walls horizontally which creates a visual impact that can be mitigated by Condition of Approval #17.

Conclusions of Law

1. The CUP, as conditioned, is consistent with all requirements of the Park City Land Management Code.
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed walls as conditioned will be compatible with the surrounding structures in use, material, scale, mass, circulation and mitigation with the slope of the landscape.
4. The effects of any differences in Use, material, scale, mass and landscaping of the proposed walls have been properly mitigated through careful planning and conditions of approval.

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. Planning Department and City Engineer will review the final design and materials for any necessary retaining walls and the proposed roads adjacent to the retaining walls. The maximum height of the retaining is not to exceed 10 feet above existing grade.
5. Snyderville Basin Water Reclamation District review and approval of the utility plans near the retaining walls for compliance with SBWRD standards and procedures, is a condition precedent to building permit issuance.
6. A final utility plan for roads near any retaining walls is required to be approved by the City Engineer prior to issuance of a building permit. The City Engineer will review the final construction documents and confirm that all existing utilities will not be impacted near the retaining walls and anticipated utilities will be located in accordance with the site plans as submitted.
7. A Historic District Design Review application shall be submitted prior to submittal of a building permit application for the retaining walls and the Historic District Design Review must receive approval prior to receiving building permit approval.
8. A building permit will be required to build any drives and retaining walls.

9. A final landscape plan and guarantee shall be submitted with the Historic District Design Review for approval by the Planning Department prior to issuance of a building permit for the retaining walls. The landscaping shall be complete prior to issuance of a final certificate of occupancy for the lots within the Alice Claim subdivision. The landscape plan shall provide mitigation of the visual impacts of the 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. The guarantee shall address site restoration in the event there is a work stoppage in excess of 180 days, including removing any partially constructed retaining wall(s).
10. The Conditional Use Permit will expire on June 10, 2017, if an extension has not been granted prior to the expiration or a building permit has not been issued. Any extension must go to the Planning Commission to be reviewed in accordance with the conditions required by LMC 15-1-10(G).
11. The Planning Department and City Engineer will review any proposed guardrail and lighting considerations at time of final design.
12. The City Engineer must approve any snow storage requirements near the retaining walls prior to building permit approval.
13. This CUP is conditioned upon the Alice Claim Subdivision receiving plat approval and plat recordation. All conditions of approval of the Alice Claim Subdivision Plat must be adhered to.
14. No building permits shall be issued until the Alice Claim Subdivision plat is recorded.
15. If any retaining walls disturb existing mature trees, the trees shall be replaced in kind as close to the original location as possible or with an equivalent number in caliper and size as determined by the City Arborist.
16. The City Engineer must approve of the engineered plans for the walls and utility plan prior to building permit approval;
17. The Applicant must show an addition of 20% more trees than currently shown on the May 18, 2015 plans at a minimum height of 10 feet, to be approved by the Planning Department.
18. Any substantial changes as determined by the Planning Department to the proposed location or height of retaining walls or site plan (dated May 18, 2015) of the Alice Claim Subdivision will void this approval and the applicant must amend this CUP application which will require going through the full process (staff review and Planning Commission Review);.
19. The Applicant will need to receive from the Utah Department of Environmental Quality (“UDEQ”) under the UDEQ Voluntary Cleanup Program, a final Certificate of Completion for remediated soils within the Applicant’s property prior to building permit approval.
20. If a Site Management Plan is required for the UDEQ Certificate of Completion for Alice Claim, the UDEQ approved Site Management Plan must be submitted to the Building Department prior to building permit approval.

Exhibits

Exhibit A – Site plan
Exhibit B – Revised Retaining Wall Illustrations & Site Sections
Exhibit C – Sample of 6’ and 4’ Retaining Walls Illustration

EXHIBIT A

LEGEND

- LOT BOUNDARY
- LIMIT OF DISTURBANCE/ BUILDING ENVELOPE (ESTATE LOT ONLY)
- BUILDING FOOTPRINT
- PROPOSED CONTOUR
- PROPOSED RETAINING WALL (INCLUDED IN C.U.P. APPLICATION)
- LANDSCAPE RETAINING WALL (DO NOT REQUIRE C.U.P)
- TRAIL EASEMENT

LOT TABLE

ZONE	LOT NO	TOTAL (SF)	TOTAL (ACRE)	ALLOWABLE BUILDING FOOTPRINT(SF)	BUILDING FOOTPRINT (SF)	ZONE ACREAGE	TOTAL UNDISTURBED AREA(ACRE)	% UNDISTURBED
ESTATE	1	131080	3.01	N/A	2500	5.18	4.93	95.1%
HR-1	2	7714	0.18	2500	2500	3.47	1.93	55.6%
	3	7714	0.18	2500	2500			
	4	7714	0.18	2500	2500			
	5	7714	0.18	2500	2500			
	6	7738	0.18	2505	2500			
	7	7910	0.18	2536	2500			
	8	7714	0.18	2500	2500			
	9	7714	0.18	2500	2500			

OPEN SPACE PARCEL

PARCEL NO	AREA (SF)	AREA (ACRE)
A	25810	0.59
B	18926	0.43
C	2876	0.07
D	1716	0.04
E	44458	1.02
F	173	0.004
G	71841	1.65

SUBDIVISION

- 8 LOTS IN HR-1 ZONE DISTRICT
  - MAXIMUM 0.18 ACRE LOTS
  - MAXIMUM 2500 SF FOOTPRINT
- DEFINED DISTURBANCE ENVELOPES
- 1 LOT IN ESTATE ZONE DISTRICT
  - DEVELOPED PER L.M.C.
- EVERGREEN TREES ARE PRESERVED AND SCREEN VIEWS OF HOME SITES

PLAT AMENDMENT

- 0.38 ACRE HRL ZONE
- LOTS DEDICATED TO CITY

NOTE:

1. LOTS #123 AND 129 OF ADJACENT RIDGE AVENUE SUBDIVISION ARE OWNED BY KING DEVELOPMENT GROUP, LLC
2. ROADS LESS THAN 26' WIDE SHALL BE MARKED NO PARKING ON BOTH SIDES OF THE ROAD

ALICE CLAIM

SITE PLAN

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

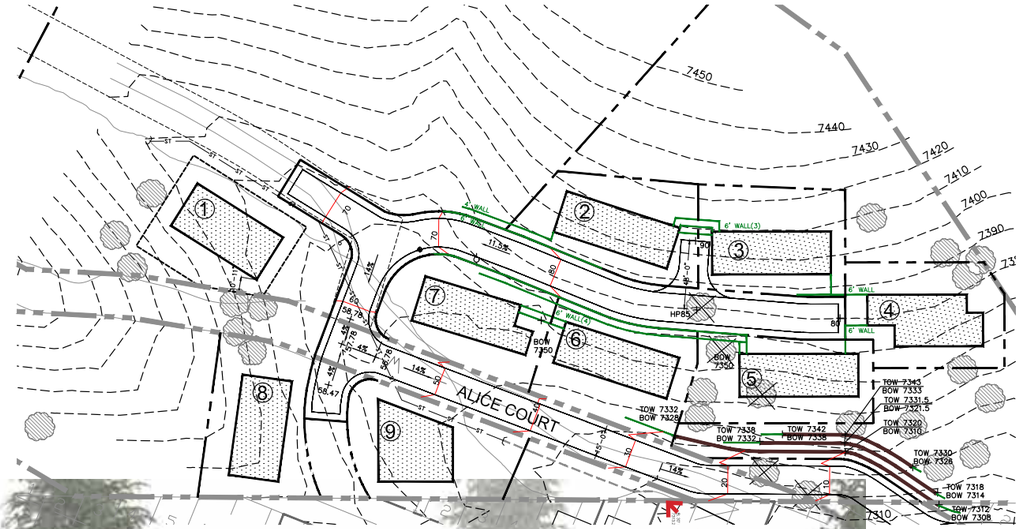
0 10 50
5 30 100
SCALE: 1"=50'-0"

DATE: MAY 18 2015

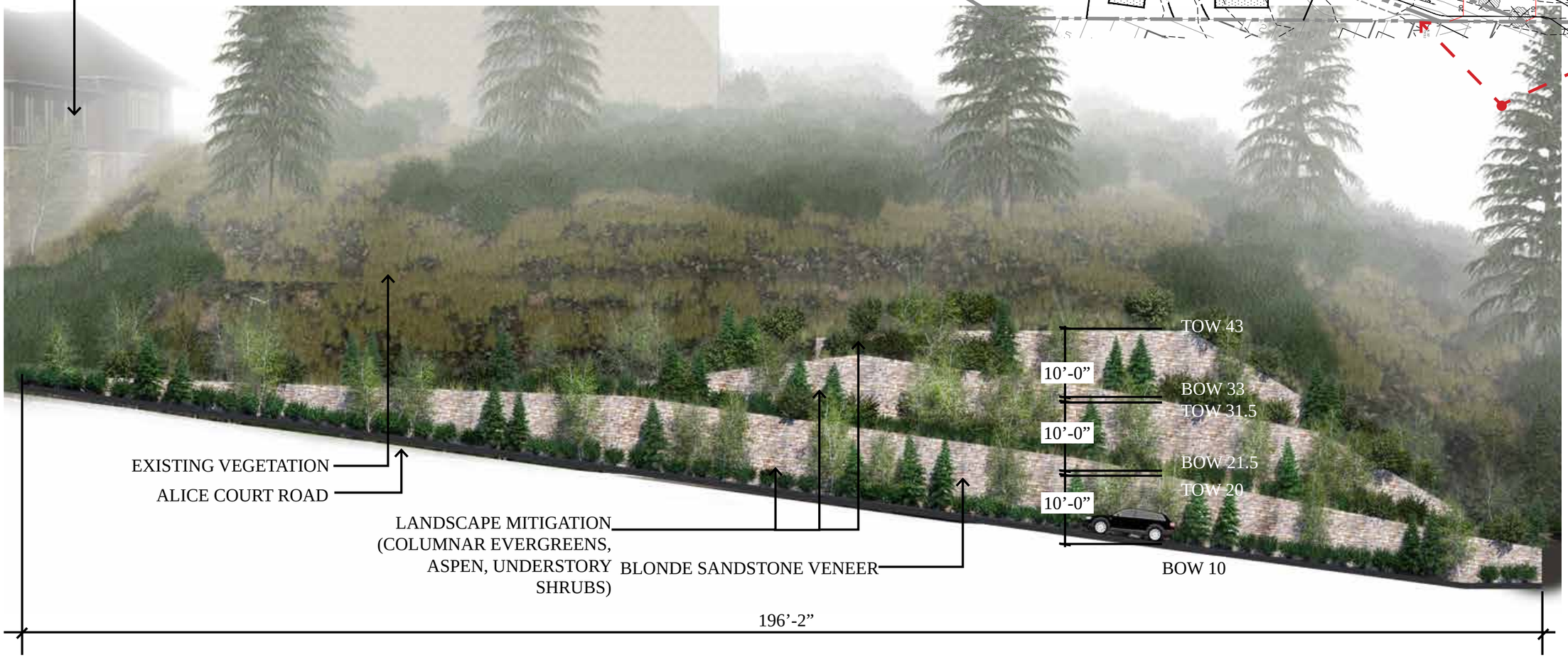
DHM DESIGN

EXHIBIT B

ENTRY WALL KEY MAP



LOT 6



ALICE CLAIM

RETAINING WALL ILLUSTRATION

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

SCALE: N.T.S
DATE: MAY 6 2015

DHM DESIGN

ALICE CLAIM

SITE SECTIONS KEY MAP

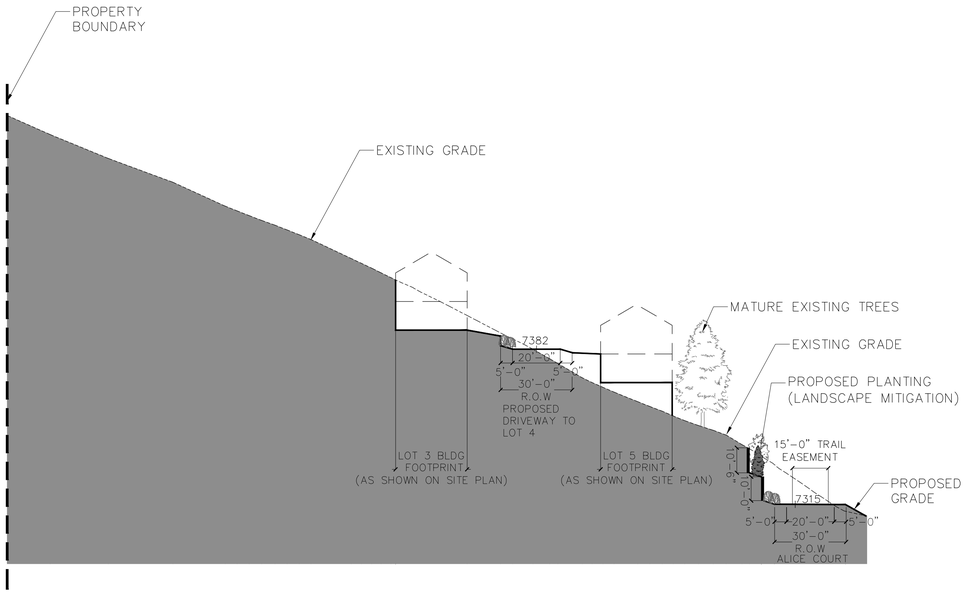
KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

0 10 50
5 30 100
SCALE: 1"=50'-0"

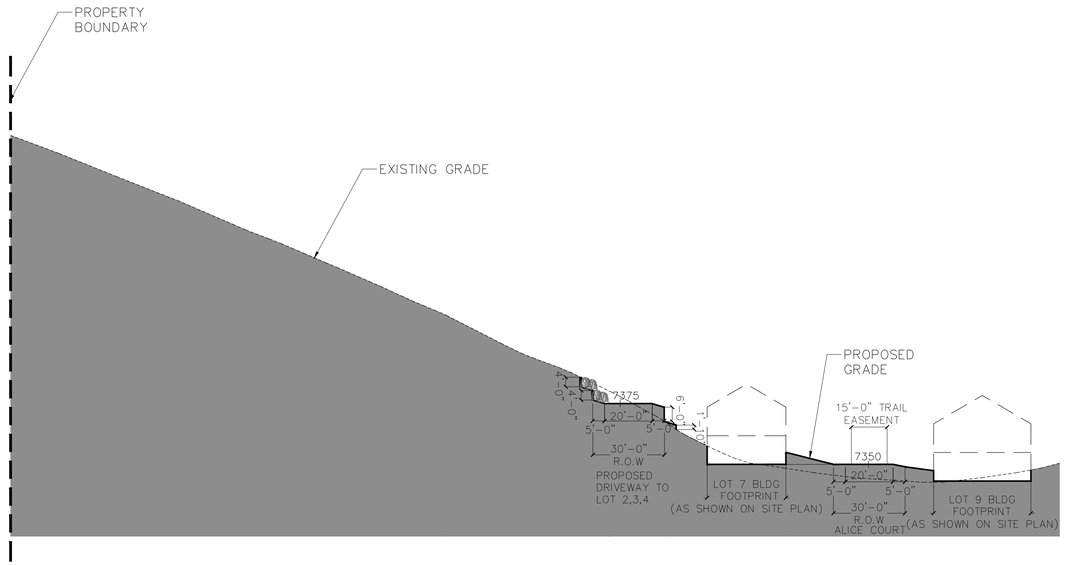
DATE: MAY 4 2015

DHM DESIGN



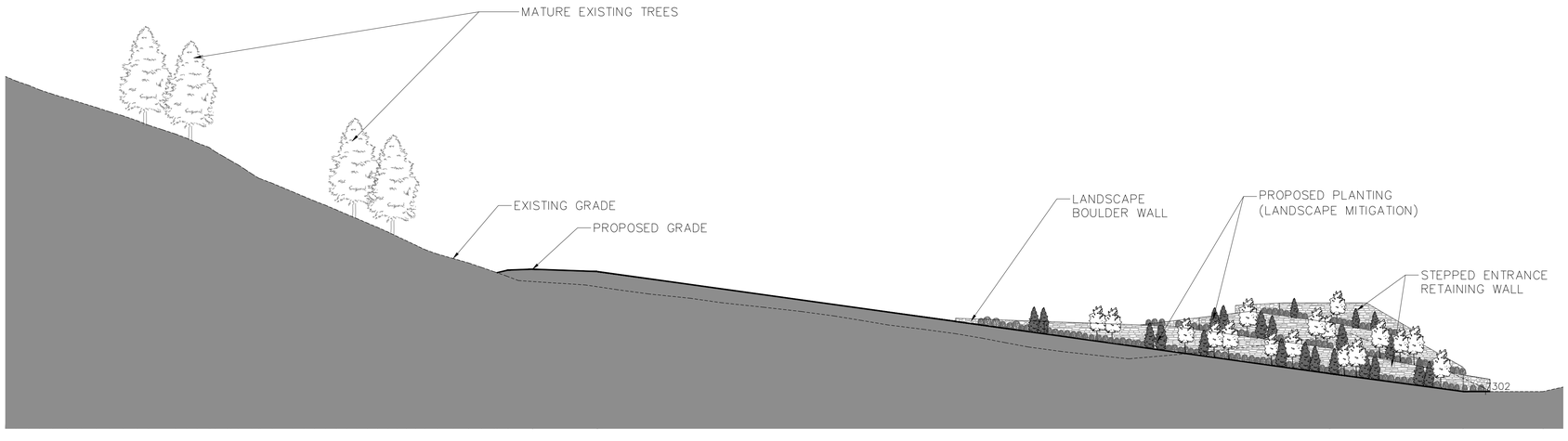
SECTION A

SCALE: 1"=30'



SECTION B

SCALE: 1"=30'



SECTION C

SCALE: 1"=30'

ALICE CLAIM

SITE SECTIONS

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

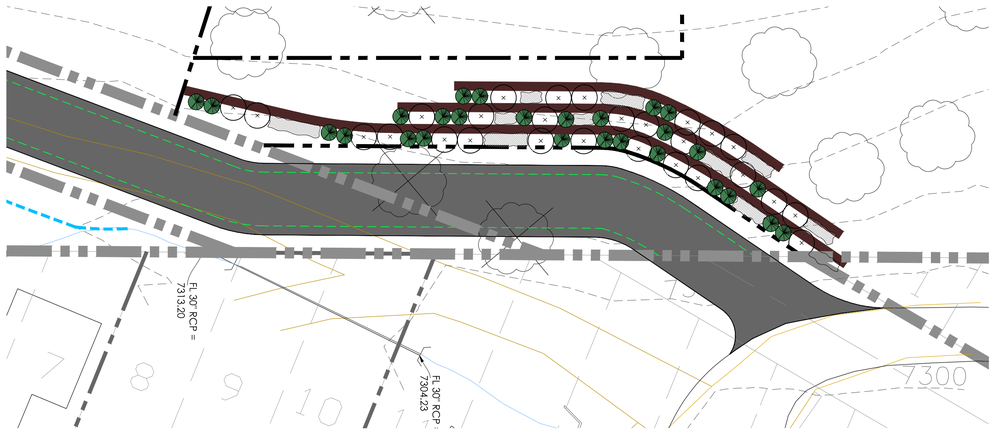
NORTH

0 5 15 30 60

SCALE: 1"=30'-0"

DATE: MAY 4 2015

DHM DESIGN

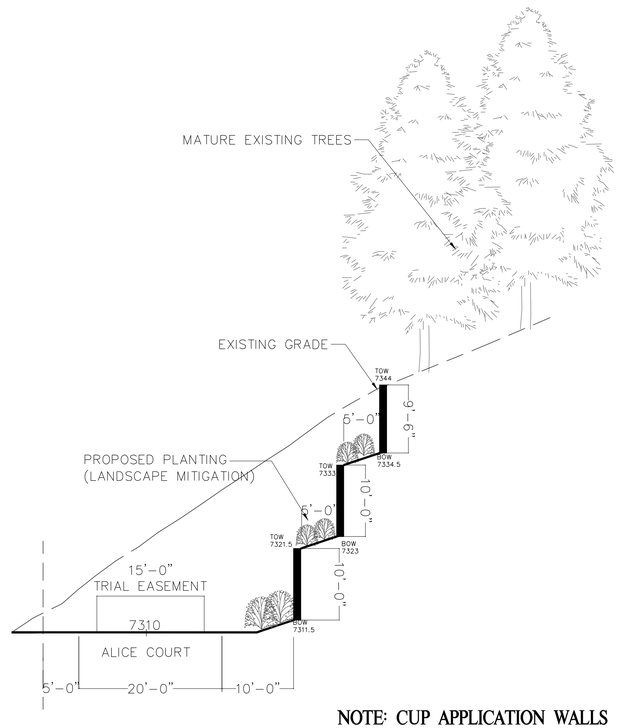


ENTRY WALL LANDSCAPE MITIGATION PLAN

SCALE: 1"=30'

LEGEND

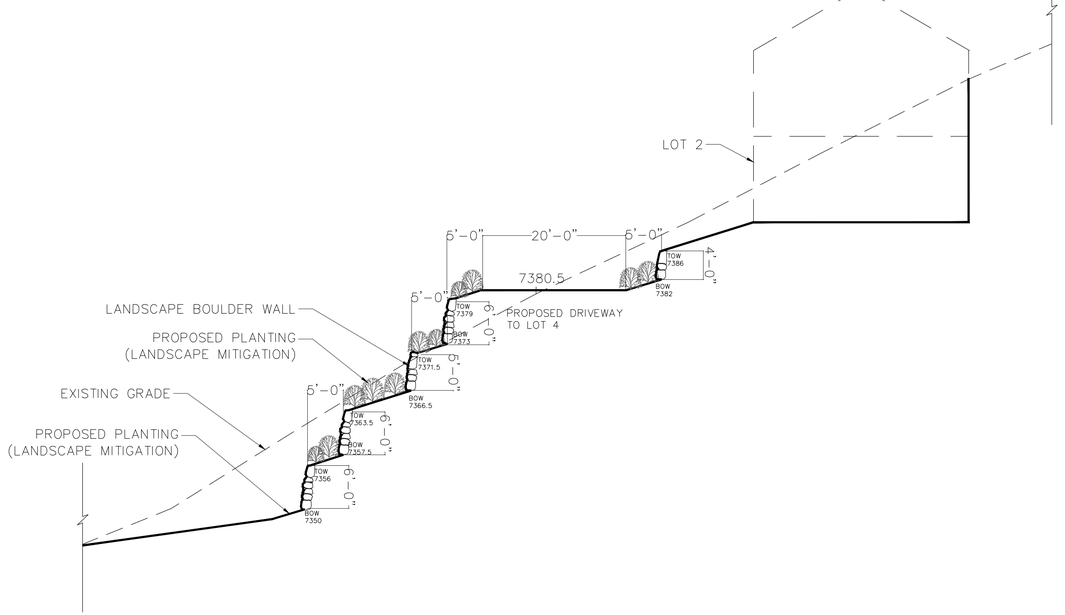
- EXISTING CONIFEROUS TREE TO BE REMOVED
- EXISTING CONIFEROUS TREE TO REMAIN
- PROPOSED DECIDUOUS TREE
- PROPOSED CONIFEROUS TREE
- PROPOSED SHRUB



NOTE: CUP APPLICATION WALLS

SECTION D (ENTRY WALL)

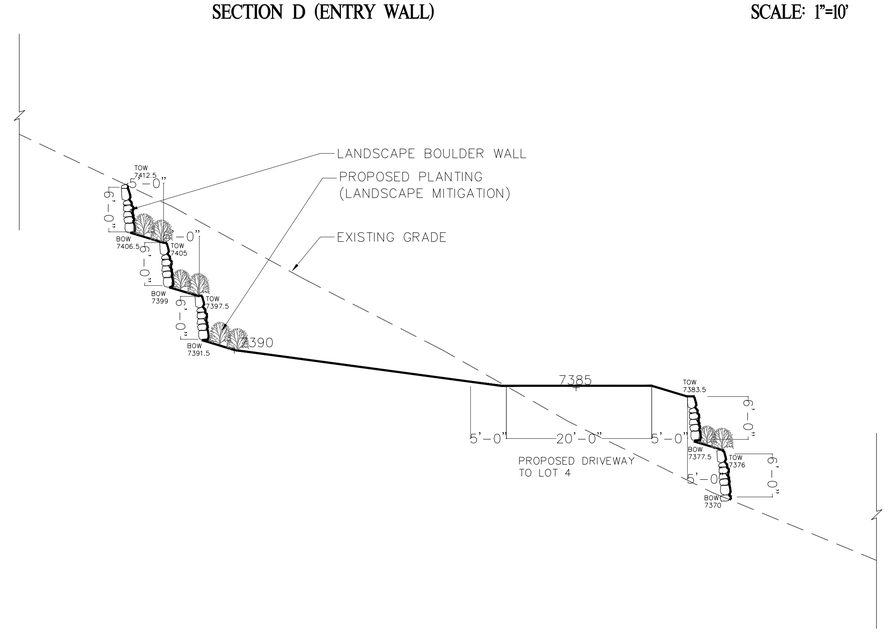
SCALE: 1"=10'



NOTE: LANDSCAPE BOULDER RETAINING WALLS NOT PART OF C.U.P APPLICATION

SECTION E

SCALE: 1"=10'



NOTE: LANDSCAPE BOULDER RETAINING WALLS NOT PART OF C.U.P APPLICATION

SECTION F

SCALE: 1"=10'

ALICE CLAIM

RETAINING WALL SECTIONS AND LANDSCAPE MITIGATION PLAN

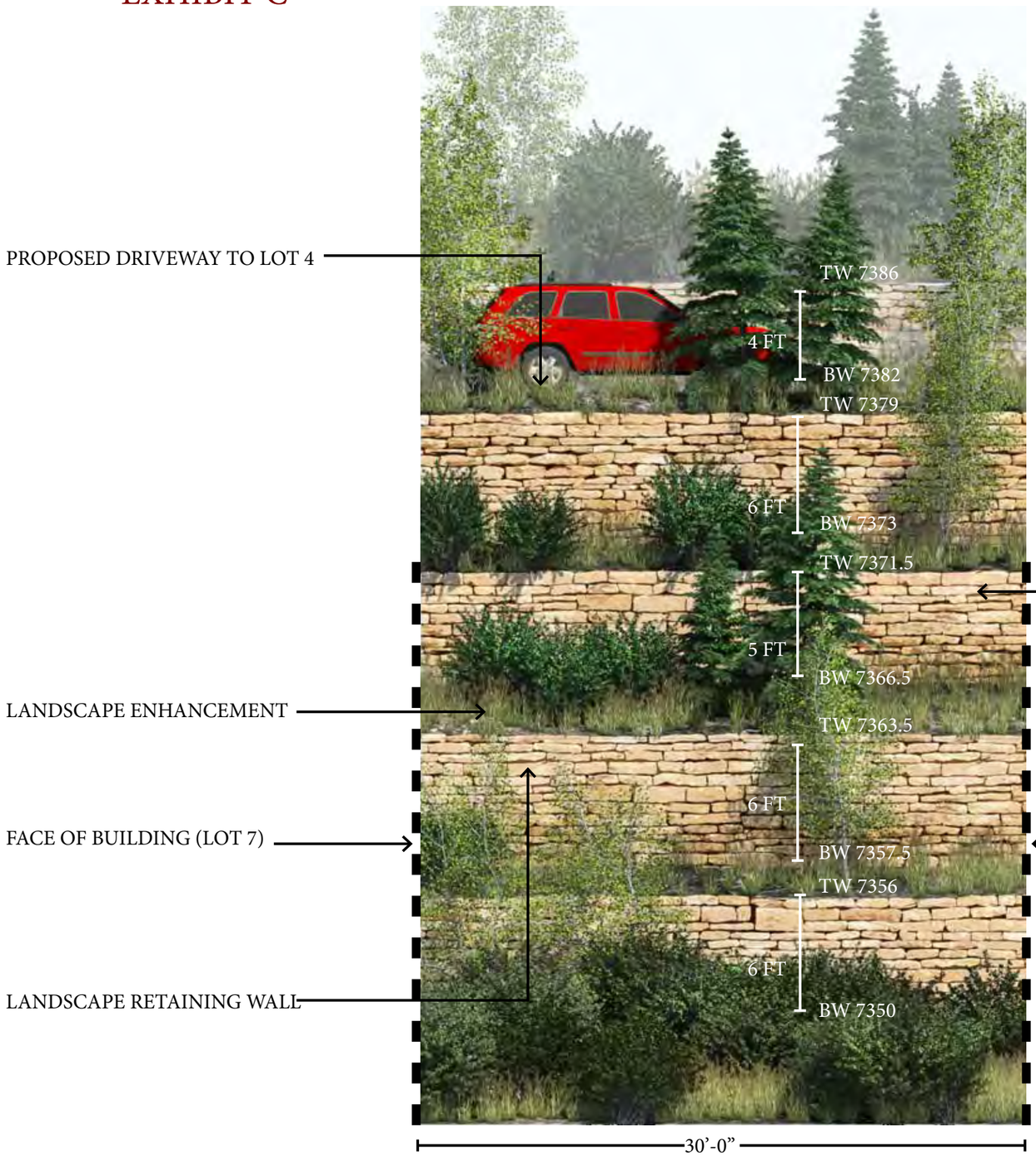
KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

NORTH

DHM DESIGN

DATE: MAY 4 2015

EXHIBIT C



ALICE CLAIM

LANDSCAPE RETAINING WALL (SECTION E)

KING DEVELOPMENT GROUP, LLC
P.O. BOX 244
PARK CITY, UTAH 84060

SCALE: N.T.S
DATE: MAY 18 2015

JHM DESIGN