



## **AGENDA**

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

**ROLL CALL**

**ADOPTION OF MINUTES OF JUNE 6, 2010**

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

**STAFF/BOARD COMMUNICATIONS AND DISCLOSURES**

**CONSENT AGENDA – *Public Hearing and possible recommendation***

		pg #
1144 Woodside Avenue – Plat Amendment	PL-10-00968	27
321 McHenry Avenue – Plat Amendment	PL-10-00973	35
6808 Silver Lake Drive – Plat Amendment	PL-10-00955	43

**REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below***

692 Main Street – Amendment to Master Planned Development	PL-10-00961	55
<i>Public hearing and possible action</i>		
1200 Little Kate Road – Ratification of Development Agreement	PL-09-00785	111
<i>Possible action</i>		
1310 Lowell Avenue – Conditional Use Permit	PL-10-00965	149
<i>Public hearing and possible action</i>		
1750 Park Avenue – Conditional Use Permit	PL-10-00960	163
<i>Public hearing and possible action</i>		
General Plan – Amendment to change the title of the Park Bonanza District to “Bonanza Park District”	PL-10-00996	179
<i>Public hearing and possible recommendation to City Council</i>		

**ADJOURN**

Items listed on the Regular Meeting may have been continued from a previous meeting and may not have been published on the Legal Notice for this meeting. For further information, please call the Planning Department at (435) 615-5060.

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

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.  
Planning Commission - June 23, 2010



**WORK SESSION NOTES – JUNE 10, 2010**



**PARK CITY PLANNING COMMISSION  
WORK SESSION  
June 10, 2010**

PRESENT: Dick Peek, Brooke Hontz, Richard Luskin, Adam Strachan, Thomas Eddington, Ron Ivie, Jeff Schoenbacher, Mark Harrington, Polly Samuels McLean

Commissioner Savage was excused.

Commissioner Pettit was recused due to a conflict of interest with the work session item

**WORK SESSION ITEMS**

**Mine Soil Hazard Mitigation Plan for Empire Pass**

Chief Building Official, Ron Ivie, updated the Planning Commission on an issue that was brought to his attention earlier in the day regarding the capacity issue at Richardson Flats relative to Talisker and United Park City Mines. The Planning Commission was being asked to ratify the amended Mine Soils Mitigation Plan and Mr. Ivie wanted to provide additional information so the Planning Commission could decide whether to move forward with the ratification this evening or wait for further details.

Mr. Ivie reported that earlier in the day he had received a letter from David Smith relative to Empire Pass and soil issues related to the repository. Copies of that letter were provided to the Planning Commission. Mr. Ivie noted that in 2005 a Memorandum of Understanding (MOU) between the City and Talisker, the City agreed to codify the use of Richardson Flat for projects that generate soils within City limits. An amendment was made to the MOU in 2008 granting the USEPA oversight over the site. That was the reason for drafting language that allowed flexibility to the Mine Company because USEPA would be making the decisions.

Mr. Ivie stated that the Richardson Flat repository is only open during seasonal times because of mud and other conditions. Just prior to Richardson Flat opening a few weeks ago, the City was notified by the USEPA that they were being restricted from taking any other soils out to Richardson Flat. Mr. Ivie believed this was a breach of agreement relative to the MOU and he has been trying to find out from both the Mine Company and the EPA the underlying circumstances for the closure and who set the limits on Park City's capacity at Richardson Flats. He recalled from previous discussions that the intent was to reserve 1.5 million cubic yards of capacity for Park City and others in the community.

Mr. Ivie pointed out that until today, he never understood that the Mine Company had proposed a limit for Park City of 101,000 cubic yards, as stated in Mr. Smith's letter. He finds this disingenuous because the City believed they were working with the Mine Company in a collaborative way to achieve a workable solution to mine waste in the community. Mr. Ivie noted that the City sent a delegation to Denver yesterday to speak with the EPA about this very issue. Because this new information was not known until Mr. Smith's letter was received this afternoon, the delegation met with the EPA with the understanding that they were still talking about the terms allowed in the MOU that was sanctioned in 2008. He was very surprised to learn today that there have been negotiations on the City's behalf contrary to the MOU.

Mr. Ivie remarked that the City has not had enough time to fully analyze the full content of Mr.

Smith's letter; however, he was not pleased with that part of it and believed the community deserved a better response. He hoped they could forge ahead and cooperatively come to a solution on mine waste in the community. This is mine waste and it is important to remember that if they do not have cooperation from the EPA in terms of disposing it in a location that is consistent with the site, the City could bear astronomical costs. Mr. Ivie emphasized that this was a large issue and it would economically affect every citizen in Park City that has mine waste on their property. He wanted it clear that the issue was not isolated to Empire Pass. Mr. Ivie clarified that the MOU was primarily a document that was generated as part of the conditions of approval for that development. He supported the language that was approved in the 2008 document based primarily on the fact that the Mine Company does not have total control over the EPA. He was disappointed to find out now that they are limited to 101,000 cubic yards instead of 1.5 million cubic yards.

Mr. Ivie stated that the City never intended to use the 2007 letter referenced in the document as the capacity. In 2007, the letter was simply an estimate of what might be generated within the community based on known projects at that time, both private and public. Mr. Ivie clarified that the letter was never intended to be a cap of use in any regard.

Mr. Ivie requested time to further evaluate Mr. Smith's letter and the issue. He would report back to the Planning Commission so they could make an informed decision on what should be done to move forward with amending the Hazardous Soils Mitigation Plan for Empire Pass. Mr. Ivie pointed out that the Plan would need to be amended because the conditions as they currently stand are not the same. However, based on the new information, he did not have a plan to layout this evening. Mr. Ivie stated that the City had made application through public information requests to the EPA and the Mine Company and today was the first time they received a response relative to the capacity number. He was offended by the answer and unsure what it would mean for the City.

Mr. Ivie reiterated that in 2008 the Planning Commission approved language in the MOU stating that the Mine Company could not be totally held accountable for Richardson Flat because they were under EPA scrutiny. He asked if the Planning Commission had intended to look at the capacity issue as a real target number agreed to in the 2008 MOU. If so, they need to strive towards that capacity. Mr. Ivie clarified that the City does not know whether or not that number is accurate because it came out of a consultant report for capacity at Richardson Flat. He was unprepared to say whether or not that capacity is adequate for the full clean-up of the community because the total need has not been fully assessed.

Vice-Chair Peek clarified that based on the Mine Soil Hazard Mitigation Plan, the MOU was a critical part of that plan. Mr. Ivie answered yes. Vice-Chair Peek asked if it was reasonable to assume that if the Mine Company was not in compliance with the MOU agreement, then they were not in compliance with the Mine Soil Hazard Mitigation Plan.

Mr. Ivie replied that this would be an issue for discussion at a future meeting once they understand all the facts. Mr. Ivie pointed out that the delegation went to Denver yesterday assuming that the number was simply a number in a letter that was an estimated capacity in 2007. It was disheartening to find out that it was used to cap Park City's entry into Richardson Flat, which is clearly contrary to the MOU.

Vice-Chair Peek asked if the hazardous soil and the non-hazardous soil was accounted for in Richardson Flat. He wanted to know if the hazardous soil was added to the cubic yards. Mr. Ivie

stated that in terms of calculations at Richardson Flat, the hazardous material would be regulated. Other material that goes out there would be used for capping, but in his opinion, that material is not counted. Based on capping requirements, the site will be capped and the amount of material used would be significant in cubic yard capacity. Mr. Ivie explained that they are only looking at regulated waste and not capping material in the capacity number.

Jeff Schoenbacher, with the Building Department, stated that Park City's Soils Ordinance represents 660 acres of Park City. By ordinance, soils that are generated within that boundary are required to go to a permitted facility. There are over 277 parcels within that area that have yet to be remediated, and additional mining impact property needs to be mitigated as well. Mr. Schoenbacher remarked that the middle reach of the water shed has not been completed yet. Therefore residential, commercial, and the City will need a resource to accommodate the generation of that soil.

Vice-Chair Peek asked if the City was responsible for accounting for the non-regulated soils at Richardson Flat. Mr. Ivie stated that the site operator is obligated to manage the site. In this case, that would be the Mine Company, and they would address the capacity issues. He noted that the Mine Company is under the dictates of the USEPA and they are required to comply with certain conditions. Mr. Ivie explained that the operator is accountable to the EPA for their approvals. In this case, there is a record of decision and a settlement agreement on the site that sets forth most of the issues being discussed for Richardson Flat.

Mr. Ivie complimented the Mine Company because they asked the USEPA to allow the City, in the settlement agreement, the ability to take material to Richardson Flat, which saved the citizens millions of dollars. He hoped they would be able to forge another agreement to address this issue, because he personally felt that it is Mine Company waste and the Mine Company should provide a place for it. That has been his position from the beginning and it will remain his position because it is consistent with other sites. It is a sensible way to clean up areas without adding a cost burden that makes these projects unattainable in terms of clean up.

Mr. Ivie recognized that this was not a simple problem. The EPA has the control, but at the same time the Mine Company has to respect the City. He wanted the City's position to be clear to the EPA in terms of what the City believes is appropriate; however, he was unable to give that position this evening.

Vice-Chair Peek asked if the surplus site involved in this application included the entire drainage. Mr. Ivie answered no. In Mr. Smith's letter, the Mine Company argues that the upper reach is complete, but that is not true. They are only complete in the development area. Three sites are already in the data base and they agreed to put data in on two more, but that has not occurred. That was in the upper reach and they still have the middle reach, which is the Silver Maple claim site, and the lower reach. Mr. Ivie acknowledged that the pod of the upper reach that was agreed on under the EPA has been done, but the south side back development pod is not completed in the upper reach, which is contrary to what Mr. Smith's indicates in his letter. Mr. Ivie recalled from the discussion in 2008 that there was the original approval, the annexation that came in as part of the Montage development, and the original part that was parceled to develop the non-developed part of the original application plus the expansion area. In his opinion, the non-developed portion is not

done. Mr. Ivie clarified that the facts in Mr. Smith's letter were accurate, but they were not complete.

Commissioner Strachan wanted to know why Park City relied on the Mine Company to negotiate with the EPA regarding the ceiling of limitations. Mr. Ivie replied that the City was unaware until today that it had occurred. They thought everyone understood the MOU and the process. The City has been trying to obtain the data through Freedom of Information on how this happened. The City's intent was to do what was outlined in the MOU to the extent practical. He hopes to negotiate together rather than be in opposite camps.

Commissioner Strachan did not understand why both parties had not negotiated with the EPA from the beginning.

Mr Schoenbacher explained that the original strategy discussed with the Mine Company included the repository location at Richardson Flat. Language within the record of decision recognizes the Richardson Flat repository for a consolidation point of all mine waste within the water shed. Mr. Schoenbacher stated that the original strategy of the water shed was for the upper and middle to be priorities. Those are still the priorities based on the City's approach. In 2008 the City learned that the strategy had shifted to lower Silver Creek. This was changed without City input because the City thought that would also be a stakeholders group process. Mr. Schoenbacher echoed Mr. Ivie's opinion that the upper and middle reaches are not complete and that has always been the strategy. Until everything is remediated, that will continue to be the City's priority in the future.

Commissioner Strachan wanted to know why Park City, independent of the Mine Company, did not go to the USEPA and request a certain capacity to be set aside for Park City Municipal. Mr. Ivie replied that the City has numerous documents to show how many times they asked that question and never received a response from USEPA.

Vice-Chair Peek asked if the City was an official co-applicant or if it is entirely UPCM and the City is giving public input as a Municipal government. Mr. Schoenbacher explained that the City is a stakeholder within the Silver Creek water shed and the remedial actions within the water shed have been based on that process. Mr. Schoenbacher commented on the work that has been done and the areas that have been cleaned up under the process of the agreement.

Mr. Ivie clarified that considerable progress has been made on environmental waste and he would like to see that continue to completion. However, they need to find a constructive way to move forward.

Mr. Ivie noted that he had not had the opportunity to speak with David Smith regarding his letter and he reiterated that he was not prepared to provide the Planning Commission with a recommendation this evening. Mr. Ivie asked the Planning Commission whether they wanted to move forward this evening in an attempt to codify the MOU, or if they preferred to wait until he could provide further information. This was a serious public interest issue and he thought the City should make an appropriate effort. He pointed out that the only issue was mine waste and nothing else.

Commissioner Strachan asked if the EPA thinks the repository is full. Mr. Ivie was unsure what the

EPA thinks because they have never done a capacity analysis.

City Attorney, Mark Harrington, stated that based on meetings with the EPA yesterday, the problem is that the City is being run around in circles. The EPA says it is a Talisker/UPCM issue and the mine says it is an EPA issue. No one will say who made the decision or what the decision was and the City has been unsuccessful in getting a direct response from the project manager at the EPA for the last two years. The City has been forced to use more formal Freedom of Information request processes through Denver. Those requests have been strung out and not fully responded to. Mr. Harrington stated that when directly asked, neither the EPA or the Mine Company has given a basis for the starting point of that negotiation. In addition to being frustrating, it is also contrary to the spirit of the Chief Building Official's amendment to the plan. If that submittal was meant as an end-all, it is contrary to the agreement that was met in 2008. Mr. Harrington remarked that if the EPA had indicated that the letter submitted last year was the subject of the approval, he believes the discussion would have been different. He was in the processing of trying to obtain additional information on the capacity matter. Mr. Harrington stated that the City is entitled to know the context for the overall transition from the water shed to a regulatory approach.

City Attorney Harrington remarked that no one wins if more lawyers are hired and he hopes to avoid that. However, this process had a win/win solution and it was an economically viable opportunity for the community. If they go the legal route, both sides will waste resources. Mr. Harrington stated that the intent this evening was to make the Planning Commission and the public aware of the situation because it could upend 10 years of progress to an unknown and it could affect other projects. At a minimum, the City is entitled to have a debate and try to work together to avoid it. Instead, they are all reactive and he was unsure who was to blame. He intended to sort that out in hopes that it would not be forced to become more legal than it needs to be.

City Attorney Harrington remarked that Ron Ivie took a leap of faith when he took a verbal agreement. Mr. Ivie personally feels responsible for his decision and he is holding himself accountable. Mr. Harrington intends to do everything possible to make sure the spirit of that agreement is mentioned in the report. City Attorney Harrington clarified that the update this evening was an attempt to inform the Planning Commission as a status measure. He believes the mitigation plan will need to be amended, but until they know who took what action, they have no way of knowing what is in non-compliance. The EPA has their own management goals and concerns about the longevity of the site and probably see a need for an additional site in the community for the future. The City does not know who is requesting what limitation and who is either approving it or not. Those are the details the City is looking to obtain because no one is claiming responsibility for limiting the capacity.

Commissioner Strachan understood that at some point there would be another MOU. Mr. Harrington stated that the City has made overtures to the EPA to re-institute an aggressive work plan to move forward and to continue the success they experienced in the past. That would be a non-traditional recovery, non-legal fight. It should be a volunteer participation where the current property owner bears the costs associated with nominal additional costs that the taxpayers and government facilitates. United Park has owned that responsibility as well, and that is the framework the City wishes to continue under.

Work Session Notes  
June 10, 2010  
Page 6

Commissioner Luskin asked if alternative sites have been identified. Mr. Harrington replied that the City is willing to go through the process but at this point there has not been any dialogue. He believes that should be prioritized based on future resources. They need to deal with the current demand with current availability.

The Planning Commission concurred to wait for Ron Ivie to report back with additional information before acting on the amended Hazardous Soils Mitigation Plan.

The work session was adjourned.

## **MINUTES – JUNE 10, 2010**



PARK CITY MUNICIPAL CORPORATION  
PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS  
MARSAC MUNICIPAL BUILDING  
JUNE 10, 2010

COMMISSIONERS IN ATTENDANCE:

Vice-Chair Dick Peek, Brooke Hontz, Richard Luskin, Julia Pettit, Adam Strachan

EX OFFICIO:

Thomas Eddington, Planning Director; Brooks Robinson, Principal Planner; Mark Harrington, City Attorney; Polly Samuels McLean, Assistant City Attorney; Ron Ivie, Chief Building Official; Jeff Schoenbacher, Building Department.

=====

REGULAR MEETING - 6:30 p.m.

**I. ROLL CALL**

Vice-Chair Peek called the meeting to order at 6:05 p.m. and noted that all Commissioners were present, except Commissioners Wintzer and Savage who were excused.

**II. ADOPTION OF MINUTES**

May 12, 2010

MOTION: Commissioner Strachan moved to APPROVE the minutes of May 12, 2010 as written. Hontz seconded the motion.

VOTE: The motion passed unanimously.

May 26, 2010

MOTION: Commissioner Strachan moved to APPROVE the minutes of May 26, 2010 as written. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously by those who were present at that meeting. Commissioner Pettit abstained since he had not attended.

**III. PUBLIC COMMUNICATIONS**

There was no comment.

**IV STAFF/COMMISSIONER'S COMMUNICATIONS & DISCLOSURES**

MOTION: Commissioner Strachan made a motion to move the discussion of 9100 Marsac Avenue to the first item on the agenda before the Continuations. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

Director Eddington reported that the Neighborhood Public Input Session for the General Plan was scheduled for July 6<sup>th</sup> and July 20<sup>th</sup> at the High School. He asked for volunteers from the Planning Commission to go on the radio and prompt people to attend those sessions. Commissioners Pettit and Hontz volunteered.

Commissioner Strachan asked about email addresses. Director Eddington replied that each Commissioner should be receiving their City email address through the IT Department. In the transition period, the Staff would send reminders to their regular emails, but all content will be posted on their City email address.

Commissioner Pettit asked about the joint meeting with the City Council on June 17<sup>th</sup>. Director Eddington stated that a joint meeting was scheduled on June 17<sup>th</sup>, between 5:00-6:00. The Staff would provide the City Council with an update of the Bonanza Park General Plan discussion.

Commissioner Pettit disclosed that her firm has been retained to represent United Park City Mines. For that reason she would recuse herself from the 9100 Marsac Avenue Montage matter on the agenda this evening.

Commissioner Strachan disclosed that he would be recusing himself from the discussion on 201 Norfolk because the applicant is a current client of his law firm.

## **REGULAR AGENDA/PUBLIC HEARINGS/POSSIBLE ACTION**

1. 9100 Marsac Avenue, Montage - Update and Ratification of Amended Soil Hauling Plan for the Montage Construction Mitigation Plan

Commissioner Pettit recused herself and left the room.

Ron Ivie reported that he had attended a previous Planning Commission meeting to discuss extending the work hours at the Montage to 24 hours. At that time he mentioned that hauling from the site would be completed and would amount to approximately 20,000 cubic yards. Mr. Ivie stated that since that time, he found a significant error between what the Planning Commission officially authorized and what was actually done. Mr. Ivie referred to the second paragraph, third line, in the Staff report and changed "contractor" to read "consultant".

Mr. Ivie explained that the consultant is required to provide USEPA quarterly reports as to quantities of material that go to a regulated site. That report was provided, however, what was reported was different from what was authorized. He stated that the Planning Commission approval authorized approximately 94,000 cubic yards. Including the 20,000 cubic yards, they would have hauled

approximately 155,000 cubic yards to Richardson Flat from the Montage site. Mr. Ivie clarified that all the dirt hauled was necessary because during the course of the project, other mine activity was discovered that was unknown when the project started. Mr. Ivie stated that he was unaware of the overage until he received the information documents for the item discussed during work session.

Mr. Ivie pointed out that the material was gone and he has no interest in hauling it back. He wanted the Planning Commission to understand that he relied on the conditions of approval to be met by the operator and what happened is already done. Mr. Ivie requested that the Planning Commission authorize that activity to continue, consistent with what has been approved. He asked that the Commissioners not look unfavorably on the 155,000 yards that was hauled, because in his opinion there is still some uncertainty as to whether or not the EPA is going to finally approve the landscape plan currently before them. Discussions are still ongoing and if they have to excavate anything more to satisfy the capping requirement, he would prefer to get the project done this summer and not have to come back to the Planning Commission.

Mr. Ivie noted that to date the project is on schedule to be completed by the Fourth of July to avoid the impacts of holiday activity. They are close to finalizing the 20,000 cubic yards, and he wanted to be the one to explain the unintended circumstances to the Planning Commission. He clarified that if the landscape plan before the EPA is approved, they would be at 155,000 cubic yards and that would be the end of hauling the regulated material. Mr. Ivie remarked that some material would be put back on for capping.

City Attorney Mark Harrington explained that the City's authority on this aspect was limited to the construction mitigation plan. During the original approval, there was extensive debate on what routes would be used for excavation and all the hauling. He stated that the hauling numbers are relevant to the degree that if they had known in advance how that would play into the analysis, they may have had the ability to split the routes for hauling that much material. Mr. Harrington pointed out that the hauling was done safely and it was done in a compressed manner in terms of minimizing neighborhood impacts. This would imply that the conditions to mitigate the impacts had worked.

City Attorney Harrington stated that it was relevant to clear up the record for future requests to determine whether Mr. Ivie has limited approval to continue to make minor alterations in the hauling at an administrative level to keep things going, which is expressly provided for in the original conditions of approval, or whether he should require the applicant to come back to the Planning Commission for a full process to amend the original hauling plan. Mr. Ivie has expressed his preference to continue the project to completion, but the question is to what extent he would be limited in terms of administrative approval without going to the Planning Commission. Mr. Harrington clarified that this was why he wanted the record reflected accurately to show what it is to date, even though it is an after-the-fact ratification.

Mr. Ivie reported that in the past three years there has only been one citizen complaint. He believed the hauling has been successful in controlling and mitigating public impacts. Commissioner Peek wanted to know what would happen if the landscape plan is not approved by the EPA. Mr. Ivie replied that additional excavation would be required to get the depth of the cap

increased. Therefore, additional material would need to be hauled out and brought back. He hoped the EPA would approve the landscape plan but he could not certify that as fact.

Commissioner Strachan asked if the City was as certain as possible that the 15,600 cubic yards was all that is necessary. Mr. Ivie replied that based on what he knows today, that would be the end, keeping in mind that they do not have a landscape plan signed by the USEPA.

Commissioner Hontz clarified that the Planning Commission would be approving the amended Construction Mitigation Plan, which was the letter from DV Luxury Resort, LLC. She asked if the Commissioners were comfortable with that or if they wanted something from the City legal staff, based on what happened in the prior matter.

Mr. Harrington explained that technically they were correcting previously represented numbers from the applicant to Ron Ivie in terms of application materials for the administrative extension. Had Mr. Ivie been given accurate numbers, the application would have been handled differently. Mr. Harrington reiterated that this correction was being done after the fact.

Commissioner Strachan understood that they were correcting the numbers to finish the project in the submittal. Mr. Harrington replied that this was correct and the City has obtained confirmation from both the Mine Company and the EPA that the numbers match the current numbers. Commissioner Strachan verified that the numbers were included in the submittal and in the letter from David Smith. Mr. Harrington answered yes.

Mr. Ivie stated that he was comfortable that the 155,600 cubic yards would be the total amount hauled off the site, assuming that the landscape plan would not need to be amended. Commissioner Strachan clarified that all but 15,600 has already been hauled.

Commissioner Hontz understood that currently the soil continues to be hauled to Richardson Flat and accepted by that facility. Mr. Ivie replied that this was correct, noting that the Richardson Flat site is under the jurisdiction of USEPA regarding clean-up requirements.

Vice-Chair Peek clarified that it included the adopted plan regarding moving the waste through the City. Jeff Schoenbacher stated that it coincides with Richardson Flat being the consolidation point for all the water shed and not just that facility.

Vice-Chair Peek asked if there was a reasonable range beyond the 15,600 cubic yards if they did not hold to that number. Mr. Ivie was willing to report back to the Planning Commission if the EPA changes the landscape plan, but he wanted the ability to move forward to get the project completed. If the EPA requires a thicker cap, the City cannot overrule that requirement and they would have to do whatever is necessary to make it work. Mr. Ivie pointed out that there is a critical time table on the mountain for getting the landscape in and out. If they cannot continue to work, there is no chance of getting it finished.

Commissioner Hontz asked if a thicker cap would be above the amount that the EPA had authorized. Mr. Ivie stated that it would be above the amount currently there, but the EPA would need to authorize that amendment.

City Attorney Harrington stated that if the Planning Commission was concerned about the administrative limit for Mr. Ivie to continue to grant changes, he suggested that they frame it in the context of number of additional truck trips that would be germane to either change the routing or the conditions of approval. If there is no basis to change either of those based on another 5,000-10,000 cubic yards, there would be no basis to require another formal process. He noted that each 5,000 cubic yards requires 3-4 days of hauling.

City Attorney Harrington clarified that the Staff would not recommend changing the conditions of approval or the route because everything has worked without incident. However, the Planning Commission has the authority to make that decision. Mr. Harrington explained that typically the Staff has jurisdiction over construction mitigation plans. In this case, the prior Planning Commission requested that the Planning Commission approve the construction mitigation plan as part of the conditional use permit for Montage. Therefore, the Planning Commission has retained jurisdiction over the hauling and routing. In other projects it would be addressed by the Building Department. City Attorney Harrington outlined options that the Planning Commission could take on this issue.

Commissioner Strachan understood that the Planning Commission could authorize the Building Department to approve the 15,600 cubic yards and direct the Chief Building Official to come back to the Planning Commission for an information update once he hears back from the USEPA on the landscaping plan. Mr. Harrington clarified that Mr. Ivie was asking that the Planning Commission allow him some latitude to continue with the hauling until he hears from the EPA. Commissioner Strachan remarked that Mr. Ivie could continue the hauling process if the amount remains at or under the 15,600 cubic yards. Mr. Harrington pointed out that 9,000 cubic yards out of the 15,600 had already been moved. Commissioner Strachan clarified that once that is completed, the only thing left would be hauls subject to the landscaping plan, which may or may not be approved by the USEPA.

Vice-Chair Peek stated that the worse case would be that the EPA does not treat their applicant efficiently and this could go into the next season. He thought the Planning Commission should definitely see it again if it goes into the next season.

Vice-Chair Peek opened the public hearing.

Jeff Mongan, representing the Athens Group, the developer of the project, thanked Ron Ivie and the City Staff for working with them through a very complex and difficult project. They have encountered a number of unforeseen conditions and the efforts of Ron and the Staff is a testament to how smooth it has gone over three years.

Mr. Mongan clarified some of the points that were discussed regarding the cap and the landscape plan. He did not anticipate any further changes. Mr. Mongan believed that Ron Ivie was only pointing out circumstances that would occur if the EPA were to change the landscape plan. If the EPA were to change the landscape plan on a certain portion of the site or change the cap thickness, that only means they need to dig down deeper to achieve the cap section and that creates more soil that needs to go to Richardson Flat. Mr. Mongan did not anticipate that would happen. There is a tight window of time to complete the work and they have no intentions of going

into the next construction season. If they can move forward, their goal is to finish next week before the busy summer visitors season.

Mr. Mongan stated that they operate under an EPA approved work plan and governed by that plan to a certain extent. In terms of quantities, in the past they have had to go back and ask for permission to haul more. The EPA approved hauling to Richardson Flat and they worked with Ron Ivie on implementing that within the conditions of approval.

Vice-Chair Peek asked Mr. Mongan if the Athens Group was a party to the EPA application or if it was a lessee of the site. Mr. Mongan replied that technically the owner of the site is DV Luxury Resort, LLC and that is the party in contract with the EPA. The Athens Group is a member of that LLC, and therefore, they have responsibility for the execution of the work plan.

Vice-Chair Peak closed the public hearing.

Commissioner Strachan was comfortable authorizing the additional 15,600 cubic yards of which 9,000 has been exported. He felt that whatever harm was done was either mitigated or not mitigated. He did not believe an additional 6,600 cubic yards would create a problem. In the event they reach the 155,000 cubic yard cap and the EPA requires more, he would like this to come back to the Planning Commission to consider mitigation aspects.

Vice-Chair Peek suggested a 90 day trucking mitigation expiration.

Commissioner Hontz agreed with the date and the amount suggested by Commissioners Strachan and Peek and felt the motion should be tied to both. She wanted to see the project completed and believed the applicant has done a fantastic job. She thought the Planning Commission should see it again for the reasons previously stated.

Regarding the 90 expiration, Commissioner Strachan suggested a deadline of 90 days from the July 4<sup>th</sup> completion date established by the applicant, assuming that the EPA does not require a deeper cap.

City Attorney Harrington was unsure if a hard date was relevant. He suggested that the Planning Commission give direction to Staff not to approve any further extensions of the construction mitigation plan beyond the 155,000 cubic yards or October 15<sup>th</sup>, whichever comes first.

**MOTION:** Commissioner Strachan made a motion to APPROVE the amended construction mitigation plan for 9100 Marsac Avenue, the Montage, according to the June 3, 2010 letter from Deer Valley Luxury Resort, LLC with direction to the Building Department that they come back to the Planning Commission with an update once the 155,000 cubic yard cap has been met or the date of October 1<sup>st</sup>, 2010 occurs, whichever comes first.

Commissioner Hontz requested an amendment to the motion stating that no administrative approvals shall be granted for additional hauling or that it comes back to the Planning Commission for review and consideration. This would avoid a situation where something would be approved and then reported to the Planning Commission afterwards

Commissioner Strachan amended his motion to say that no administrative approval shall be granted until the Building Department has updated the Planning Commission either by October 1<sup>st</sup>, 2010 or when the 155,000 cubic yard cap is met.

Mr. Ivie stated that there would be hauling for the top soil cap that was not included in the 155,000 cubic yard export to Richardson Flat. He wanted to make sure the Planning Commission would not restrict their ability to bring the top soil back in to cap the site.

Commissioner Strachan clarified that his motion only addressed the soils going out.

Vice-Chair Peek suggested amending the motion to specify the export of 155,000 cubic yards of regulated soils.

City Attorney Harrington pointed out that bringing in the material was already part of the existing approval and this motion would not amend that approval.

The motion was read for clarification and accuracy

The motion was to APPROVE the amended construction mitigation plan for 9100 Marsac Avenue, the Montage, according to the June 3, 2010 letter from Deer Valley Luxury Resort, LLC, with direction that the Building Department come back to the Planning Commission with an update once the 155,000 cubic yard cap has been met or the date of October 1<sup>st</sup>, 2010 occurs, whichever comes first. No administrative approval shall be granted for regulated soils prior to the Building Department updating the Planning Commission either by October 1<sup>st</sup>, 2010 or when the 155,000 cubic yard cap is met.

Commissioner Hontz seconded the motion.

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

### **CONTINUATIONS**

1. 1200 Little Kate Road - Ratification of Development Agreement  
(Application #PL-09-00785)

MOTION: Commissioner Pettit moved to CONTINUE 1200 Little Kate Road to June 23, 2010. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

2. 1440 Empire Avenue - Conditional Use Permit  
(Application #PL-09-00725)

Vice-Chair Peek opened the public hearing. There was no comment. Vice-Chair Peek closed the public hearing.

MOTION: Commissioner Pettit moved to CONTINUE 1440 Empire Avenue to July 14, 2010. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

### **REGULAR AGENDA (Continued)**

2. 201 Norfolk Avenue - Extension of Steep Slope Conditional Use Permit  
**(Application #PL-10-00941)**

Commissioner Strachan recused himself and left the room.

Planner Brooks Robinson reported that this item was a request for an extension of a steep slope conditional use permit at 201 Norfolk Avenue that was originally approved on May 27<sup>th</sup>, 2009.

Planner Robinson noted that the project at 201 Norfolk is tied into the adjacent property, which the applicants also own at 16 Sampson Avenue. That property also went through a steep slope conditional use but it has not been found to meet the requirements of the Land Management Code. Although the applicants are still working on re-designing 16 Sampson, they are requesting to obtain the extension of approval for 201 Norfolk.

Planner Robinson stated that Commissioner Pettit had requested the minutes from the May 27, 2009 approval and those were emailed to the Commissioners.

Planner Robinson explained that under the Land Management Code, when considering requests for extensions of approval, the Staff looks for changes in the Land Management Code or circumstances that would require further mitigation. He noted that this was the first application that came in under a pending ordinance for LMC changes and the design review guidelines were also being amended. The application had to wait until those Code changes were adopted. No subsequent Code changes have occurred that would affect this particular project.

Finding no changes in circumstance, the Staff recommended approval of the one year extension of the approved steep slope CUP.

Commissioner Pettit stated that she had spoken with Assistant City Attorney, Polly Samuels McLean regarding the process, since she had voted against granting this particularly CUP in May 2009. She questioned how she could vote for an extension when she believed that certain criteria had not been met in terms of mitigating the impacts when this was originally approved. Assistant City Attorney McLean explained that the issue before the Planning Commission this evening was whether or not to grant the extension. It is not a revisit of the original CUP. The Planning Commission voted in favor of the application and granting the CUP, and although individual Commissioners may disagree with the vote, the Planning Commission as one unit made that decision. Ms. McLean clarified that the issue this evening is specifically directed to the section in the LMC that allows the Planning Commission to vote for an additional one year extension if the applicant is able to demonstrate no change in circumstances that would result in an unmitigated

impact. The question before the Planning Commission is whether or not no change in circumstance has been demonstrated that would result in an unmitigated impact. It has nothing to do with revisiting the application that was approved.

Commissioner Hontz asked if that also applied to Commissioners who were not on the Planning Commission at the time of the original approval and a party to that decision. Ms. McLean answered yes, because the Planning Commission as a unit made that decision, even though individual members disagreed.

Commissioner Pettit stated that after reading the LMC, she believes it is a very narrow standard. As an example, if there had been subsequent changes to the LMC that would impact this particular application, the Planning Commission would then have the opportunity to determine whether or not it was appropriate to grant the extension under the prior Code. She asked Ms. McLean if that was a correct interpretation. Assistant City Attorney McLean explained that this application came in right after the Land Management Code changed, however, if it had come in under the old Code, that would be a change of circumstances.

Commissioner Pettit felt this was a difficult position. She was being asked to make a decision on extending a CUP for an additional year when she could not support the underlying application. However, understanding that she was being asked to uphold a decision of the Planning Commission as a body, she was inclined to vote in favor of granting the extension with the caveat that she did not and still does not support the underlying application.

Vice-Chair Peek opened the public hearing.

There was no comment.

Vice-Chair Peek closed the public hearing.

Commissioner Pettit clarified that the way the LMC language reads, the extension can only be up to one year. Ms. McLean agreed. She understood that individual Commissioners may feel their hands are tied, but the Planning Commission as a Board voted on the application and granted the CUP. Therefore, they are bound by their own decisions, even if an individual disagreed with the overall Board decision.

Commissioner Hontz stated that she was not on the Planning Commission at the time of the original approval; however, in reviewing the criteria she would have voted against the application based on the number of unmitigated impacts. Commissioner Hontz understood the complexity of the situation, but felt it was difficult to consider approving an extension when she did not agree with the language and the analysis.

Assistant Attorney McLean agreed that it was a very narrow question because the entire CUP was not open for discussion. Commissioner Pettit stated that her issue is that the reason for having a sunset date for CUPs is to keep them from being going on for years without constructing the project. It also takes into account how the community develops, as well as changes in policy and

how they view the General Plan and the application of the LMC. Commissioner Pettit believed there was tension between wanting to have the ability to stay flexible as things change. Under these circumstances it is a limited extension of the original granting of the application. She suggested that the issue may need to be re-visited in terms of how the language is drafted and whether or not they should consider granting extensions.

City Attorney Harrington felt that was a fair assessment and believed the key words were “if things change”, not people change. He noted that reasonable people can disagree, which is the basis of governing, and prior decisions still need to hold for vesting, fairness and other reasons. The change needs to be either in material things or a fact for the policy as enabled by law, but not by individual perceptions. That is the reason why the CUP is tied to specific criteria and not a more subjective process. Mr. Harrington agreed with Commissioner Hontz that it is extremely difficult to approve something you werenot a party to originally and would not agree with today However, it is a separate analysis based on two specific issues.

MOTION: Commissioner Peek moved to APPROVE the request for a one-year extension of the approval of the Steep Slope Conditional Use Permit fo201 Norfolk Avenue based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in the Staff report. Commissioner Luskin seconded the motion.

VOTE: The motion passed unanimously.

#### Findings of Fact - 201 Norfolk Avenue

1. The property is located at 201 Norfolk Avenue within the Historic Residential(HR-1) zoning district.
2. The existing building started as a duplexbuilt circa 1970's. In 2000, the 201 Norfolk Avenue subdivision was approved and recorded. The subdivision created two lots, one for the for the duplex and the second for a new building located at 205 Norfolk. In 2002, the duplex was rehabilitated and converted into a single family dwelling at the same time as the construction of the adjacent (to the north) 205 Norfolk Avenue by a previous owner.
3. The existing house at 201 Norfolk is approximately 2,310 square feet.
4. The First Amended 201 Norfolk Avenue subdivision was approved in 2007 which included the adjacent (to the south) 16 Sampson Avenue. The First Amended 201 Norfolk Avenue subdivision made the 201 Norfolk property larger in order to create a garage to the south with shared access with 16 Sampson.
5. This lot is adjacent to the HRL zone and is characterized by several historic residential structures and mostly larger contemporary houses on larger lots.
6. Access to the property is from a shared driveway with 16 Sampson Avenue.

7. Under the current LMC, the minimum front yard setback for lots of this size is 10 feet.
8. Under the current LMC, the minimum rear yard setback is 10 feet.
9. Under the current LMC, the minimum side yard setback is 5 feet for this lot, with a total of 19 feet.
10. Under the current LMC, the maximum building height in the HR-1 zone is 27 feet. No height exceptions are allowed.
11. The maximum number of stories allowed is three stories.
12. The roof pitch in the HR-1 zone is required to be a minimum of 7:12, unless the roof is a flat vegetated roof.
13. The addition is two stories, with a flat, vegetated roof under the 27-foot height requirement.
14. The applicant is proposing two parking spaces within a double car garage with a shared access driveway with 16 Sampson. The garage doors face away from the street.
15. The maximum footprint for the lot is 2,168 square feet, subject to Steep Slope CUP review by the Planning Commission. The proposed footprint is 2,165 square feet with the addition.
16. The Planning Commission approved a Steep Slope Conditional Use Permit on May 27, 2009. The CUP is valid for one year unless a building permit or an extension is granted.
17. An application for extension of approval was received on March 31, 2010.
18. The findings in the Analysis Section of this report are incorporated herein.

#### Conclusions of Law - 201 Norfolk Avenue

1. The CUP and extension, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B) and 15-1-10(G).
2. The CUP extension, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.
5. No change in circumstance that would result in an unmitigated impact has been found.

#### Conditions of Approval - 201 Norfolk Avenue

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.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. A final landscape plan shall be submitted for review and approval by the City Landscape Architect, prior to building permit issuance.
5. No building permits shall be issued for this project unless and until the design of the addition is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit and the Historic District Design Guidelines.
6. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges.
7. Prior to the issue of a building permit the applicant shall submit a detailed shoring plan with calculations that have been prepared, stamped and signed by a licensed structural engineer, if required by the Building Department.
8. This approval will expire on May 27, 2011, if an application for a building permit has not been submitted prior to this date.
9. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission.

The Park City Planning Commission meeting adjourned at 7:00 p.m.

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

## **CONSENT AGENDA**



## Planning Commission Staff Report



**Subject:** 1144 Woodside Avenue  
**Author:** Katie Cattan  
**Application #:** PL-10-00968  
**Date:** June 23, 2010  
**Type of Item:** Administrative – Plat Amendment

### **Summary Recommendations**

Staff recommends that the Planning Commission review the plat amendment application, conduct a public hearing, and consider forwarding a positive recommendation to the City Council for the 1144 Woodside Avenue Plat Amendment according to the findings of fact, conclusions of law, and conditions of approval outlined in the attached ordinance.

### **Topic**

Applicant:	Rebecca and Mike Monson
Location:	1144 Woodside Avenue
Zoning:	Historic Residential (HR-1)
Adjacent Land Uses:	Residential
Reason for Review:	Plat amendment require Planning Commission review and City Council approval

### **Background**

On May 14, 2010, the City received a completed application for a plat amendment for the existing property at 1144 Woodside Avenue. The plat amendment combines all of Lots 20 and 21 of Block 5 of Snyder's Addition to the Park City survey. The resulting lot of record is 50 feet wide by 75 feet deep. Currently, there is an asphalt driveway located on the two lots but there is no structure. The driveway is utilized by the adjacent historic home.

The applicant has not submitted any additional applications with the plat amendment. The applicant has mentioned that they plan to build a single home on the location in the future. The applicant cannot obtain a building permit to build across a lot line. A plat amendment must be recorded prior to issuance of a building permit to remove the interior lot line. Any future applications for a structure will require the approval of a historic district design review application.

### **Analysis**

The application is to create one lot of record at 1144 Woodside Avenue. Currently, the site is vacant and utilized as a parking space for the home located directly behind it on Park Avenue. The home is owned by a relative. The home on Park Avenue is an existing historic structure and therefore does not require off-street parking per LMC Section 15-2.2-4. The plat amendment will remove an interior lot line to accommodate the future plans of a single family home.

The proposed plat amendment will create one lot of record that is 50 feet wide by 75 feet deep. The area of the proposed lot is 3750 square feet. The minimum lot

size in the HR-1 zoning district is 1875 square feet. The minimum lot width in the HR-1 zone is 25 feet.

The following table explains the site requirements for lots within the HR-1 zoning district and how the proposals comply with the zoning regulations:

Required	Proposed Lot
Lot Size: Minimum 1875 square feet	3750 square feet
Density: Minimum lot size for single family dwelling is 1875 square feet and for a duplex 3,750 square feet.	Single family dwelling is an allowed use. A duplex requires a conditional use permit.
Front yard. The minimum front yard is ten feet. (10')	The minimum front yard is ten feet (10').
Rear yard. The minimum rear yard is ten feet (10')	The minimum rear yard is ten feet (10').
Side yard. The minimum side yard is five feet (5') on each side with a total of ten feet (10') combined.	The minimum side yard is five feet (5') on each side with a total of ten feet (10') combined.
Footprint: based on 3,750 square foot lot	1518.75 square feet

There are several existing encroachments onto the property including a shed, two fences, and a portion of a neighboring driveway. The applicant must either remove the existing encroachments or record encroachment agreements with the neighboring property owners prior to plat recordation.

Planning Staff finds there is good cause for the plat amendment as it will remove an interior lot line and create a clean ownership boundary for the property. Staff finds that the plat will not cause undo harm on any adjacent property owners because the proposal meets the requirements of the Land Management Code and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements.

**Department Review**

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at internal Staff meetings where representatives from local utilities and City Staff were in attendance. Issues which were brought up during the staff meeting have been resolved.

**Notice**

Notice of this hearing was sent to property owners within 300 feet and the property was posted 14 days prior to the Planning Commission meeting. Legal notice was also placed in the Park Record.

### **Public Input**

No comments have been received by staff at the date of this writing.

### **Alternatives**

1. The Planning Commission may forward a positive recommendation to the City Council for 1144 Woodside Avenue Plat as conditioned or amended; or
2. The Planning Commission may forward a negative recommendation to the City Council for the 1144 Woodside Avenue Plat and direct staff to make Findings for this decision; or
3. The Planning Commission may continue the 1144 Woodside Avenue Plat.

### **Significant Impacts**

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

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

The lots would remain as is and a future building permit across the two lots could not be obtained by the owner.

### **Recommendation**

Staff recommends that the Planning Commission hold a public hearing the 1144 Woodside Avenue Plat and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

### **Exhibits**

Exhibit A – Proposed Ordinance

Exhibit B – Survey

**Ordinance No. 10-**

**AN ORDINANCE APPROVING THE 1144 WOODSIDE AVENUE PLAT  
LOCATED WITHIN LOT 20 AND 21 IN BLOCK 5 OF SNYDERS ADDITION TO  
THE PARK CITY SURVEY, PARK CITY, SUMMIT COUNTY, UTAH**

**WHEREAS**, the owner of the properties known as 1144 Woodside Avenue, has petitioned the City Council for approval of a plat amendment for the existing Lots 20 and 21 in Block 5 of Snyder's Addition to the Park City Survey; and

**WHEREAS**, the property was properly noticed and posted according to the requirements of the Land Management Code; and

**WHEREAS**, proper legal notice was sent to all affected property owners; and

**WHEREAS**, the Planning Commission held a public hearing on June 23, 2010, to receive input on the 1144 Woodside Avenue Subdivision; and

**WHEREAS**, the Planning Commission, on June 23, 2010, forwarded a positive recommendation to the City Council; and

**WHEREAS**, on July\_15, 2010, the City Council approved the 1144 Woodside Avenue Subdivision; and

**WHEREAS**, it is in the best interest of Woodside City, Utah to approve the 1144 Woodside Avenue Subdivision.

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

**SECTION 1. APPROVAL** The above recitals are hereby incorporated as findings of fact. The 1144 Woodside Avenue Plat as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 1144 Woodside Avenue within the HR-1 zoning district.
2. The plat amendment is for the existing Lots 20 and 21 of Block 5 of Snyder's Addition to the Park City Survey.
3. The proposed plat amendment will create one lot of record that is 50 feet wide by 75 feet deep. The minimum lot width in the HR-1 zone is 25 feet.
4. The area of the proposed lot is 3750 square feet. The minimum lot size in the HR-1 zoning district is 1875 square feet.
5. The lot is vacant with an existing asphalt driveway.
6. The neighborhood is characterized by single family and multi-family homes and condominiums.

7. All findings within the Analysis section are incorporated herein.

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 and plat amendments.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The applicant will record the subdivision at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. A ten foot wide public snow storage easement is required along the front of the property.
4. No remnant parcels are created.
5. There are several existing encroachments onto the property including a shed, two fences, and a portion of a neighboring driveway. The applicant must either remove the existing encroachments or record encroachment agreements with the neighboring property owners prior to plat recordation.
6. Modified 13-D sprinklers shall be required for all occupied structures.

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

PASSED AND ADOPTED this \_\_\_<sup>th</sup> day of July 2010.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Dana Williams, Mayor

Attest:

\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

\_\_\_\_\_  
Mark D. Harrington, City Attorney







## Planning Commission Staff Report



**Subject:** 321 McHenry Avenue  
**Author:** Katie Cattan  
**Application #:** PL-10-00973  
**Date:** June 23, 2010  
**Type of Item:** Administrative – Plat Amendment

### Summary Recommendations

Staff recommends that the Planning Commission review the Plat Amendment application, conduct a public hearing, and consider forwarding a positive recommendation to the City Council for the 321 McHenry Avenue Plat Amendment according to the findings of fact, conclusions of law, and conditions of approval outlined in the attached ordinance.

### Topic

**Applicant:** Ed Axtell  
**Location:** 321 McHenry Avenue  
**Zoning:** Historic Residential Low-density (HRL)  
**Adjacent Land Uses:** Residential  
**Reason for Review:** Subdivision require Planning Commission review and City Council approval

### Background

On May 25, 2010, the City received a completed application for a Plat Amendment for the existing property at 321 McHenry Avenue. The Plat Amendment combines the All of lot 28 and portions of lots 3, 4, 5, 29, 30, 31, and 32, of Block 59, of the Park City survey. There is an existing non-historic home located on the property.

On April 6, 2010, the applicant received approval of a variance to reduce the front yard and side yard setbacks to accommodate a garage. The applicant cannot obtain a building permit to build across a lot line. A Plat Amendment must be recorded prior to issuance of a building permit to remove the interior lot line. The garage will also require the approval of a historic district design review application.

### Analysis

The application is to create one lot of record at 321 McHenry Avenue. Currently, the property is made of portions of 8 old town lots. The Plat Amendment will remove the interior lot lines to accommodate the future plans of a garage.

The proposed Plat Amendment will create one uniquely configured lot of record that is approximately 123 feet wide by a varying depth of 75 to 17 feet. The area of the proposed lot is 4,610 square feet. The minimum lot size in the HRL zoning district is 3750 square feet. The minimum lot width in the HRL zone is 35 feet.

The following table explains the site requirements for lots within the HRL zoning district and how the proposals comply with the zoning regulations:

Required Proposed	Lot
Lot Size: Minimum 3750 square feet	4610.85 square feet
Density: Minimum lot size for single family dwelling 3,750 square feet.	Single family dwelling is an allowed use.
Front yard. The minimum front yard is ten feet. (10')	The minimum front yard is ten feet (10'). Variance received from BOA for a five feet (5') front yard for the future garage only.
Rear yard. The minimum rear yard is ten feet (10')	The minimum rear yard is ten feet (10').
Side yard. The minimum side yard for a lot greater than 100 feet wide is 10 feet minimum with a minimum side yard total of 30 feet combined.	Existing non-conforming side yard on north property line. Variance received from BOA for a six and a half feet (6.5') side yard on south property line for garage.
footprint	2095 square feet

LMC Section 15-2.1-3(D) regulates maximum building footprint in the HRL zone. Footprint is calculated based on the total area of the lot. The applicant is dedicating 1195.94 square feet of property to the City as McHenry right of way. The applicant is not receiving any property from the City. The applicant has requested that the area of dedication be included in the footprint calculation. The maximum footprint based on the property owned prior to right of way dedication (5806.79 sf) is 2095 square feet. The maximum footprint based on the proposed lot after right of way dedication (4610.85 sf) is 1779 square feet. By allowing the footprint to be calculated including the dedication, the property owner receives the right to an additional 316 square feet of footprint. The previous City Engineer had expressed to the applicant that he would support this methodology for calculating footprint given the road dedication. The footprint of the existing home at 321 McHenry is approximately 800 square feet.

Planning Staff finds there is good cause for the Plat Amendment as it will remove interior lot lines and create a clean ownership boundary for the property. Staff finds that the plat will not cause undo harm on any adjacent property owners because the proposal meets the requirements of the Land Management Code and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements.

#### **Department Review**

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at internal Staff meetings where representatives from local utilities and City Staff were in attendance. Issues which were brought up during the staff meeting have been resolved.

### **Notice**

Notice of this hearing was sent to property owners within 300 feet and the property was posted 14 days prior to the Planning Commission meeting. Legal notice was also placed in the Park Record.

### **Public Input**

No comments have been received by staff at the date of this writing.

### **Alternatives**

1. The Planning Commission may forward a positive recommendation to the City Council for 321 McHenry Avenue Plat Amendment as conditioned or amended; or
2. The Planning Commission may forward a negative recommendation to the City Council for the 321 McHenry Avenue Plat Amendment and direct staff to make Findings for this decision; or
3. The Planning Commission may continue the 321 McHenry Avenue Plat Amendment.

### **Significant Impacts**

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

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

The lot would remain as is and a future building permit for an addition could not be obtained by the owner.

### **Recommendation**

Staff recommends that the Planning Commission hold a public hearing the 321 McHenry Avenue Plat Amendment and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

### **Exhibits**

Exhibit A – Proposed Ordinance

Exhibit B – Survey

**Ordinance No. 10-**

**AN ORDINANCE APPROVING THE 321 MCHENRY AVENUE PLAT AMENDMENT LOCATED WITHIN BLOCK 59 OF THE PARK CITY SURVEY, PARK CITY, SUMMIT COUNTY, UTAH**

**WHEREAS**, the owner of the properties known as 321 McHenry Avenue, has petitioned the City Council for approval of a Plat Amendment for the existing Lot 28 and portions of Lots 3, 4, 5, 29, 30, 31, and 32 of Block 59 of the Park City Survey; and

**WHEREAS**, the property was properly noticed and posted according to the requirements of the Land Management Code; and

**WHEREAS**, proper legal notice was sent to all affected property owners; and

**WHEREAS**, the Planning Commission held a public hearing on June 23, 2010, to receive input on the 321 McHenry Avenue Plat Amendment; and

**WHEREAS**, the Planning Commission, on June 23, 2010, forwarded a positive recommendation to the City Council; and

**WHEREAS**, on July 15, 2010, the City Council approved the 321 McHenry Avenue Plat Amendment; and

**WHEREAS**, it is in the best interest of Park City, Utah to approve the 321 McHenry Avenue Plat Amendment.

**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 321 McHenry Avenue Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 321 McHenry Avenue within the HRL zoning district.
2. The Plat Amendment is for the existing Lot 28 and portions of Lots 3, 4, 5, 29, 30, 31, and 32 of Block 59 of the Park City Survey.
3. The proposed Plat Amendment will create one uniquely configured lot of record that is approximately 123 feet wide by a varying depth of 75 to 17 feet. The area of the proposed lot is 4,610 square feet. The minimum lot size in the HRL zoning district is 3750 square feet. The minimum lot width in the HRL zone is 35 feet.
4. There is an existing non-historic home located at 321 McHenry Avenue.
5. The neighborhood is characterized by single family and multi-family homes.

6. A right of way dedication of 1195.94 square feet will be dedicated to the City upon recordation.
7. The maximum footprint based on the property owned prior to right of way dedication (5806.79 sf) is 2095 square feet. The maximum footprint based on the proposed lot after right of way dedication (4610.85 sf) is 1779 square feet. By allowing the footprint to be calculated including the dedication, the property owner receives the right to an additional 316 square feet of footprint.
8. All findings within the Analysis section are incorporated herein.

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.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording 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 and the plat will be void.
3. A ten foot wide public snow storage easement is required along the front of the property.
4. No remnant parcels are separately developable.
5. A plat note will be added to the parcel which allows a maximum footprint of 2095 square feet.

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

PASSED AND ADOPTED this \_\_\_<sup>th</sup> day of July 2010.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Dana Williams, Mayor

Attest:

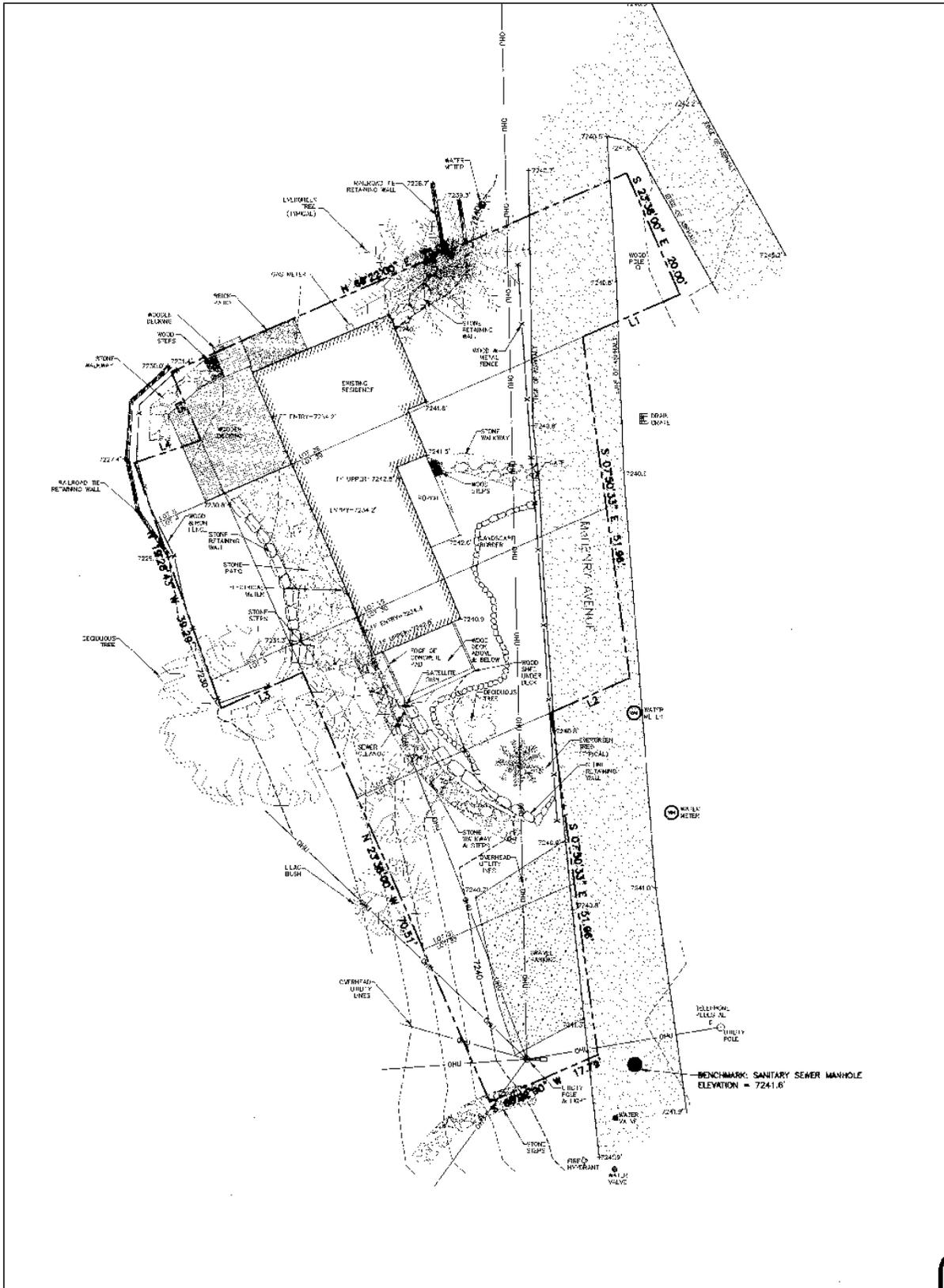
\_\_\_\_\_  
Janet M. Scott, City Recorder

Approved as to form:

---

Mark D. Harrington, City Attorney





# Planning Commission Staff Report



**Subject:** 6808 Silver Lake Drive  
**Author:** Kirsten Whetstone  
**Date:** June 23, 2010  
**Type of Item:** Administrative – Plat Amendment  
**Project Number:** PL-10-00955

## Summary Recommendation

Staff recommends the Planning Commission hold a public hearing and consider approving the Lots 16 and 17, Amended Plat of Evergreen plat amendment based on the findings of fact, conclusions of law and conditions of approval as found in the attached ordinance.

## Topic

**Applicant:** Morton Phillips, owner's representative  
**Location:** 6808 Silver Lake Drive  
**Zoning:** Residential Development (RD)  
**Adjacent Land Uses:** Residential and Deer Valley Resort ski runs and trails  
**Reason for Review:** Plat amendments require Planning Commission review and City Council approval

## Background

On May 5, 2010, the applicant submitted a complete application for a plat amendment to combine Lots 16 and 17 of the Amended Plat of Evergreen Subdivision (Exhibit A). The Amended Plat of Evergreen Subdivision was recorded at Summit County on May 17, 1988. Lots 16 and 17 are located on the uphill side of Silver Lake Drive adjacent to Deer Valley Resort's Last Chance Ski Trail. The property is located within the Deer Valley Master Planned Development.

There is an existing house on the property. The house was constructed in 1994 and straddles the common lot line between Lots 16 and 17. At the time of construction, plat amendments combining lots was not required. This plat amendment is a request to remove the common lot line between Lots 16 and 17 and create one lot of record for the existing house at 6808 Silver Lake Drive.

Approval and recordation at Summit County of the plat amendment is a condition precedent to issuance of a final certificate of occupancy for the current construction proposal to enclose an existing covered deck adding 150 sf of floor area to the house.

## Analysis

Staff finds good cause for this plat amendment as the amended plat would create

a legal lot of record for an existing house and bring the structure into compliance with lot setbacks.

	Permitted	Existing
Front setback	10' (per plat note exception from 20' required by LMC)	30'
Rear setback	15'	27'
Side setbacks	12'	17' (west), 110' (east), 18' (southeast)
Lot size	Per subdivision plat, no minimum, no maximum	Lot 16- 12,556.68 sf Lot 17- 13,279.76 sf
Maximum Floor Area	7,500 sf maximum per lot 11,250 sf for combined lots, excluding 600 sf for a garage.	10,123 sf (excluding 600 sf for garage, includes entire basement). Proposed deck enclosure adds 150 sf to the house for total of 10, 273 sf.
Parking	two spaces	three spaces within garage, additional on driveway

The house at 6808 Silver Lake Drive is a legal non-conforming structure as the building crosses the common lot line. The survey of the property indicates an encroachment by 4' of a concrete and stone retaining wall for approximately 18 linear feet within the Silver Lake Drive right-of-way. The wall is approximately 4 to 5 feet in height (Exhibit B). The proposed plat amendment is consistent with the Deer Valley Master Planned Development in that no additional density is created as the number of units/lots is decreased by one. Total floor area for a lot combination in the RD zone, for a lot with a maximum Floor Area, is 11,250 sf. The existing house contains 10,123 sf, excluding 600 sf for the garage. The proposed lot size of 25,836.44 is consistent with the range of lot sizes in the neighborhood. Lots in the Amended Plat of Evergreen range in area from 10,124 sf to 54,394 sf. With the proposed deck enclosure the house size would be 10,273 sf.

**Process**

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 15-1-18. Staff review of a Building Permit is not publicly noticed nor subject to review by the Planning Commission unless appealed.

**Department Review**

This project has gone through an interdepartmental review. Issues raised include the encroachment of an existing retaining wall and the maximum house size for

combined lots in the RD zone. These issues are addressed with conditions of approval.

### **Notice**

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record.

### **Public Input**

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

### **Alternatives**

- The Planning Commission may approve the Lots 16 and 17, Amended Plat of Evergreen plat amendment as conditioned or amended; or
- The Planning Commission may deny the plat amendment and direct staff to make findings for this decision; or
- The Planning Commission may continue discussion on the plat amendment to a date certain and request additional information.

### **Significant Impacts**

There are no significant fiscal or environmental impacts from this application as the house is existing and the footprint is not expanded.

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

The lot lines would remain as they are today and the addition could not be constructed across the common lot line. The house would remain a non-complying structure.

### **Recommendation**

Staff recommends the Planning Commission hold a public hearing and consider approving the Lots 16 and 17, Amended Plat of Evergreen plat amendment based on the findings of fact, conclusions of law and conditions of approval as found in the attached ordinance.

### **Exhibits**

Ordinance

Exhibit A- Proposed Plat

Exhibit B- Existing Plat

Exhibit C- Photo

**Draft Ordinance No. 10-**

**AN ORDINANCE APPROVING THE 6808 SILVER LAKE DRIVE PLAT  
AMENDMENT COMBINING LOTS 16 AND 17, AMENDED EVERGREEN  
SUBDIVISION PLAT,  
PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 6808 Silver Lake Drive has petitioned the City Council for approval of the Lots 16 and 17, Amended Plat of Evergreen; and

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

WHEREAS, proper notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on June 23, 2010, to receive input on the proposed plat amendment; and

WHEREAS, the Planning Commission, on June 23, 2010, forwarded a recommendation to the City Council; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment to create a legal lot of record for an existing house.

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 Lots 16 and 17, Amended Plat of Evergreen plat amendment, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact**

1. The property is located in the Residential Development (RD) zone and is subject to Section 15-2.13 of the Land Management Code and the Deer Valley Master Planned Development.
2. The RD zone is characterized by single family permanent and second home and resort development condominiums and hotels.
3. The property is located at 6808 Silver Lake Drive in the Silver Lake part of Deer Valley. The property is located next to ski runs of the Deer Valley Resort.
4. The property consists of Lots 16 and 17 of the amended plat of Evergreen subdivision. The amended plat was recorded at Summit County in May 17, 1988. A plat amendment to combine these lots into one lot of record is

required before final building permits or certificates of occupancy for new construction can be issued.

5. There is a non- historic concrete wall with rock veneer (4' to 5' in height) in the front yard that encroaches approximately 4' into the Silver Lake Drive right of way for a distance of approximately 18 feet.
6. Maximum Floor Area is 11,250 sf for a combination of 2 lots, excluding 600 sf for a garage. The existing house contains 10,123 sf of floor area, excluding 600 sf for the garage. This includes the entire basement area. The proposed deck enclosure adds 150 sf of floor area.
7. There is no minimum or maximum lot size associated with the Amended Plat of Evergreen subdivision. The combined lot resulting from this plat amendment is 25,836.44 square feet in area.
8. Lots in the Amended Plat of Evergreen range in area from 10,124 sf to 54,394 sf.
9. The plat amendment does not increase the density allowed by the Deer Valley Master Planned Development.
10. The applicant stipulates to the conditions of approval.
11. The discussion in the Analysis section is incorporated herein.

#### 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 plat amendments.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

#### Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law; the Land Management Code; requirements for utility, snow storage, and encroachment agreements; and any conditions of approval, prior to recordation of the plat.
2. The applicant will record the subdivision 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 subdivision will be void, unless the City Council grants an extension of the approval.
3. Execution and recordation of an encroachment agreement for the existing wall segment is a condition precedent to recordation of the plat amendment.
4. A note shall be included on the plat stating that the maximum Floor Area for this lot is 11,250 sf, excluding 600 sf for the garage.

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

PASSED AND ADOPTED this \_\_\_\_\_ day of July, 2010.

PARK CITY MUNICIPAL  
CORPORATION

\_\_\_\_\_  
Dana Williams, MAYOR

ATTEST:

\_\_\_\_\_  
Jan Scott, City Recorder

APPROVED AS TO FORM:

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





Exhibit C





## **REGULAR AGENDA**



# Planning Commission Staff Report



**Subject:** 692 Main Street (Marriot Summit Watch/Town Lift MPD)  
**Author:** Brooks T. Robinson  
**Application #:** PL-10-00961  
**Date:** June 23, 2010  
**Type of Item:** Administrative - Master Planned Development Amendment

## Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing and consider approval of the Master Planned Development amendment based on the findings of fact, conclusions of law, and conditions of approval as found in this staff report.

## Description

**Applicant:** LCC Properties, LC, represented by Kevin Horn, architect  
**Location:** 692 Main Street and David Luber  
**Zoning:** Historic Recreation Commercial (HRC) with Historic Commercial Business (HCB) regulations. Master Planned Development  
**Adjacent Land Uses:** Commercial, Summit Watch to north, Zoom restaurant to south, Residential Condominiums to the east and west.

## Background

The building at 692 Main Street has been used as the Sales Gallery for the Marriott Summit Watch project since its construction in 1992. The Summit Watch project was originally part of the Town Lift development that included the Sweeney properties to the west but was subsequently bifurcated. The Town Lift project was subject to a Property Exchange Agreement with Park City which paved the way for the development of Lower Main Street and a two subsequent 1992 Amendments (documents available at Planning Offices)

In September 1991, the City Council approved a Concept Plan of the Town Lift Project (Exhibit B). In that Concept Plan, the Council laid out maximum square footages for the project as well as anticipating that the project would be developed in Phases.

In April 1992, Planning Commission approved a small scale MPD for Town Lift Phase I. Phase I included buildings A1-A3. The building at 692 Main Street was called A1. Initially, Building A1 was proposed to have 6 residential units comprising 4.5 Unit Equivalents (UEs) and 1,832 square feet of commercial space (1.8 UEs) under the LMC at the time. Under the 1992 MPD, Building A1 was allocated a total of 6.3 UEs.

The 1994 revised Concept Plan indicated Building A1 to be allocated 7,200 square feet of Commercial with no Residential. Conditions of Approval for both 1992 and 1994 Concept Plans included the review and approval of building plans by the Town Lift

Design Review Task Force. Building plans dated August 1993 for building A-1 reflect the as built conditions.

The applicant is a contract purchaser of the Building at 692 Main Street, formerly known as Building A-1. The Pre-MPD meeting held on April 28, 2010, was a public hearing where the applicant presented preliminary concepts for the Master Planned Development and the public could address neighborhood concerns. There was no public input. The Planning Commission reviewed the concepts and found no issues and could make a finding that the project initially complies with the General Plan and zoning regulations in the Land Management Code. The finding of General Plan compliance is included in the Findings for this report.

Also on April 28<sup>th</sup>, the Planning Commission forwarded a positive recommendation to the City Council to modify the 1991 Concept Plan condition of approval approved by the City Council to no longer require a Design Task Force and instead follow the current Historic Design Review process as found in the Land Management Code. The City Council heard this request on May 20, 2010 and approved the following modified Condition of Approval #3(c):

“The **Planning Department** ~~Historic District Commission~~ will be required to review and approve volumetrics for Phase I which will address maximum building heights, necessary stepping, acceptable building materials and colors as well as general design features. The **Planning Department** ~~HDC~~ will also be required to approve specific building design for the proposed structures **or additions within the original Town Lift Concept Plan area pursuant to the Historic Design Review process as found in the Land Management Code. The review process shall be the same as the Historic Design Review.**”

### **Analysis**

The existing Marriott Summit Watch project was built under the 1994 revised Concept Plan. The overall project is a mixed use development with commercial and residential uses and underground parking. The 1991 Concept Plan proposed Building A1 as 1.8 UEs of commercial and 4.5 UE of residential. The subsequent 1994 Concept Plan indicated an already completed building with an allocation of 7,200 square feet of commercial and no residential. The actual built condition is 6,556 square feet (net) of Commercial space. It is two stories with a basement. A second story balcony protrudes from the front of the building towards Main Street. At the April 28 meeting, it was discussed that the applicant could make minor modifications to the building subject to design review to increase the net square footage up to 7,200 square feet commercial.

The Land Management Code calculates Commercial Unit Equivalent (UEs) at one UE for every 1,000 square feet and Residential UEs at one UE for every 2,000 square feet. The difference is a calculation based on the intensity of use. At the time of the original approval, the LMC calculated Residential UEs based on a table that allocated fractions of UEs based on individual unit sizes. Today's Code takes the entire square footage of the residential component and divides by 2,000 to get a UE number. The Commercial UE calculation has remained unchanged.

The applicant proposes to remodel and add two stories to the existing building and create a mix of Commercial and Residential. Therefore, applicant is asking to change the envelope of the building by increasing the height by two stories and to change part of the use of the building. This proposal reduces the current Commercial uses from 6,556 square feet (net) to 3,050 square feet (net) and adds Residential use while staying below the total 7.2 Unit Equivalents (UEs) allocated in the 1994 Concept Plan. The Unit Equivalents, under today's Land Management Code, would be 3.05 UEs of Commercial and 3.38 UEs of Residential. The total UEs shown in the 1994 Concept Plan are 7.2. The combined UEs in the 1992 MPD was 6.3UEs. Currently proposed are 6.43 UEs. The footprint of the building increases with the minor addition and enclosure under the deck facing Main Street.

The current proposal is for a remodel and addition to an existing two story (with basement) building. The basement level will maintain the mechanical, elevator equipment, service kitchen and restrooms, while converting storage space to ski lockers and a ski service/storage area. The Main Street level will be a restaurant/bar along with a market/deli. The restaurant/bar space may open to the public or may be for timeshare members only. The market/deli would be open to the public. The second floor would be converted to four residential units of 480, 650, 700 and 750 square feet. The new third story will also contain four residential units of the same size as the second floor. The fourth story will contain one residential unit of 1,600 square feet. Under the proposal, there would be a total of 9 residential time share units which, based on their square footage are the equivalent to 3.38 UEs.

The development of the project was allowed under the HCB zone rules per the 1982 Agreement. Included in the HCB zone is a Floor Area Ratio (FAR). The lot area is 5,074 square feet with an FAR of 4.0 yielding a total possible building square footage 20,296 square feet. The proposal, including the existing two story building and basement, shows a total of 13,797 square feet.

Height is also determined under the HCB zoning regulations and an establishment of "Natural Grade". The current maximum height in the HCB is 45 feet. Both the Main street façade and the rear façade may only extend up to 30 feet and then angle back at 45 degrees to the maximum building height. The proposed building meets this requirement (see Exhibit A).

The staff report for the 1992 Phase I small scale MPD showed a comparison of the commercial/residential ratio from the original plan. The Planning Commission at that time had indicated that the commercial square footage be decreased (which it did by half). Again, in 1994, the staff report for the Summit Watch project indicates the commercial square footage "has been dramatically decreased" to almost a third of the 1991 concept plan. The intent of the City was for less commercial and more residential in the entirety of the MPD. The proposal for 692 Main in this MPD amendment meets the intent of the previous MPD and Concept Plans and discussions in reducing the amount of commercial square footage and increasing the amount of residential.

### General Plan compliance

Staff analysis in *italics*. The specific elements of the General Plan that apply to this project are included.

### Historic Core Policies

The designated historic district, which is subject to special design and preservation regulations, best defines the historic core of the City. Citizens feel strongly that the core must continue to provide a range of services for residents, while also functioning as an attraction for tourists. The goal for the historic district is to maintain it as the center of the community, not just as a stage set for tourism. The following policies will help accomplish this goal:

- Keep City and other government offices and services in the downtown, to maintain the function of the historic core as a gathering place. Similarly, concentrate in the historic area certain commercial uses that attract and encourage interaction among local residents (e.g., bookstores, card shops, coffee shops, and post office). **Complies.** *The proposed addition and remodel changes a Timeshare Sales Gallery into a mixed-use building with a Market/Deli and Grill/Bar on the Main Street level.*
- To maintain commercial viability, promote year-round demand by residents and workers for services, restaurants, entertainment, and similar uses in the core. **Complies as conditioned.** *The public market/deli portion of the building on the Main Street level meets this goal. The restaurant/bar area may be open to the public.*
- Maintain the historic character of buildings. **This policy is not applicable.** *The existing building is not historic.*
- Support programs that make the downtown attractive to potential businesses. **This policy is not applicable.**
- Promote the continuation and augmentation of a pedestrian-friendly environment in the downtown. **Complies.** *The commercial Main Street level uses promote a pedestrian friendly downtown.*
- Work to ensure the continued livability of residential areas around the historic commercial core. **Complies.** *Although a Timeshare project, the residential uses will generate business for Old Town commercial uses and help provide a few jobs. The project would have no impact either way on the livability of the residential areas around the historic core.*

### Community Design Policies

- Encourage comprehensive, efficient developments that consider the overall impact on surrounding properties. Phasing plans for such projects will be necessary to avoid the premature expansion of utilities and other public facilities. **Complies.** *A single phase of construction is proposed.*
- Encourage distinct neighborhoods surrounded by open space. Develop neighborhood-specific design guidelines to promote neighborhood cohesiveness. **This policy is not applicable.**
- Approve development only when adequate public services and facilities are available, or will be available when needed to serve the project. **Complies.**

*Adequate public services and facilities are available.*

- Encourage affordable housing in close proximity to lodging, bus routes, resorts and such essential services as shopping, recreation, and medical services.

**Complies.** *The Summit Watch project provided affordable housing on Park Avenue on the bus route. Because the overall UEs of the building (and the entire Summit Watch project) is not changing, this amendment does not require additional mitigation.*

- Encourage a mix of housing styles within new developments with a preference for second homes and housing units that provide bed base for tourists.

**Complies.** *The timeshare project will provide additional bed base across from the Town Lift.*

### Master Planned Development Criteria

In accordance with Section 15-6-5 of the Land Management Code, all Master Planned Developments shall contain the following minimum requirements.

*(A) **DENSITY.** The type of Development, number of units and Density permitted on a given Site will be determined as a result of a Site Suitability Analysis and shall not exceed the maximum Density in the zone, except as otherwise provided in this section. The Site shall be looked at in its entirety and the Density located in the most appropriate locations.*

**Complies.** Density is determined by Unit Equivalents. The approved density for this building is 7.2 UEs of Commercial pursuant to the 1994 revised concept plan. This amendment would be a reduction in density to 6.43 UEs although an increase in building size. Under the 1991 MPD approval, a mix of commercial and residential was allocated as 6 residential units comprising 4.5 Unit Equivalents (UEs) and 1,832 square feet of commercial space (1.8 UEs) for a total of 6.3 UEs.

**(B) MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED DEVELOPMENTS WITHIN THE HR-1 DISTRICT. (Not applicable)**

*(C) **SETBACKS.** The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels greater than one (1) acre in size.*

**Not Applicable the setbacks for the building are not changing.**

*(D) **OPEN SPACE.** All Master Planned Developments shall contain a minimum of sixty percent (60%) open space.*

**Complies.** The open space for the entire Summit Watch project was previously determined at greater than 60% with the open plazas and the green space to the east.

**(E) OFF-STREET PARKING.**

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

**Complies.** Parking is already provided for with a 23 spaces recorded as an easement within the greater Summit Watch project. The amount of parking is sufficient to meet the size of each of the proposed uses as follows:

Use	Ratio	Quantity	Required	Provided
Multi-family <650sf	1/unit	4 units	4	4
Multi-family <1000sf	1.5/unit	4	6	6
Multi-family >1000sf	2/unit	1	2	2
Restaurant/Bar	5/1000sf	955	5	5
Lobby/Market (Retail & Services)	3/1000sf	1764	5.3	6
<b>Total</b>			<b>23</b>	<b>23</b>

*(F) **BUILDING HEIGHT.** The height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in height based upon a Site specific analysis and determination.*

**Complies.** The proposed addition is planned to meet the height of the HCB zone (45 feet) with the angles back from the front and rear property lines. The Summit Watch height is based on a grade line interpolated from “a grade extending from the back of curb on the east side of Park Avenue to the back of curb on the West side of Deer Valley Drive.” (Condition of Approval#1, City Council action September 23, 1991).

*(G) **SITE PLANNING.** An MPD shall be designed to take into consideration the characteristics of the Site upon which it is proposed to be placed. The project should be designed to fit the Site, not the Site modified to fit the project. The following shall be addressed in the Site planning for an MPD:*

*(1) Units should be clustered on the most developable and least visually sensitive portions of the Site with common open space separating the clusters. The open space corridors should be designed so that existing Significant Vegetation can be maintained on the Site.*

**Complies.** The building will increase in height two stories but there are no changes to the site planning.

*(2) Projects shall be designed to minimize Grading and the need for large retaining Structures.*

**Not Applicable.**

*(3) Roads, utility lines, and Buildings should be designed to work with the Existing Grade. Cuts and fills should be minimized.*

**Not Applicable.**

*(4) Existing trails should be incorporated into the open space elements of the project and should be maintained in their existing location whenever possible. Trail easements for existing trails may be required. Construction of new trails will be required consistent with the Park City Trails Master Plan.*

**Not Applicable.**

*(5) Adequate internal vehicular and pedestrian/bicycle circulation should be provided. Pedestrian/ bicycle circulations shall be separated from vehicular circulation and may serve to provide residents the opportunity to travel safely from an individual unit to another unit and to the boundaries of the Property or public trail system. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements.*

**Not Applicable.**

*(6) The Site plan shall include adequate Areas for snow removal and snow storage. The landscape plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. The assumption is that snow should be able to be stored on Site and not removed to an Off-Site location.*

**Not Applicable.**

*(7) It is important to plan for refuse storage and collection and recycling facilities. The Site plan shall include adequate Areas for dumpsters and recycling containers. These facilities shall be Screened or enclosed. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests.*

**Complies.** The Summit Watch project has dumpsters in the underground parking area for use by this building.

*(8) The Site planning for an MPD should include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.*

**Not Applicable to this amendment.** Summit Watch has drop off areas and the Main Street trolley serves the west side.

*(9) Service and delivery Access and loading/unloading Areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.*

**Complies.** Service and delivery are located along Main Street and in the adjacent plaza as well as from the underground parking garage.

*(H) **LANDSCAPE AND STREETScape.** To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. Where landscaping does occur, it should consist primarily of appropriate drought tolerant species. Lawn or turf will be limited to a maximum of fifty percent (50%) of the Area not covered by Buildings and other hard surfaces and no more than seventy-five percent (75%) of the above Area may be irrigated. Landscape and Streetscape will use native*

rock and boulders. Lighting must meet the requirements of LMC Chapter 15-5, Architectural Review.

**Not Applicable.**

*(I) **SENSITIVE LANDS COMPLIANCE.** All MPD Applications containing any Area within the Sensitive Areas Overlay Zone will be required to conduct a Sensitive Lands Analysis and conforms to the Sensitive Lands Provisions, as described in LMC Section 15-2.21.*

**Not Applicable.**

*(J) **EMPLOYEE/AFFORDABLE HOUSING.** MPD Applications shall include a housing mitigation plan which must address employee Affordable Housing as required by the adopted housing resolution in effect at the time of Application.*

**Complies.** The Summit Watch project provided affordable housing at the time of initial construction. No additional affordable housing is required with this amendment as there is not an overall increase in Unit Equivalents.

*(K) **CHILD CARE.** A Site designated and planned for a Child Care Center may be required for all new single and multi-family housing projects if the Planning Commission determines that the project will create additional demands for Child Care.*

**Complies.** Staff does not recommend that a Child Care Center be provided on-site. Limited permanent Child Care demands will be generated by the mixed use building.

### **Process**

Any addition to the building will be required to be reviewed under the Design Guidelines for Historic Districts and Sites. An application for Historic Design Review has been submitted and posted for public comment. A condominium record of survey must be approved and recorded prior to the selling of any units and would reflect the Commercial and Residential ownership pattern.

### **Recommendation**

Staff recommends that the Planning Commission hold a public hearing and consider approval of the Master Planned Development amendment based on the following findings of fact, conclusions of law, and conditions of approval:

### **Findings of Fact**

1. The property is located at 692 Main Street in the Historic Residential Commercial (HRC) zoning district. Historic Commercial Business (HCB) heights are allowed by the Conceptual Plan approval.
2. In September 1991, the City Council approved a Concept Plan of the Town Lift Project.
3. The building at 692 Main Street has been used as the Sales Gallery for the Marriott Summit Watch project since its construction in 1992. The Summit Watch project was originally part of the Town Lift development that included the Sweeney properties to the west but was subsequently bifurcated.
4. The September 1991 Concept Plan of the Town Lift Project laid out maximum square footages for the project as well as anticipating the project would be

developed in Phases. In that approval the Council required the Historic District Commission (HDC) to review and approve the volumetrics for Phase I (p.4). The HDC was required to approve specific building design for the proposed structures prior to construction.

5. In April 1992, Planning Commission approved a small scale MPD for Town Lift Phase I. Phase I included buildings A1-A3. The building at 692 Main Street was called A1. In the MPD Building A1 was proposed to have 6 residential units comprising 4.5 Unit Equivalents (UEs) and 1,832 square feet of commercial space (1.8 UEs) for a total of 6.3.
6. In November 1994, the City approved the Summit Watch Revised Concept Plan. The revised plan superseded the action taken to approve the original concept plan in 1991. Condition of approval 2 stated that the Town Lift Design Review Task Force shall review and approve plans for each building prior to construction commencing. At that time Building A1 was constructed and the unit configuration for that building was referenced as 7,200 square feet of commercial, or 7.2 Unit Equivalents.
7. The project will be a Timeshare as declared in the original approval of the Summit Watch project.
8. Affordable Housing requirements have been met by previous construction by the original developer.
9. Nine residential units (3.38 Unit Equivalents) and 3.05 Unit Equivalents of commercial space are proposed.
10. The building will increase in height by two stories while keeping within the HCB height regulations.

Conclusions of Law:

1. The amended MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The amended MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code.
3. The amended MPD, as conditioned, is consistent with the Park City General Plan.
4. The amended MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission.
5. The amended MPD, as conditioned, strengthens and enhances the resort character of Park City.
6. The amended MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
7. The amended MPD, as conditioned, is Compatible in Use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility.
8. The amended MPD provides amenities to the community so that there is no net loss of community amenities.
9. The amended MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
10. The amended MPD, as conditioned, meets the provisions of the Sensitive Lands

provisions of the Land Management Code. The project has been designed to place Development on the most Developable Land and least visually obtrusive portions of the Site.

11. The amended MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections.
12. The amended MPD has been noticed and public hearing held in accordance with this Code.

**Conditions of Approval:**

1. All applicable conditions of approval of the 1994 Conceptual Approval shall apply to this amended MPD.
2. All applicable conditions of approval of the subdivision plat shall apply.
3. A condominium plat shall be recorded with Summit County prior to selling of any units.
4. The Main Floor market/deli or any other commercial use will be open to the public. The grill/bar may be open to the general public.
5. The building must receive Historic Design Review approval prior to issuance of building permit.
6. All exterior lights must comply with Park City's lighting regulations.
7. Any exterior sign must receive a separate sign permit.

**Exhibits:**

Exhibit A – Applicant's narrative and proposed plans

Exhibit B – 1991 Council approval of Conceptual Town Lift Project

Exhibit C – 1992 MPD Approval for Town Lift Phase I

Exhibit D – 1994 Amended Concept Plan

Exhibit E – Minutes from Planning Commission pre-MPD meeting of April 28, 2010


 HORN PARTNERS

## ARCHITECTURE

## MEMO

**MPD MODIFICATION PRE-APPLICATION HEARING FOR:  
SUMMIT WATCH REVISED CONCEPT PLAN PHASE I, BUILDING A-1**

To: Park City Planning Department  
 From: LCC Properties, L.C. and Horn and Partners Architecture  
 Subject: Application to modify MPD Summit Watch Revised Concept Plan Phase I, Building A-1  
 Re: Pre-Application Hearing for overall review of 1994 MPD Modification and  
 Decision to not reconvene Town Lift Design Review Task Force (TLDRTF) for purposes of  
 Processing the application  
 Date: March 9, 2010

This is a request for a Planning Commission Pre-Application Meeting to accomplish two things:

- A) To review the application to modify the 1994 Summit Watch Revised Concept Plan MPD for the purposes of converting 7200 SF allowable commercial net leasable space in Building A1, Phase I into a combination of Residential and Commercial space not exceeding the Unit Equivalent of the original 7200 SF commercial. And to determine if a reconvene of the Town Lift Design Review Task Force (TLDRTF) is required to accomplish this.
- B) To separately determine if staff can review and approve an enclosure of only 549 SF of the Existing Covered Patios (see table in item 4 below) on the Existing Building without an MPD Modification or a reconvene of Town Lift Design Review Task Force (TLDRTF) so long as the enclosure remains within the 7200 SF commercial allowed by the existing MPD.

Explanations:

1. The project consists of the existing building located at 692 Main Street located within the Historic Commercial (HCB) District with the "Town Lift Project Phase I" Master Planned Development (MPD) overlay. The project proposes retaining the existing Commercial, Retail and Sales Office Space on the Main Level; retaining the existing Mechanical and Restroom spaces on the lower level; converting Lower Storage to residential; and remodeling the existing 2<sup>nd</sup> floor into Residential Units and adding 3<sup>rd</sup> and 4<sup>th</sup> floor within the allowed Floor Area Ratios, Maximum Building Volume and Height of the overlying Historic Commercial (HCB) District (see items 6 & 7 below). This requires that the applicant modify the 1994 MPD to convert 7.2 Commercial Unit Equivalents (UE's) to a combination of Commercial UE's and Residential UE's.
2. The building is located on the Park City zoning map in the Historic Commercial Business district (HCB) with a Master Planned Development (MPD) overlay. The MPD overlay is "The Town Lift Project Phase I" modified in November 1994.
3. The Park City Planning Department Staff Report (dated Nov. 23, 1994) and Planning Commission Approval thereof (dated November 30, 1994) provide for 7200 SF Net Leasable Commercial which equals 7.2 Commercial Unit Equivalents (UE) per the Land Management Code 15-6-8.E. (see attachment A and B).
4. The existing structure has been built out to the following area based on the approved construction drawings dated August 17, 1993 and as-built verification. The table shows that 6,556 SF of Net Leasable area has been built of the 7,200 SF Net Leasable allowed by the 1994 MPD.

HORN AND PARTNERS, L. L. C.  
 284 West 400 North, Salt Lake City, Utah 84103  
 Phone : 801 - 933 - 4676, Fax : 801 - 933 - 4675

Email: hornandpartners.com

Page 1 of 4

EXISTING LOWER FLOOR: SHEET A1.0

AREA	TOTAL	GROSS*	NET LEASABLE**
MECHANICAL	309		
ELEVATOR EQUIP	75		
RESTROOMS	409	409	
STAIRS	209	209	
ELEVATOR	60	60	
ELEVATOR LOBBY	68	68	
HALL	215	215	
STORAGE 1	955	955	955
STORAGE 2	966	966	966
<b>SUBTOTAL</b>	<b>3266</b>	<b>2882</b>	<b>1921</b>

EXISTING MAIN FLOOR: SHEET 1.1

AREA	TOTAL	GROSS*	NET LEASABLE**
ELEVATOR	***		
DUCTS	55		
REAR STAIRS	160	160	
REAR ENTRY	200	200	
OPEN STAIRS	121	121	
ROOM 1	955	955	955
ROOM 2	675	675	675
ROOM 3	639	639	639
<b>SUBTOTAL</b>	<b>2805</b>	<b>2750</b>	<b>2269</b>

REAR COVERED PATIO 126  
 FRONT COVERED PATIO 423

EXISTING UPPER FLOOR: SHEET 1.2

AREA	TOTAL	GROSS*	NET LEASABLE**
ELEVATOR	***		
REAR STAIRS	***		
STAIR OPENING	***		
DUCTS	***		
REAR LOBBY	200	200	
ROOM 1	1372	1372	1372
ROOM 2	364	364	364
ROOM 3	630	630	630
<b>SUBTOTAL</b>	<b>2566</b>	<b>2566</b>	<b>2366</b>

DECK 297

RECAP ALL FLOORS:

	TOTAL	GROSS*	NET LEASABLE**
<b>EXISTING TOTAL</b>	<b>8637</b>	<b>8198</b>	<b>6556</b>

BALANCE OF 7200 ALLOWED 644

DECKS & PATIOS 846

- \* LMC CH. 15 1.100(B)
- \*\* LMC CH. 15 1.100 (C)
- \*\*\* SHAFT CALCULATED IN FLOOR BELOW

HORN AND PARTNERS, L.L.C.  
 284 West 400 North, Salt Lake City, Utah 84103  
 Phone : 801-933-4676, Fax : 801-933-4675

Email: hornandpartners.com

5. Conversion of UE's in the 1994 MPD

Based on our concept plans, we are proposing to modify the 1994 MPD and break down the 7.2 Commercial UE's (see Land Management Code 15-6-8.E) into Commercial and Residential UE's totaling less than the 7.2 allowed in the 1994 MPD and LMC 15-6 as follows:

<u>Use</u>	<u>Proposed SF</u>	<u>Proposed UE</u>	<u>Allowed SF</u>	<u>Allowed UE</u>
Lower Comm.	450 (n)	0.45		
1 <sup>st</sup> Commercial	2600 (n)	2.60		
Less 5% Support	-338	-0.33		
<u>Less 5% Meeting</u>	<u>-338</u>	<u>-0.33</u>		
Subtotal Comm.	2374 (n)	2.37	7200 (n)	7.2
Lower Residential Storage	1471 (n)			
(below grade residential SF does not count per LMC Ch. 15 1-100)				
2 <sup>nd</sup> Residential	2580 (g)	1.29		
3 <sup>rd</sup> Residential	2580 (g)	1.29		
4 <sup>th</sup> Residential	1600 (g)	0.80		
<u>Subtotal Res.</u>	<u>6760 (g)</u>	<u>3.38</u>		
Totals	9134 (n)	5.75	7200 (n)	7.2

(n) = net leasable commercial square footage per Land Management Code Ch 15 1-100 C

(g) = gross residential square footage per Land Management Code Ch 15 1-100 A

6. The building height for the MPD was addressed in the Conceptual Approval of the Town Lift Project approved by the Planning Commission in the Sept. 19, 1991. Condition of Approval Item 1. states: "These maximum building heights represent building heights as permitted in the HCB zone with a redefinition of natural grade." This Conceptual Approval was again restated in the April 16, 1992 Staff Report. The maximum building height for the HCB Zone is currently 30' on the Main Street and Rear face and then can be increase at a 45 deg. Angle to a height of 45' above existing grade. An additional 5' is permitted for sloped roof structures above the height limit. This will allow for a third floor to be added to the existing height of approximately 29' as long as it is set back from the Main Street and Rear façade at the 45 deg. angle, and a loft can extend up into the roof structure above the third floor. This Application is compliant with the height requirement for an HCB zone. (See attached plans demonstrating compliance)

7. 15-2.6-4 requires a maximum Floor to Area Ratio (FAR) of 4.0 which means that a building with zero setbacks all around (which is the same footprint as the site) could be 4 stories tall or 4 times the area of the site. This building will meet this requirement with the three stories plus the loft.

8. According to 15-3-12 A and B the residential and commercial parking requirements are as follows:

<u>Use</u>	<u>Ratio</u>	<u>Quantity</u>	<u>Required</u>	<u>Provided</u>
Multi Family<650 sf	1/BR	6 Units	6	6
Multi Family<1000 sf	1.5/BR	4 Units	6	6
Multi Family>1000 sf	2/BR	1 Unit	2	2
Café (Including lower kitchen)	3/1000 SF	955 SF	3.18	3
Lobby, Store & Lower (Retail & Services minor)	3/1000 SF	1764 SF	5.88	6
<b>Totals</b>			<b>23</b>	<b>23</b>

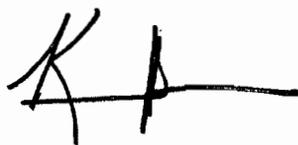
A parking easement exists and is recorded in: record no. 00384600, Book 00743, Page 00178, Summit County. The easement provides for 23 permanent parking spaces which will be used to meet the parking calculation indicated above.

11. In accordance with the MPD declaration requirement the Applicant intends to sell Timeshares for this Project as part of its own ownership program under a Condominium Plat. A Nightly Rental program shall be provided as well. Pending the initial review under this Application, neither the timeshare documents nor nightly rental program have been finalized at this time ("Program") The City Attorney will review those documents for compliance with the regulations set forth in Chapter 8 of the Land Management Code but will be generally consistent with the previous Marriott Ownership type program approved in 1993. Further, it is anticipated that the Applicant will be before the Planning Commission for approval of a Condominium Plat in 2010.

**Conclusion:**

The Remodel, Addition, Use and Sale described above and as indicated on the conceptual drawings attached indicate compliance the proposed modification to the 1994 MPD, the overlying HCB Zoning for the parcel and the Park City Land Management Code. It is our request to accomplish two things:

- A) To review the application to modify the 1994 Summit Watch Revised Concept Plan MPD for the purposes of converting 7200 SF allowable commercial net leasable space in Building A1, Phase I into a combination of Residential and Commercial space not exceeding the Unit Equivalent of the original 7200 SF commercial. And to determine if a reconvene of the Town Lift Design Review Task Force (TLDRTF) is required to accomplish this.
- B) To separately determine if staff can review and approve an enclosure of only 549 SF of the Existing Covered Patios (see table in item 4 below) on the Existing Building without an MPD Modification or a reconvene of Town Lift Design Review Task Force (TLDRTF) so long as the enclosure remains within the 7200 SF commercial allowed by the existing MPD.



Kevin D. Horn, A.I.A.

**HORN AND PARTNERS, L. L. C.**  
**284 West 400 North, Salt Lake City, Utah 84103**  
**Phone : 801 - 933 - 4676, Fax : 801 - 933 - 4675**  
**Email: hornandpartners.com**  
**Page 4 of 4**

DRAWING DATE:	
CHECKED BY:	
FILE NO.:	
JOB NO.:	0916

692 MAIN  
CONCEPT PLANS  
PARK CITY, UTAH

284 W 400 N  
SLC UTAH 84103  
PHN: 801.933.4676  
FAX: 801.933.4675

**HORN PARTNERS**  
ARCHITECTURE

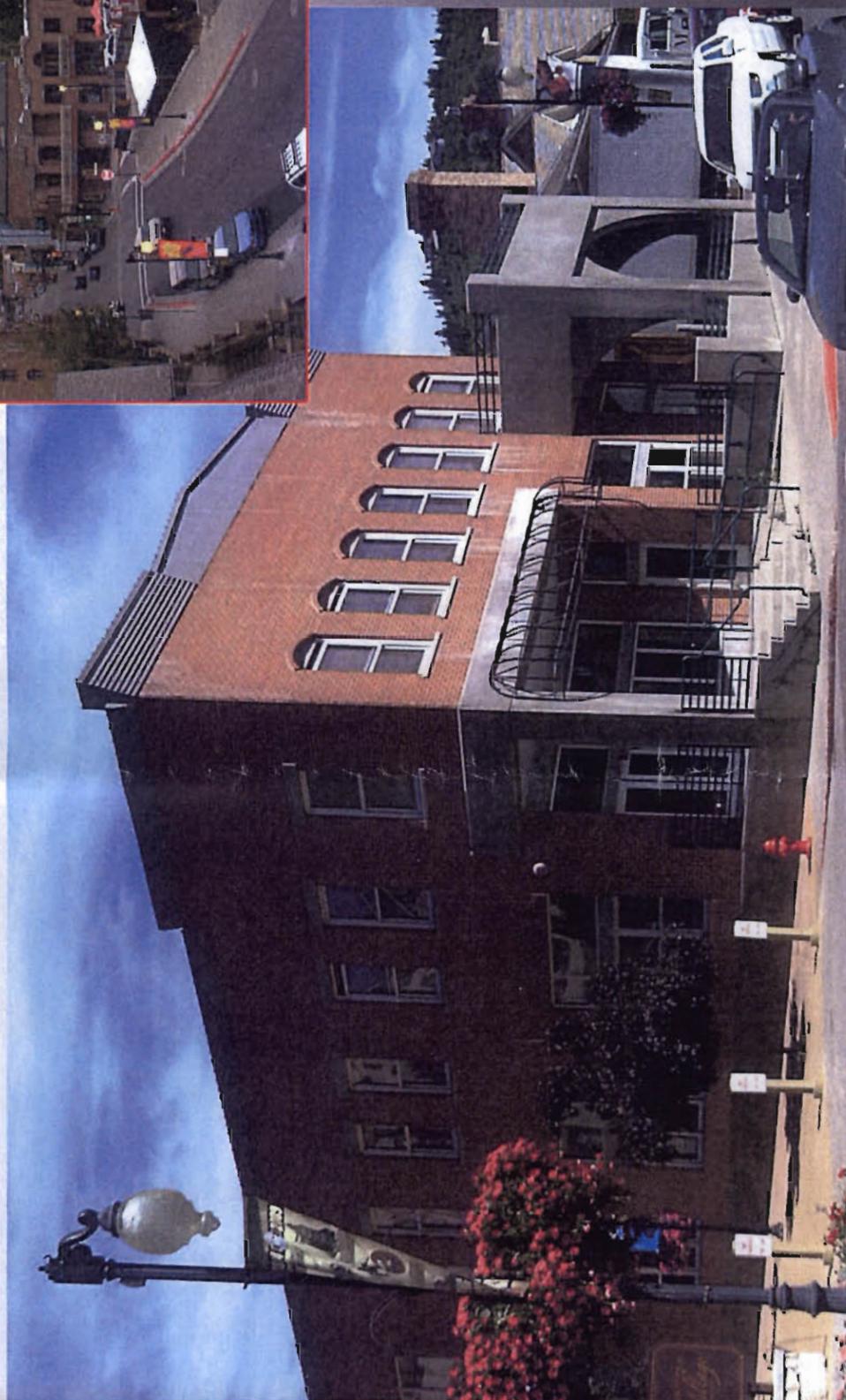
THE GRAPHIC MATTER IS TO BE USED ON THIS SHEET AND ANY REPRODUCTION OR REUSE OF THE MATERIAL AND DESIGN OF HORN AND PARTNERS, L.P.C. REPRODUCTION OR REUSE OF THE MATERIAL AND DESIGN OF HORN AND PARTNERS, L.P.C. WITHOUT THE WRITTEN CONSENT OF HORN AND PARTNERS, L.P.C. ALL RIGHTS RESERVED.  
© 2009 HORN AND PARTNERS, L.P.C.

LCC PROPERTIES L.C.  
725 ARIZONA AVE, SUITE 301  
SANTA MONICA, CA 90401

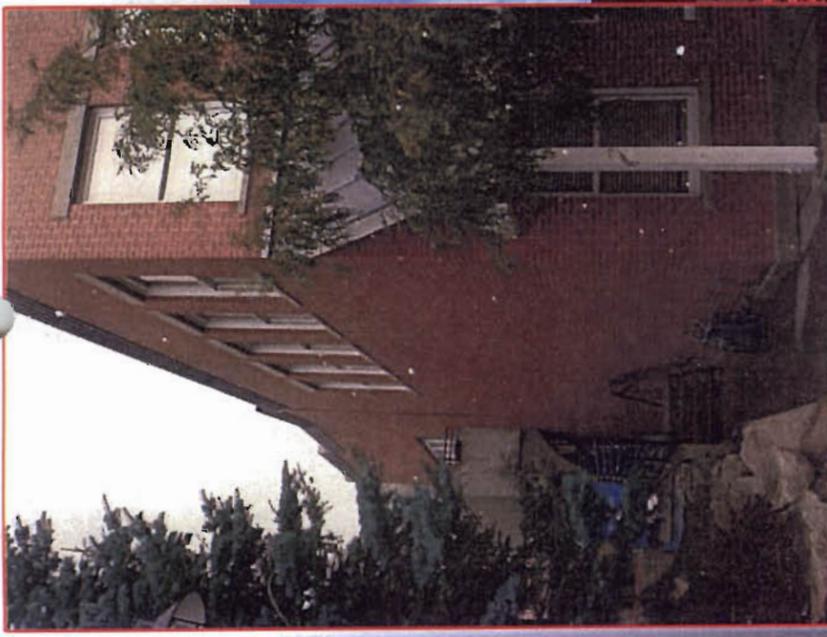
REV  
NO



**LCC PROPERTIES  
GROUP, L.C.**

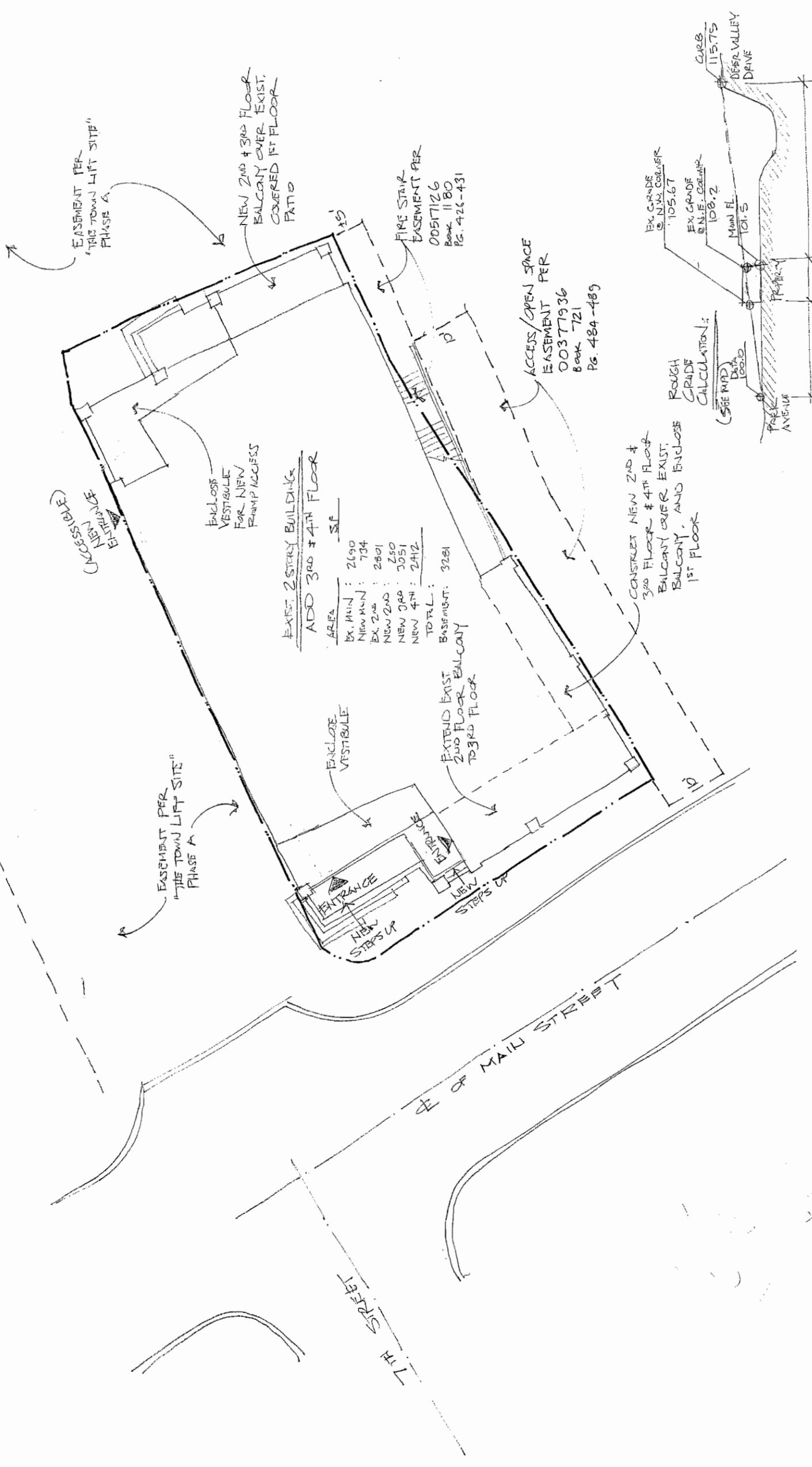


**692 MAIN STREET**



PARKING CALCULATIONS  
23 STALL PROVIDED BY EASEMENT  
00384600 Book 743 Pg. 166-178

RES. UNITS (10) 10 SPACES  
COMMERCIAL 5.5  
LOBBY/BASEMENT 2.9  
REQUIRED 18.4



THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE INSTRUMENTS OF SERVICE AND REMAIN THE PROPERTY OF HORN AND PARTNERS, ARCHITECTS, INC. ANY REPRODUCTION OR USE OF THIS MATERIAL AND DESIGN WITHOUT THE WRITTEN CONSENT OF HORN AND PARTNERS, ARCHITECTS, INC. IS PROHIBITED.

© 2009 HORN AND PARTNERS, ARCHITECTS, INC. ALL RIGHTS RESERVED.

LCC PROPERTIES L.C.  
725 ARIZONA AVE. SUITE 301  
SANTA MONICA, CA 90401

RENZO

HORN PARTNERS ARCHITECTURE

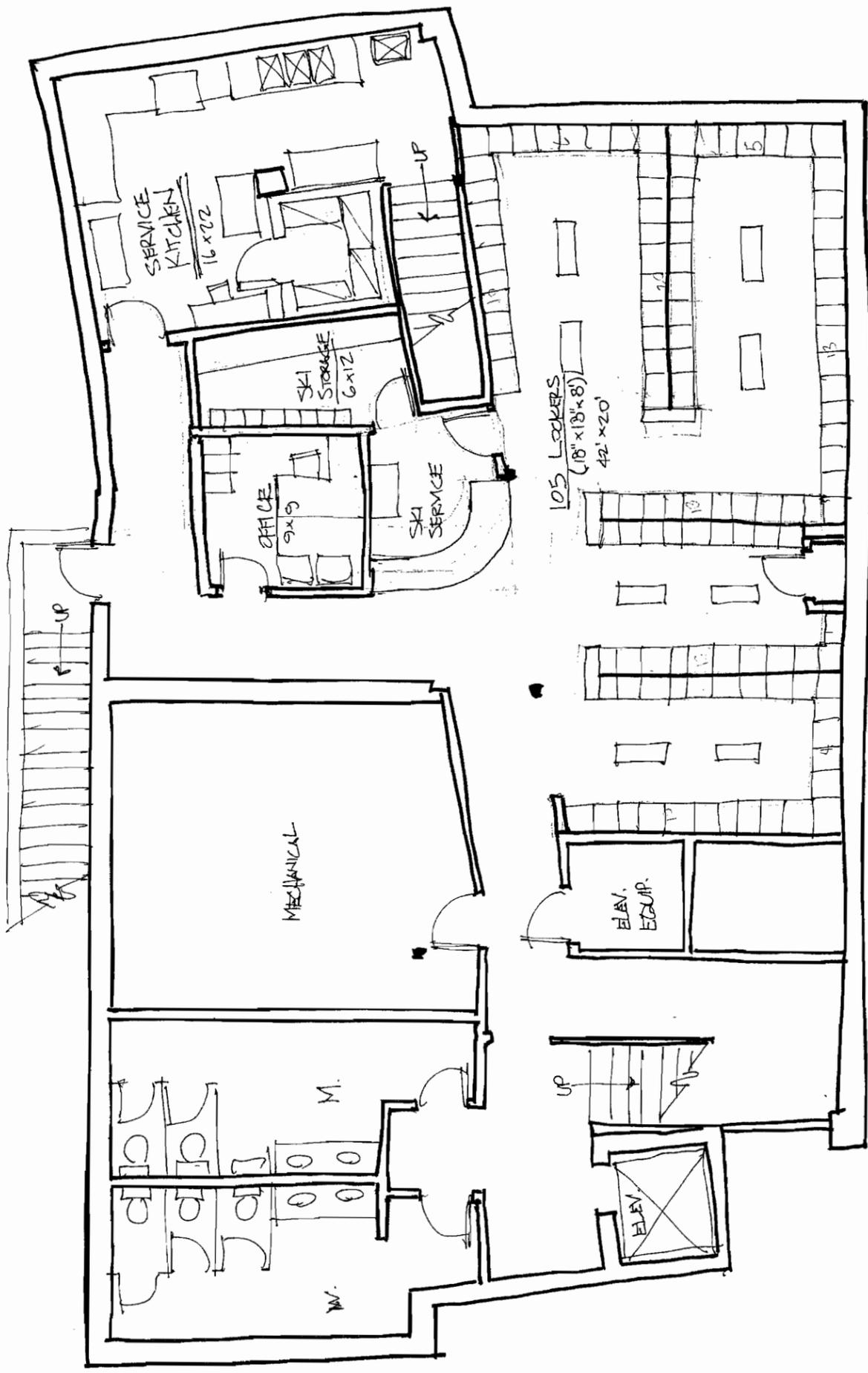
284 W 400 N  
SLC UTAH 84103  
PHN: 801.933.4878  
FAX: 801.933.4875

CONCEPT PLANS  
692 MAIN  
PARK CITY, UTAH

DRAWING DATE: 2/19/10  
DRAWN BY: [blank]  
CHECKED BY: [blank]

JOB NO. 0916  
FILE NO. [blank]

LOWER LEVEL  
A2.0



1214

LOWER LEVEL

THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE INSTRUMENTS OF SERVICE AND REMAIN THE PROPERTY OF HORN AND PARTNERS, L.L.C. REPRODUCTION OR RELEASE OF THE MATERIAL AND DESIGN HEREIN IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF HORN AND PARTNERS, L.L.C.  
 © 2009 HORN AND PARTNERS, L.L.C. ALL RIGHTS RESERVED.

LCC PROPERTIES L.C.  
 725 ARIZONA AVE. SUITE 301  
 SANTA MONICA, CA 90401

284 W 400 N  
 SLC UTAH 84103  
 PHN: 801.933.4678  
 FAX: 801.933.4675

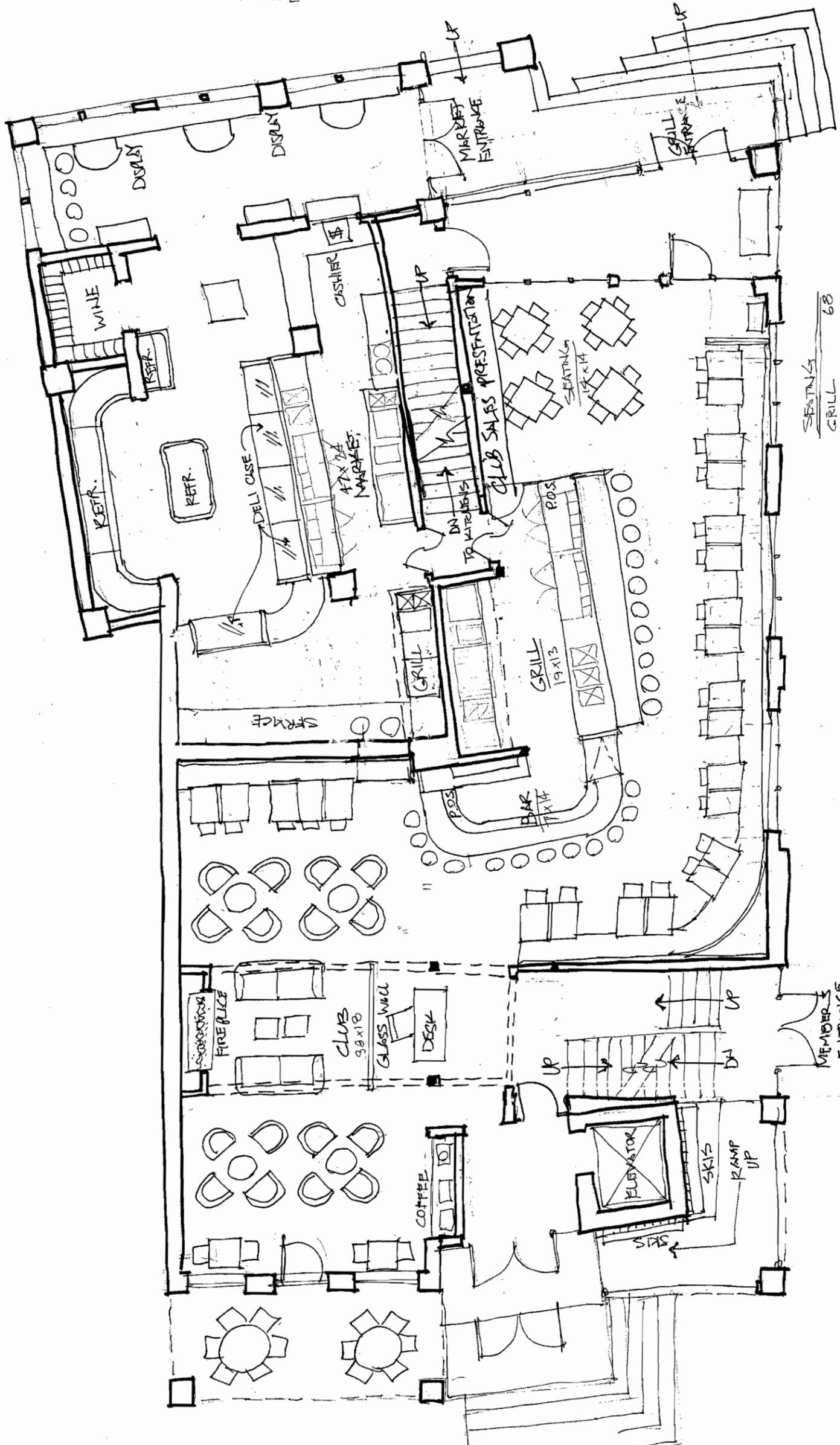
HORN PARTNERS  
 ARCHITECTURE

CHECKED BY: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 2/19/10  
 JOB NO. 0916  
 FILE NO. \_\_\_\_\_

692 MAIN  
 CONCEPT PLANS  
 PARK CITY, UTAH

MAIN LEVEL  
 A2.01

MARKET 16 LF  
 DELI CASE 27 LF  
 REFR. CASE 60 LF  
 DISPLAY



SEATING	68
GRILL	12
BAR	32
CLUB	12
PATIO	12
TOTAL	124

MAIN LEVEL

THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE INSTRUMENTS OF SERVICE AND HEREBY  
 AT ALL TIMES THE PROPERTY OF HORN AND PARTNERS, L.L.C. REPRODUCTION  
 OR REUSE OF THE MATERIAL AND DESIGN CONTAINED HEREIN IS PROHIBITED WITHOUT THE WRITTEN  
 CONSENT OF HORN AND PARTNERS, L.L.C.  
 © 2008 HORN AND PARTNERS, L.L.C. ALL RIGHTS RESERVED

REMNO  
 LCC PROPERTIES L.C.  
 725 ARIZONA AVE, SUITE 301  
 SANTA MONICA, CA 90401

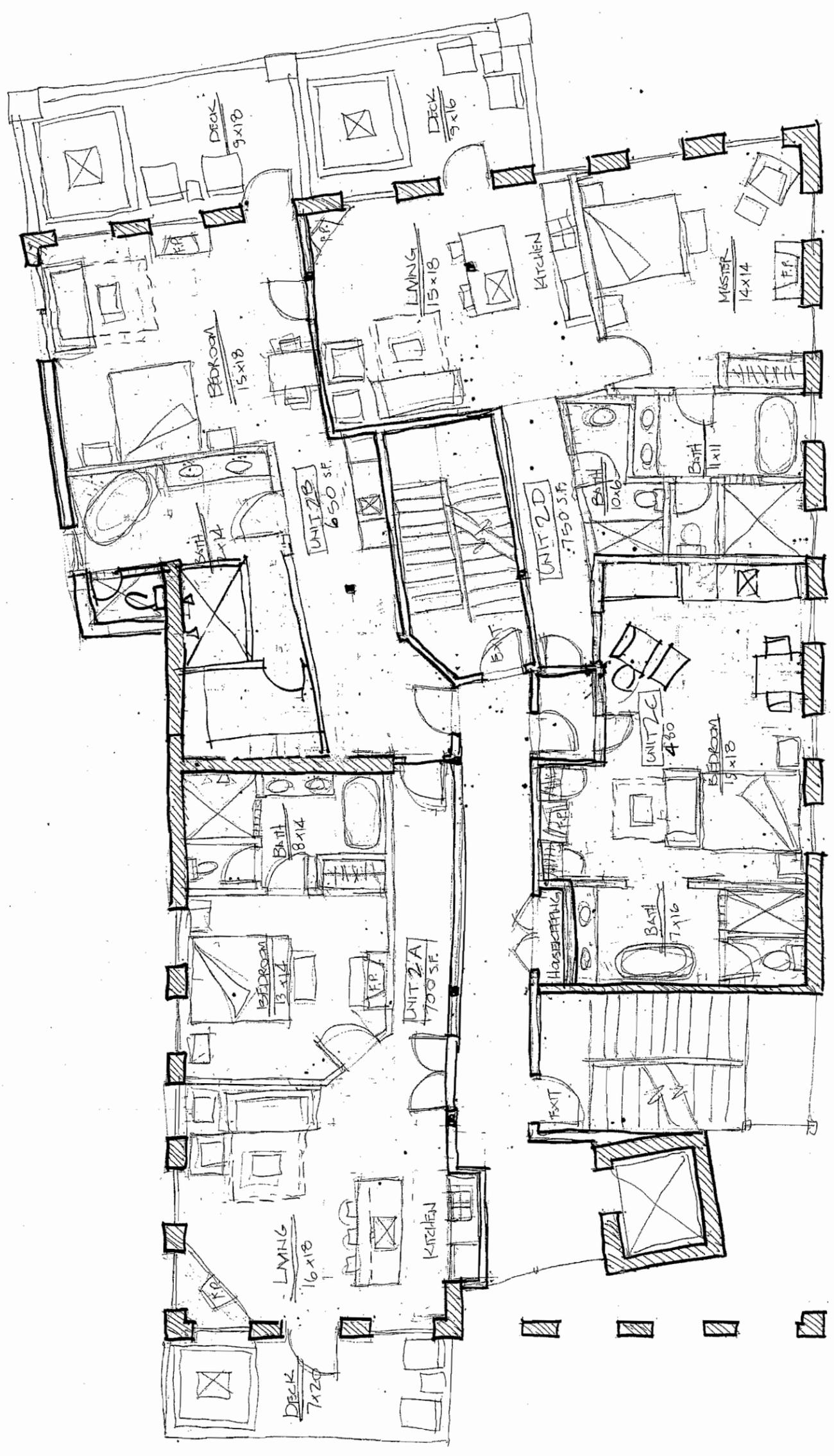
HORN PARTNERS  
 ARCHITECTURE  
 284 W 400 N  
 SLC UTAH 844103  
 PHN: 801.933.4676  
 FAX: 801.933.4675

692 MAIN  
 CONCEPT PLANS  
 PARK CITY, UTAH

JOB NO.  
 FILE NO.  
 0916

DRAWN BY: 2/10/10  
 CHECKED BY:

SECOND  
 LEVEL  
 A2.02



SECOND LEVEL

UNIT 2A	700
UNIT 2B	650
UNIT 2C	480
UNIT 2D	750
Common	740
<b>TOTAL</b>	<b>3320</b>

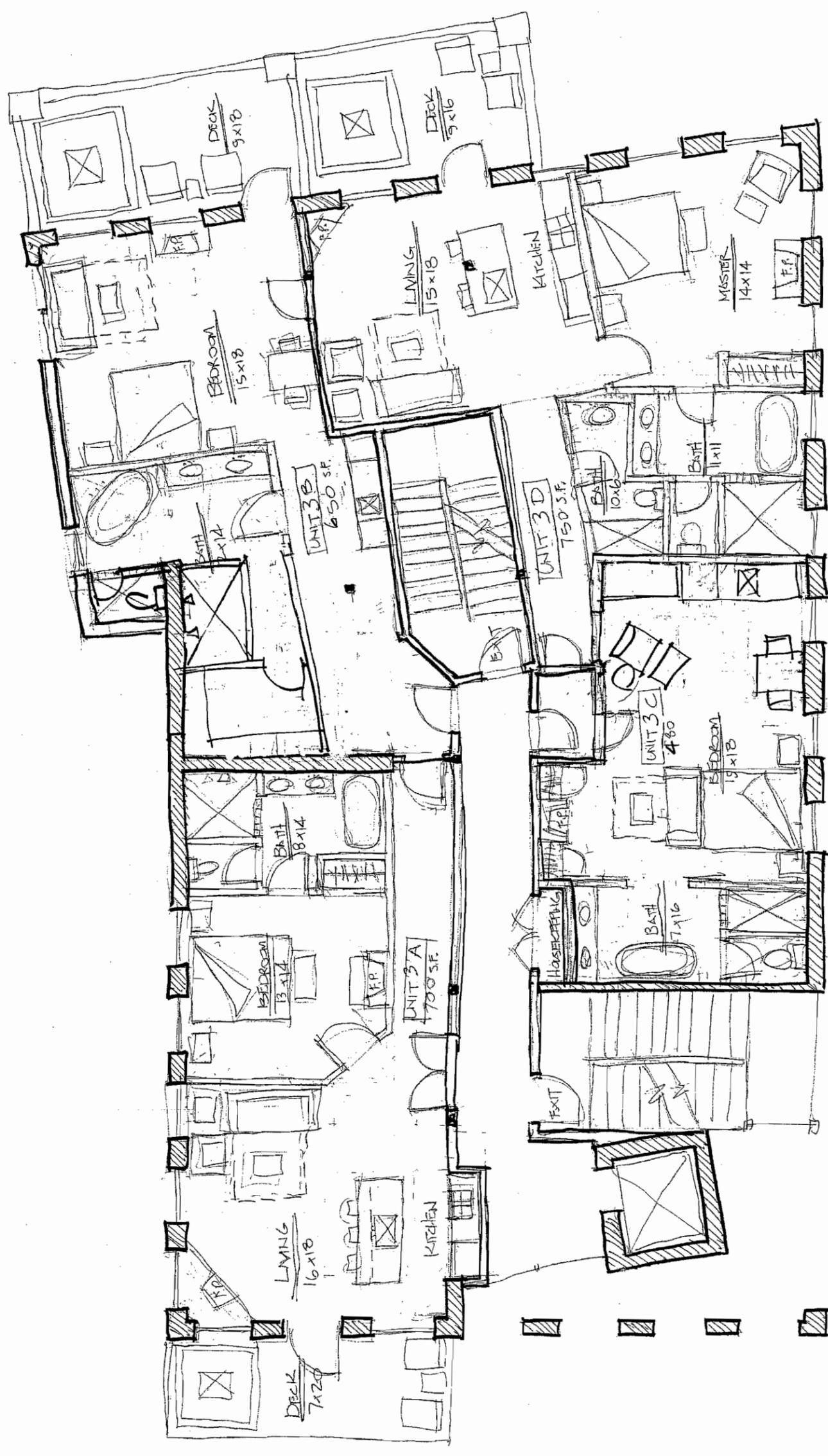
THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE RIGHTS RESERVED BY SERVICE AND DESIGN AT ALL TIMES THE PROPERTY OF HORN AND PARTNERS, L.P. REPRODUCTION OR USE OF THIS MATERIAL WITHOUT WRITTEN PERMISSION OF HORN AND PARTNERS, L.P. IS PROHIBITED.  
 © 2008 HORN AND PARTNERS, L.P. ALL RIGHTS RESERVED.  
 CHECKED BY: [ ]  
 DRAWN BY: [ ]  
 FILE NO: [ ]  
 JOB NO: [ ]

L O R P  
 692 MAIN  
 CONCEPT PLANS  
 PARK CITY, UTAH

HORN PARTNERS  
 ARCHITECTURE  
 284 W 400 N  
 SLC UTAH 84103  
 PHN: 801.933.4676  
 FAX: 801.933.4675

REVISIONS  
 LCC PROPERTIES L.C.  
 725 ARIZONA AVE, SUITE 301  
 SANTA MONICA, CA 90401

THIRD LEVEL  
 A203



THIRD LEVEL

UNIT 3A	700
UNIT 3B	650
UNIT 3C	480
UNIT 3D	750
Common	740
<b>TOTAL</b>	<b>3320</b>

© 2009 HORN AND PARTNERS, LLC. ALL RIGHTS RESERVED.  
CONSIST OF HORN AND PARTNERS, LLC.  
OR REUSE OF THE MATERIAL AND DESIGN CONTAINED HEREIN IS PROHIBITED.  
AT ALL TIMES THE PROPERTY OF HORN AND PARTNERS, LLC. REPRODUCTION  
WITHOUT THE WRITTEN PERMISSION OF HORN AND PARTNERS, LLC. IS PROHIBITED.

LCC PROPERTIES L.C.  
725 ARIZONA AVE, SUITE 301  
SANTA MONICA, CA 90401

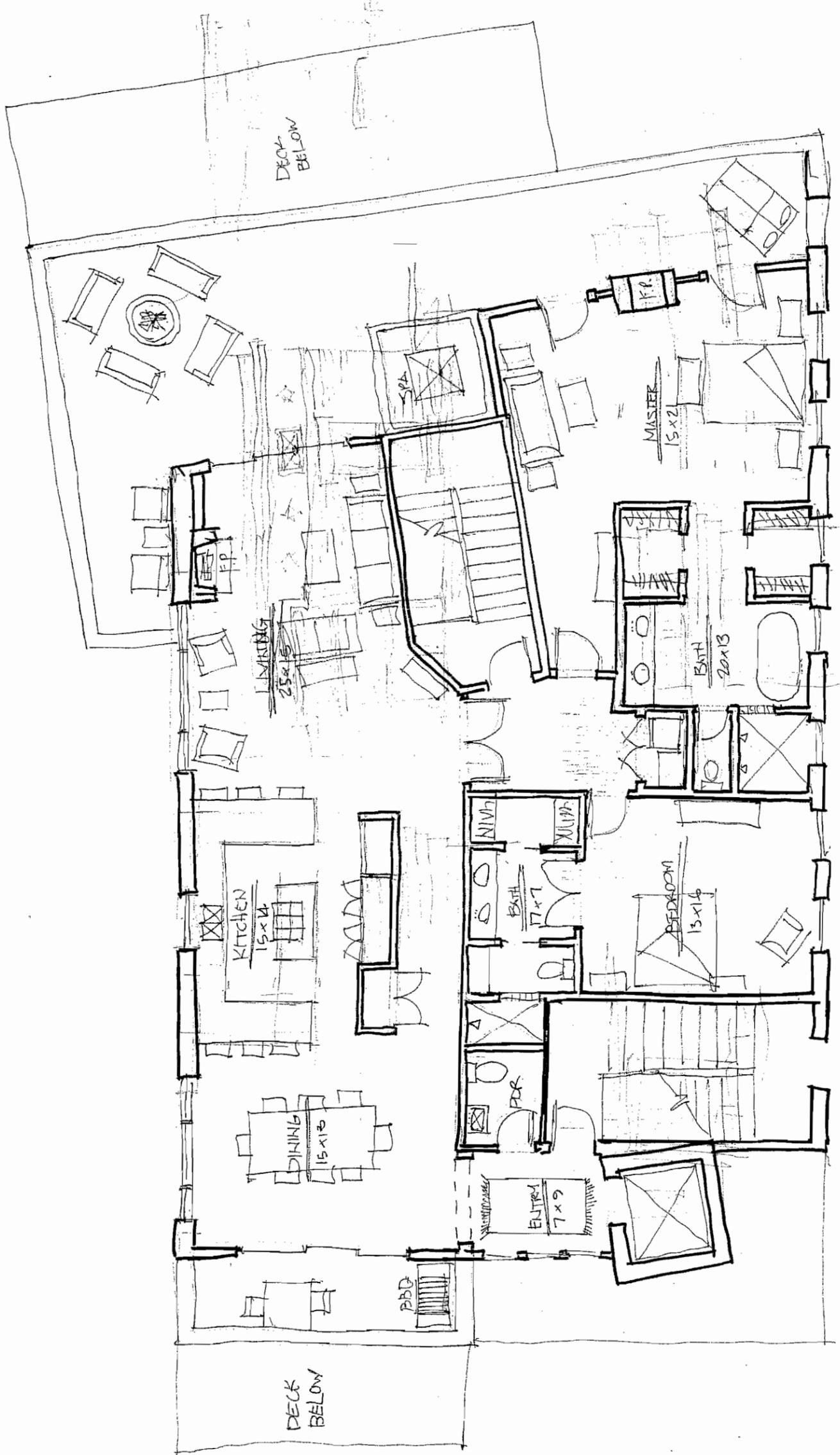
284 W 400 N  
SLC UTAH 84103  
PHN: 801.933.4676  
FAX: 801.933.4675

HORN PARTNERS  
ARCHITECTURE

CHECKED BY: \_\_\_\_\_  
DRAWN BY: \_\_\_\_\_  
JOB NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_

692 MAIN  
CONCEPT PLANS  
PARK CITY, UTAH

FOURTH LEVEL  
A2.04



FOURTH LEVEL  
UNIT 1600  
SQUARE FEET 240  
1840  
DECKS 760

ELEVATION  
A3.01

JOB NO. 0816  
FILE NO.  
DRAWING DATE: 2/19/10  
DRAWN BY:  
CHECKED BY:

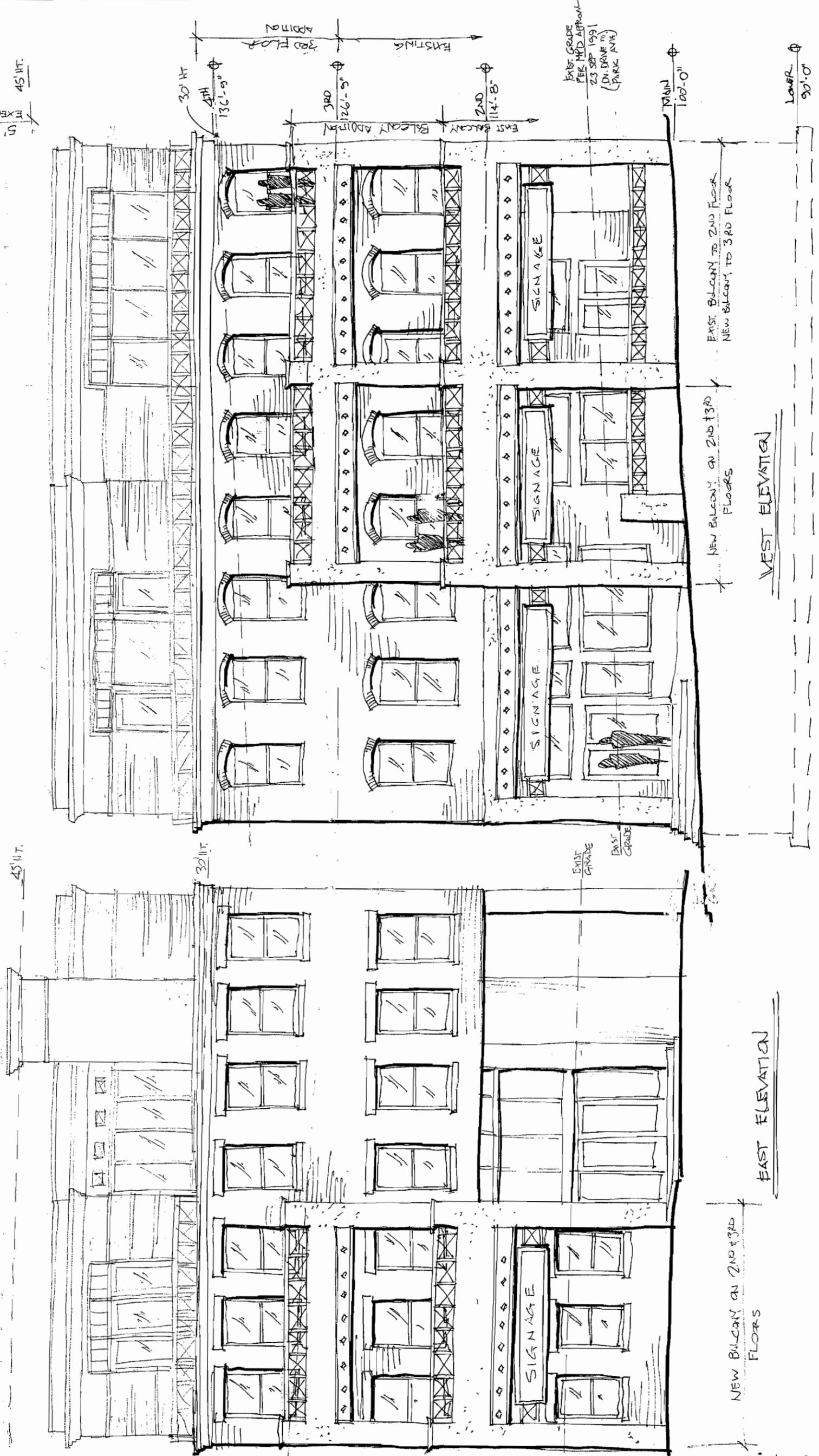
692 MAIN  
CONCEPT PLANS  
PARK CITY, UTAH

**HORN PARTNERS**  
ARCHITECTURE

284 W 400 N  
SLC UTAH 84103  
PHN: 801.933.4676  
FAX: 801.933.4676

THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE INSTRUMENTS OF SERVICE AND REMAIN THE PROPERTY OF HORN AND PARTNERS, L.L.C. REPRODUCTION OR REUSE OF THE MATERIAL OR DESIGN OF HORN AND PARTNERS, L.L.C. WITHOUT THE WRITTEN CONSENT OF HORN AND PARTNERS, L.L.C. IS PROHIBITED.  
© 2009 HORN AND PARTNERS, L.L.C. ALL RIGHTS RESERVED.

LCC PROPERTIES L.C.  
725 ARIZONA AVE, SUITE 301  
SANTA MONICA, CA 90401

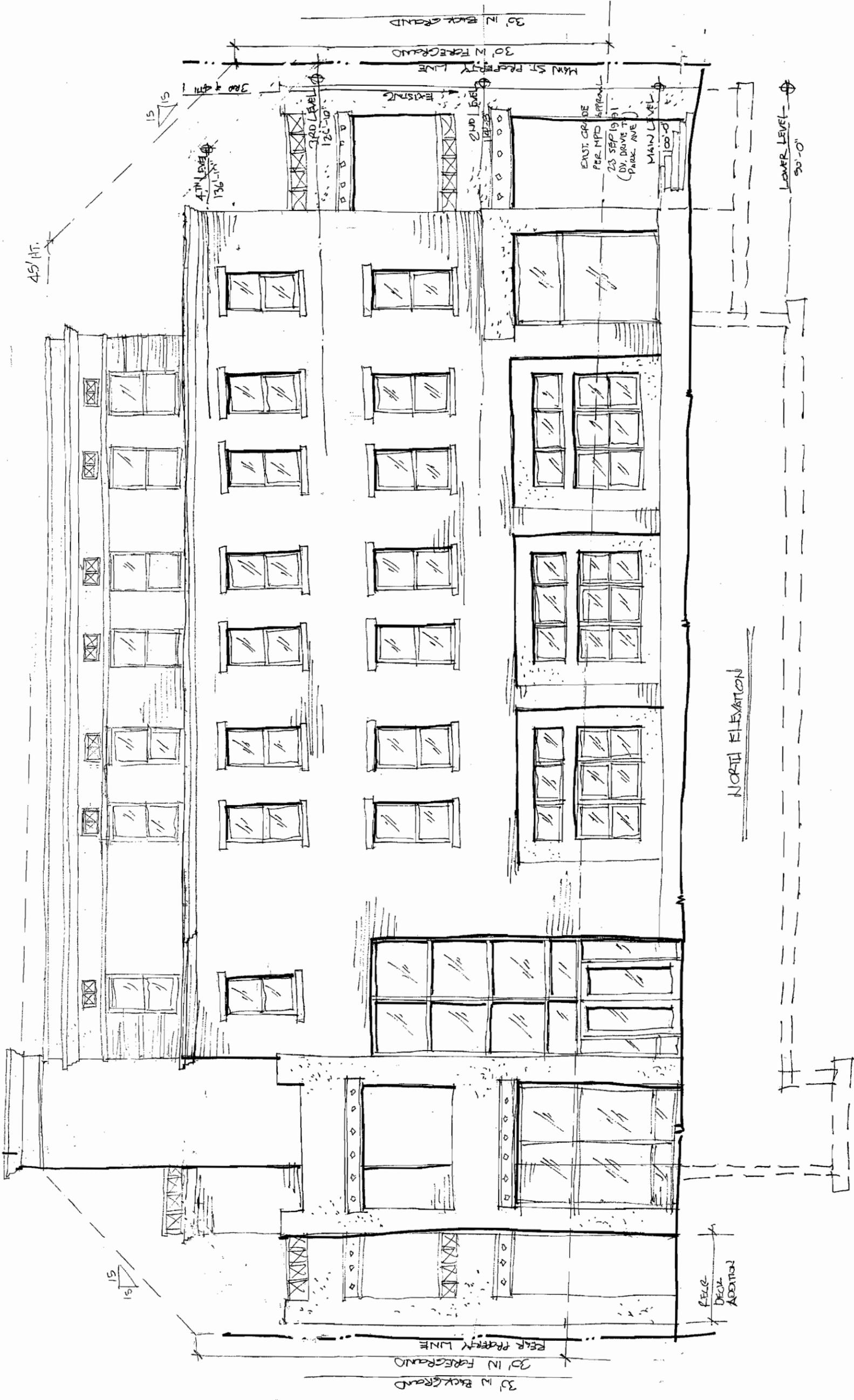


ELEVATION  
A3.02

FORM  
692 MAIN  
CONCEPT PLANS  
PARK CITY, UTAH  
JOB NO. 0918  
FILE NO.  
DRAWING DATE: 2/19/10  
DRAWN BY:  
CHECKED BY:

HORN PARTNERS  
ARCHITECTURE  
284 W 400 N  
SLC UTAH 844103  
PHN: 801.933.4676  
FAX: 801.933.4676

RENEW  
LCC PROPERTIES L.C.  
725 ARIZONA AVE. SUITE 301  
SANTA MONICA, CA 90401  
THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE INSTRUMENTS OF SERVICE AND REMAIN THE PROPERTY OF HORN AND PARTNERS, L.L.C. REPRODUCTION OR REUSE OF THE MATERIAL AND DESIGN CONTAINED HEREIN IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF HORN AND PARTNERS, L.L.C.  
© 2009 HORN AND PARTNERS, L.L.C. ALL RIGHTS RESERVED

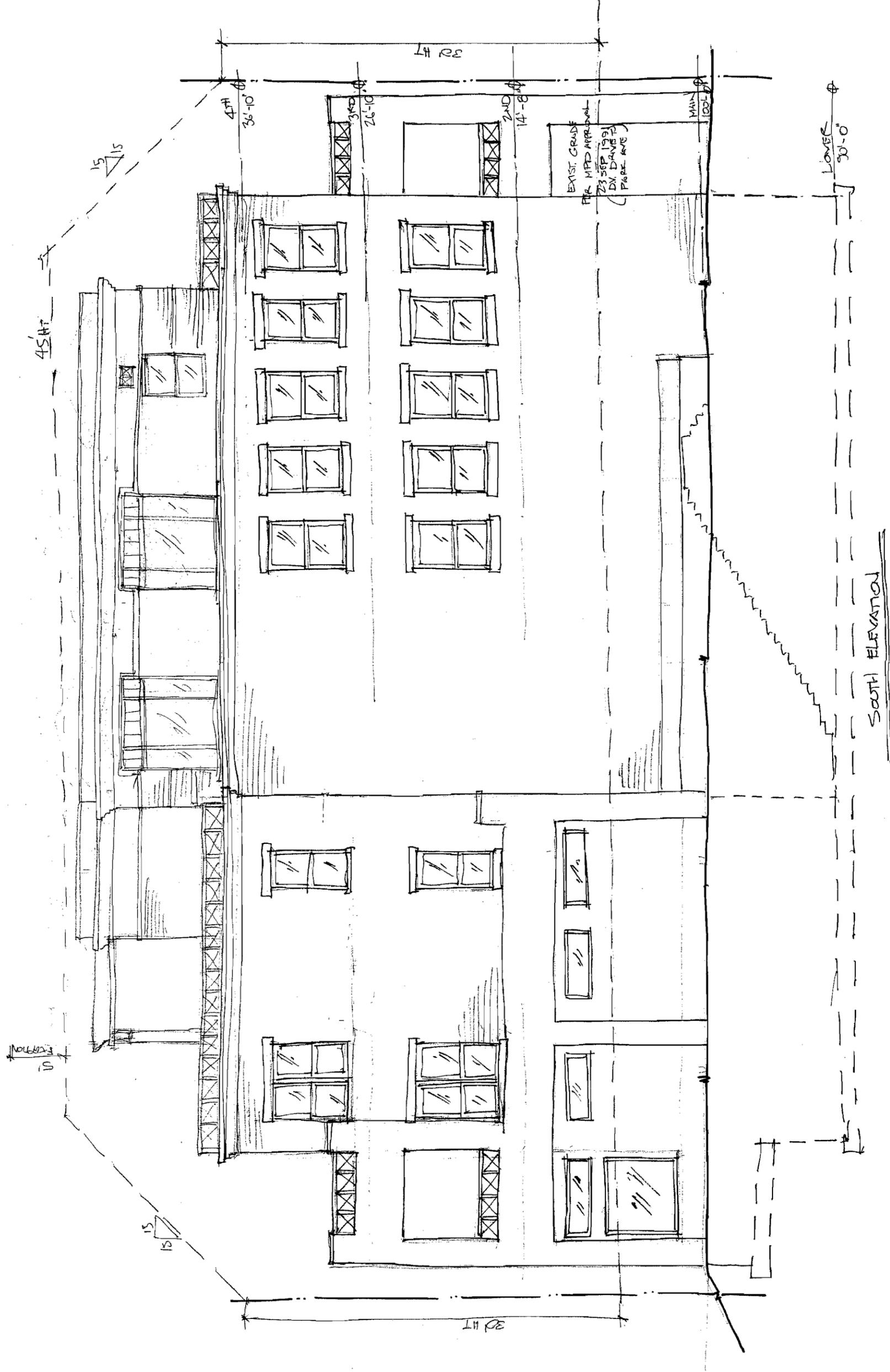


LCC PROPERTIES L.C.  
 725 ARIZONA AVE, SUITE 301  
 SANTA MONICA, CA 90401  
 RPN:WMO

**HORN PARTNERS ARCHITECTURE**  
 284 W 400 N  
 SLC UTAH 84103  
 PHN: 801.933.4676  
 FAX: 801.933.4675

692 MAIN  
 CONCEPT PLANS  
 PARK CITY, UTAH  
 JOB NO. 0916  
 FILE NO. 219/10  
 DRAWING DATE: 2/9/10  
 CHECKED BY:

ELEVATION  
 A303



1994  
1004 MPD SUMMARY

MPD RES: 135 UNITS  
RECORDED RES: 135 UNITS  
MPD COMM: 50496 SF  
RECORDED COMM: 44581 SF

PLAT: PHASE 3  
MPD: PHASE 5: A5

	APPVD	REC'D
UNITS	20	20
COMM	9194	8952

PLAT: PHASE 3A  
MPD: PHASE 4: A6

	APPVD	REC'D
UNITS	33	33
COMM	5536	2471

PLAT: PHASE 2A  
MPD: PHASE 3a LOBBY

	APPVD	REC'D
UNITS	20	20
COMM	3160	3058

PLAT: PHASE 2  
MPD: PHASE 3b: A4

	APPVD	REC'D
UNITS	14	14
COMM	9170	8209
	1455	

PLAT: PHASE 1A  
MPD: PHASE 2: A3

	APPVD	REC'D
UNITS	28	28
COMM	6358	6298

PLAT: PHASE I  
MPD: A2

	APPVD	REC'D
UNITS	20	20
COMM	8393	8393+-

PLAT: PHASE I  
MPD: A1

	APPVD	REC'D
UNITS	0	0
COMM	7200	



9-23-91

Department of Community Development  
Engineering • Building Inspection • Planning

September 23, 1991

McIntosh Mill  
P. O. Box 1330  
Park City, Utah 84060

MPE, Inc.  
P. O. Box 2429  
Park City, Utah 84060

NOTICE OF CITY COUNCIL ACTION

Project Description: Conceptual Approval of Town Lift Project

Date of Meeting: September 19, 1991

Action Taken By City Council: APPROVED

FINDINGS:

The following principles on development for the Town Lift site were agreed to by the City Council. The proposed concept plans are consistent with the principles:

1. The site is suitable for commercial development. Such development should be massed in the downtown area and anchor projects at both ends of the Main Street district (Brewpub on the south and the Town Lift on the north) is a desirable development pattern.
2. The site is zoned for commercial and resort development.
3. Main Street should be extended through the project and should connect back into Park Avenue. Historic District guidelines should apply to this extension of Main Street.
4. A 1982 Agreement exists for which the City received a quid pro quo, but this Agreement in and of itself is not sufficient to insure either quality development or the rights to develop what was contemplated under the Agreement.
5. The Town Lift chair connecting the ski area to town exists. It was constructed with the expectation that significant commercial development, including tourist housing and retail space, would be built on this site in the future.

6. Open space, pedestrian paths and connections to the neighborhood are important aspects of developing this property.

7. Phasing the development so as to (a) not overwhelm the commercial absorption and viability of current Main Street; and (b) insure that each phase is complete in and of itself, is of utmost importance.

8. A comprehensive concept plan should be a prerequisite of approval and this should modify the 1982 Agreement.

9. Under no circumstances will building height be approved which results in heights in excess of HCB zone height based upon a redefined natural grade from back of curb on the east side of Park Avenue to the back of curb on the west side of Deer Valley Drive. Any height in excess of this cannot be supported as this will overwhelm the scale and feel of the Historic District which is Park City's major tourist draw. The Council may desire to further reduce the building heights as a part of the comprehensive renegotiation of the 1982 Agreement. It is understood that the Sweeney Master Plan is not included in the 1982 Agreement and is therefore not subject to this limitation. The Sweeney MPD sets forth maximum building heights for that portion of the project.

10. It is advantageous for the community to maintain future options for open space, plazas, and a ski run, even if these elements are not decided on at this time.

11. It is in the public interest that development on adjoining properties be coordinated, especially as this relates to the Sweeney properties which have already received master plan approval.

12. It is important that balanced growth is fostered in Park City. The impacts and demands on facilities and services generated by residential development (including primary and secondary homes), tourist and resort facilities, and commercial development must be balanced so that the overall fees and revenues they generate will insure a high quality of living environment.

13. If a comprehensive agreement based on these principles cannot be reached and the applicants seek to develop in a piecemeal fashion, the City will strictly apply all its laws and ordinances to insure that such development is as close to these principles as is legally possible.

CONDITIONS OF APPROVAL:

1. This approval is for a conceptual plan for the Town Lift Project. The Town Lift Project is a mixed use residential and commercial project which includes the extension of Main Street. The maximum square footages for the project are as follows:

	<u>Gross</u>	<u>Net</u>	<u>Cars</u>
Street Level Commercial	56,910	51,220	154
Level 6980 Skier Service	16,710	15,040	45
Podium/Plaza Commercial	78,670	70,800	212
Support/Service	34,550	31,100	31
Resid./Accom. Unit	<u>208,500</u>	<u>166,800</u>	<u>167</u>
Total	395,340	334,960	609

The project is anticipated to be developed in Phases. Attachment A is a breakdown of maximum square footages and associated required parking by phase. These phases represent a preliminary phasing plan for planning purposes only and is referenced in these conditions of approval. The phasing and square footages may change slightly if the Sweeney Master Plan proceeds as currently approved.

The maximum building heights for the project are shown on Exhibit 1. These maximum building heights represent building heights as permitted in the HCB zone with a redefinition of natural grade. Natural grade is redefined as a grade extending from the back of curb on the east side of Park Ave. to the back of the curb on the west side of Deer Valley Drive. The Planning Commission has considered the requirements for height exceptions in Section 10.9.c of the Land Management Code and no further height exceptions will be considered. In no case shall any building exceed the maximums set forth except as specifically excepted in these conditions as it relates to the replication of the Coalition Building and as specified in the Sweeney MPD as it applies to the Sweeney properties included in this project.

2. This approval does not include seasonal or permanent closures of any roadways to accommodate an extension of the Town Lift Ski Run.

3. A number of special agreements are required which are addressed in these conditions of approval. Because of the length and complexity of the necessary negotiations, the City will consider the processing of applications necessary to allow commencement of construction. A subphase of Phases A and B will be permitted to proceed with processing and will be referred to as Phase 1. Phase 1 will require the following discretionary approvals and be subject to the following conditions:

a. Prior to commencement of construction of Phase 1, the 1982 Agreement must be revised to reflect the building height as approved in this conceptual approval.

b. The Planning Commission must review and approve an MPD for Phase I. Phase I must be consistent with the concept plan approval and will include details on public improvements, landscaping, circulation especially as it relates to public transit, street and pedestrian improvements and other items normally reviewed in the MPD process. A preliminary landscape and pedestrian circulation plan will be approved by the Community Development Staff for the entire project. Each phase will have a final landscape plan and public improvements plan approved prior to construction which shall be consistent with the preliminary landscape plan.

As a part of the MPD review process, the Planning Commission will ~~consider the establishment of~~ require an employee housing fund to be established which would contribute a proportionate share of the 26 proposed employee housing units.

c. The Historic District Commission will be required to review and approve volumetrics for Phase I which will address maximum building heights, necessary stepping, acceptable building materials and colors as well as general design features. The HDC will also be required to approve specific building design for the proposed structures prior to construction.

d. The Planning Commission and City Council will review and approve any subdivisions necessary pursuant to the subdivision regulations of the Land Management Code.

e. A Master Property Owners Association will be formed which will be responsible for the maintenance of all landscaping within the project, the walkways and plazas. The City staff shall review and approve the documents which establish this Master Association. The developer and City shall enter into an agreement specifying that the Master Property Owners Association shall be responsible for maintenance of the landscaping and plaza areas. Said agreement shall indicate the minimum level of maintenance acceptable to the City. The developer shall provide the City with an acceptable financial guarantee in the amount of one year's maintenance cost as a part of the agreement.

f. An Open Space Enhancement Plan will be required to be approved as a part of the MPD for phase I. That plan shall address the level of improvement for the open areas which are not to be developed at this time between extended Main Street and Park Ave. and between Park Ave. and Woodside Ave. This plan shall include a comprehensive plan to address the lift base which shall include, but not be limited to, public

restrooms, drinking fountains, signage, landscaping and lighting. It shall also address pedestrian and trail access. When plans are finalized for these areas, trail easements will be required to be dedicated to provide winter and summer access. At some time in the future, these areas may contain development parcels consistent with the existing Sweeney MPD.

g. As a part of the approval of Phase I, a portion of the Sweeney Master Plan will be formally amended. That amendment will include the consolidation of the Coalition East buildings into one structure and will commit to leave the balance of the property open until at least January of 1993. After that time, the Coalition West buildings and a part of the Coalition East North Building within the boundaries of Phase B4 as shown on Exhibit 1 will be allowed to proceed with the conditional use process consistent with the existing Sweeney MPD.

h. Financial guarantees will be required for public improvements associated with the first phase of construction.

i. The City Engineer shall review and approve all grading, drainage and utility plans.

4. Prior to any activity on the Town Lift Project beyond Phase I, the following conditions must be met:

a. The 1982 Agreement shall be comprehensively renegotiated. The revised agreement will contain provisions of the concept approval and will include the revised plan reflecting this approval as an attachment, including a revised phasing plan. A revised phasing plan shall be produced as a part of the revisions of the 1982 agreement which shall indicate an increase in the early phase residential and concurrent reduction in total commercial space for the project. The phasing plan shall consider Hillside Avenue improvements and shall give as much consideration as possible to further reductions in height, not at the expense of residential square footage.

As a part of this comprehensive renegotiation of the 1982 agreement, the City Council will determine the level of appropriate mitigation necessary to achieve the desired building heights for the project.

b. Design Guidelines and building volumetrics will be approved for each building or group of buildings. An independent consultant will be hired to assist in the formulation of these Guidelines. The Planning Commission and Historic District Commission will establish the scope of work for the consultant. Two members of the Planning Commission will work with the HDC in the formulation of the Guidelines. The Planning Commission will be required to approve the final Guidelines.

The Guidelines shall include volumetrics of each building describing necessary stepping and maximum heights. The Guidelines shall also address acceptable building materials and colors as well as general design features which may be reflective of Park City's mining history.

c. Final Phasing Plans, including an economic analysis of commercial demand, shall be submitted and approved by the Community Development Staff. These plans shall include the timing and staging of public improvements and construction staging plans. The construction staging plans shall include staff approval of areas of disturbance and material storage and necessary screening for each phase. Each phase shall be designed to stand on its own and represent a complete project without reliance of future phases for completion. The revised phasing plan shall also include those items listed in condition 4(a).

d. The City Council shall enter into a land trade agreement for the RDA property. This shall include requirements and restrictions for the control of the 26 proposed employee housing units. The employee housing units can be built any time, but shall not occur later than Phase C (as shown on the concept approval plans).

e. Main Street extended shall be completed to Park Ave. and shall be built to standards approved by the City.

f. At least 50% of the buildings and required parking in Phase 1 shall have received certificates of occupancy and 75% of the retail spaces for which certificates of occupancy have been issued shall be occupied with long term leases of not less than 1 year.

5. There are other conditions which refer the preliminary phasing plan as shown on the concept plan. Before future phases commence construction, a minimum build-out is required for previous phases. These conditions refer to the preliminary phasing plan, and shall be revised when the final phasing plan is approved:

a. Prior to commencement of any construction on Phase C:

- Street and utility construction must be 100% complete on Main Street extended and the connection to Deer Valley Drive.

- All public improvements associated with phases A and B shall be completed.

- At least 50% of the buildings and required parking in Phases A and B shall have received certificates of occupancy and 75% of the ~~completed~~ retail spaces for which certificates of occupancy have been issued shall be occupied with long term leases of not less than 1 year.

- Vacant parcels in Phases A and B shall be landscaped according to an approved plan.

- Financial guarantees to assure the installation of public improvements associated with Phase C will be required to be posted.

b. The following conditions are required as a part of construction of Phase C and must be completed prior to any construction commencing on Phase D:

- At least 75% of the buildings and required parking in Phases A and B must have received certificates of occupancy. At least 75% of the ~~completed~~ retail spaces for which certificates of occupancy have been issued must be occupied with long term leases of not less than 1 year.

- The employee housing shall be constructed prior to or concurrent with the commencement of construction for any other structures in Phase C. The employee housing shall be completed no later than Phase C.

- Vacant parcels in Phase C will be landscaped according to an approved plan.

- All public improvements associated with Phase C shall be completed.

- Financial guarantees to assure that installation of public improvements associated with Phase D will be required to be posted.

c. The following conditions are required as a part of construction of Phase D and must be completed prior to any construction commencing on Phase E:

- At least 50% of the buildings and required parking in Phase D must have received certificates of occupancy. At least 75% of the retail spaces for which certificates of occupancy have been issued shall be occupied with long term leases of not less than 1 year.

- Vacant parcels in Phase D shall be landscaped according to an approved plan.

- All public improvements associated with Phase D shall be completed.

- Financial guarantees to assure that installation of public improvements associated with Phase E will be required to be posted.

6. As indicated in attachment A, the minimum parking required is 609 spaces. If building square footages are reduced significantly during project build-out, the Planning Commission may consider reductions in the total amount of parking required. Parking spaces in excess of demand should be designated to accommodate open parking.

7. No density (gross or net square footages or building height) transfers will be allowed between phases. If a project chooses to use less than the maximum densities, it has no effect on any other portion of the project and cannot be used elsewhere in the project.

8. The plans shall be revised to include the possibility of a Coalition Building replica and exclude the small commercial space located in the edge of the originally proposed ski run extension. The Coalition Replica shall require approval by the Historic District Commission and will be as close as possible to the original design and location.

9. The plans shall be modified to address the concerns raised by the traffic report as deemed appropriate by the Staff.

10. The project is in an identified Flood Plain and will be subject to the Flood Plain Ordinance. If the buildings need to be modified to meet the Ordinance, no additional building height and no parking reduction will be considered. If parking is required to be reduced as a result of compliance with the Flood Plain Ordinance, associated reductions in square footage will also be required.

11. Before, after and during all phases of construction, access shall be provided to the Avise property. Plans for each phase shall reflect this access.

12. Amendments to this concept plan will be considered by the Community Development Department. If the amendment is determined to be substantive, the amendment will be referred to the Planning Commission for review and approval. For purposes of amendments, the revised property agreement and this approval shall be considered the base line and no consideration will be given to prior agreements or approvals on the property.

Conceptual Approval of Town Lift Project  
September 23, 1991  
Page Nine

Nora L. Seltenrich  
Nora L. Seltenrich, AICP  
Planning Director

9/23/91  
Date

ACKNOWLEDGEMENT

I, the undersigned, hereby acknowledge the conditions by which the project referred to above was approved.

\_\_\_\_\_ Date \_\_\_\_\_

NO CONSTRUCTION SHALL BE PERMITTED UNTIL A SIGNED COPY OF THIS LETTER, SIGNIFYING CONSENT TO THE CONDITIONS OUTLINED ABOVE, HAS BEEN RETURNED TO THE PLANNING DEPARTMENT.

PARK CITY PLANNING DEPARTMENT  
STAFF REPORT

TO: PLANNING COMMISSION  
 FROM: PLANNING STAFF *NS*  
 DATE: APRIL 16, 1992  
 RE: MPD APPROVAL FOR TOWN LIFT PHASE I

=====

**I. PROJECT STATISTICS**

Project Name: Town Lift Phase I  
 Applicant: McIntosh Mill  
 Location: Extended Main Street, North of Heber Ave.  
 Proposal: MPD for Phase I of the Town Lift  
 Zoning: HRC with special agreements allowing the  
 use of the HCB zoning  
 Adjacent Land Uses: Commercial, Residential, Vacant  
 Project Planner: Nora Seltenrich  
 Recommended Action: Approval with Conditions

**II. BACKGROUND INFORMATION**

In September of 1991, the City Council granted conceptual approval of the Town Lift Project. That approval was subject to a lengthy list of conditions which must be satisfied prior to construction commencing on the site. The conditions and findings for that approval are attached for your review.

It was anticipated that the applicants would come forward with an application for a first phase of the project fairly quickly. Their goal is to be able to commence construction this building season.

A Town Lift Design Review Task Force was set up to review the architectural drawings for the first phase. That group has met several times and has granted preliminary approval to the design of the buildings in the first phase. Prior to commencement of construction of any structure, final design approval must be granted.

There are a number of conditions which have to be satisfied prior to the first phase commencing construction. The most critical of which is an amendment in the 1982 agreement dealing with the building height. The applicants are working with the City Manager and the City Council on this requirement. The applicants are anxious to conduct negotiations and do a revision to the 1982 Agreement at this time.

**III. PROJECT DESCRIPTION**

The first phase contains three structures which are broken up into 11 smaller building elements. A common parking structure is proposed under two of the three buildings and surface parking is proposed to the east of the three buildings until later phases are constructed. All the structures lie on the east side of what would be extended Main Street. The structures to the west side are now under different ownership.

The phase would consist of 29 residential units which are 1250 sq. ft. in size, 15,153 net square feet of commercial space. The commercial space would front both extended Main Street and the Podium Plaza level. The building square footages break down as follows:

	GROSS	NET	UNITS	U.E.'s
BUILDING A1				
Commercial	2,036	1,832		1.8
Residential	12,780	7,446	6 @ 1250 SF =	4.5
BUILDING A2				
Commercial	8,497	7,648		7.6
Residential	21,175	18,805	15 @ 1250 SF =	11.25
BUILDING A3				
Commercial	6,304	5,673		5.7
Residential	10,696	10,294	8 @ 1250 SF =	6.0
TOTALS				
Commercial	16,837	15,153		15.1
Residential	44,651	36,546	29 @ 1250 SF =	21.75

**IV. STAFF ANALYSIS**

Comparison with Original Plan - The concept plan for this phase showed quite a bit more commercial space and slightly less residential space. One of the Planning Commission conditions of approval was that the commercial/residential ratio be changed to decrease the amount of commercial proposed. That ratio has changed significantly as is shown:

	GROSS COMM.	NET COMM.	GROSS RESID.	NET RESID.	TOTAL NET SQ. FTG.
Conceptual Plan	30,900	28,091	32,102	26,752	54,843
Current Plan	16,837	15,153	44,651	36,546	51,699

Street Elevation Modifications - In the past couple of months, the applicant has been trying to meet the new American Disabilities Act requirements while satisfying the Flood Plain Requirements. A number of alternatives have been explored and the result changes the original concept slightly. The pedestrian level along extended Main Street was anticipated originally to follow the Main Street grade as it heads downhill to the north of the site. A podium pedestrian level was anticipated to be elevated one level from Main Street and follow that grade one level higher. The current proposal flattens the Main Street pedestrian level so that at the south end of the project, the pedestrian level is about 2 feet higher than Main Street, and at the North end of building A3, the pedestrian level is about 12 feet above Main Street.

This was discussed during a Planning Commission work session and the Planning Commissioners expressed concern over how this separation might be treated. Revised plans have been submitted which show a number of stairways connecting the two levels, combined with planter boxes and landscaping. As the separation between the pedestrian arcade and Main Street increases, the buildings are stepped back from Main Street to allow for landscaping and buffering of the elevation difference. Where there is the most separation, the applicants are now proposing some shallow storefronts under the arcade level.

The podium level would no longer be elevated, but would follow the Main Street pedestrian arcade level. This would provide better opportunities for delivery and service access as well as emergency access.

Construction Phasing - Buildings A1, A2 and A3 are all being reviewed as part of Phase I because it is important to understand how the pedestrian arcade idea works. Only buildings A1 and A2 are being proposed to be built at this time, however. The parking plan and construction phasing plan therefore only addresses buildings A1 and A2. Eventually, the parking structure between buildings A2 and A3 will be connected. Until building A3 is constructed, a portion of the parking structure will be exposed.

There is a construction staging area shown on the plans which is proposed to be fenced. The exact location of this area will be determined in the field to avoid significant existing vegetation. The applicant has agreed that the security for public improvements for the project will include adequate funds to restore this area if construction does not continue on the project for any reason.

Parking - Since only buildings A1 and A2 are being planned to be constructed at this time, the parking plan proposed addresses only those buildings. A portion of the parking structure will be constructed and there will be surface parking to the east of the buildings until future phases are constructed. For the first two buildings, 64 parking spaces are required and 82 are proposed.

Prior to commencement of construction on building A3, a revised parking plan will have to be submitted.

The current proposal includes modifying the entrance to the parking structure. The original plan indicated that the primary entrance for the first phases would be off of extended 7th street. The revised plans show the entrance on the north side of building A2. In the future, a Main Street entrance is proposed under the pedestrian bridge.

Construction Access - It is important that construction access occur so that it does not impact Park Ave. and Heber Ave. A temporary construction access is therefore proposed off of Deer Valley Drive. In order to accommodate this access, the bike path will have to be rerouted somewhat. The applicants have agreed that the security required for public improvements will include sufficient funds to restore this area if construction does not continue for any reason.

Ownership - The applicants have indicated that they intend to sell timeshares for this project as a part of the Marriott Ownership program. That approval will be part of this Planning Commission action. The program is set up so that an owner owns a time period. Although they receive a deed for a specific unit, they may not stay in that particular unit. There are other such Marriott resorts and the intervals are exchangeable. In addition, ownership of an interest can also translate into time at other Marriott hotels and discounts for other travel services. The interiors of all of the units will be very similar in size and design.

The timeshare documents have not been finalized at this time. The City Attorney will review those documents for compliance with the regulations set forth in Chapter 8 of the Land Management Code. The applicants do not intend to begin marketing the project until at least this fall. The timeshare documents shall have been approved by the City prior to the marketing of the project.

Subdivision - Along with the MPD approval and approval of the timeshare use, a subdivision plat is being processed. This is vital in order to create Main Street and 7th Street. The Plat is covered under a separate staff report.

Architectural Details - The Town Lift Design Review Task Force has granted a preliminary approval of the building design for phase I. That design will change as a result of the change in the pedestrian plan. The Task Force has met once to discuss the revisions and they will review more detailed plans on Monday, April 20, 1992. Since the Task Force was set up specifically to deal with building design issues on this project, the Planning Commission's time would be better spent addressing the MPD and subdivision review.

Employee Housing - The concept approval included an employee

housing project of 26 units to be constructed in a later phase. That project was originally offered by the developer and is not a requirement specified in the Land Management Code. The applicant has taken the position that they are not willing to commit to the employee housing requirement at this time since the project has been changed substantially by the decrease in building height and associated density and by the elimination of the extension of the Town Lift Ski Run. The City Council felt strongly about this component of the plan and it will be part of the discussion on the renegotiation on the 1982 agreement.

#### **V. COMPLIANCE WITH MPD REQUIREMENTS**

Section 10.9 of the Land Management Code specifies general criteria for review. An analysis of that criteria follows:

a) Uses Permitted. The proposed uses of transient residential and retail commercial are permitted in the HCB Zone District. The Timeshare ownership is a conditional use which is being considered concurrently by the Planning Commission. The Master Planned Development is consistent with the Comprehensive Plan which designates this area as Historic Commercial. In addition, it is an extension of Main Street types of uses and is therefore compatible with the neighborhood.

b) Density. There is no maximum density in the HCB Zone.

c) Open Space. MPD's generally have a requirement of 60% Open Space. Phase I of the Town Lift Project certainly meets that requirement, since the majority of the Town Lift Site is not being developed at this time and will remain Open Space. At buildout, however, 60% Open Space can only be achieved by including the ski run to the west of the project. However, the 60% Open Space requirement does not apply to projects on Main Street since the historic pattern of development did not include open space and this is an area which was intended to be very dense.

d) Off-Street Parking. As mentioned above, this phase proposed parking in excess of that required by Code. In addition, the project as a whole is expected to provide Code required parking at buildout.

e) Setbacks. There are no required setbacks in the HCB Zone.

f) Building Height. The building height for this project is controlled through a special agreement which occurred in 1982 and was amended in the concept approval for the project which occurred in 1991. Phase I is consistent with that concept approval and is below that which would have been allowed by the 1982 agreement.

g) Nightly Rental and Timeshare Use. The Code requires that if the project is to be nightly rented or timeshared, a declaration must

occur at the MPD stage. This project will be nightly rented and timeshared and will be back before the Planning Commission for a condominium plat in the future.

h) Site Planning. This phase of the Town Lift project is planned to fit into future structures both as a part of the Town Lift and adjacent developments. This area was intended to be densely developed and has been planned as such with consideration of pedestrian circulation and plaza spaces. Those areas will be maintained by a property owners association. The Main Street grade will generally follow the existing grade. A significant amount of utility relocation will be necessary for Main Street to extend from its current location.

The project is designed to be an extension of Main Street while maintaining an identity of its own. For the first phase, the existing bike path will have to be relocated temporarily to accommodate construction access to the site. Pedestrian circulation shall be provided all the way to Park Avenue, even though not all of the area is to be developed at this time.

Landscaping and streetscape elements are vital to the success of this plan and a final, detailed plan will be required to be submitted by the applicant and approved by Staff. The City's Landscape Architects will be consulted during the review of these plans.

i) Building and Lot Requirements. The building and lot configuration are consistent with the Historic District Guidelines and with the conceptual approval for the Town Lift Project.

j) Commercial Facilities. Commercial uses are permitted in the HCB zone. At the direction of the Planning Commission, however, the amount of commercial square footage in this phase has been decreased from the concept approval.

k) Limits of Disturbance. A limits of disturbance plan will be required prior to construction commencing on the site. That plan shall attempt to retain as much of the significant vegetation on the site as possible. The majority of the larger trees are along the channel adjacent to Deer Valley Drive and will not be disturbed as a part of this phase.

## **VI. STAFF RECOMMENDATION**

The staff recommends APPROVAL of the Town Lift Phase I MPD and the conditional use request for Timeshare based upon the following findings:

1. The MPD is consistent with the general criteria for review as outlined in Section 10.9 of the Land Management Code.

2. The MPD is consistent with the Comprehensive Plan which designates this area as Historic Commercial and anticipated dense development.

3. The MPD is consistent with the Concept Plan approval for the Town Lift Project.

4. There was an agreement executed in 1982 which sets forth unusual criteria for development on the parcel.

The following conditions of approval are recommended:

1. Prior to commencement of construction, the 1982 agreement must be revised to reflect the building height as approved in the conceptual approval.

2. Prior to commencement of construction, a final landscape and streetscape plan shall be submitted by the applicant and approved by the City's Landscape Architect. A security shall be required to be posted to ensure installation of the improvements.

3. The subdivision plat creating extended Main Street and 7th Street shall be recorded prior to commencement of construction.

4. The Town Lift Design Review Task Force has granted a preliminary design approval for Phase I. It shall review and approve the final plans for the buildings in Phase I prior to commencement of construction of those buildings.

5. A construction phasing and staging plan shall be submitted and approved prior to the commencement of construction. That plan shall address the limits of disturbance for construction, fencing and screening of construction staging areas, and relocation of the bikepath to accommodate construction access. A security shall be required to be posted to ensure restoration of the areas disturbed during construction and restoration of the Bike Path if future phases do not proceed.

9. Pedestrian circulation will be required to be provided along Extended Main Street to the new intersection with Park Ave. as a part of this phase of construction. A security to ensure placement of this shall be included in the security for the subdivision unless other arrangements are agreed to by the City Council.

10. Prior to recordation of a condominium plat for any of the buildings, a Master Homeowners Association will be formed which will be responsible for the maintenance of all landscaping within the project, the walkways and plazas. The City staff shall review and approve the documents which establish this Master Association. The developer and the City shall enter into an agreement specifying that the Master Association shall be responsible for maintenance of

the landscaping and plaza areas. Said agreement shall indicate the minimum level of maintenance acceptable to the City. The developer shall provide the City with an acceptable financial guarantee in the amount of one year's maintenance cost as a part of the agreement. Until such an association is set up, it is the responsibility of the developer to install and maintain facilities.

11. The commercial or residential square footage not used as a part of this phase will not be allowed to be used in later phases.

12. The documents creating the timeshare uses shall be reviewed and approved by the City Attorney and shall be found to be consistent with the City requirements prior to marketing of the units as timeshares.

13. The City Engineer shall review and approve all grading, drainage and utility plans.

## PARK CITY PLANNING DEPARTMENT

## STAFF REPORT

TO: PLANNING COMMISSION  
 FROM: PLANNING STAFF NS  
 DATE: NOVEMBER 23, 1994  
 RE: SUMMIT WATCH REVISED CONCEPT PLAN

I. PROJECT STATISTICS

**Project Name:** Summit Watch Revised Concept Plan  
**Applicant:** Marriott Ownership Resorts Inc. (MORI) and McIntosh Mill, Ltd. (MML)  
**Location:** Town Lift Area, North of Heber Ave. and East of Extended Main Street  
**Proposal:** Revised Large Scale MPD  
**Zoning:** HRC/HCB  
**Adjacent Land Uses:** Historic Residential, Commercial, Timeshare, Nightly Lodging  
**Project Planner:** Nora Seltenrich

II. BACKGROUND INFORMATION/PROJECT DESCRIPTION

In April of this year, the City Council reviewed an appeal of the Planning Commission denial of Phase II of the Summit Watch Project (aka Town Lift). During that review, the Council granted the staff the authority to work with the applicant to develop an acceptable design of the next building for construction, building A3. Permits have been issued for construction of A3.

Over the past few months, the following has occurred:

Architectural Review of Building A-3. This review is complete. The bike path has been rerouted prior to excavation commencing on the site.

Acquisition of Avise Property. The applicants have purchased the Avise property. This has the following implications:

-7th Street east of extended Main Street no longer has to be a public street accessing a future development parcel. As such, it can be decreased in width and can take on a more "plaza-like" appearance. It will be a private plaza with public easements for access and utilities rather than a public street.

-Emergency Access will be maintained in 7th Street and plaza areas to the satisfaction of the Chief Building Official. A maintenance agreement shall be entered into to insure adequate maintenance.

-The Avise parcel will become open space and the structure demolished. The applicant is discussing deeding the property to the City.

RDA Parcel. 7th Street was anticipated as the primary access to the RDA parcel which exists in the area. The parcel contains the bike path and a significant amount of vegetation. Given the configuration of the site and the vegetation on the site, it is unlikely that it would be developed independently. There is a possibility that it could be combined with other parcels. The other parcels would access off of Heber Avenue. Although there will be a public access easement for the 7th Street Plaza, it is unlikely that this access would be adequate to serve a development on the RDA parcel.

Finalization of Plans of the Aquacade - A building permit has been issued for the aquacade.

### **III. PLANNING COMMISSION ACTION REQUIRED**

The Planning Commission is being asked to take two actions. The first is approval of a revised concept plan, or Large Scale Master Plan Development for the entire project. This will supersede the action taken to approve the original concept plan in 1991. A revision of the first phase of the project was previously approved by the Planning Commission and this action will revise the balance of the project. A revision to the Sweeney portion of the Master Plan was also previously granted by the Planning Commission. This concept plan covers the property on the east side of extended Main Street. The original conditions of approval of the concept plan must be reviewed and modifications made.

The second action is covered in a separate staff report and involves the Conditional Use Approval of items related to Phase II of the project. Consistent with Chapter 10 of the Land Management Code, each portion or phase of a Large Scale Master Plan must receive Conditional Use Approval.

The Town Lift Design Review Task Force will be required to review and approve the revised concept plan as well as final plans for each individual building.

### **VI. PROJECT DESCRIPTION**

#### **UNIT CONFIGURATION**

The Summit Watch Project consists of 8 buildings. Buildings A1 and A2 have been constructed and buildings A3 and the Aquacade are currently under construction. The project buildings and phases are as follows:

#### **Phase 1**

Building A1 7200 sq.ft. commercial  
Building A2 20units 8393 sq.ft. commercial

Phase 2

Aquacade support commercial only  
Building A3 28units 6358 sq.ft. commercial

Phase 3a

Lobby 20units 3160 sq.ft. commercial

Phase 3b

Building A4 14units 9170 sq.ft. commercial  
Conversion of old Lobby area in A2 to comm. 1455sq ft

Phase 4

Building A6 33units 5563 sq.ft. commercial

Phase 5

Building A5 20units 9194 sq.ft. commercial

The residential units are 1250 sq.ft. (or .75 unit equivalent) and the commercial numbers represent net leasable square footage.

The total project consists of 135 residential units and 50,496 sq.ft. of net leasable commercial square footage.

**ARCHITECTURAL THEME AND BUILDING HEIGHTS**

The project as proposed will follow the architectural themes which have been established by the construction of the first 2 buildings and by the approval of plans for Building A3. The buildings along Main Street will be flat roofed structures which will be broken up in modules through the use of different facade treatments. The "arcade" commercial frontage will continue down Main Street with Building A4. Building A5 will not have commercial frontage along Main Street.

The buildings to the east, along Deer Valley Drive are proposed to have more of a mining theme. They will have pitched roofs and provide roof and facade variation. Preliminary design concepts have been submitted and have been distributed for your review. The Town Lift Design Review Task Force will be required to approve the preliminary plans and the final plans for each building. The Planning Commission will also have the opportunity to review more detailed designs at the Conditional Use stage for each phase.

The proposed building heights for the balance of the project are within the building height plane as defined and approved in the 1992 amendment to the 1982 agreement. Buildings A3, Lobby and A6 are 4 levels above the plaza (or parking structure) level. The plaza level steps down between the Lobby Building and Building A6. Building A4 will be 3 stories along Main

Street and 4 along the plaza, with an increasing difference in elevation between Main Street and the arcade level. Building A5 will be 4 stories.

### **PARKING**

Buildings A2, A3, A4, A5 and A6 are built upon a common parking structure which will contain a total of 337 spaces at buildout. During some of the phases there will be a deficit of parking in the structure. During those times, the applicant is proposing to provide spaces in surface lots. During the conditional use approval of each phase the number, exact location and surfacing requirements of the lots will be specified. A plan has been submitted which shows how the parking requirements will be met with each phase. At buildout, the parking provided will meet the minimum required based upon a ration of 1.25 spaces per unit and 3 spaces per 1000 sq.ft. of net leasable commercial.

### **PHASING CONTINGENCY PLANS**

A major concern with a large, phased project such as this one is that the project may not proceed and that there may be long periods of time between phases moving forward. This developer has certainly indicated their intention to continue to move the project along to completion, but we must plan for every eventuality.

The applicant has prepared phasing contingency plans which indicate how the project area will be restored, how minimum required parking will be provided, how pedestrian and vehicular circulation will work and how utilities will be provided for each phase. Those contingency plans will become part of the approved plans for the Summit Watch Project. Prior to construction commencing on any of the buildings, the City will require that a security posted to cover the cost of site renovation and installation of contingency plans, should the project not move to the next phase. There are specific conditions of approval which address this issue.

### **PLAZA**

The staff and the applicants have been working on plans for the pedestrian plaza area which is over what was 7th Street and is between the buildings. Plaza improvements will include planters, window boxes, hanging planters, benches, trash containers, and light fixtures with banners. The plaza will be privately maintained. It is necessary to maintain a 20 foot fire lane through the plaza. A maintenance agreement is being finalized to ensure that the plaza is maintained to a minimum standard and that snow removal occur so as to allow for adequate fire and emergency access.

### **EMPLOYEE HOUSING**

According to the 1992 amendment to the 1982 agreement, the applicant has an obligation to provide employee housing. This housing requirement is based upon the buildout of the square footage of the project. Based upon this revised concept plan, the requirement would kick in at phase 4. Based upon input received by the Planning Commission at a previous work session, the City is exploring a number of options for provision of City property. The staff will keep the Planning Commission updated as that research progresses.

## **V. ISSUES FOR DISCUSSION**

### **COMPARISON WITH 1991 CONCEPT APPROVAL**

When this project came before the Planning Commission in April, 1994, the staff raised serious concerns regarding the revisions to the concept plan and recommended denial of the revised concept plan at that time. Since then, the applicant has worked to resolve those staff concerns. Improvements to the plans include:

- modification of building design to provide more variation in facade and building height
- detailed planning for the plaza and public features of the project
- revision to Building A6 to provide more opportunity for a pleasing entry to the project and to Main Street
- revision to the plans in order to enhance the stream corridor and bike path
- a greater degree of commitment to work with the City to make the Summit Watch Project as good as it can be

Although there is still quite a bit of detail which has to be finalized, the plans received at this time are a significant improvement over what was proposed earlier this year. The staff can identify no major issue.

The current proposal is significantly smaller than the 1991 concept plan. The residential square footage is virtually the same while the commercial component has been dramatically decreased (from 137,060 sq.ft to 50,496 sq.ft.).

### **COMPLIANCE AND REVISION TO 1991 AND 1994 CONDITIONS**

The 1991 conditions of approval have been reviewed by the staff. Some of the conditions apply to what is now the Sweeney portion of the Town Lift Project and have been attached to those approvals. Many of the conditions of approval have been complied with or have been superseded by the 1992 amendment to the 1982 agreement. Since the project is now being developed by one party, rather than individual parcels being sold for development, as was originally anticipated, many of the conditions no longer apply. New conditions of approval are drafted as a part of this approval and will supersede the 1991 conditions.

The 1994 conditions are being complied with through this revision to the concept plan and the Conditional Use approval of Phase 2.

### **UTILITIES**

The City Engineer has expressed concerns over the adequacy of fire flow for the project as it builds out. The applicant continues to work with the City Engineer on complete preliminary

utility plans. Final plans for the entire project have not yet been agreed upon, but the Conditional Use approval for each phase shall require that utilities adequate to serve that phase are approved. Conditions of approval are included to address the utility issues.

### **STREAM CORRIDOR AND BIKE PATH IMPROVEMENTS**

The staff has been concerned with the stream channel/bike path corridor which runs east of the buildings and west of Deer Valley Drive. This is a heavily used corridor and it is important that it remains a pleasing pedestrian experience. The current plans show the stream channel being reconstructed adjacent to building A6. This is unavoidable due to the construction of the Deer Valley Drive-Main Street intersection, the removal of 2 existing culverts and the construction of the driveway to the Lobby building. South of this area, every attempt will be made to retain as much existing vegetation as possible. The acquisition of the Avise parcel has enabled the applicants to propose that the 4 foot "soft surface" path be separated from the 10 foot hard surfaced bike path. The work will be done by hand and will involve minimal vegetation removal.

### **PRELIMINARY NATURE OF PLANS**

The Large Scale MPD process is intended to approve preliminary plans with the understanding that the details for each phase must be worked out in the Conditional Use process. The plans submitted to date are of greater detail than is customary or anticipated in Chapter 10 of the Land Management Code. This greater level of detail was deemed necessary by the staff for a project of this size and prominence. The plans are still preliminary, however, and conditions of approval have been drafted to address this preliminary nature and to make clear that more detailed plans will be required to be submitted and approved.

## **VI. FINDINGS AND CONDITIONS**

The staff has reviewed the plans submitted and recommends **APPROVAL** of the revised Large Scale MPD for the Summit Watch Project.

### **FINDINGS**

1. In 1991, the Planning Commission and City Council approved a concept plan for the Town Lift Project which included the Summit Watch project currently under review. The current proposal for the Summit Watch Large Scale MPD proposes revisions to that concept plan. Those revisions require review and approval by the Planning Commission.
2. This project is unique in that there are prior agreements which apply to it. The City has entered into a 1992 amendment to the 1982 agreement which applied to this project. In terms of the Master Plan Development Review, the agreement gives the property owners the right to use HCB zoning, establishes natural grade for measuring building height, imposes an employee housing requirement and addresses stream channel modifications.
3. The project is being reviewed as an amendment to a Large Scale Master Plan. The applicant has provided information consistent with requirements for review.

4. This project is large in scale and is in a prominent location in Park City's Historic District.
5. This area is identified as Historic Commercial in the Park City Comprehensive Plan.
6. Plans have been submitted and, once approved, will be part of the approval record.
7. The applicants have worked diligently with the City and have revised the plans to address concerns raised by the Staff, Planning Commission and City Council.

#### **CONCLUSIONS OF LAW**

1. The proposed project is consistent with the Historic Commercial designation in the Park City Comprehensive Plan.
2. The project and proposed uses are consistent with the HCB zoning which is allowed to be applied to it.
3. The project is generally consistent with the 1992 amendment to the 1982 agreement and with the findings and conditions of the 1991 approval. Some of the terms and conditions are no longer applicable and some terms and conditions are modified as a part of this approval and are necessary due to changes in the project and in circumstances.
4. The project complies with the Criteria for Review of a Master Planned Development as outlined in Section 10.9 of the Land Management Code.
5. The Master Plans relationship to its surrounding have been considered in order to avoid adverse impacts caused by traffic circulation, building height or bulk, lack of screening, ridgeline and view corridor intrusion, wetland encroachments or intrusions on privacy.
6. Additional detailed plans and conditions of approval are deemed necessary to ensure compliance with section 10.9 of the Land Management Code, such as detailed landscape plans and architectural drawings.

#### **CONDITIONS OF APPROVAL**

1. This approval is for a Large Scale Master Planned Development. Every phase shall require conditional use approval by the Planning Commission.
2. The Town Lift Design Review Task Force shall review and approve plans for each building prior to construction commencing.
3. Uses in the project shall be governed by the HCB zone. Any use which is shown as conditional in the HCB zone shall require conditional use approval by the Planning Commission.

71

4. A phasing plan has been submitted and is a part of this project approval. During the Conditional Use review of each phase, final details of the contingency plans shall be reviewed and approved. Prior to commencement of construction of any phase, a security shall be posted which shall be adequate to allow site restoration and completion of the contingency plan.
5. The Conditional Use review for each phase shall include review and approval of temporary and permanent pedestrian, vehicular and construction circulation plans.
6. No phase or building may proceed unless the City Engineer reviews and approves the utility plans.
7. No building permits will be issued unless and until the City Engineer and Fire Marshall review and approve plans which adequately address fire and emergency access and fire flow.
8. The Conditional Use review for each phase shall include the review and approval of landscape, streetscape and lighting features which are consistent throughout the project and are consistent with this approval. The landscape plans shall include specimen size trees, particularly between Deer Valley Drive and the buildings.
9. A Master Property Owners Association will be formed which shall be responsible for maintenance of all plaza streetscape and all landscaping. A Maintenance Agreement shall be entered into which guarantees the level of maintenance.
10. The building heights and density shall not exceed what is shown in this approval.
11. The applicant shall be required to provide employee housing consistent with the terms of the 1992 amendment to the 1982 agreement.
12. All signage shall receive appropriate review and approval.

72

3. Neither the public nor any person will be materially injured by the proposed amended record of survey.
4. Approval of the amended record of survey, subject to the conditions state below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval - Nakoma Condominiums

1. The City Attorney and City Engineer will review and approve the final form and content of the amended record of survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the amended record of survey 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.
3. All conditions of approval of the Flagstaff Mountain Resort Phase II (Pod B-1) Master Planned Development, as amended, and the Northside Village Subdivision II plat shall continue to apply.
5. 692 Main Street, Town Lift Project, Phase 1 - Pre Master Planned Development  
**(Application #PL-10-00928)**

Due to a conflict, Commissioner Pettit recused herself and left the room.

Planner Robinson reported that the application for 692 Main Street was part of the Marriott Summit Watch Town Lift master planned development. The building has been used by the Marriott Corporation as a sales gallery for the Summit Watch project. The building has subsequently been for sale. The contract purchaser was represented this evening by Kevin Horn, the architect and Mr. David Luber with LCC properties.

Planner Robinson reported that the original Town Lift concept included McIntosh Mill, the Sweeney Brothers and what became the Caledonia Hotel and the Town Lift as part of the Sweeney project and Treasure Hill. Through the early discussions, Main Street did not extend past Heber Avenue and there were discussions on elements that might apply to one side of Main Street but not required on the other. Planner Robinson stated that the City Council adopted a concept plan that bifurcated the agreement between the McIntosh Mill Partnership and the Sweeney Brothers and their partnership. Therefore, each party acted independently to comply with the 1991 concept plan.

Planner Robinson noted that in April 1992 the Planning Commission approved a small scale MPD, which became the Town Lift Phase I and included Buildings A1-A3. Building A-1 was 692 Main Street. Buildings A-2 and A-3 became part of the Marriott Summit Watch Project. In 1994 a building permit had been issued and the project at 692 Main was under construction. An amended concept plan was proposed and approved, at which time Marriott took over the

project. Building A-1 was constructed and what was reflected in the 1994 Concept plan was a 7200 square foot commercial building. The actual building is slightly less.

Planner Robinson stated that throughout that project, there were requirements for a Town Lift Design Review task force to review all the buildings in the project. The Task Force was comprised of members from the Historic District Commission, members of the Planning Commission and one City Council member. The Task Force was reconstituted with the Town Lift Bridge several years later.

Planner Robinson presented plans of the existing building and explained the proposed changes for a minor addition. The applicant was requesting to modify the building by adding to the 2<sup>nd</sup> story balcony and enclosing the space underneath. The modification would add 549 square feet to the building for a total of 7,105 net leasable square feet. The footprint of the building would remain the same except for the minor addition and enclosure under the deck facing Main Street.

Planner Robinson stated that the question was whether to reconstitute the Design Review Task Force in some manner, and whether that would be under the current process. Currently, any historic design review goes through the Staff Design Review Team and any appeal of that decision would go to the Historic Preservation Board. Another option would be to reconstitute the Task Force with members from the HPB, the Planning Commission and the City Council.

Planner Robinson stated that in addition to the minor addition, the applicant was proposing a major addition and a remodel which would include adding additional floors to the building, keeping under the height requirement of the LMC and the MPD. The use would be a mixed use of residential and commercial, which was contemplated in the earlier concept plan. Planner Robinson asked if the Planning Commission would want to recommend a Design Review Task Force for this phase, and in what manner.

Planner Robinson reviewed three questions on Page 195 of the Staff report for the Planning Commission to consider. The first was whether the Task Force should be comprised of the HPB. He amended that to replace HPB with the current Staff Design Team. The second question asked if the composition of the Task Force should include other members. The third question was whether an amendment to the 1991 Concept Plan be should be referred to the City Council to remove the requirement that Design Review go before the Historic Board.

Planner Robinson clarified that the application was a pre-master planned development and the Staff requested general consensus from the Planning Commission as to compliance with the General Plan.

David Luber, representing the applicant, stated that for the last several months they have worked diligently with the Staff and the Legal Department to research the history of the project back to 1992, when it was first developed by McIntosh Mill. What they learned was that the original density and configuration of buildings goes back to the 1992 MPD. Building A-1 has not had much use over the past year. They are looking at this as a reclamation project and would like to do something productive for the tax base and the user base.

Mr. Luber clarified that they do not intend to change the footprint of the existing building. The original MPD from 1992 was a mixed use of commercial and residential. In 1994 the Marriott took over this project and changed the use to a commercial sales office. An amendment was approved in 1994 and the building was turned into approximately 7200 square feet of net leasable space.

Mr. Luber stated that the applicant would like to return the building back to its original intended purpose of commercial and residential use. He pointed out that their proposal would not increase the density, they are using the existing footprint, the setbacks would remain the same, and there would be no changes to the open space. There would be no on-street parking issues because the users of the property are confined on site.

Mr. Luber requested feedback from the Planning Commission in terms of how complex or easy the MPD process would be, based on an application for an amendment to the 1994 plan to allow reconfiguration.

Mr. Luber stated that under the original 1992 and 1994 plans, design review of this project was done by the Design Review Task Force. At that time there was not a functioning Staff and functioning Historic Design Review process. Mr. Luber asked the Planning Commission whether the design review could be handled in a process with the City Staff and the existing HPB, rather than reconstituting the Task Force.

Mr. Luber requested direction from the Planning Commission regarding the MPD process. Kevin Horn, the project architect, reviewed the proposed modifications. Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

Commissioner Peek asked if there was a way to enhance the pedestrian plaza on 7<sup>th</sup> Street and generate pedestrian traffic on that side of the building to draw people into that plaza. He noted that the plaza is currently under utilized. Mr. Luber replied that the building has been significantly under utilized. It is intended to be as significant as the Ski Lodge Club and the members entrance would draw foot traffic to that area. Mr. Luber noted that the applicants have discussed ways to better utilize that area.

Chair Wintzer asked if this would be a private club or open to the public. Mr. Luber stated that the intent is to have a members private ski club/public restaurant and lounge. Mr. Luber remarked that the intent is to provide something that is not available on the hill at Park City Mountain Resort.

Commissioner Peek asked if there would be a sales component to the use similar to the Talisker Restaurant. Mr. Luber replied that there would be a modest sales element.

Commissioner Strachan recalled an ordinance prohibiting first floor members dining clubs.

Chair Wintzer clarified that his questions were based on that ordinance, but he was unsure where the ordinance stops. Planner Robinson explained that it is commonly called a vertical zoning ordinance and it would include this building. The ordinance prohibits office space, non-retail space, restaurant space such as what is being proposed, or a club grille.

Mr. Luber remarked that they were trying to multi-task and find the best uses for the building.

Commissioner Strachan liked the concept, particularly the idea of having a store on Main Street. That type of store is no where to be found and it is totally essential. Mr. Luber clarified that the market would be open to the public.

The Commissioners discussed the purpose of the Design Review Task Force. Chair Wintzer explained that the Task Force was set up because of the controversy of the project, not because the Staff was unable to handle the job. It was a way to ensure the public that they would have the ability to provide input. Assistant City Attorney McLean thought the Staff report clearly laid out the options for the Planning Commission to consider. She noted that the 1991 Concept Plan specifically designated the Historic District Commission as the design task force. All the documents subsequent to that were all the buildings plans to be reviewed by that task force.

Commissioner Strachan clarified that the HDC is now the HPB. Ms. McLean replied that this was correct.

Chair Wintzer asked if the Planning Commission had the ability to circumvent the requirements of the 1991 Concept Plan. Ms. McLean explained that the Planning Commission could either re-affirm the HPB as the Task Force, or they could refer this to the City Council to and recommend that the Council amend the 1991 Concept Plan so the review could just go to the Staff and no longer need to go to the HPB. Another option would be to recommend that the City Council reconvene the Task Force but include other members with the HPB.

Commissioner Strachan felt the question was whether the Planning Commission should solve the problem now so the Task Force would not need to be reconvened each time there is an issue. The Planning Commission could recommend that the City Council remove the requirement for a Task Force and allow the applicants to go through the Staff Design Review Team.

Commissioner Peek remarked that remodels of existing buildings should not rise to the standards of a Design Review Task Force. He believed it should go to the City Council for policy direction on whether the Design Review Task Force is still enforced on all applications.

Commissioner Strachan agreed. Commissioner Hontz was comfortable with reviewing the MPD and eliminating the task force.

Assistant City Attorney McLean remarked that just for the minor remodel, the Staff interpreted that as only needing approval by either the task force or another type of design review. That would not be part of the MPD. The major addition of adding stories would be part of the MPD

because it would substantially change the building. The Planning Commission has the purview to determine that filling in the balcony is also a substantial change and it should also be part of the MPD. The Staff opinion was that it was minor enough not to require opening the MPD.

Commissioner Strachan thought that was reasonable. Commissioner Peek noted that the minor addition falls under the HDDR and would still be reviewed by Staff.

Mr. Luber was unclear on what the Planning Commission would recommend to the City Council. Assistant City Attorney McLean stated that the Planning Commission would recommend to the City Council that the 1991 Concept Plan be amended. Therefore, instead of this being referred to the HPB, it would be referred to Staff for design review and the task force need not be convened. Because the 1991 Concept Plan was passed by the City Council, they would need to make that determination.

Ms. McLean clarified that the applicant would need to wait until the City Council makes their determination before moving forward with review of the minor addition. The proposal for additional stories would require an MPD.

Mr. Luber asked for a general nos from the Planning Commission as to whether they would look favorably on their proposal if it comes back as an MPD application. Commissioner Peek felt it was headed in the right direction. The Commissioners concurred. Planner Robinson noted that typically in pre-MPD meetings they look for general compliance with the General Plan.

MOTION: Commissioner Strachan made a motion to forward a POSITIVE recommendation to the City Council that the 1991 Concept Plan be amended to remove the requirement that the design review go before the Historic Board, as outlined on Page 195 of the Staff report. Commissioner Hontz seconded the motion.

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

The Park City Planning Commission meeting adjourned at 10:15 p.m.

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



# Planning Commission Staff Report



**Subject:** Park City Racquet Club - MPD  
**Author:** Kayla Sintz  
**Date:** June 23, 2010  
**Project #:** PL-09-00785  
**Type of Item:** Development Agreement

## **Topic**

**Applicant:** Park City Municipal Corporation  
**Location:** 1200 Little Kate Road  
**Zoning:** Residential Development (RD)  
**Adjacent Land Uses:** Recreation Open Space (ROS) and Single Family (SF)  
**Reason for Review:** Master Planned Developments require ratification of a development agreement

## **Summary Recommendation**

Staff recommends that the Planning Commission review the proposed development agreement and consider ratifying the agreement as written.

## **Background**

Attached is the Park City Racquet Club MPD Development Agreement. Section 15-6-4 (G) of the Land Management Code states that once the Planning Commission has approved a Master Planned Development for a project, the approval shall be finalized in the form of a Development Agreement. The Development Agreement must be ratified by the Planning Commission, signed by the Mayor on behalf of the City Council, and recorded with the Summit County Recorder. The Development Agreement must be submitted to the City within six (6) months of the approval of the MPD. The Park City Racquet Club MPD was approved by the Planning Commission on January 20, 2010. The Development Agreement was submitted to the City on June 11, 2010.

## **Department Review**

The Legal and Planning Departments have reviewed the agreement for conformance with the January 20, 2010 Park City Racquet Club MPD approval.

## **Recommendation**

Staff recommends that the Planning Commission review the proposed development agreement and consider ratifying the agreement as written. The Planning Commission may recommend amendments, but shall consider that this action is an administrative action ratifying that the January 20, 2010 final approval is correctly memorialized in the Agreement.

## **Exhibits**

A. Development Agreement

**DEVELOPMENT AGREEMENT  
FOR THE PARK CITY RACQUET CLUB MASTER PLANNED  
DEVELOPMENT, PARK CITY, SUMMIT COUNTY, UTAH**

This Development Agreement is entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2010, by and between Park City Municipal Corporation (“Developer”) as the owner and developer of certain real property located in Park City, Summit County, Utah, on which Developer proposes the development of a project known as the Park City Racquet Club Master Planned Development, and Park City Municipal Corporation, a municipality and political subdivision of the State of Utah (“Park City”), by and through its City Council.

**RECITALS**

- A. Developer is the owner of approximately 7.5 acres of real property located in Park City, Summit County, Utah, as reflected in Exhibit A, which is attached hereto and incorporated herein by this reference (the “Property”), on which it has obtained approval for the development known as the Park City Racquet Club Master Planned Development aka Park City Recreation Center, as more fully described in the incorporated Exhibits and as set forth below (the “Project”).
- B. Park City requires development agreements under the requirements of the Park City Land Management Code (“LMC”) for all Master Planned Developments.
- C. Developer is willing to design and develop the Project in a manner that is in harmony with and intended to promote the long-range policies, goals and objectives of the Park City General Plan, and address other issues as more fully set forth below.
- D. Park City, acting pursuant to its authority under Utah Code Ann., Section 10-9-101, *et seq.*, and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Development Agreement.

Now, therefore, in consideration of the mutual covenants, conditions and considerations as more fully set forth below, Developer and Park City hereby agree as follows:

1. **Project Conditions:**

- 1.1. The Design Drawings dated and reviewed by the Planning Commission on January 20, 2010, (Exhibit B) and Findings of Fact, Conclusions of Law and Conditions of Approval (attached as Exhibit C) are incorporated herein as the Project; subject to changes detailed herein. The Project is located in the Residential Development (RD) zoning district
- 1.2. Developer and its successors agree to pay the then current impact fees imposed and as uniformly established by the Park City Municipal Code at the time of permit application, whether or not state statutes regarding such fees are amended in the future.
- 1.3. Developer and its successor agree to have the following entered into and approved by the City prior to the issuance of a building permit: (a) a construction mitigation plan (with

signage for emergency contacts); (b) Limit of disturbance; (c) Park City Racquet Club total employee count; and (d) water efficient landscape and irrigation plan showing snow storage areas

## 2. **Vested Rights and Reserved Legislative Powers**

2.1 Subject to the provisions of this Agreement, Developer shall have the right to develop and construct the Project in accordance with the uses, densities, intensities, and general configuration of development approved by this Agreement, subject to compliance with the other applicable ordinances and regulations of Park City.

2.2 **Reserved Legislative Powers.** Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the existing land use and zoning regulations which are applicable to the Project under the terms of this Agreement based upon policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed legislative changes affecting the Project and terms and conditions of this Agreement applicable to the Project shall be of general application to all development activity in the City; and, unless the City declares an emergency, Developer shall be entitled to the required notice and an opportunity to be heard with respect to the proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine.

## 3. **Successors and Assigns.**

3.1 **Binding Effect.** This Agreement shall be binding on the successors and assigns of Developer in the ownership or development of any portion of the Project.

3.2 **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Agreement and without the prior written consent of the City, which consent shall not be unreasonably withheld. Any such request for assignment may be made by letter addressed to the City and the prior written consent of the City may also be evidenced by letter from the City to Developer or its successors or assigns. This restriction on assignment is not intended to prohibit or impede the sale of parcels of fully or partially improved or unimproved land by Developer prior to construction of buildings or improvements on the parcels, with Developer retaining all rights and responsibilities under this Agreement.

## 4. **General Terms and Conditions.**

4.1 **Term of Agreement.** Construction, as defined by the Uniform Building Code, is required to commence within two (2) years of the date of execution of this Agreement. After Construction commences, the Park City Racquet Club Master Planned Development and this Agreement shall continue in force and effect until all obligations hereto have been satisfied. The Master Plan approval for the Project shall remain valid so long as construction is proceeding in accordance with the approved phasing plan set forth herein.

4.2 Agreement to Run With the Land. This Development Agreement shall be recorded against the Property as described in Exhibit A hereto and shall be deemed to run with the land and shall be binding on all successors and assigns of Developer in the ownership or development of any portion of the Property.

4.3 No Joint Venture, Partnership or Third Party Rights. This Development Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto, nor any rights or benefits to third parties.

4.4 Integration. This Development Agreement contains the entire Agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed by the parties hereto.

4.5 Severability. If any part or provision of this Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Agreement except that specific provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Agreement shall be deemed invalid due its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

4.6 Attorney's Fees. If this Development Agreement or any of the exhibits hereto are breached, the party at fault agrees to pay the attorney's fees and all costs of enforcement of the non-breaching party.

4.7 Minor, Administrative Modification. Minor, administrative modification may occur to this approval without revision of this Agreement.

## 5. **Phasing**

5.1 Project Phasing. The Project as approved will be built in one phase. However, possible subsequent phases are identified in Exhibit B and include Natatorium, Restaurant and Gymnasium. Each phase must consider infrastructure facilities, parking and Open Space through the Project in conformance with the requirements of this Agreement and the LMC, and shall be reviewed by the Planning Commission for Amendment to the approved MPD review but shall not justify review of the entire master plan.

5.2 Construction of Access. Developer may commence grading access to the Project as approved by the City Engineer according to generally accepted engineering practices and standards, and pursuant to permit requirements of the LMC, the International Building Code/ Fire Code, and the Army Corps of Engineers. Developer shall be responsible for maintenance of any such accesses until they are completed according to City standards and accepted by the City.

5.3 Form of ownership anticipated for the project. The Project will consist of The Park City Racquet Club aka The Park City Recreation Center, which will remain under ownership of the Park City Municipal Corporation.

6. **Water.** Developer acknowledges that water development fees will be collected by Park City in the same manner and in the same amount as with other development within municipal boundaries and that impact fees so collected will not be refunded to Developer or to individual building permit applicants developing within the Project.

7. **Affordable Housing.** This Master Planned Development, as submitted, is exempt from the requirements of Housing Resolution 20-07 as outlined in *Section E Redevelopment: Additions and Conversions of Use* in that the remodeling does not create additional employment generation. The applicant has submitted a letter confirming that the renovation will not generate any additional employees. Condition of Approval #15 of the approval addresses any increase of employees at the time of Certificate of Occupancy.

**IN WITNESS WHEREOF**, this Development Agreement has been executed by Developer Park City Municipal Corporation by persons duly authorized to execute the same and by the City of Park City, acting by and through its City Council as of the \_\_\_ day of \_\_\_\_\_, 2010.

**DEVELOPER:**  
Park City Municipal Corporation  
P.O. Box 1480  
Park City, UT 84060

---

By: Matt Twombly, Project Manager

**STATE OF UTAH            )**  
  **: ss**  
**COUNTY OF SUMMIT    )**

On this \_\_\_ day of \_\_\_\_\_, 2010, personally appeared before me \_\_\_\_\_, whose identity is personally known to me/or proved to me on the basis of satisfactory evidence and who by me duly sworn/affirmed), did say that he is authorized to enter into this Agreement on Park City Municipal Corporation’s behalf.

---

Notary Public

**PARK CITY MUNICIPAL CORPORATION**

By: \_\_\_\_\_  
Dana Williams, Mayor

ATTEST:

By: \_\_\_\_\_  
Janet M. Scott, City Recorder

APPROVED AS TO FORM:

---

Mark D. Harrington, City Attorney

- Exhibit A - Plat
- Exhibit B – Master Planned Development approved design drawings, January 20, 2010
- Exhibit C - Findings, Conclusions and Conditions of Approval from January 20, 2010 Planning Commission Approval

# PARK CITY RACQUET CLUB SUBDIVISION PLAT

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

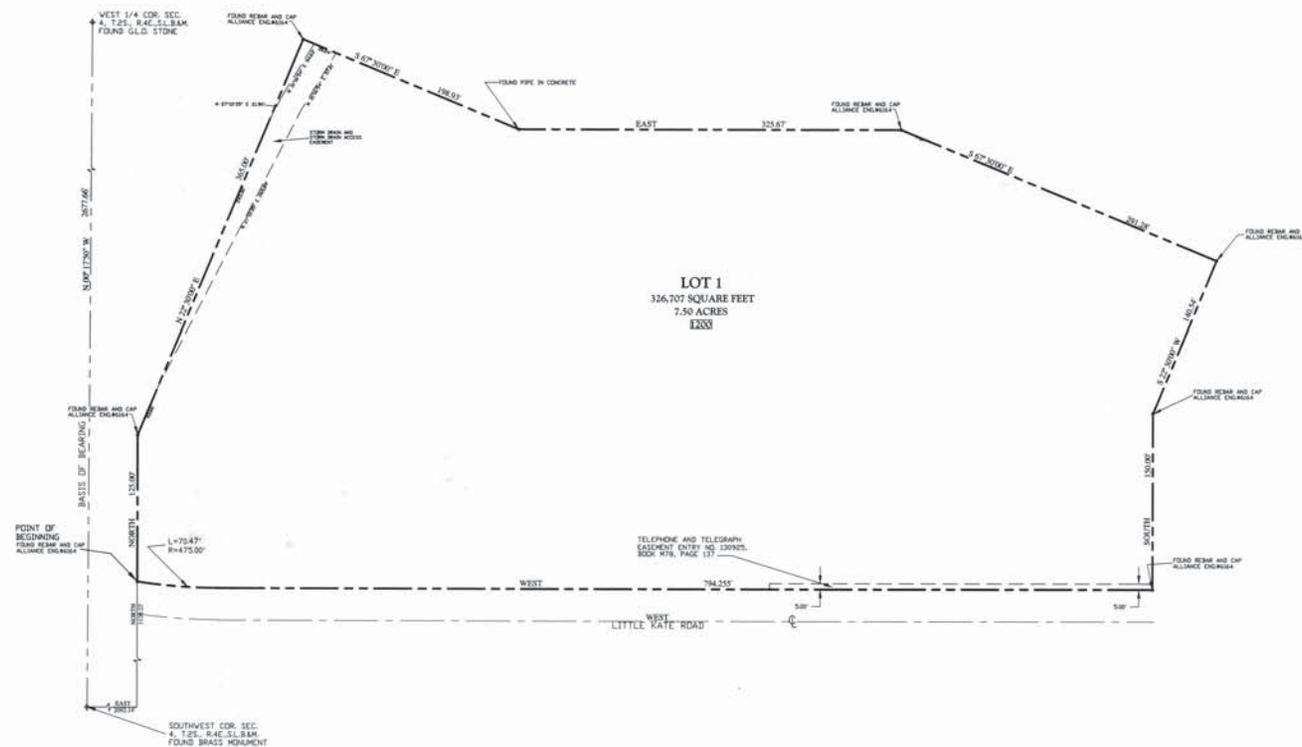
**LEGAL DESCRIPTION**  
 BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF LITTLE KATE ROAD, SAID POINT BEING NORTH 110°22' FEET AND EAST 0°01' 14 FEET FROM THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; AND BEING THENCE NORTH 120°00' FEET THENCE NORTH 12°00' EAST 164.86 FEET THENCE SOUTH 87°00' EAST 184.86 FEET THENCE EAST 104°47' FEET THENCE SOUTH 87°00' EAST 184.86 FEET THENCE SOUTH 22°00' WEST 164.86 FEET THENCE SOUTH 104.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF LITTLE KATE ROAD; THENCE WEST ALONG SAID NORTH RIGHT-OF-WAY LINE 742.25 FEET TO A POINT ON A 47.81 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTH RIGHT-OF-WAY LINE 147 FEET TO THE POINT OF BEGINNING.

**SURVEYOR'S CERTIFICATE**  
 I, CHARLES GALATI, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 72688-2010 AS FRANCHISED UNDER THE LAWS OF THE STATE OF UTAH. I HEREBY CERTIFY, ON BEHALF OF JACK JOHNSON COMPANY, THAT A SURVEY HAS BEEN MADE OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED THEREIN, AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN MADE IN CONFORMANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.



**PLAT NOTES**  
 \* SCHEDULED 1:0 SPINNERS WILL BE REQUIRED FOR NEW OR MODIFIED STRUCTURES.

**LEGEND**  
 ▲ FOUND SECTION CORNER  
 ● FOUND PROPERTY CORNER



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

KNOWN ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED OWNER OF THE HEREDON DESCRIBED TRACT OF LAND TO BE KNOWN HEREAFTER AS THE PARK CITY RACQUET CLUB RECREATION, DO HEREBY CERTIFY THAT I HAVE CALLED THIS SUBDIVISION PLAT TO BE PREPARED AND I, DANA WILLIAMS, HEREBY CONSENT TO THE RECORDED OF THIS SUBDIVISION PLAT. ALSO, THE OWNER OF THIS REPRESENTATIVE HEREBY IRREVOCABLY OFFERS FOR DEDICATION TO THE CITY OF PARK CITY ALL EASEMENTS SHOWN ON THIS PLAT IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

IN WITNESS WHEREOF, THE UNDERSIGNED SET THEIR HAND  
 THIS 13<sup>th</sup> DAY OF March, 2010

BY:  
*Dana Williams*  
 DANA WILLIAMS, MAYOR, PARK CITY  
 PARK CITY MUNICIPAL CORPORATION

**ACKNOWLEDGMENT**  
 STATE OF UTAH  
 COUNTY OF SUMMIT

ON THIS 19<sup>th</sup> DAY OF March, 2010, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED SOLELY PUBLIC NOTARY PUBLIC FOR SAID COUNTY OF SUMMIT, IN SAID STATE OF UTAH, *Dana Williams*, HAVING BEEN DULY PROMPTLY ACKNOWLEDGED TO ME THAT *Dana Williams* IS THE OWNER OF THE TRACT DESCRIBED BEHIND THE ABOVE OWNER'S DECLARATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

*Sharon C. Bauman*  
 Notary Public  
 July 13, 2010  
 Park City, Utah



SCALE: 1"=50'

**JACK JOHNSON COMPANY**  
 Designing World Destinations  
 In-Person - 1775 Sun Peak Drive - Park City, Utah 84308  
 Telephone - 435-645-5500 - Facsimile - 435-645-1020  
 www.jackjohnson.com

<p><b>CERTIFICATE OF ATTEST</b></p> <p>I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 30TH DAY OF MARCH, 2010.</p> <p><i>[Signature]</i>                  PARK CITY ENGINEER</p>	<p><b>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</b></p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 30TH DAY OF DECEMBER, 2009.</p> <p><i>[Signature]</i>                  S.W.B.</p>	<p><b>COUNCIL APPROVAL AND ACCEPTANCE</b></p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 30TH DAY OF MARCH 2010 A.D.</p> <p><i>Dana Williams</i>                  MAYOR</p>	<p><b>CITY ENGINEER</b></p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 17<sup>th</sup> DAY OF March, 2010 A.D.</p> <p><i>[Signature]</i>                  PARK CITY ENGINEER</p>	<p><b>CITY PLANNING COMMISSION</b></p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION ON THE 23<sup>rd</sup> DAY OF FEBRUARY, 2010.</p> <p><i>[Signature]</i>                  CHAIRMAN</p>	<p><b>APPROVAL AS TO FORM</b></p> <p>APPROVED AS TO FORM THIS 23<sup>rd</sup> DAY OF March, 2010 A.D.</p> <p><i>[Signature]</i>                  PARK CITY ATTORNEY</p>	<p># 894668 RECORDED</p> <p>STATE OF UTAH COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF <i>Park City Municipal Corp.</i>                  DATE 3-25-10 TIME 2:02 PM</p> <p><i>[Signature]</i>                  REC'D</p>
--	---	---	--	---	---	--



PARK CITY RECREATION CENTER  
20 JANUARY 2010

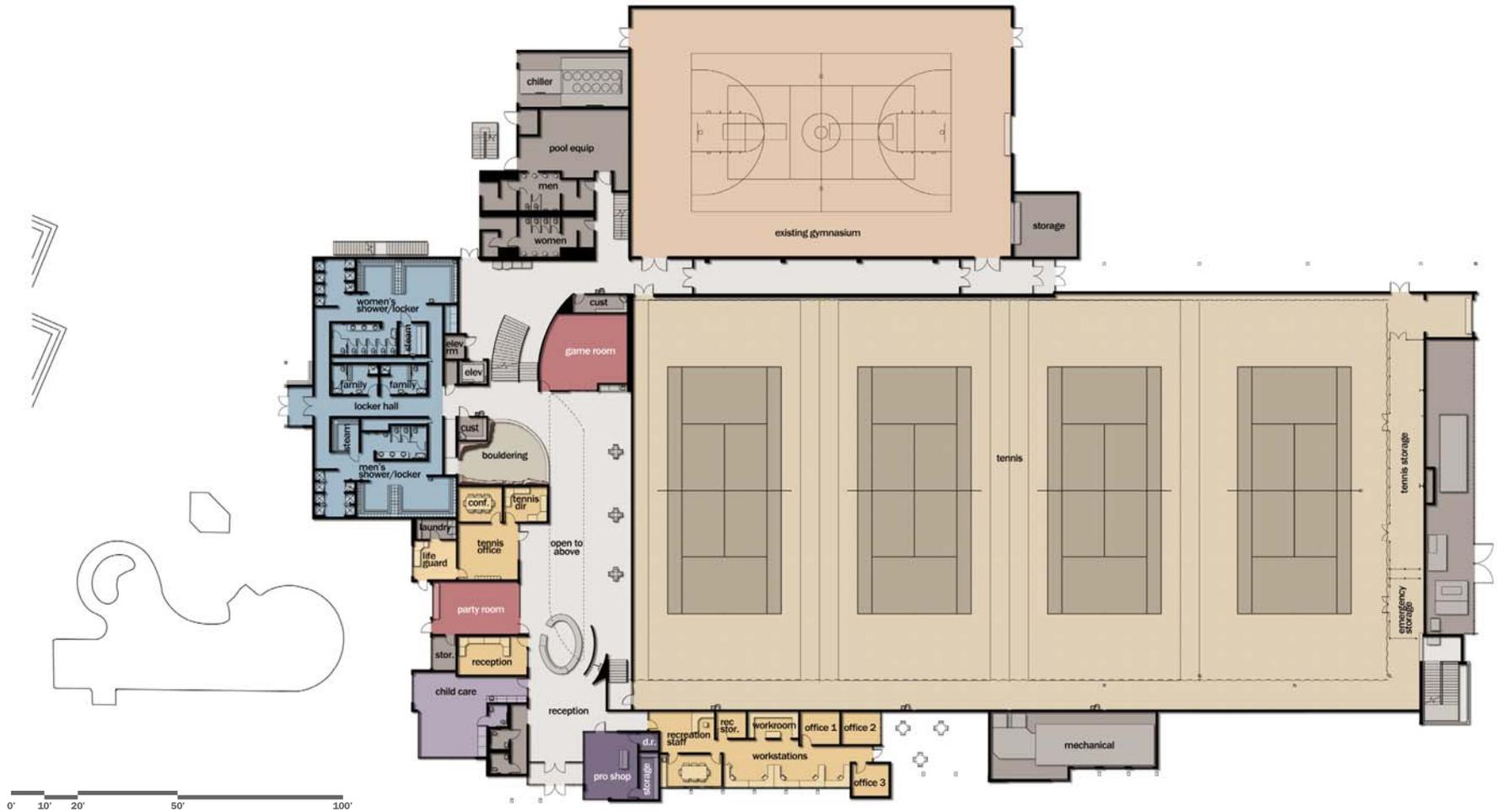
VCBO  
ARCHITECTURE

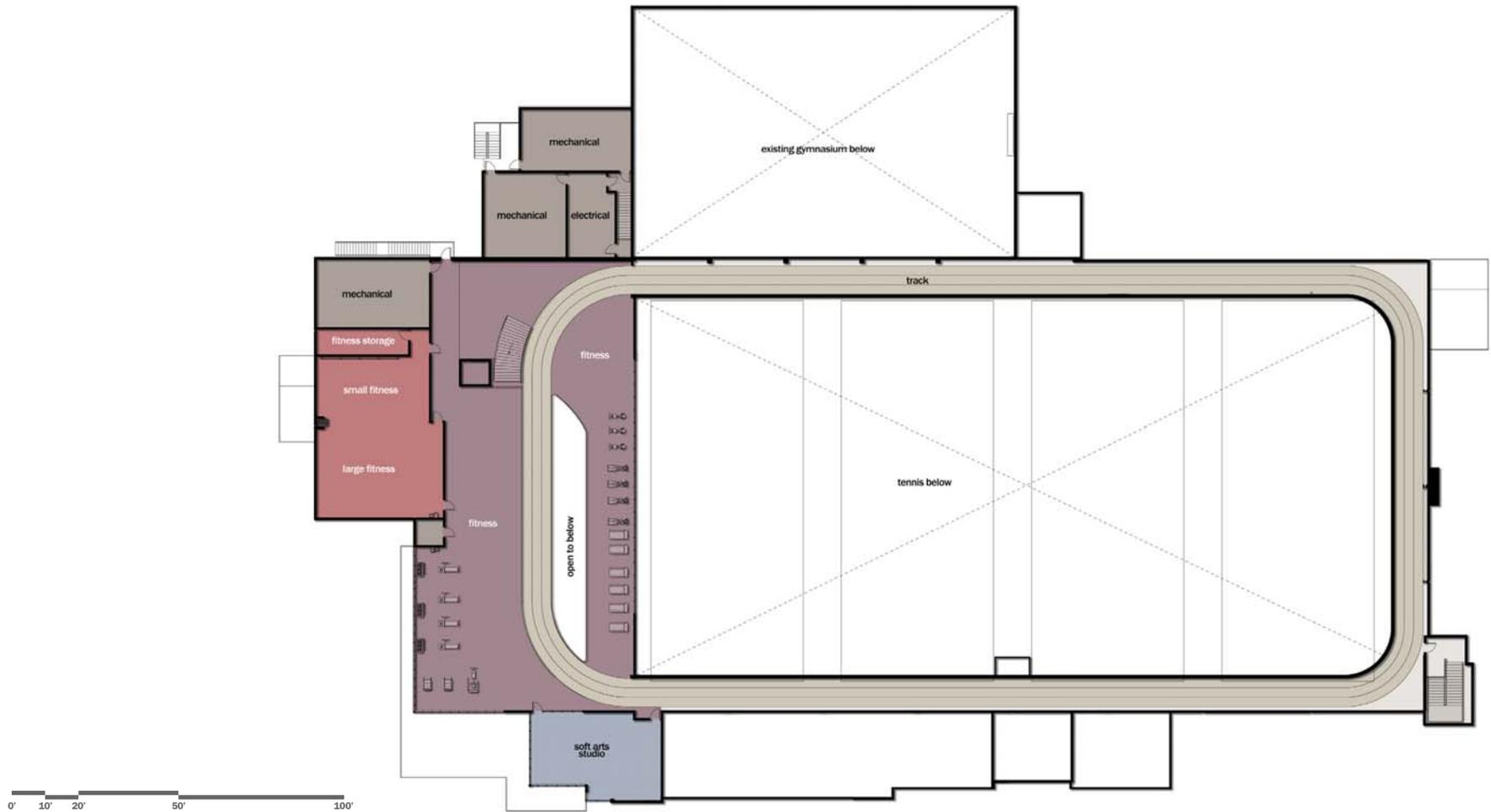


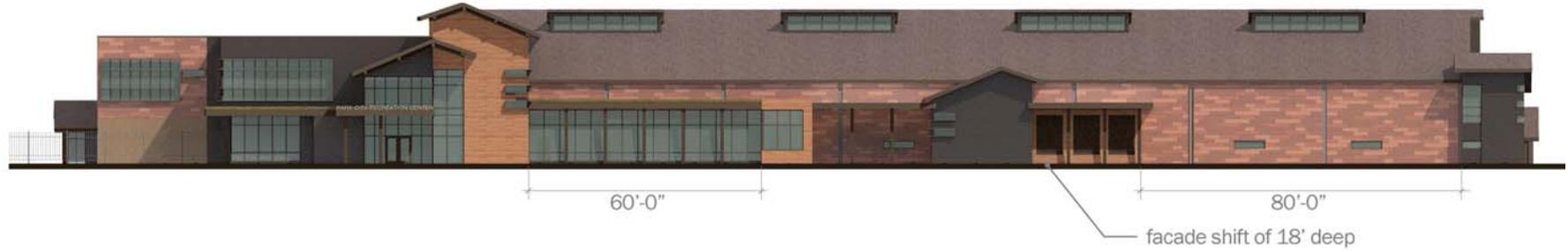
# Site Plan - Existing West Lot



- |                                  |   |  |
|----------------------------------|---|--|
| 1 existing tennis courts         | 7 2-story fitness, recreation & lockers       | a bike racks                           |
| 2 existing pool                  | 8 tennis building (4 courts w/ running track) | b solar hot water panels               |
| 3 existing gymnasium             | 9 existing park                               | c solar panels                         |
| 4 future natatorium              | 10 snow storage                               | d water-wise landscaping               |
| 5 future multi-purpose gymnasium | 11 site lighting (see elevation)              | e native grass and boulder landscaping |
| 6 future restaurant              |   | f green roof                           |

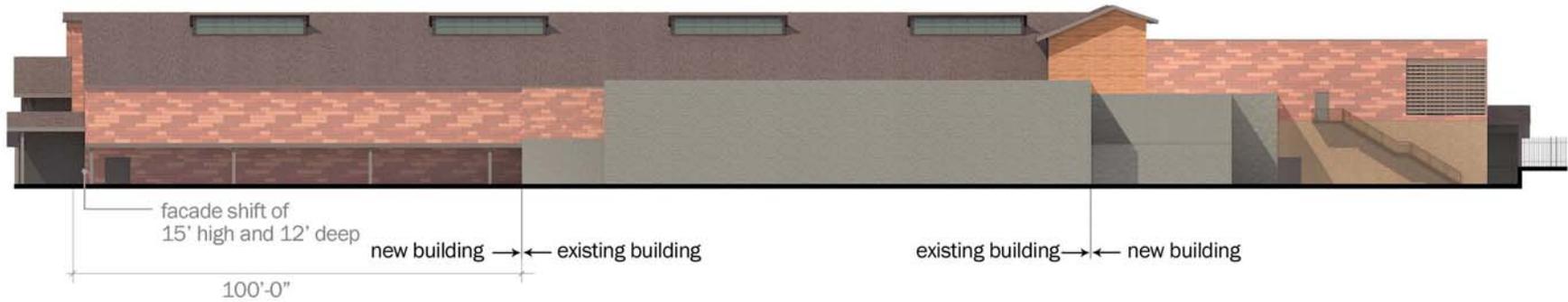






**south elevation**

meets facade variation A requirements

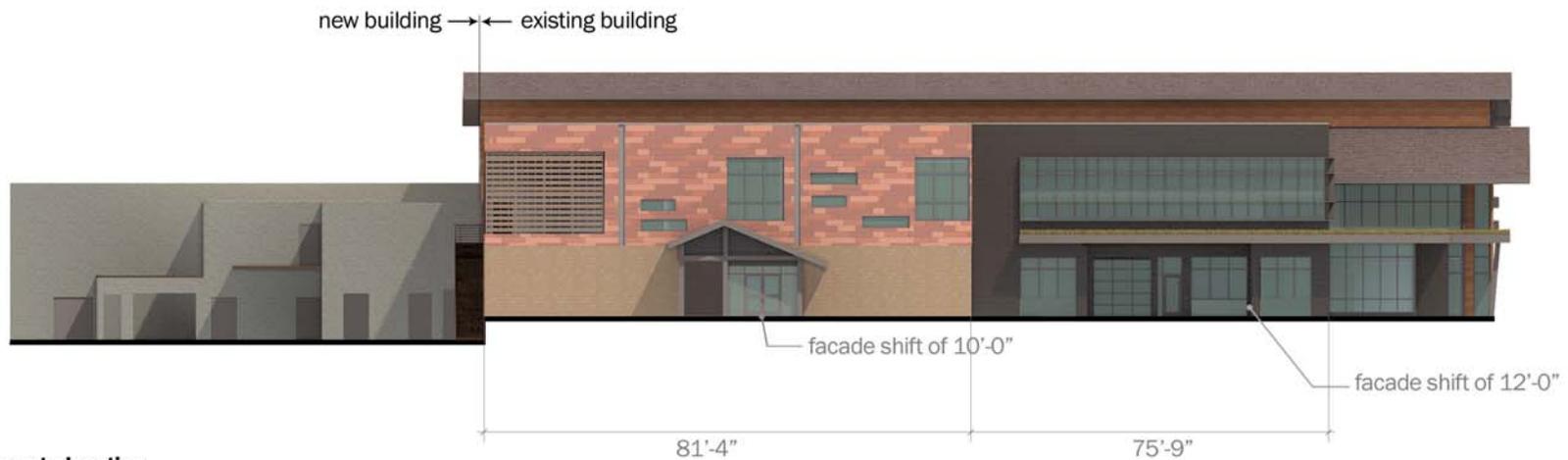


**north elevation**

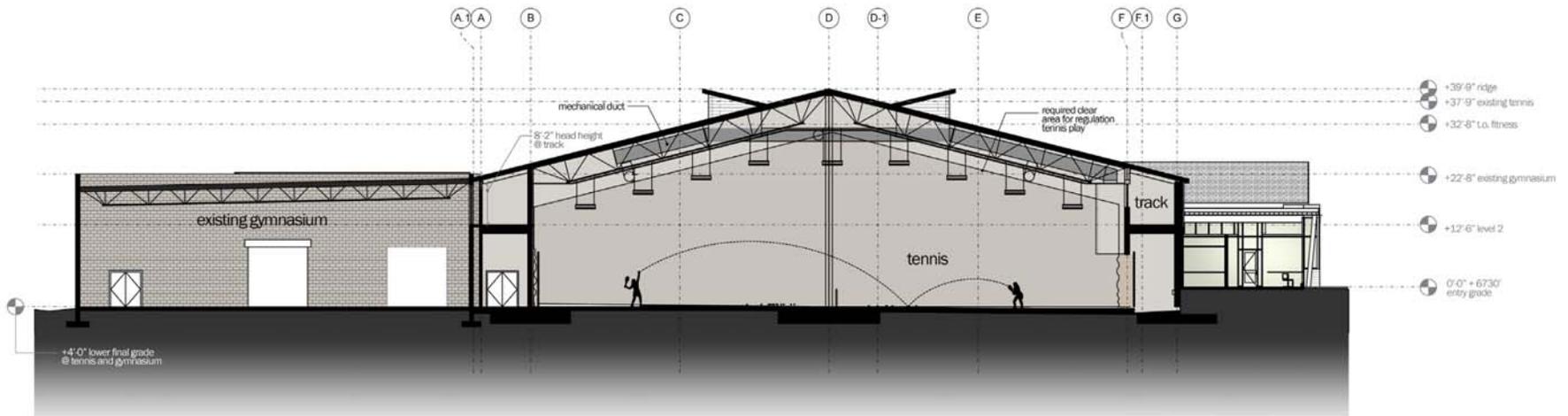
meets facade variation A requirements



**east elevation**  
meets facade variation A requirements

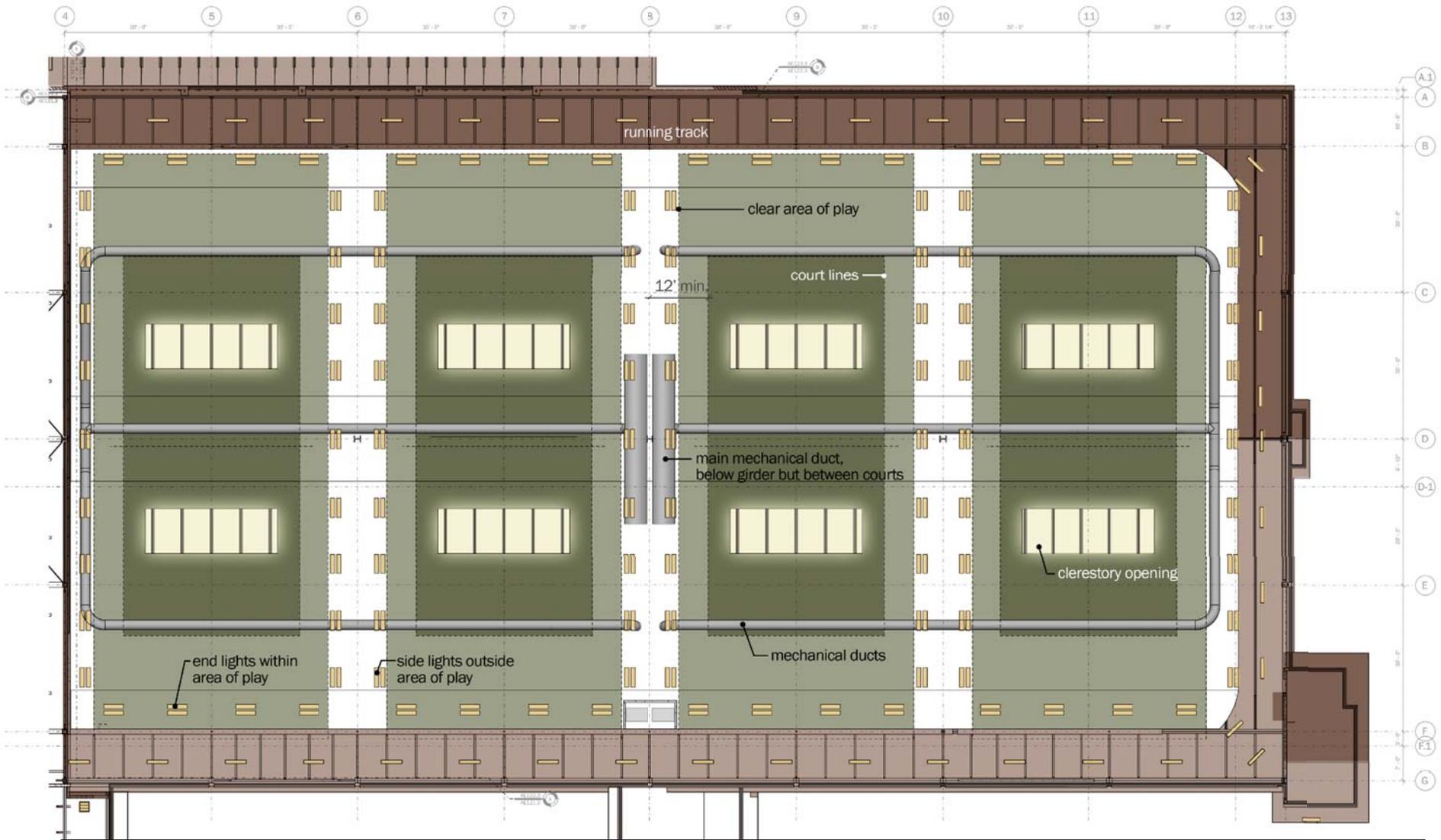


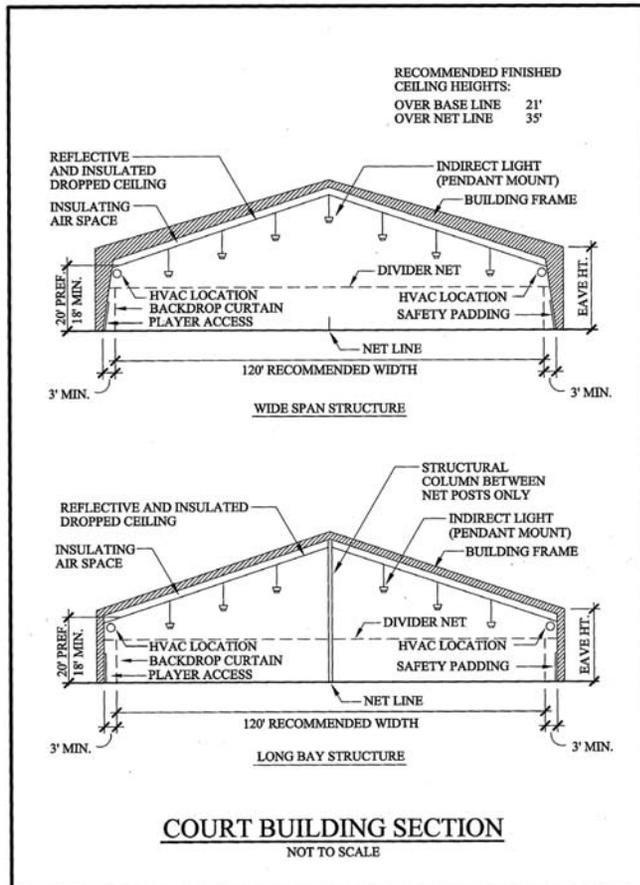
**west elevation**  
meets facade variation A requirements





# Tennis Ceiling Plan Overlay





45INDOOR2.AVL.05



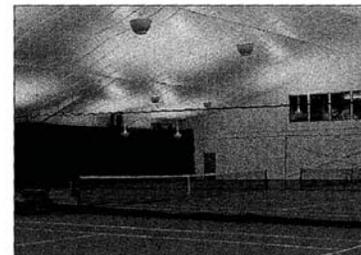
DRAWINGS ARE ILLUSTRATIVE ONLY AND ASBA AND USTA ACCEPT NO RESPONSIBILITY FOR THEIR USE.



A minimum clearance of 12' (3.658m) from the sideline to a fixed obstruction (light pole or wall) is recommended. Light poles, if present, should be centered on or immediately adjacent to the court boundary, or located at the net line. If the court dimensions are reduced by the owner so that the recommended clearance cannot be achieved, fixed obstructions should be located at the court boundary. Benches may be located within the recommended clearance; they should be within 12' (3.658m) of the net line and at least 10' (3.04m) from the sideline. Portable equipment, such as cooler stands, umpire's chairs and players' chairs, may be located within the recommended clearance; these items should be as close to the net line as practical and no more than 12' (3.658m) from the net line. Existing facilities which have fixed obstructions not meeting these recommendations should consider the use of appropriate padding. Use of divider netting between courts is recommended.

The space directly over the court should be free of overhead obstructions and should be not less than 18' (5.487m) at the eaves, 21' (6.401m) over the baseline and 35' (10.668m) at the net, although 38' (11.582m) is recommended, measured to the interior finished ceiling.

There should be at least 18' (5.487m) behind the baseline to the backdrop curtain; 21' (6.401m) is recommended. To accommodate arriving and departing players, there should be a passageway behind the courts at least 3' (914mm) wide, separated from the court by an opaque backdrop curtain. The curtain should extend at least 10' (3.658m) above the finished court surface.



A view of an indoor tennis court, showing the ceiling and lighting system. The court shows excellent use of space, and also includes backdrop curtains, divider nets and spectator seating. Another observation deck is located above the court, allowing spectators to come and go without disturbing the players. PHOTO COURTESY OF INDOOR COURTS OF AMERICA.

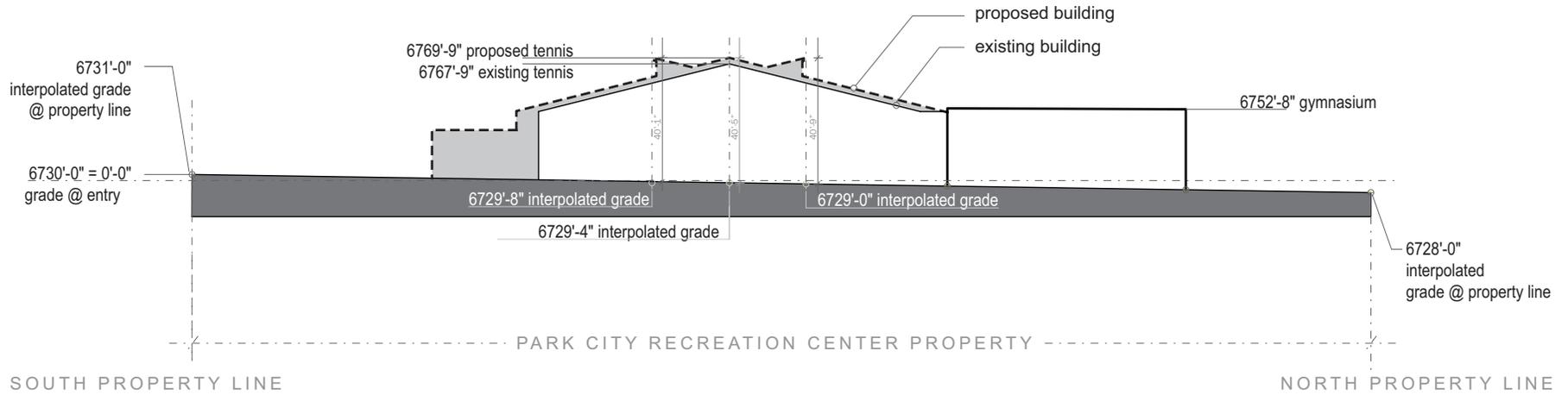
**Types**

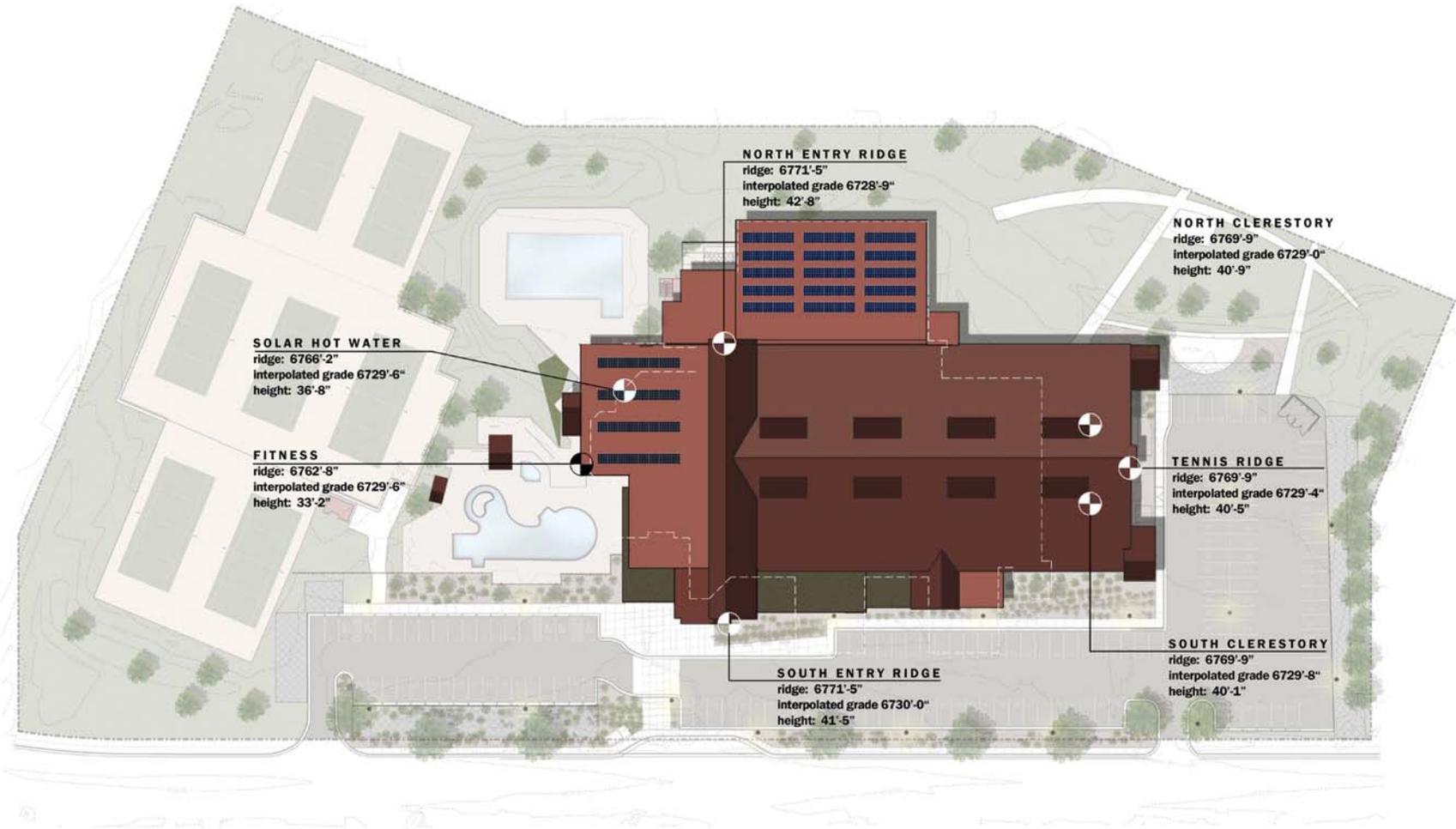
There are three types of tennis court enclosures: air structures (or bubbles), fabric-frame structures and rigid framed metal buildings. Both air structures and fabric-frame structures may offer some tax savings over steel buildings since they are counted as temporary structures, not buildings, for property tax purposes in some localities. All three types of enclosures are considered relocatable and, therefore, they all have some resale value.

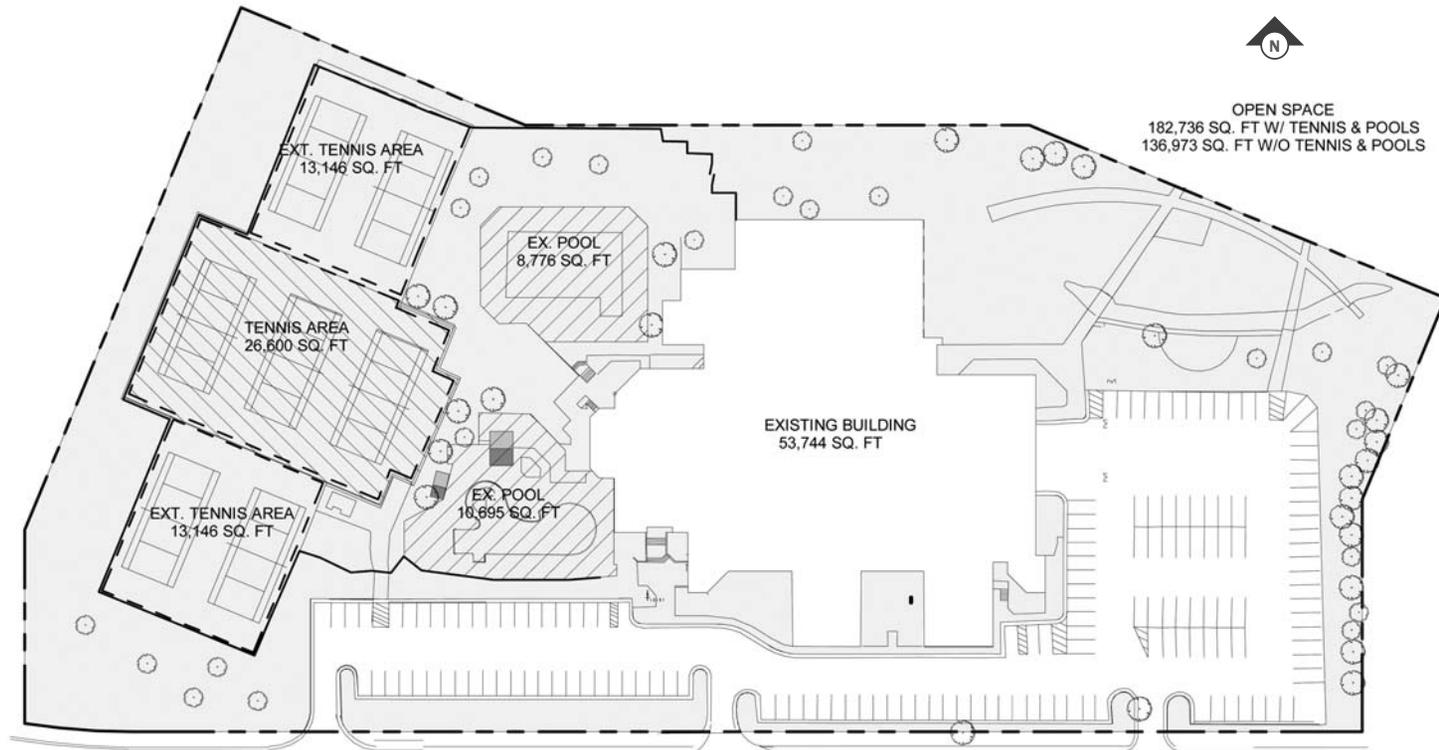
**Air Structures**

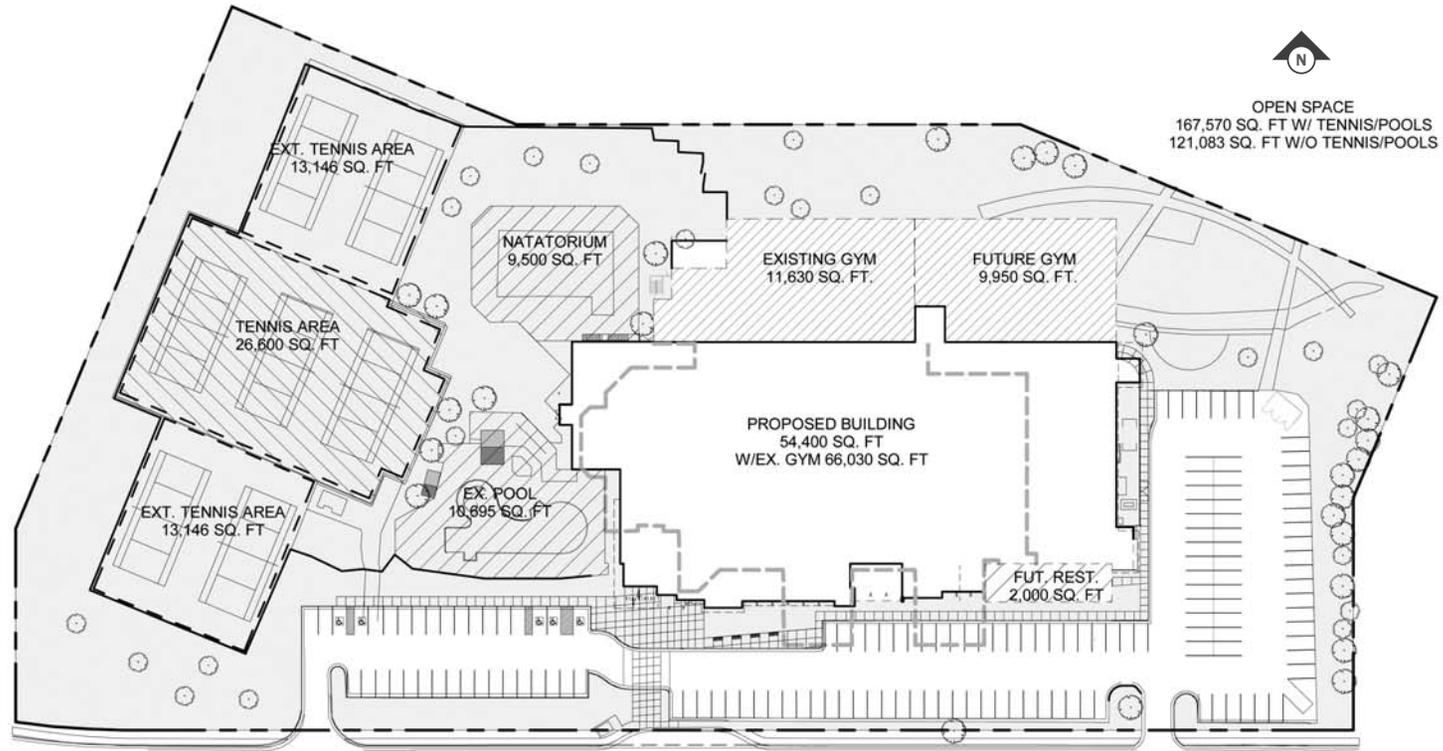
Air structures, or tennis bubbles, are single- or multi-ply fabric structures which are supported by air pressure supplied by air blowers, which also can provide ventilation, heating or air conditioning. Where air structures will be heated or air conditioned, multi-ply structures are recommended. The average air structure covers 1-5 courts, but such structures can be manufactured to cover any number of courts.

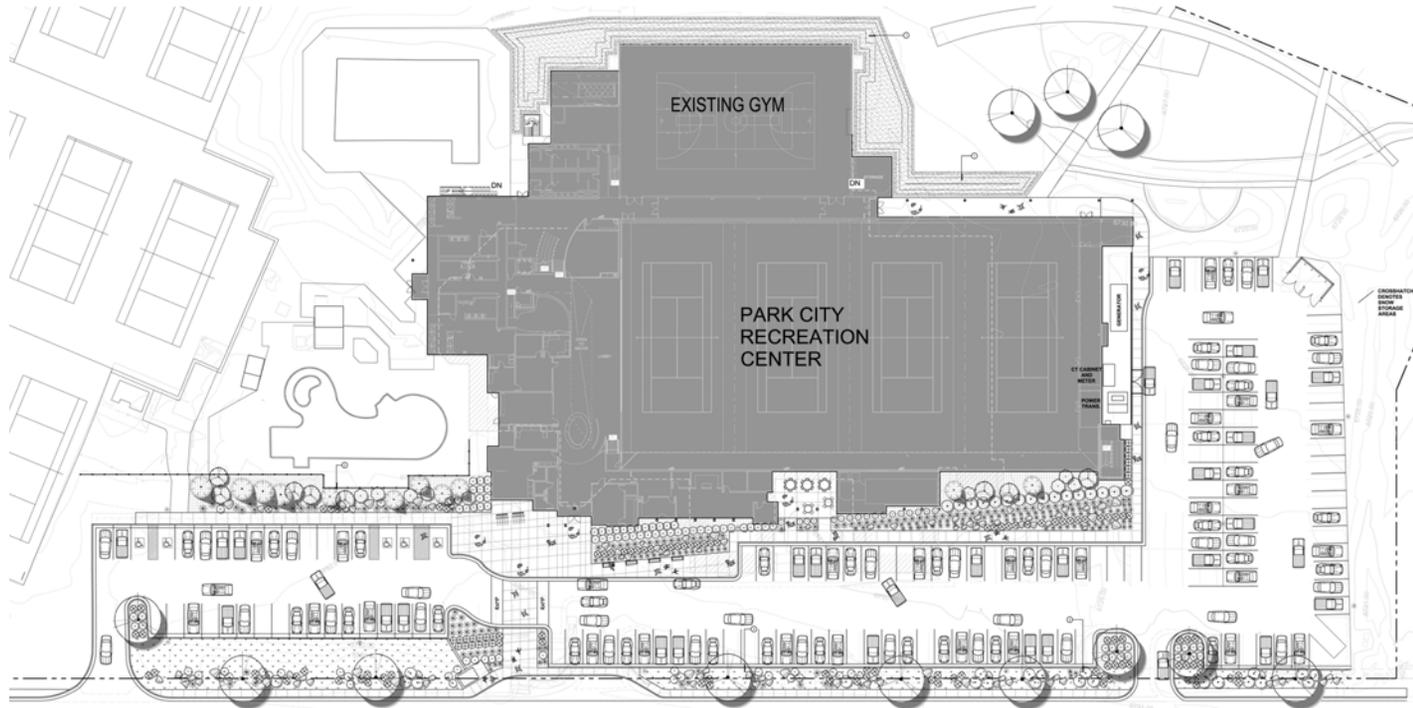
# Interpolated Grade Diagram











LEGEND	A	PLANTING SCHEDULE	C	PLANTING NOTES	D	NATIVE SEED MIX NOTES	E
<p>PROPERTY LINE</p> <p>CONTOUR</p> <p>LANDSCAPE BARRIER 3'-6" DIA/FEET</p> <p>BENCH</p> <p>BIKE RACK</p>	<p>1/4" = 1' TOPSOIL</p> <p>GRASS SEED MIX - 4' TOPSOIL</p>	<p><b>LARGE DECIDUOUS TREES</b> 12</p> <p><b>DECIDUOUS TREES</b> 8</p> <p><b>EVERGREEN TREES</b> 6</p> <p><b>LARGE SHRUBS</b> 4</p> <p><b>SMALL SHRUBS</b> 40</p> <p><b>LAWN SHRUBS</b> 122</p> <p><b>GRASS</b> 21</p> <p><b>NATIVE SEED MIX</b> 0.23' = 4'</p>	<p>1. CONTRACTOR SHALL BE RESPONSIBLE FOR FIXING UNFITLY FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES. CONTRACTOR SHALL TAKE FULL RESPONSIBILITY FOR ANY COSTS INCURRED DUE TO SPILLAGE OF SOIL UTILITIES.</p> <p>2. CONTRACTOR SHALL NOT UNLAWFULLY PROCEED WITH CONSTRUCTION AS DESIGNED UNLESS IT IS A DESIGN THAT VIOLATES UNDERGROUND UTILITIES AND/OR EXISTING UTILITIES THAT MAY NOT HAVE BEEN PROPERLY SHOWN. SOIL CONDITIONS SHALL BE IMMEDIATELY BRANCHED TO THE ATTENTION OF THE OWNER REPRESENTATIVE. THE CONTRACTOR SHALL ACCEPT FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS AND BE RESPONSIBLE TO USE BEST PRACTICES.</p> <p>3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH THE LANDSCAPE CONSTRUCTION FOR THIS PROJECT.</p> <p>4. SEE SPECIFICATIONS FOR PLANTING REQUIREMENTS, MATERIALS, SELECTIONS AND MAINTENANCE.</p> <p>5. ALL PLANT MATERIALS SHALL BE APPROVED BY THE OWNER'S REPRESENTATIVE UPON DELIVERY TO THE SITE, AND PRIOR TO INSTALLATION.</p> <p>6. IF DISCREPANCIES ARISE BETWEEN ACTUAL PLANTING AREA SEEN IN THE FIELD AND THOSE SHOWN ON THE PLANS, CONTRACTOR SHALL CONTACT THE OWNER REPRESENTATIVE FOR RESOLUTION. FAILURE TO TAKE SUCH CORRECTIVE ACTION WILL RESULT IN CONTRACTOR LIABILITY FOR MATERIALS REJECTION.</p> <p>7. FINAL LOCATION OF ALL PLANT MATERIALS SHALL BE SUBJECT TO APPROVAL OF THE OWNER'S REPRESENTATIVE.</p> <p>8. TREES SHALL NOT BE PLANTED LATER THAN 15" OF ROOT COLLAR OR SOIL SURFACE AREA UNLESS A ROOT BARRIER IS INSTALLED.</p> <p>9. CONTRACTOR SHALL PROVIDE SOIL ANALYSIS AND APPROVE SOIL AS RECOMMENDED - REFER TO SPECIFICATIONS.</p> <p>10. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIALS IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTING SHOWN ON THE DRAWINGS.</p> <p>11. SEE DETAILS AND TOPSOIL MIX NOTES - SEE DET. L/4 DET. 4.</p> <p>12. PLANT TREES IN ACCORDANCE WITH SPECIFICATIONS.</p> <p>13. ANY UNEXPECTED SUBSTITUTIONS OF PLANT SPECIES SHALL BE MADE WITH PLANTS OF EQUIVALENT GROWTH HABIT, HEIGHT, SPREAD, COLOR, FOLIAGE, COLOR, FOLIAGE AND COLOR ONLY AS APPROVED BY THE OWNER'S REPRESENTATIVE.</p> <p>14. ALL TREES UP TO 12" CAL. SHALL BE DOUBLE STEMMED AND ALL DECIDUOUS TREES GREATER THAN 12" CAL. AND ALL EVERGREEN TREES UP TO 12" CAL. SHALL BE DOUBLE STEMMED OR BUTTED. SEE DET. L/4 DET. 4.</p> <p>15. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR THE LAYING OF GRASS IN 1/4" TOPSOIL AREAS IN HOLES OF TOPSOIL, AND SOIL FOR SEED. LAYING OF GRASS IN HOLES SHALL BE SEEN IN HOLES OF TOPSOIL AND A HOLES IN GRASS SHALL BE SEEN IN HOLES OF SOIL OR BARE PATCHES AND 12" OF APPROVED TOPSOIL. IF NECESSARY THE SUBGRADE IN BARE PATCHES, HOLES, AND GRASS AREAS SHALL BE REPAIRED BEFORE PLACING APPROVED TOPSOIL. THE PLANTING PLAN IN THE PLANNING LOTS SHALL HAVE ALL ROADWAYS REPAIRED PRIOR TO PLACEMENT OF TOPSOIL. REFER TO GRADING PLAN FOR THESE GRASS AND PAVEMENT. REFER TO TOPSOIL MIX NOTES ON DET. L/4 DET. 4 FOR GRASS, PLACEMENT AND COMPACTED SOILS.</p>	<p>1. THE SEED MIX SHALL BE PREPARED BY SPREADING TOPSOIL AS NOTED IN GRASSING AND TOPSOIL PLACEMENT NOTE - DET. L/4 DET. 4. AFTER THE TOPSOIL HAS BEEN SPREAD AND THE GRASSING, THE PREPARED SOIL SURFACE SHALL BE WATERED SUFFICIENTLY TO SATURATE THE MIXED COVER OVER A DEPTH OF 1/2" TO 1" AND THE MIXED SOIL SHALL BE KEPT MOIST. KILLER SPRAY IF THE DEAD WEED CROP IS OVER 4" HIGH SHALL BE KEPT DOWN TO 2" HIGH.</p> <p>2. SEED OF THE MIX FOR SURFACE SPREADING SHALL BE KEPT MOIST AND SOAK. THE SEED SHALL BE SPREAD BY BROADCAST LAYING ON THE MIX ON THE SURFACE OF THE GROUND AND ROLLING THE SEED INTO THE MIX. THE MIX SHALL BE SPREAD OVER THE MIXED SOIL SURFACE TO A DEPTH OF 1/2" TO 1". THE MIX SHALL BE KEPT MOIST, PROVIDE A FLOOD TOLERANT MIX TO THE MIXED SOIL.</p> <p>3. ALL SOIL GRASSING AND SEEDING MATERIALS SHALL BE APPROVED AND ALL GRASS SEEDING MIXES SHALL BE SEED MIXES AS REQUIRED TO ESTABLISH A HIGH-DENSITY STAND OF GRASS. THE CONTRACTOR SHALL PROVIDE GRASS SEEDING BY WATERING, FERTILIZING, AND WEEDING THE SEED BED TO ESTABLISH A HEALTHY STAND OF GRASS.</p> <p>4. THE CONTRACTOR SHALL APPLY BIOLOGICAL WEED KILLERS TO HELP CONTROL THE WEEDS. THE MAINTENANCE OF THE SEED BED SHALL TAKE ONE YEAR OR LONGER TO ESTABLISH A HEALTHY STAND OF GRASS. THE CONTRACTOR SHALL, IN PERFORMANCE, SHALL DETERMINE THE TIME FRAME REQUIRED TO ESTABLISH A HEALTHY STAND OF GRASS.</p> <p>5. AFTER THE STAND OF GRASS HAS BEEN ESTABLISHED AND APPROVED BY OWNER AND LANDSCAPE ARCHITECT, THE NATIVE PLANT MATERIALS SHALL BE PLANTED IN THE GRASS AREAS IN THE PLAN EXCEPT TO NOTIFY. B.</p> <p>6. THE CONTRACTOR SHALL REMOVE ALL EXCESS SOIL FROM EXCAVATED PLANTING HOLES AND SHALL REMOVE PLANT DISTURBANCE TO ESTABLISH GRASS MIXES. ALL EXCESS SOIL SHALL BE REPAIRED AND THE MAINTENANCE OF THE GRASS REPAIRS WILL BE EXTENDED.</p>	<p>SCALE &amp; NORTH ARROW</p> <p>SCALE: 1" = 20'</p> <p>NORTH</p>		
<p><b>REFERENCE SCHEDULE NOTES</b></p> <p>1. MATCH AND REPLACE EXISTING LANDSCAPE AND CONTIGUOUS TO MATCH EXISTING PRELIM TO CONSTRUCTION. PROVIDE EXISTING TREES WITH FENCE AT 12" CAL. AND REMOVE EXISTING SOIL. FIELD VERIFY ACTUAL AREA OF REPLACEMENT.</p> <p>2. EXISTING FENCE WALL.</p> <p>3. INSTALL 1/4" TOPSOIL OVER 12" TOPSOIL IN SHUB HOLES.</p> <p>4. INSTALL 1/4" TOPSOIL IN NATIVE SEED AREAS. TYP.</p>	<p><b>B</b></p> <p>1. SEE SPECIFICATIONS</p> <p>2. SEE SPECIFICATIONS</p> <p>3. SEE SPECIFICATIONS</p> <p>4. SEE SPECIFICATIONS</p> <p>5. SEE SPECIFICATIONS</p> <p>6. SEE SPECIFICATIONS</p> <p>7. SEE SPECIFICATIONS</p> <p>8. SEE SPECIFICATIONS</p> <p>9. SEE SPECIFICATIONS</p> <p>10. SEE SPECIFICATIONS</p> <p>11. SEE SPECIFICATIONS</p> <p>12. SEE SPECIFICATIONS</p> <p>13. SEE SPECIFICATIONS</p> <p>14. SEE SPECIFICATIONS</p> <p>15. SEE SPECIFICATIONS</p> <p>16. SEE SPECIFICATIONS</p> <p>17. SEE SPECIFICATIONS</p> <p>18. SEE SPECIFICATIONS</p> <p>19. SEE SPECIFICATIONS</p> <p>20. SEE SPECIFICATIONS</p> <p>21. SEE SPECIFICATIONS</p> <p>22. SEE SPECIFICATIONS</p> <p>23. SEE SPECIFICATIONS</p> <p>24. SEE SPECIFICATIONS</p> <p>25. SEE SPECIFICATIONS</p> <p>26. SEE SPECIFICATIONS</p> <p>27. SEE SPECIFICATIONS</p> <p>28. SEE SPECIFICATIONS</p> <p>29. SEE SPECIFICATIONS</p> <p>30. SEE SPECIFICATIONS</p> <p>31. SEE SPECIFICATIONS</p> <p>32. SEE SPECIFICATIONS</p> <p>33. SEE SPECIFICATIONS</p> <p>34. SEE SPECIFICATIONS</p> <p>35. SEE SPECIFICATIONS</p> <p>36. SEE SPECIFICATIONS</p> <p>37. SEE SPECIFICATIONS</p> <p>38. SEE SPECIFICATIONS</p> <p>39. SEE SPECIFICATIONS</p> <p>40. SEE SPECIFICATIONS</p> <p>41. SEE SPECIFICATIONS</p> <p>42. SEE SPECIFICATIONS</p> <p>43. SEE SPECIFICATIONS</p> <p>44. SEE SPECIFICATIONS</p> <p>45. SEE SPECIFICATIONS</p> <p>46. SEE SPECIFICATIONS</p> <p>47. SEE SPECIFICATIONS</p> <p>48. SEE SPECIFICATIONS</p> <p>49. SEE SPECIFICATIONS</p> <p>50. SEE SPECIFICATIONS</p>						

trees



White Fir  
*Abies concolor*



Bristlecone Pine  
*Pinus aristata*



Big Tooth Maple  
*Acer grandidentatum*



Mayday Flowering Tree  
*Prunus padus*



Aspen  
*Populus tremuloides*

shrubs & groundcover



Mountain Mahogany  
*Cercocarpus ledifolius*



Utah Serviceberry  
*Amelanchier utahensis*



Elderberry  
*Sambucus racemosa*



Alpine Current  
*Ribes alpinum*



Big Sage  
*Artemisia tridentata*



Rubber Rabbit Brush  
*Chrysothamnus nauseosus*



'Golden Finger' Shrubby Potentilla  
*Potentilla fruticosa*



Coral Snowberry  
*Symphoricarpos alba*



Red Twig Dogwood  
*Cornus sericea*



Antelope Bitterbrush  
*Purshia tridentata*



Grow-Low Sumac  
*Rhus aromatica 'Grow-Low'*



Creeping Oregon Grape  
*Mahonia repens*



Tri-Leaf Sumac  
*Rhus trilobata*



Kinnikinnick  
*Archostaphylos uva-ursi*

grasses & perennials



Karl Foerster  
*Calamagrostis acutiflora 'Karl Foerster'*



Atlas Fescue  
*Festuca mairei*



Shenandoah Switch Grass  
*Panicum virgatum 'Shenandoah'*



Wildflower Seed Mix



Moonshine Yarrow  
*Achillea 'Moonshine'*



Showy Goldeneye  
*Viguiera hirta*



Silver Lupine  
*Lupinus argenteus*



Penstemon  
*Penstemon pinifolius*



Rocky Mountain Penstemon  
*Penstemon strictus*

amenities



Colored Concrete



Landscape Boulder



Sod Roof



Stone Bench



Stone Bench



Stone Bike Rack

Arc Sitio Design, Inc.



















**Exterior Finish Colors**



exterior finishes



**PARK CITY RECREATION CENTER**  
PARK CITY, UTAH



**Subject:** Park City Racquet Club  
**Application #:** PL-09-00785  
**Author:** Kayla Sintz  
**Date:** January 20, 2010  
**Type of Item:** Administrative – Master Planned Development

Findings of Fact:

1. The Racquet Club Master Planned Development is located on Lot 1 of the Racquet Club Subdivision. Lot 1 consists of 7.5 acres. The lot is of sufficient area to accommodate the 85,015 s.f. (gross area), 66,030 s.f. (footprint) public recreation facility, circulation, parking, future phases, and provide the minimum required minimum 30% open space for redeveloped areas.
2. The proposed facility open space is 44.7% and includes exterior tennis and pools as well as future phases.
3. The total proposed building footprint is 66,030 s.f. and gross square footage is 85,015.
4. The property is located in the Residential Development (RD) zoning district.
5. The Racquet Club received a Conditional Use Permit in 1977 for Recreation Commercial which granted an overall 40 foot building height.
6. This property is subject to the Racquet Club subdivision plat and any conditions of approval of that plat.
7. The maximum Building Height in the Residential Development (RD) zoning district is 28 feet (33 feet with a pitched roof). Previous CUP approval granted a 40 foot building height for a public recreation facility. The application includes a height exception request (per interpolated grade) for 2'-8" (over previous CUP approval) of additional building height for the entry feature, 5" of additional building height for the main tennis ridge, 1" of additional height for the south clerestories and 9" of additional height for the north clerestories.
8. The existing Racquet Club contains 155 parking spaces.
9. A reduction in parking is requested at 148 parking spaces. A bicycle rack will be provided adjacent to the main entrance.
10. Setbacks within the Residential Development (RD) are twenty feet (20') in the front, fifteen feet (15') in the rear, and twelve feet (12') on the sides. The MPD requires twenty-five (25') foot setbacks from all sides. The building complies with these setback requirements. The Parking Area which is being restriped and reoriented, and not expanded, does not meet the front yard setback and an exception has been requested to maintain the existing six feet (6') in the front yard.
11. The *Analysis* section of this staff report is incorporated herein.

### Conclusions of Law:

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission.
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
6. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
7. The MPD, as conditioned, is Compatible in Use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility.
8. The MPD provides amenities to the community so that there is no net loss of community amenities.
9. The MPD, as Conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
10. The MPD is not subject to the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and lease visually obtrusive portions of the Site.
11. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections by the location on a proposed bus route. Bicycle parking racks will be provided.
12. The MPD has been noticed and public hearing held in accordance with this Code.

### Conditions of Approval:

1. All standard conditions of approval apply to this MPD.
2. All applicable conditions of approval of the Racquet Club subdivision shall apply to this MPD.
3. A final water efficient landscape and irrigation plan that indicates snow storage areas and native drought tolerant plant materials appropriate to this area, is required prior to building permit issuance.
4. All exterior lights must conform to the City lighting ordinance. Parking lot and security lighting shall be minimal and approved by Planning Staff prior to issuance of a certificate of occupancy.
5. All exterior signs require a separate sign permit. Application for a sign permit shall be made to the Planning Department prior to installation of any temporary or permanent signs.
6. Exterior building materials and colors and final design details must be in substantial compliance with the elevations, color and material details exhibits and photos reviewed by the Planning Commission on January 20, 2010, and shall be approved by staff prior to building permit issuance. Materials shall not be reflective and colors shall be warm, earth tones that blend with the natural colors of the area.
7. The final building plans, parking lot details and landscaping, and construction

details for the project shall meet substantial compliance with the drawings reviewed by the Planning Commission on January 20, 2010.

8. The City Engineer prior to Building Permit issuance must approve utility, storm water systems and grading plans, including all public improvements.
9. Staff must approve the Construction Mitigation Plan to issuance of any building permits and shall include appropriate contact information as required. Signs posted on site will indicate emergency contacts.
10. Work is restricted to Monday through Friday 7 am to 6pm. Saturday start time is 9 am. This would include the time for start up of heavy equipment and start up of any vehicles. Idling of vehicles will not be allowed. Auxillary lighting will also be restricted to these hours.
11. Lay down and staging are will be restricted to existing parking lots and disturbed construction area. Applicant will minimize placement adjacent to housing units as much as possible.
12. Transportation of labor to and from the job site from an off site parking location shall be a condition of the construction contract. On site parking shall be restricted to those authorized and controlled by the project superintendent in coordination with Recreation Center officials.
13. The applicant will notify all affected property owners within 300 feet prior to construction commencing of conditioned work hours, contact information and general project description.
14. A limit of disturbance area will be identified during the building permit review.
15. The applicant shall submit a total employee count at time of building permit. Prior to Certificate of Occupancy the applicant shall provide verification that the employee count has not increased. Should there be an increase in the total employee count the applicant shall be subject to the terms and conditions of Housing Resolution 20-07; Section E Redevelopment.
16. Future phases of Natatorium, Restaurant and Gymnasium expansion are included in this master plan and would be subject to an Amendment to this MPD. The Development Agreement will stipulate per 15-6-4(l) the Amendment will not justify a review of the entire master plan. Future phases will be subject to minimum open space requirements of 30%.
17. An internal parking review will occur one year after Certificate of Occupancy (or the facility is fully operational) to analyze parking load and demand.



# Planning Commission Staff Report



**Subject:** Three Kings Ski Run Lighting  
**Author:** Jacquelyn Mauer  
**Project #:** PL-10-00965  
**Date:** June 23, 2010  
**Type of Item:** Administrative - Conditional Use Permit

## **Summary Recommendations**

Staff recommends the Planning Commission hold a public hearing for the Three Kings Ski Run Lighting Conditional Use Permit, discuss the lighting impacts and proposed mitigation, and consider approving the application based on the findings of fact, conclusions of law and conditions of approval as found in the staff report.

## **Description**

**Applicant:** Park City Mountain Resort (PCMR) represented by Brian Suhadolc, Operations Manager  
**Location:** 1310 Lowell Avenue  
**Zoning:** Recreation Open Space (ROS)  
**Adjacent Land Uses:** Park City Mountain Resort ski area  
**Reason for Review:** Conditional Use Permits require Planning Commission Approval

## **Background**

On May 13, 2010, the City received a completed application for a Conditional Use Permit (CUP) from Park City Mountain Resort to install Recreational Lighting on the Three Kings, Quicksilver, and Pick-n-Shovel ski runs. See Exhibit B. The property is located at 1310 Lowell Avenue in the Recreation and Open Space (ROS) zoning district.

Park City Mountain Resort proposes to install lighting in the Three Kings Pod to provide skiers and riders an expanded opportunity to recreate at night. The project is located on the mountain terrain of PCMR between the two existing night skiing areas of Eagle Race Arena and First Time Run. Recreational Lighting requires a Conditional Use Permit in the Recreation and Open Space zoning district.

## **Analysis**

The total project area to install lights on the Three Kings, Quicksilver, and Pick-n-Shovel ski runs is 7.12 acres with excavation occurring within approximately 2.75 acres. Existing ski runs will be used to access the trenching and pole placement areas. Only grass and scrub oak will be disturbed by the installation of the light poles. Trails disrupted during construction will be re-routed. After construction, the disturbed areas will be re-vegetated.

The proposed lighting will increase Park City Mountain Resort's night skiing area from 44.5 acres to 54.7 acres. This is a 23% increase of the night skiing area. The proposed hours of operation for the lights will be sundown through 10:00 p.m. beginning December 15<sup>th</sup> and ending April 1<sup>st</sup>. Forty-eight (48) poles and lights are proposed. The visibility of the lighting from town will be comparable to that of the current night ski area lighting; however a greater area (10.2 acres) will be lighted. Majority of the proposed light poles' height will be forty feet (40'). The maximum height of any of the light poles is forty-five feet (45').

The angle of the lights is between ten (10) and twenty (20) degrees from horizontal ground. They will be placed on ski runs that average ten (10) degree slopes causing the lights to be positioned at twenty (20) to thirty (30) degrees. The lights will be appropriately shielded to be completely down directed; that is, no light past the horizontal. See Exhibit C.

#### Conditional Use Permit Review

Chapter 15, Section 1-10, of the Land Management Code (LMC), Conditional Use Permit, Standards for Review, calls for the consideration of the following items for review:

#### **(1) Size and location of the Site**

**No unmitigated impacts identified.** The location for the project starts at the top terminal of Three Kings Lift and includes Three Kings, Quicksilver, and Pick-n-Shovel runs. The three runs proposed to be lit are north to northeast from the top terminal and follow to the bottom of the lift. The project area is not adjacent to any property lines or residential areas. The total area of the project is 7.12 acres. Excavation will occur within approximately 2.75 acres which includes trenching and pole placement.

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

**No unmitigated impacts identified.** The additional night skiing area proposed with the Three Kings Lighting project will be available to existing winter users of the resort. Parking and access to the existing parking areas will not change as a result of the expansion of the night skiing area. Traffic may increase due to the increased ski area, but this is in the off-peak period.

#### **(3) Utility capacity**

**No unmitigated impacts identified.** Park City Mountain Resort has the electrical energy capacity to operate additional recreational lighting. Any increase in energy usage costs would be addressed by Rocky Mountain Power. The City is at capacity in terms of electrical energy. The City may feel the affects of additional power usage by PCMR during our peak power times.

#### **(4) Emergency vehicle access**

**No unmitigated impacts identified.** Primary emergency access is from the Resort Base.

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

**No unmitigated impacts identified.** Adequate parking is available in the existing resort parking lots. Staff finds that the proposed amenity will not significantly increase parking demand, particularly during the night hours.

**(6) Internal vehicular and pedestrian circulation system**

**No unmitigated impacts identified.** A section of the Silver Spur Trail (Spiro Connector) used during the summer as a hiking and biking trail will be affected during construction. The trail will be re-routed and appropriate signs will be added during the construction phase. The applicant will coordinate with Mountain Trails Foundation, Park City Municipal Corporation Trails Coordinator and the Snyderville Basin Reclamation District during construction.

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

**No unmitigated impacts identified.** No fencing or specific screening is proposed. Re-vegetation of areas disturbed during construction will be required and enforced with a Construction Mitigation Plan.

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

**No unmitigated impacts identified.** The proposed lights will match the size of the existing ski run lighting at Park City Mountain Resort.

**(9) Usable Open Space**

**No unmitigated impacts identified.** The 3300 acres of PCMR ski lease are open space.

**(10) Signs and lighting**

**Staff requests discussion.** This application is for Recreational Lighting to be located between and adjacent to two areas already lit and utilized for night skiing. They are the Eagle Race Arena to the north and First Time Run to the east. The proposed lights comply with Land Management Code Section 15-5-5-(l) (11) which addresses the Recreational Lighting Requirements. These lights will require a Building Permit. Signs require a separate sign permit and are not proposed with this application. There will be additional lighting impacts due to the additional acres proposed for night skiing. The proposed lighting is on the lower mountain area, not higher than the top of the Three Kings lift.

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

**No unmitigated impacts identified.** The ROS zone height is twenty-eight feet (28'). However, Recreational Lighting is not to exceed seventy feet (70') above natural grade. The maximum height of the proposed ski run light poles is forty-five feet (45'). This is compatible with the existing surrounding Recreational Lighting.

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

**No unmitigated impacts identified.** No mechanical factors will affect people and property off-site. The light produced from the proposed Three Kings ski run lighting will be similar to the lighting that currently exists on the night skiing runs at Park City Mountain Resort.

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

**No unmitigated impacts identified.** No delivery or service vehicles will be required for every day operation.

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

**No unmitigated impacts identified.** The proposed lights will be owned by PCMR.

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

**No unmitigated impacts identified.** Erosion control and re-vegetation will be completed following the trenching and installation of the new light poles. A construction mitigation plan that will be approved by the Building Department will be followed. No off-site impacts are anticipated.

Recreational Lighting Criteria Review

Section 15-5-5(l) (11), of the Land Management Code (LMC), Recreational Lighting calls for the consideration of the following items for review:

**(a) The height of outdoor recreational posts shall not exceed seventy (70') above Natural Grade. The average Horizontal Foot Candle shall not exceed 3.6 across the Area boundary with a uniformity ratio of 4:1. Ski area lighting may require higher illumination levels in some instances. Those levels shall be reviewed and approved by the Planning Commission under the Conditional Use Process outlined in the LMC.**

The maximum pole height is forty-five feet (45'). According to LMC section 15-5-5(l), Metal Halide light sources such as those proposed shall be permitted only for recreational sport field or ski Area Uses and installed only in one hundred percent (100%) fully enclosed Luminaries. Metal Halide lights shall also be filtered. Metal Halide lights are allowed a maximum of 1,500 watts per fixture. Park City Mountain Resort is proposing 171 watts per light fixture. The average Horizontal Foot Candle proposed is 1.1 foot candle with a maximum foot candle of 2.2 (worst case).

**(b) All fixtures used for event lighting shall be fully shielded as defined in Section (4) herein, or be designed or provided with sharp, cutoff capability, so as to minimize up-light, spill light, and glare. The lights have shields to completely down**

direct the lighting as shown in Exhibit C. Installation of shields to prevent light trespass past the horizontal is required.

**(c) Recreational lighting shall be turned off within thirty (30) minutes of the completion of the last game, practice, or event. In general, recreational lighting shall be turned off after 11:00 p.m., unless an exception is granted by the Planning Director for a specific event or as approved as part of a Master Festival license.** The Recreation Lights will be turned off by 10:00 p.m. This will provide adequate time for ski patrol to make sure the area is clear and safe at the close of night skiing.

### **Process**

The applicant will have to submit plans for a building permit to the Park City Building Department. The approval of this application constitutes Final Action that may be appealed following the procedures found in LMC 1-18. Posting of a Building Permit is considered public noticed and is not subject to review by the Planning Commission unless appealed.

### **Department Review**

This project has gone through an interdepartmental review. Any issues that were brought up at that time have been addressed in this report.

### **Notice**

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record.

### **Public Input**

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

### **Alternatives**

- The Planning Commission may approve the Three Kings Lighting Conditional Use Permit as conditioned or amended; or
- The Planning Commission may deny the Three Kings Lighting Conditional Use Permit.
- The Planning Commission may continue the discussion on the Three Kings Lighting Conditional Use Permit.

### **Significant Impacts**

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

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

The additional ski run lights would not be installed and night skiing would not take place in the Three Kings ski area.

## **Recommendation**

Staff recommends the Planning Commission hold a public hearing for the Three Kings Lighting Conditional Use Permit, discuss the lighting impacts, and consider approving the application based on the following findings of fact, conclusions of law and conditions of approval:

### **Findings of Fact:**

1. The zoning is Recreation Open Space.
2. The Three Kings lighting project is located within PCMR at the Three Kings, Quicksilver, and Pick-n-Shovel ski run areas. These areas are on the lower portion of the mountain between existing night skiing areas of Payday and the Race Arena. No lighting is proposed higher than the top terminal of the Three Kings lift.
3. The proposed lighting will increase Park City Mountain Resort's night skiing area from 44.5 acres to 54.7 acres. This is a 23% increase of the night skiing area.
4. Forty-eight (48) poles are proposed. The maximum pole height measures forty-five feet (45').
5. Forty-eight (48) Metal Halide lights are proposed at 171 watts each.
6. Recreational Outdoor Lighting is a Conditional Use in the Recreation and Open Space (ROS) District.
7. Hours of operation for the lights are sundown until 10:00 p.m. December 15<sup>th</sup> through April 1<sup>st</sup>.

### **Conclusions of Law:**

1. The CUP is consistent with the Park City Land Management Code, Chapter 15-1-10, Chapter 15-2-7, and 15-5-5(I) (11).
2. The proposed CUP is consistent with the Park City General Plan.
3. The proposed lighting will be compatible with the surrounding structures in use, scale, mass, and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

### **Conditions of Approval:**

1. All standard conditions of approval apply to this Conditional Use Permit.
2. The lights will be turned off by 10:00 p.m.
3. A Construction Mitigation Plan and any required building permits will be approved by the Building Department prior to installation.
4. The closure and re-route of any trails must be approved by Park City Municipal Corporation's Trails Coordinator.
5. The lights are shielded to direct all of the light downward. Installation of shields to prevent light trespass past the horizontal is required.

## **Exhibits**

Exhibit A – Lighting Documents

Exhibit B – Proposed Project Area

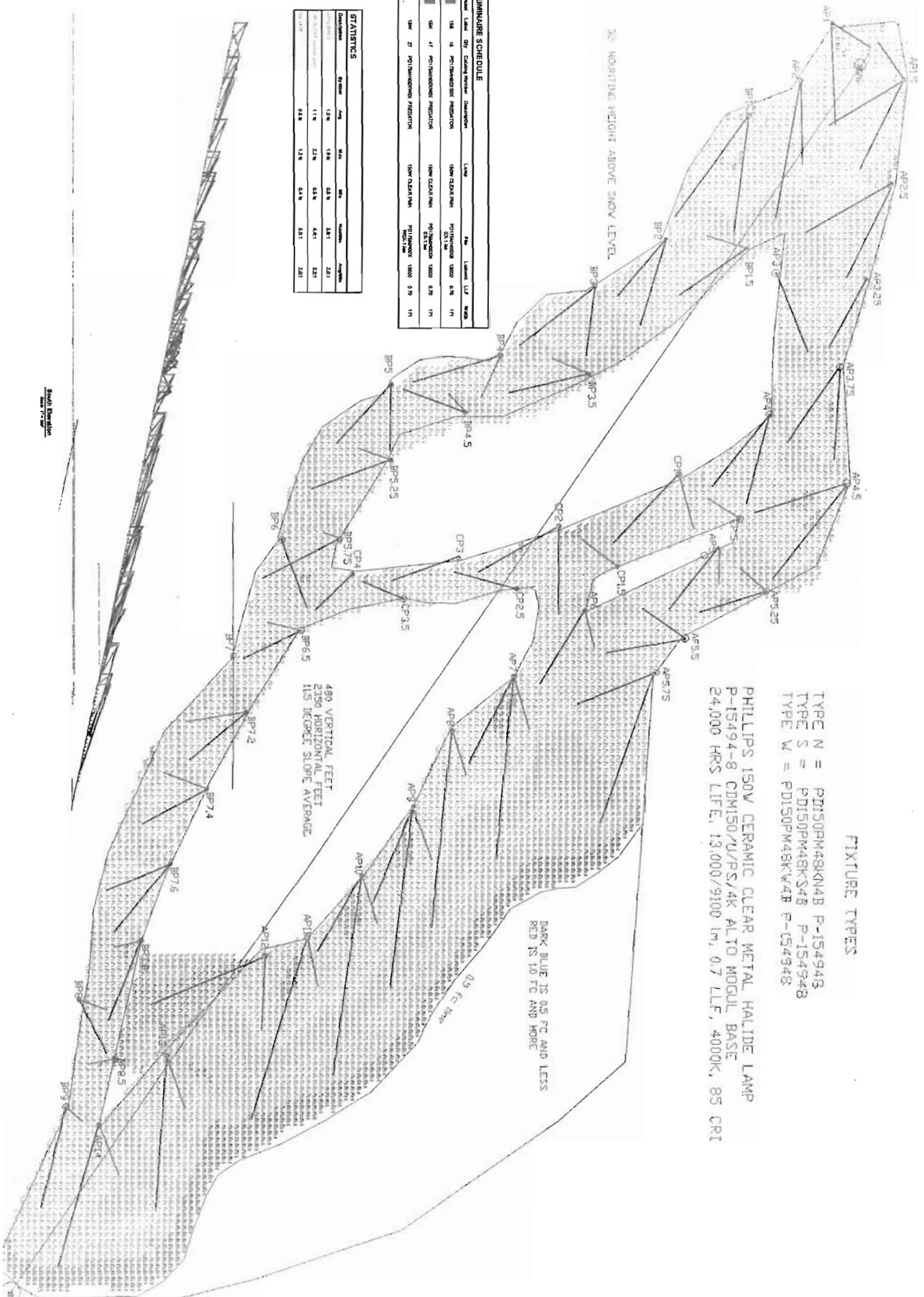
Exhibit C – Shielded Light

April 30, 2010

PARK CITY MOUNTAIN RESORT  
THREE KINGS, PICK AND SHOVEL,  
AND QUICKSILVER SKI RUNS  
CONDITIONAL USE PROPOSAL



RECEIVED  
 MAY 13 2010  
 PARK CITY  
 PLANNING DEPT.



32' MOUNTING HEIGHT ABOVE SNOW LEVEL

FIGURE TYPES

PHILLIPS 150W CERAMIC CLEAR METAL HALIDE LAMP  
 P-15494-8 CDM150/4K/PS/4K ALTO MODUL BASE  
 24,000 HRS LIFE, 13,000/9100 lm, 0.7 LLF, 4000K, 85 CRI

DARK BLUE IS 0.5 FC AND LESS  
 RED IS 10 FC AND MORE

**LUMINAIRE SCHEDULE**

Mounting Height	Mounting Location	Line	Qty	Mounting Height
150'	1	150'	1	150'
150'	2	150'	2	150'
150'	3	150'	3	150'
150'	4	150'	4	150'
150'	5	150'	5	150'
150'	6	150'	6	150'
150'	7	150'	7	150'
150'	8	150'	8	150'
150'	9	150'	9	150'
150'	10	150'	10	150'
150'	11	150'	11	150'
150'	12	150'	12	150'
150'	13	150'	13	150'
150'	14	150'	14	150'
150'	15	150'	15	150'
150'	16	150'	16	150'
150'	17	150'	17	150'
150'	18	150'	18	150'
150'	19	150'	19	150'
150'	20	150'	20	150'
150'	21	150'	21	150'
150'	22	150'	22	150'
150'	23	150'	23	150'
150'	24	150'	24	150'
150'	25	150'	25	150'
150'	26	150'	26	150'
150'	27	150'	27	150'
150'	28	150'	28	150'
150'	29	150'	29	150'
150'	30	150'	30	150'
150'	31	150'	31	150'
150'	32	150'	32	150'
150'	33	150'	33	150'
150'	34	150'	34	150'
150'	35	150'	35	150'
150'	36	150'	36	150'
150'	37	150'	37	150'
150'	38	150'	38	150'
150'	39	150'	39	150'
150'	40	150'	40	150'
150'	41	150'	41	150'
150'	42	150'	42	150'
150'	43	150'	43	150'
150'	44	150'	44	150'
150'	45	150'	45	150'
150'	46	150'	46	150'
150'	47	150'	47	150'
150'	48	150'	48	150'
150'	49	150'	49	150'
150'	50	150'	50	150'
150'	51	150'	51	150'
150'	52	150'	52	150'
150'	53	150'	53	150'
150'	54	150'	54	150'
150'	55	150'	55	150'
150'	56	150'	56	150'
150'	57	150'	57	150'
150'	58	150'	58	150'
150'	59	150'	59	150'
150'	60	150'	60	150'
150'	61	150'	61	150'
150'	62	150'	62	150'
150'	63	150'	63	150'
150'	64	150'	64	150'
150'	65	150'	65	150'
150'	66	150'	66	150'
150'	67	150'	67	150'
150'	68	150'	68	150'
150'	69	150'	69	150'
150'	70	150'	70	150'
150'	71	150'	71	150'
150'	72	150'	72	150'
150'	73	150'	73	150'
150'	74	150'	74	150'
150'	75	150'	75	150'
150'	76	150'	76	150'
150'	77	150'	77	150'
150'	78	150'	78	150'
150'	79	150'	79	150'
150'	80	150'	80	150'
150'	81	150'	81	150'
150'	82	150'	82	150'
150'	83	150'	83	150'
150'	84	150'	84	150'
150'	85	150'	85	150'
150'	86	150'	86	150'
150'	87	150'	87	150'
150'	88	150'	88	150'
150'	89	150'	89	150'
150'	90	150'	90	150'
150'	91	150'	91	150'
150'	92	150'	92	150'
150'	93	150'	93	150'
150'	94	150'	94	150'
150'	95	150'	95	150'
150'	96	150'	96	150'
150'	97	150'	97	150'
150'	98	150'	98	150'
150'	99	150'	99	150'
150'	100	150'	100	150'

**STATISTICS**

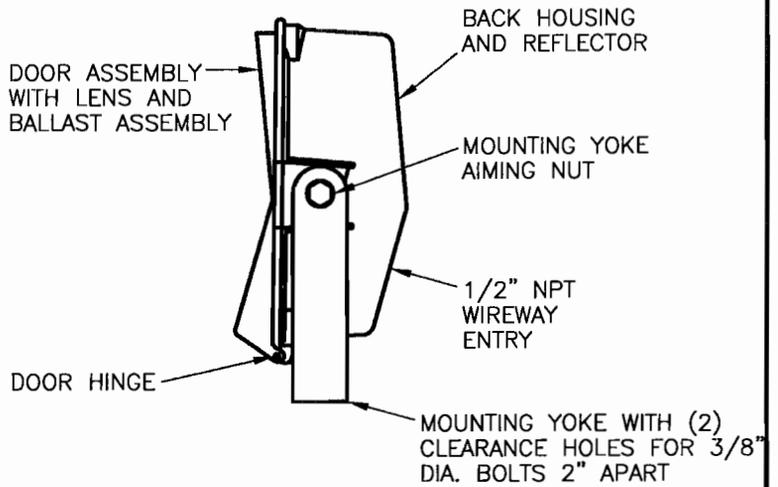
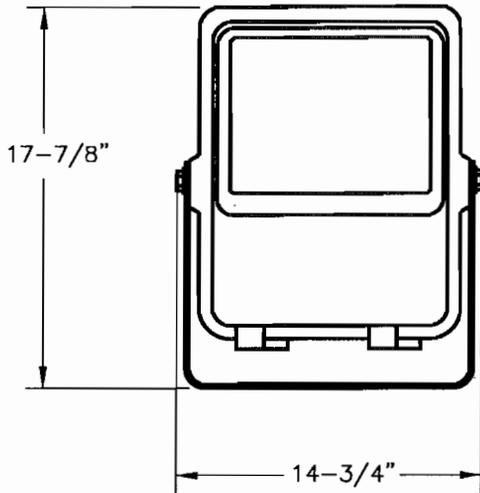
Distance	Area	Vol	Area	Volume	Weight
1.2%	1.9%	5.8%	4.8%	2.8%	2.2%
1.1%	2.2%	6.5%	4.4%	2.2%	2.2%
0.8%	1.2%	3.4%	1.8%	1.1%	1.1%

480 VERTICAL FEET  
 2350 HORIZONTAL FEET  
 115 DEGREE SLOPE AVERAGE

# PREDATOR®

## "PD" SERIES LUMINAIRES

MAX WEIGHT: 11kg (25lbs)  
EPA: 1.60 sq. ft.



SMALL PREDATOR  
SERIES LUMINAIRE

CATALOG NUMBER

PD 150PM 48 K

WATTAGE AND LAMP

050HP=50W HPS (120V ONLY)  
070HP=70W HPS  
100HP=100W HPS  
15AHP=150W/55V HPS  
175MH=175W MH \*  
175PM=175W PM  
150PM= 150W PM WITH 050HP)

VOLTAGE

12=120V  
20=208V  
24=240V  
27=277V  
34=347V \*\*  
48=480V \*\*  
MT=MULTIVOLT (NOT AVAILABLE)

U.L. CATEGORY

H=CLASS I ONLY  
J=CLASS I, CLASS II, CLASS III, AND MARINE OUTSIDE  
K=WET LOCATION  
L=MARINE OUTSIDE

REFLECTOR

N=NARROW DIST.  
W=WIDE DIST.  
S=SPOT DIST. AVAILABLE WITH U.L. "K" OR "L" ONLY

MOUNTING

3=STAINLESS STEEL YOKE  
4=ZINC PLATED YOKE (AVAIL. WITH U.L. "K" ONLY)

FINISH

B=BRONZE  
G=GRAY

\* NOT AVAILABLE FOR SHIPMENT IN THE US AFTER 12-31-08 DUE TO EISA 2007 LEGISLATION

\*\* NOT AVAILABLE IN 175PM



ORDER NO: \_\_\_\_\_  
TYPE: \_\_\_\_\_

DRAWING NO. \_\_\_\_\_  
CAD MODEL: PD4.DWG  
DATE: 11/25/08  
Sheet 1 of 2

# PREDATOR® "PD" SERIES LUMINAIRES

## OPTIONS (ADD TO CATALOG NUMBER):

- A=GRAY TOP VISOR
- C=BRONZE TOP VISOR
- D=GRAY SIDE SHIELD (AVAILABLE WITH U.L. "K" ONLY)
- E=BRONZE SIDE SHIELD (AVAILABLE WITH U.L. "K" ONLY)
- PS=PROTECTED STARTER (HPS UNITS ONLY)
- PNEMA050HP=NEMA LABEL 50W HPS
- PNEMA070HP=NEMA LABEL 70W HPS
- PNEMA100HP=NEMA LABEL 100W HPS
- PNEMA150HP=NEMA LABEL 150W HPS
- PNEMA175MH=NEMA LABEL 175W MH
- PCD-6=SIX FEET OF SUPPLY CORD (AVAILABLE WITH U.L. "K" ONLY)

## ACCESSORIES (TO SEPARATE ORDER):

- LAMP P-154948
- F1=SINGLE FUSING FOR 120V, 240V, 277V & 347V (AVAILABLE WITH U.L. "K" ONLY)
- F2=DOUBLE FUSING FOR 208V, 240V & 480V (AVAILABLE WITH U.L. "K" ONLY)
- PDWG=WIRE GUARD
- 08657-GR=GRAY POLE ADAPTER (AVAILABLE WITH U.L. "K" ONLY)
- 08657-BZ=BRONZE POLE ADAPTER (AVAILABLE WITH U.L. "K" ONLY)
- PDPR12=PHOTOCONTROL FOR 120V (AVAILABLE WITH U.L. "K" ONLY)
- PDPR=PHOTOCONTROL FOR 208V, 240V & 277V (AVAILABLE WITH U.L. "K" ONLY)
- PDPR34=PHOTOCONTROL FOR 347V

09128 wood cross arm mount



**HOLOPHANE®**  
LEADER IN LIGHTING SOLUTIONS

An **Acuity** Brands Company

ORDER NO: \_\_\_\_\_

TYPE: \_\_\_\_\_

DRAWING NO. \_\_\_\_\_

CAD MODEL: PD4.DWG

DATE: 6-20-06

Sheet 2

©2002 ACUITY LIGHTING GROUP INC., 214 OAKWOOD AVE., NEWARK, OH 43055

## FIXTURE SCHEDULE

### Three Kings, Pick and Shovel, Quicksilver

<b>T1</b>	2	PD 150 PM 48 <b>KN</b> 4B	1	PD 150 PM 48 <b>KW</b> 4B		
<b>T2</b>	2	PD 150 PM 48 <b>KN</b> 4B	1	PD 150 PM 48 <b>KS</b> 4B		
<b>T3</b>	1	PD 150 PM 48 <b>KN</b> 4B	1	PD 150 PM 48 <b>KS</b> 4B		
<b>T4</b>	1	PD 150 PM 48 <b>KN</b> 4B	1	PD 150 PM 48 <b>KS</b> 4B	1	PD 150 PM 48 <b>KW</b> 4B
<b>T5</b>	1	PD 150 PM 48 <b>KN</b> 4B				
<b>T6</b>	2	PD 150 PM 48 <b>KN</b> 4B				
<b>T7</b>	2	PD 150 PM 48 <b>KS</b> 4B				
<b>T8</b>	1	PD 150 PM 48 <b>KS</b> 4B				
<b>T9</b>	1	PD 150 PM 48 <b>KN</b> 4B	1	PD 150 PM 48 <b>KW</b> 4B		
<b>T10</b>	1	PD 150 PM 48 <b>KS</b> 4B	1	PD 150 PM 48 <b>KW</b> 4B		
<b>T11</b>	1	PD 150 PM 48 <b>KW</b> 4B				

All fixtures use # 09128 Mounting Bracket

All fixtures use Option PCD

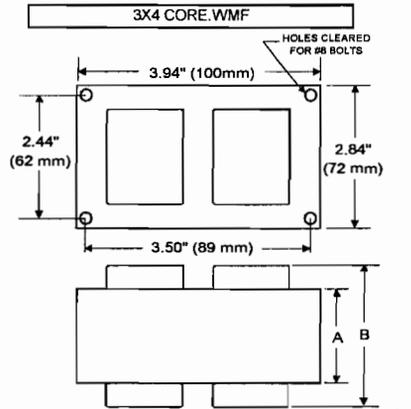
All fixtures use Lamp P 154948



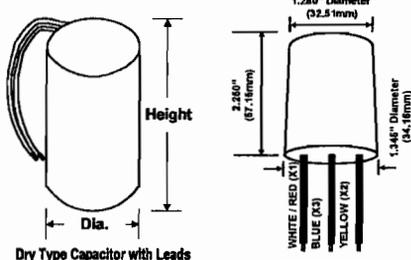
**BALLAST SPECIFICATION**

**150W M102**  
**Pulse Start Metal Halide**  
**V90Y7110T**  
**60 Hz CWA**

Input Volts	480
Line Current (Amps)	
Operating	0.40
Open Circuit	0.40
Starting	0.25
Recommended Fuse (Amps)	1
Regulation	
Line Volts	±10%
Lamp Watts	±6%
Temperature Ratings	
Insulation Class	180 (H)
Coil Temperature Code	C
Benchtop Coil Rise	80.7
Power Factor (Min)	90%
Input Watts	188 W
Efficiency	80%
NOM. Open Circuit Voltage	245
Input Voltage At Lamp Dropout	190
Min Ambient Starting Temp	-20°F/-30°C*
60 HZ TEST PROCEDURES	
High Potential Test (Volts)	
1 Minute	2,000 V
1 Second	2,500 V
Open Circuit Voltage Test (V)	220 - 270
Short Circuit Current Test (A)	
Secondary Current	Min 2.05 Max 2.55
Input Current	Min 0.15 Max 0.25
CORE and COIL Specifications	
Dimension (A)	2.75 in
Dimension (B)	4.10 in
Weight	8.8 lb's
Lead Lengths	12"
Capacitor Requirement	
Microfarads	16.0 uf
Volts (Min)	330 V



Capacitor:	ACG301	Ignitor:	BVS-041
Microfarads:	16.0 uf	Case Temp (Max):	105 °C
Volts (Max):	330 V	BTL Distance (Max):	2 ft
Case Temp (Max):	100 °C		
Height (Max):	2.76 in		
Dia (Max):	1.62 in		

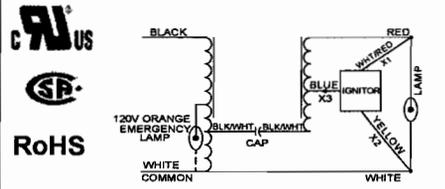


**Ordering Information** Add Suffix for options  
 C - With Capacitor  
 K - Prewired, with Capacitor and Bracket Kit  
 B - With Welded Bracket, no cap  
 CB - With Capacitor and Welded Bracket

\* -40°F/-40°C Min Ambient Starting Temp with Venture Lamp  
 Coil material: primary Cu and secondary Cu

RoHS compliant on all manufactured products after August 1, 2007  
 Data is based upon tests performed by Venture Lighting in a controlled environment and is representative of relative performance. Actual performance can vary depending on operating conditions. Specifications are subject to change without notice.

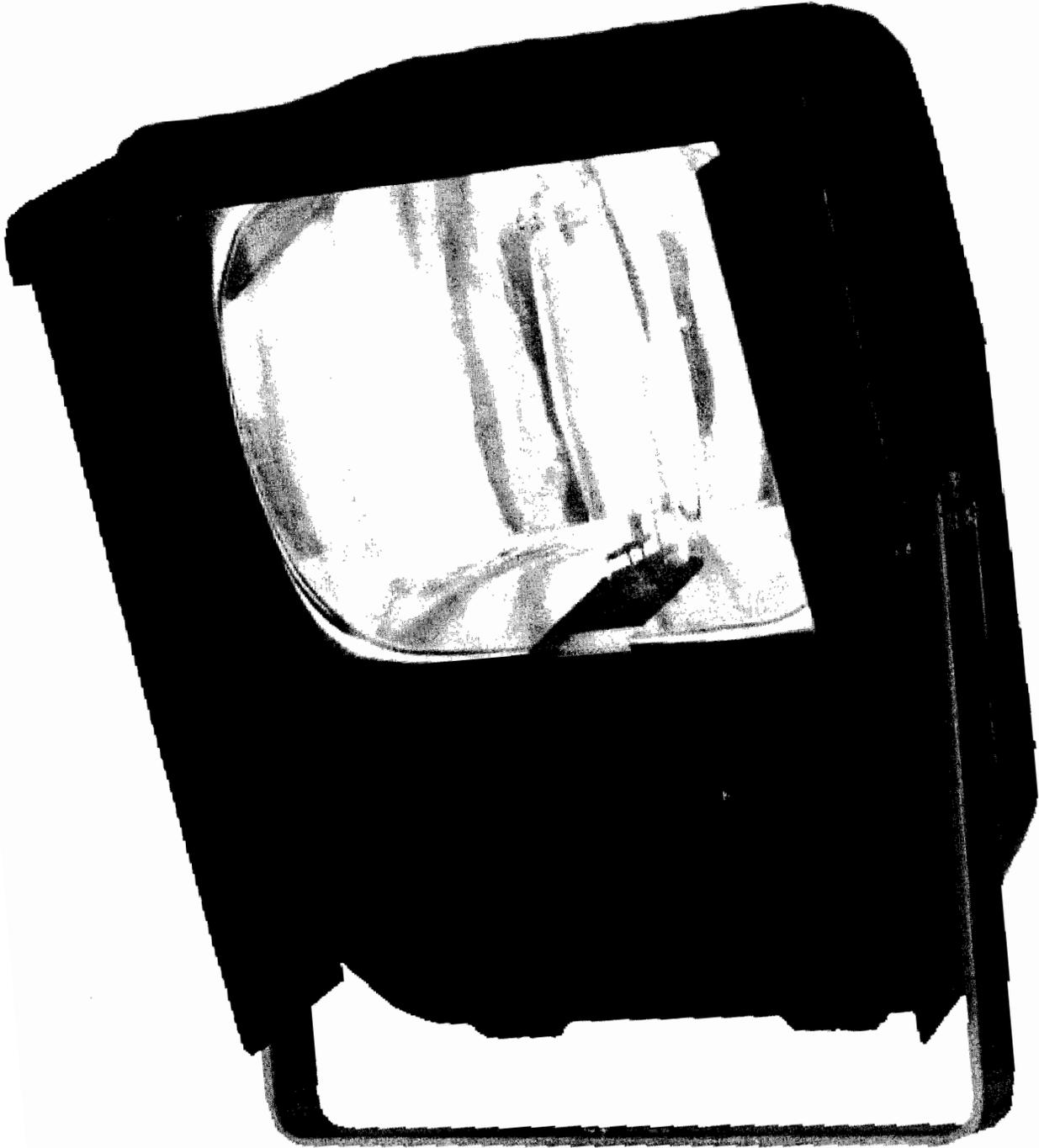
**MEETS TEMPERATURE EXCLUSION OF PL 110-140**



**10/8/2008 Production**  
 32000 Aurora Road ▼ Solon, Ohio 44139 ▼ 800-451-2606 ▼ 440-248-3510 ▼ Fax 800-451-2605 ▼ Fax 440-349-7771 ▼ www.venturelighting.com



Exhibit C.



JUN 02 2010

# Planning Commission Staff Report



**Author:** Kayla Sintz  
**Subject:** 1750 Park Avenue – Summit Sotheby's  
**Project #:** PL-10-00960  
**Date:** June 23, 2010  
**Type of Item:** Conditional Use Permit

**PLANNING  
DEPARTMENT**

## Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and approve the Conditional Use Permit based on the findings of fact, conclusions of law, and conditions of approval.

## Topic

**Applicant:** Michael Stewart (owner), David White (architect)  
**Location:** 1750 Park Avenue  
**Zoning:** General Commercial (GC) within the Frontage Protection Zone (FPZ)  
**Adjacent Land Uses:** General Commercial (GC) Residential Development (RD-MPD)  
**Reason for Review:** Conditional Use Permits must be approved by the Planning Commission

## Background

This CUP was approved by the Planning Commission on September 27, 2006. The applicant never pulled a building permit and, therefore, the approval expired.

On May 11, 2010, the City received a completed application for the 1750 Park Avenue Conditional Use Permit for construction within the Frontage Protection Zone. The property is located at 1750 Park Avenue in the General Commercial (GC) zoning district, within the Frontage Protection Zone (FPZ) overlay. In this zone a Conditional Use Permit is required for all construction on lots that fall within the FPZ overlay zone. The Conditional Use Permit would allow an addition on the back of the Summit Sotheby's building.

The existing building has 6,015 square feet of floor area. The addition would bring the floor area to 8719 square feet, an addition of 2704 square feet. The footprint would increase 590 square feet. The addition is proposed to be located to the rear of the building, largely on the 2<sup>nd</sup> level. Currently, the building sits completely within the Frontage Protection Zone (FPZ), which is 100 feet from the City right-of-way. The addition would also be within the 100 foot right-of-way for the FPZ, and therefore, per 15-2.20-3(B) requires a Conditional Use permit and is subject to all applicable review

criteria as stated in section 15-1-10. Design criteria as stated in 15-5 is also applicable.

### **Analysis**

The site is within the GC zoning district, which permits General Office as an allowed use. The Frontage Protection Zone (FPZ) is designed to protect and enhance the entry ways to Park City. It creates a 100' buffer setback along the right of way. The rear addition to the building will be between 50' and 100' of the Park Avenue right of way. The addition will not be viewable from the street as the overall building height is not increased and the addition is occurring at the rear of the building.

Currently there are 25 parking spaces to serve the building of 6,015 leasable square feet. The Land Management Code requires 3 parking spaces per 1000 square feet of leasable floor area. The added floor area brings the net leasable square footage to 6954.5 square feet, requiring 21 parking spaces. In the construction of the addition, one of the existing parking spaces will be removed. The building with the new addition will be compliant with parking regulations since it will have 24 parking spaces.

During the addition, the building will be brought into compliance with the fire code by adding a fire rated stairwell as well as installing fire sprinkling throughout the entire building. Also ADA accessible restrooms will be added in the basement and an elevator will be installed.

As part of Park City's mining history, mine tailings have been found on numerous lots in the city. This falls within the soils ordinance boundary. To mitigate the public health problems associated with tailings, a soil cap of at least 6" has been approved as sufficient cover to prevent contact with contaminated soils.

### **Existing conditions:**

- The existing building is within the Frontage Protection Zone.
- The existing building is 6,015 square feet.
- The lot is within the soils district boundary
- The lot is within the 0.2 Percentage Flood Hazard Area.
- There are 25 existing parking spaces (19 are required).

### **Proposed changes:**

- An addition of 2704 square feet brings the total square footage to 8719 square feet.
- The addition will be located to the rear of the building and is within the Frontage Protection Zone.
- Most of the addition will be located on the 2<sup>nd</sup> floor.
- The leasable floor area of the building will be increased to 6954.5 square feet. The additional space will be office uses, storage and additional mechanical (to accommodate an elevator).
- One parking space will be eliminated by construction, bringing the total to 24 parking spaces, 3 more spaces than required.
- An elevator will be installed in the building.
- The building will be installed with a fire sprinkler system.

Staff finds good cause for this Conditional Use Permit as it will not increase the building towards Park Avenue.

	<b>Permitted</b>	<b>Proposed</b>
Height 35'		31'
Front setback	30' (minimum)	60'
Rear setback	10'	10'
Side setbacks	10'	10'
Lot size	1,250 square feet, minimum	N/A
Footprint N/A		N/A
Parking	21 spaces required	24

Under the LMC Conditional Use Permit Standards for Review (LMC 15-1-10(D):

1. The application complies with all requirements of the LMC
2. The use is compatible with surrounding structures in Use, Scale, Mass, and Circulation.
3. The use is consistent with the Park City General Plan, as amended.
4. The effects of any differences in Use or scale have been mitigated through careful planning.

Under the LMC Conditional Use Permit Standards for Review (per Frontage Protection Zone requirements) LMC 15-1-10(E):

- 1) Size and location of the Site;  
**no unmitigated impacts**  
 The site contains an existing building and parking lot located at 1750 Park Avenue. The site meets setback requirements. The parking lot size is not increasing. There are no maximum footprint requirements for buildings in the GC Zone.
- 2) Traffic considerations including capacity of the existing Streets in the area;  
**no unmitigated impacts**  
 The proposed use is not expected to increase the existing traffic in the area. The proposed addition to the building does not require additional parking per the requirements of the Land Management Code.
- 3) Utility capacity;  
**no unmitigated impacts**  
 No additional utilities are necessary for the proposed use.
- 4) Emergency vehicle access;  
**no unmitigated impacts**

The proposed development will not interfere with existing access routes for emergency vehicles.

- 5) Location and amount of off-street parking;  
**no unmitigated impacts**  
The proposed addition will meet parking requirements as indicated in the Land Management Code. 21 spaces are required and 24 spaces will be provided.
- 6) Internal vehicular and pedestrian circulation system;  
**no unmitigated impacts**  
Minor modification to parking layout is proposed. The circulation system will function as it currently does.
- 7) Fencing, Screening, and Landscaping to separate the use from adjoining uses;  
**no unmitigated impacts**  
Modifications in landscaping are not proposed.
- 8) Building mass, bulk, and orientation, and the location of Buildings on the site; including orientation to Buildings on adjoining lots;  
**no unmitigated impacts**  
The addition is proposed to the rear of the building, the majority of which occurring on the second floor. The addition on the second floor expands over existing parking below. The addition will not increase the maximum building height of the existing building.
- 9) Usable open space;  
**no unmitigated impacts**  
Not applicable.
- 10) Signs and Lighting;  
**no unmitigated impacts**  
There are no signs or lighting proposed at this time. Any new exterior signs or lighting must be approved by the planning department prior to installation.
- 11) Physical Design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;  
**no unmitigated impacts**  
The rear addition is compatible to the older, non-historic existing building in materials, design and detailing and is not detracting from the multitude of architectural styles found in the immediate area.
- 12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site;  
**no unmitigated impacts**  
The proposed addition are storage, office and mechanical room (for elevator) related.

13) Control of delivery and service vehicles, loading and unloading zones, and screening of trash pickup areas;

**no unmitigated impacts**

Delivery and service vehicles will not be impacted.

14) Expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities

**no unmitigated impacts**

Ownership of the current building business use will not change.

15) Within and adjoining the site, impacts on Environmentally Sensitive Lands, slope retention, and appropriateness of the proposed structure to the topography of the site.

**no unmitigated impacts**

Not applicable to the site. Soils ordinance boundary is discussed above.

**Department Review**

This project has gone through an interdepartmental review. Issues pertaining to the soils district and flood plain area were mentioned as items to be aware of at the time of construction.

**Notice**

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record.

**Public Input**

One adjacent property owner contacted staff for additional information on the proposed building expansion.

**Alternatives**

- The Planning Commission may approve the 1750 Park Avenue Conditional Use Permit as conditioned or amended, or
- The Planning Commission may reject the 1750 Park Avenue Conditional Use Permit and direct staff to make Findings for this decision, or
- The Planning Commission may continue the discussion on the 1750 Park Avenue Conditional Use Permit.

**Significant Impacts**

There are no significant fiscal impacts from this application. Environmental impacts are due to existing conditions and will be mitigated during construction.

**Consequences of not taking the Suggested Recommendation**

The building would remain as is.

### **Future Process:**

Approval of the Conditional Use Permit is required for the project to move forward. Approval of this application by the Planning Commission constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

### **Recommendation**

Staff recommends the Planning Commission hold a public hearing for the 1750 Park Avenue Conditional Use Permit and approve the application based on the findings of fact, conclusions of law, and conditions of approval.

### **Findings of Fact:**

1. The property is located at 1750 Park Avenue.
2. The zoning is General Commercial (GC) within the Frontage Protection Zone (FPZ).
3. The proposed Conditional Use Permit is for construction within the FPZ.
4. The existing building is 6,015 square feet.
5. The 2704 square foot proposed addition brings the building to 8719 square feet.
6. The net leasable floor area will be 6954.5 square feet. The footprint will increase by 590 square feet.
7. 25 parking spaces currently exist.
8. The required parking for the site is 21 spaces. Proposed parking is 24 spaces.
9. The proposed addition would be to the rear 2<sup>nd</sup> story of the building. The building height will not be increased by the addition.
10. Use of the building will remain general office.
11. The building is within the flood plain area and soils district.

### **Conclusions of Law:**

1. There is good cause for this Conditional Use Permit.
2. The Conditional Use Permit is consistent with the Park City Land Management Code and applicable State Law.
3. Neither the public nor any person will be materially injured by the proposed Conditional Use Permit.
4. Approval of the Conditional Use Permit 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 construction plans for compliance with State law, the Land Management Code, and the conditions of approval.
2. The applicant will apply for a building permit from the City within one year from the date of Planning Commission approval. If a building permit has not been granted within one year's time, this Conditional Use Permit will be void.
3. Before a building permit is issued, the building department shall review plans to make sure they are appropriate in the flood area.
4. A soils mitigation plan shall be submitted and approved by the building department before construction and/or excavation may commence.

5. At the closure of the job, the soil shall be tested and approved by the building department before the certificate of compliance to the Soils Ordinance shall be re-issued.
6. Any modifications to signs, lighting, or landscaping shall be reviewed under separate application.

**Exhibits**

Exhibit A - Proposed Design Drawings

# COMMERCIAL BUILDING ADDITION for MICHAEL STEWART

Summit Sotheby's Real Estate  
1750 Park Avenue  
PARK CITY, UTAH 84060

## DRAWING LIST

	EXISTING CONDITIONS SITE PLAN	ZONING- GC (FPZ)
EC-1	EXISTING CONDITIONS SITE PLAN	
SP-1	NEW SITE PLAN	
A-1	LOWER FLOOR PLAN	
A-2	MIAN FLOOR PLAN	
A-3	UPPER FLOOR PLAN	
A-4	NORTH ELEVATION	
A-5	EAST ELEVATION	
A-6	SOUTH ELEVATION	

GOVERNING BUILDING CODE  
I.B.C. 2006

MAY 11 2010

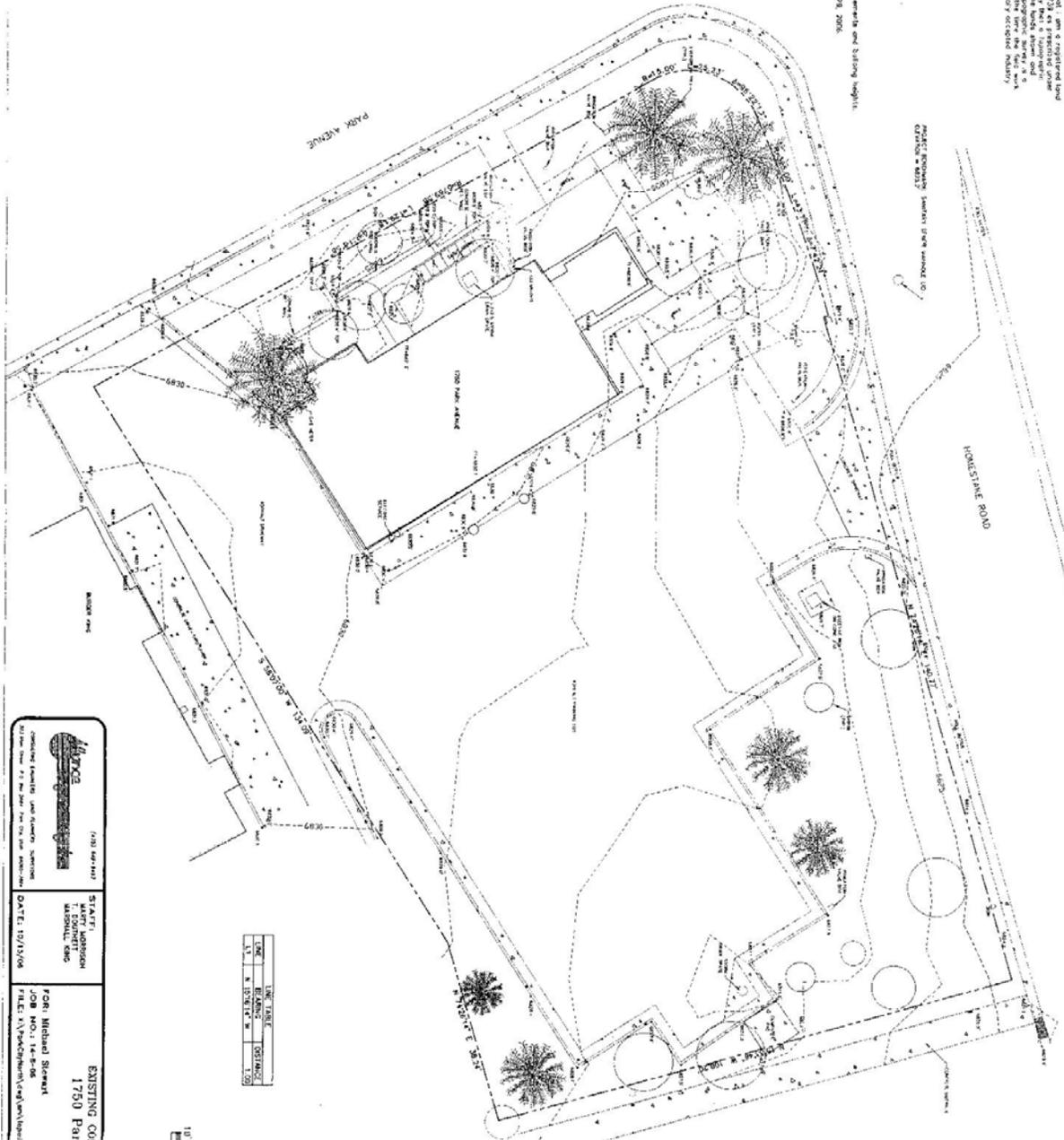
DATE: 5/11/10	SCALE: 1/8"=1'-0"	DATE: 5/11/10	SCALE: 1/8"=1'-0"	DATE: 5/11/10	SCALE: 1/8"=1'-0"	DATE: 5/11/10	SCALE: 1/8"=1'-0"	DATE: 5/11/10	SCALE: 1/8"=1'-0"	DATE: 5/11/10	SCALE: 1/8"=1'-0"
COVER SHEET						DAVID G. WHITE ARCHITECT					
COMMERCIAL BUILDING ADDITION FOR MICHAEL STEWART						P.O. BOX 1313 - 2703 ESTATES DRIVE					
1750 PARK AVE						PARK CITY, UTAH 84060					
PARK CITY, UTAH 84060						(801) 649-8379					
DRAWN BY: [blank]						CHECKED BY: [blank]					
DATE: [blank]						DATE: [blank]					
BY: [blank]						BY: [blank]					
A-0						A-0					
OF SHEETS						OF SHEETS					



**SURVEYOR'S CERTIFICATE**

Michael Stewart, as surveyor, certify that I am a registered land surveyor and that I have conducted a survey of the land shown on this plan and that I have not under my direction of the work shown and I have not been employed by any other person or firm in the course of the survey and I am not connected with any other person or firm in the course of the survey and I am not connected with any other person or firm in the course of the survey and I am not connected with any other person or firm in the course of the survey.

- NOTES**
1. Project: [unclear] Survey of [unclear] [unclear]
  2. See notes of survey and for easements and restrictions.
  3. The accuracy is responsible for verifying building setbacks, zoning requirements and building heights.
  4. The topographic map is based on a 1:50,000 scale survey performed on August 28, 2008.
  5. Property corners were not set.



DATE	TIME	DATE	TIME
10/13/06	10:30 AM	10/13/06	10:30 AM



MAY 11 2010

**EXISTING CONDITIONS MAP**  
1750 PARK AVENUE

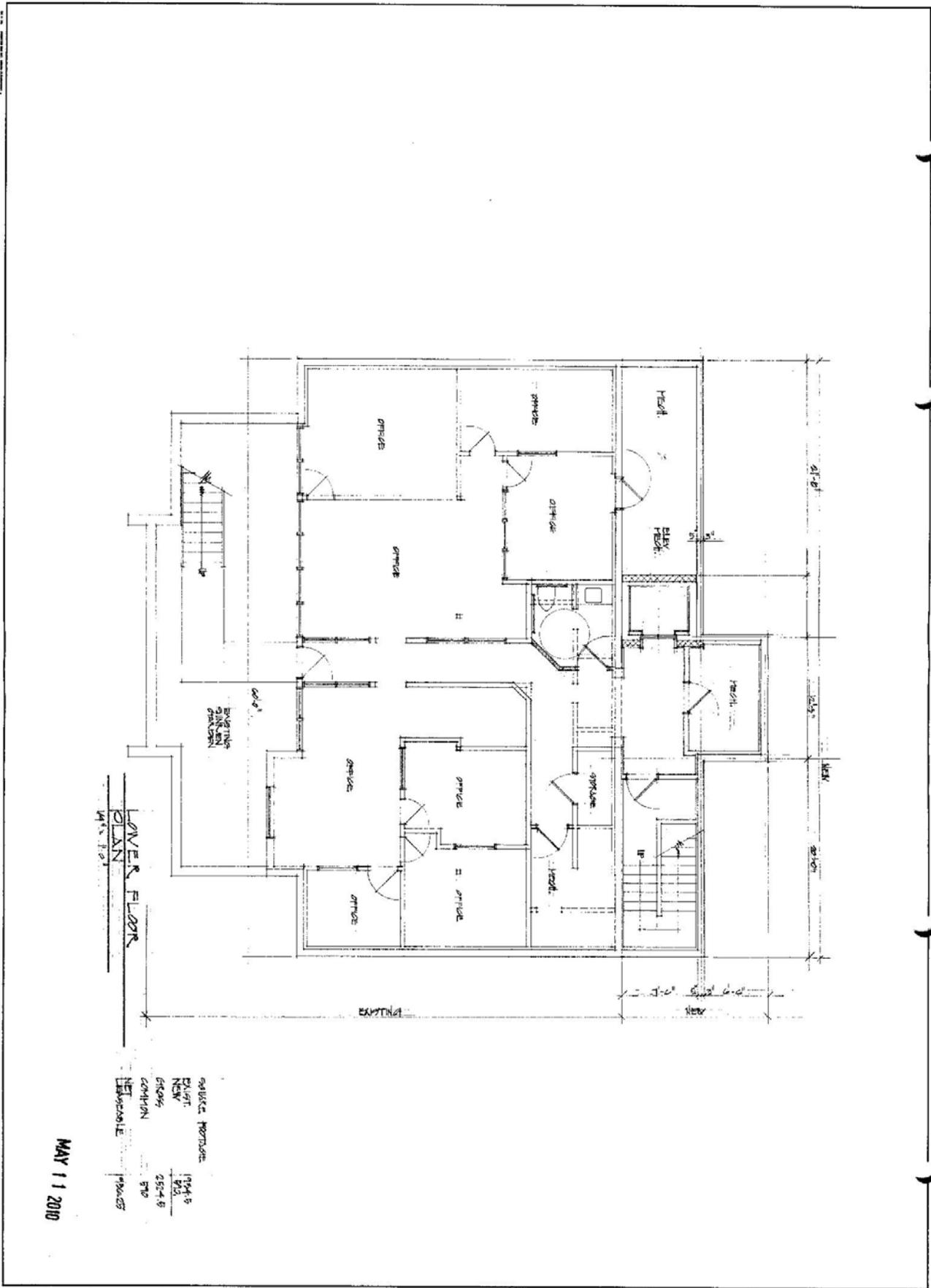
DATE: 10/13/06

FOR: Michael Stewart  
JOB NO.: 14-5-98  
FILE: 14-5-98-001

STATE: FLORIDA  
COUNTY: DALLAS  
CITY: DALLAS

SCALE: 1" = 100'





LOWER FLOOR  
PLAN

SOURCE PORTLAND  
EXIST. 1744-15  
NEW 175  
GROSS 2554-8  
COMMON 570  
NET 1984-05

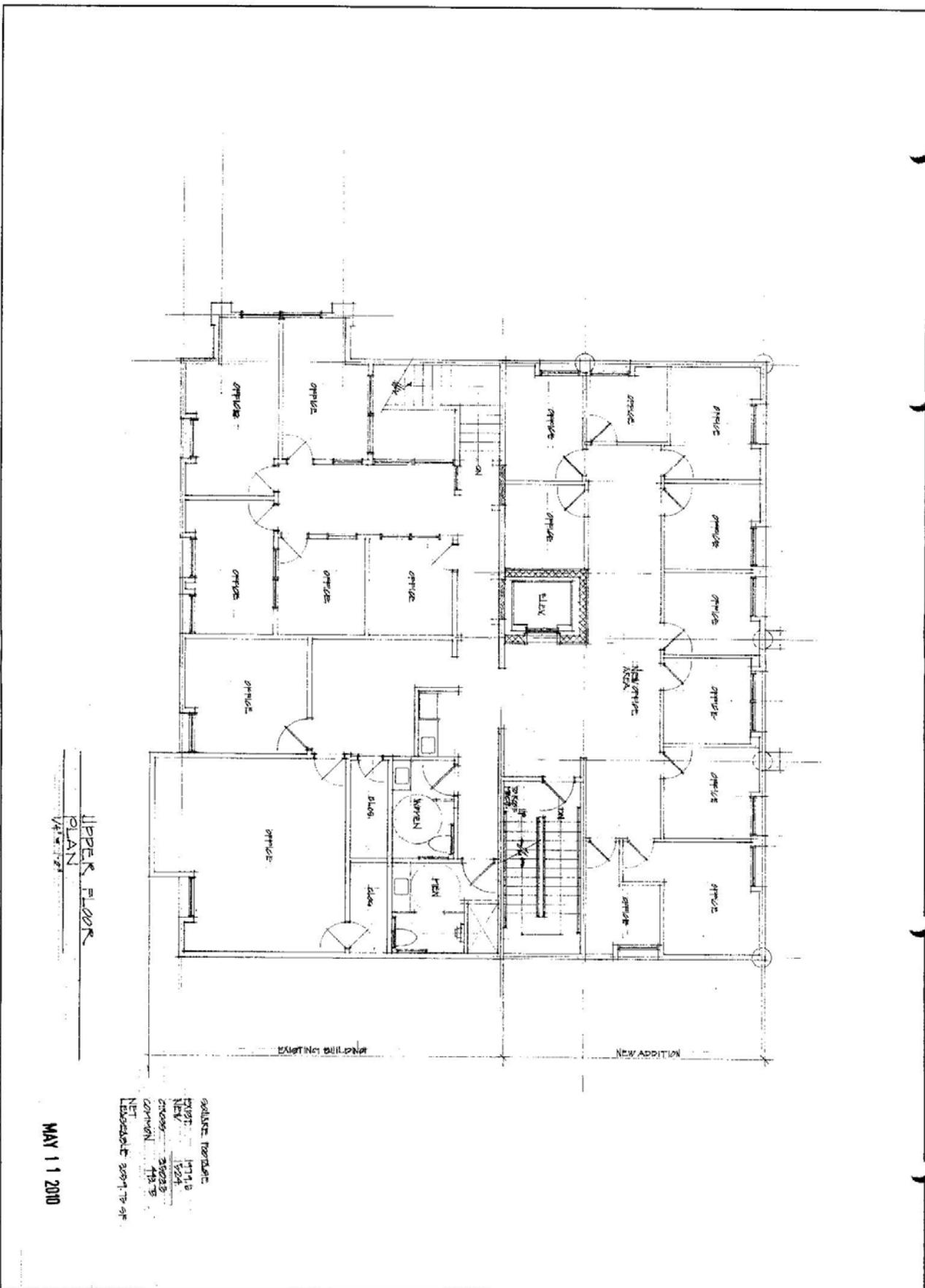
MAY 11 2010

DATE	10-1-04
BY	DAVID G. WHITE
SCALE	AS SHOWN
PROJECT	PLANNING COMMISSION
NO.	1

**DAVID G. WHITE ARCHITECT**  
P.O. BOX 1313 - 1145 SIDEHINDER DR. SUITE 200  
PARK CITY, UTAH 84060  
(435) 644-0374

DATE	10-1-04
BY	DAVID G. WHITE
SCALE	AS SHOWN
PROJECT	PLANNING COMMISSION
NO.	1





UPPER FLOOR  
PLAN  
V.A. 12'

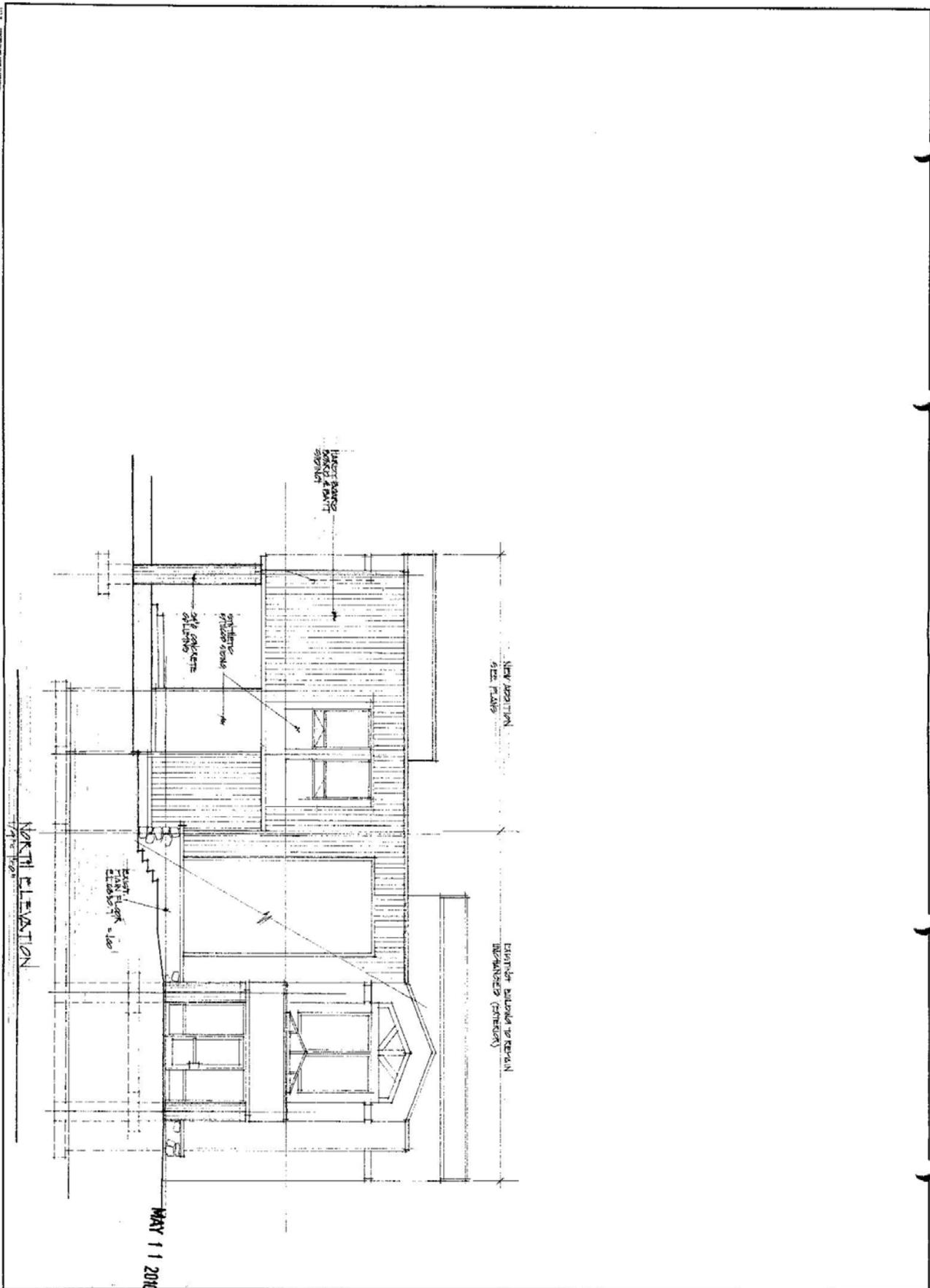
MAY 11 2010

QUALITY RENDER  
DATE: 11/11/10  
NEW: 12/1  
CROSS: 3/20/10  
COMMON: 11/15  
NET  
Elevation: 2001.75' ±

DATE	05/11/10
SCALE	AS SHOWN
PROJECT	UPPER FLOOR
ARCHITECT	DAVID G. WHITE ARCHITECT
DR	AW

**DAVID G. WHITE ARCHITECT**  
P.O. BOX 1813 - 1745 SIDEMINDER DR. SUITE 200  
PARK CITY, UTAH 84060  
(435) 644-0374

REVISIONS	BY



DATE	5-12-10
BY	DM
CHECKED	DM
SCALE	AS SHOWN
PROJECT	
NO.	
DATE	
BY	
CHECKED	
SCALE	

DAVID G. WHITE, ARCHITECT  
 P.O. BOX 1313 - 2703 ESTATES DRIVE  
 PARK CITY, UTAH 84060  
 (435) 499-0572 FAX: (435) 655-8645  
 EMAIL: dgwhite@emission.com

REVISION	
DATE	
BY	
CHECKED	
SCALE	





# Planning Commission Staff Report



**Subject:** Bonanza Park District  
**Author:** Francisco Astorga  
**Project Number:** PL-10-00996  
**Date:** June 23, 2010  
**Type of Item:** Legislative – General Plan Amendment

---

## **Summary Recommendations**

Staff recommends that the Planning Commission review the attached resolution adopting the “Bonanza Park” District name change (from the existing “Park Bonanza”) amendment to the Park City General Plan and forward a positive recommendation to the City Council.

## **Description**

**Applicant:** Planning Staff  
**Location:** Bonanza Drive to the east, Park Avenue to the west, Kearns Boulevard to the north, and Deer Valley Drive to the south, The district includes those properties along both sides of Bonanza from Iron Horse Drive to Kearns.  
**Zoning:** General Commercial (GC) District and Light Industrial (LI) District with Frontage Protection Zone (FPZ) along Kearns Blvd.  
**Land Uses:** Resort commissary and parking, shops, restaurants, public works buildings, storage areas, small art, consignment shops, banks, real estate offices, movie theatre, and grocery store.  
**Reason for Review:** General Plan Amendments require Planning Commission review and City Council approval

## **Background**

In August 2007, the City Council adopted a resolution approving amendments and revisions to the elements of the Park City General Plan and created the Park Bonanza Planning Area. The purpose of the 2007 amendments was to provide more detailed policy direction for the protection and development of properties within the Park Bonanza neighborhood.

## **Analysis**

The purpose of this General Plan Amendment is to simply change the name of the district to Bonanza Park. Staff finds good cause for this General Plan Amendment as the proposed name provides a more accurate name of the neighborhood and is similar to the direction that property owners in that District are moving in terms of district identification.

### **Department Review**

This project has gone through an interdepartmental review. No further issues were noted during this process.

### **Notice**

Legal notice was placed in the Park Record.

### **Public Input**

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

### **Alternatives**

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

### **Significant Impacts**

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

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

The District would remain as the Park Bonanza Planning District.

### **Recommendation**

Staff recommends that the Planning Commission review the attached resolution adopting the “Bonanza Park” District name change (from the existing “Park Bonanza”) amendment to the Park City General Plan and forward a positive recommendation to the City Council.

### **Exhibits**

Exhibit A – Proposed Resolution

Exhibit B – Proposed General Plan Amendment

**Exhibit A**

**Resolution No. \_\_-10**

**A RESOLUTION APPROVING AN AMENDMENT TO THE PARK CITY GENERAL PLAN CHANGING THE NAME OF THE PARK BONANZA PLANNING AREA TO THE BONANZA PARK PLANNING AREA.**

WHEREAS, the Park City General Plan was adopted by the City Council in 1985 and amended in 1997, 1999, 2000, 2001, 2002 and 2007;

WHEREAS, the Bonanza Park District is the oldest commercial district in Park City outside of the Historic Main Street area;

WHEREAS, the boundaries of the Bonanza Park District are Bonanza Drive to the east, Park Avenue to the west and Kearns Boulevard to the north and Deer Valley Drive to the south;

WHEREAS, the Bonanza Park District includes those properties along both sides of Bonanza Drive from Iron Horse Drive to Kearns;

WHEREAS, the area identified in the General Plan as the Park Bonanza Planning area will be identified as the Bonanza Park Planning Area.

NOW THEREFORE, be it resolved by the City Council of Park City as follows:

The amendments and revisions to the Bonanza Park Planning Area are adopted in its entirety.

This Resolution shall become effective upon adoption by the City Council of Park City Dated \_\_ day of July 2010.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Dana Williams, Mayor

Attest:

\_\_\_\_\_  
Jan M. Scott, City Recorder

Approved as to form:

---

Mark D. Harrington, City Attorney

**1.0 BACKGROUND..... 2**

**2.0 DISTRICT OBJECTIVES ..... 4**

**3.0 AMENDMENTS AND REVISIONS TO GENERAL PLAN ELEMENTS ..... 6**

3.1 GENERAL PLAN ELEMENT I. INTRODUCTION .....6

3.2 GENERAL PLAN ELEMENT II. PARK CITY DIRECTION .....6

3.3 GENERAL PLAN ELEMENT III. COMMUNITY CHARACTER .....6

3.4 GENERAL PLAN ELEMENT IV. OPEN SPACE.....6

3.5 GENERAL PLAN ELEMENT V. LAND USE .....7

3.6 GENERAL PLAN ELEMENT VI. GROWTH MANAGEMENT.....12

3.7 GENERAL PLAN ELEMENT VII. TRANSPORTATION.....13

3.8 GENERAL PLAN ELEMENT VIII. ENVIRONMENTAL .....16

3.9 GENERAL PLAN ELEMENT IX. HOUSING.....16

## 1.0 Background

The Park City General Plan is a policy document that forms the basis of the zoning and development regulations within the Park City limits and provides land use planning direction for those areas within the Park City Annexation Declaration area. The current General Plan has been under on-going updates on most of the elements of the plan since the 1997 General Plan was adopted.

The area encompassed by the designation of the Bonanza Park district has been cursorily considered in the General Plan within descriptions of other planning areas and in the separate Transportation element of the General Plan. Very little specific direction exists for the Bonanza Park District Planning Area.

Deleted: Park Bonanza

Deleted: Park Bonanza

*The purpose of this document is to provide more detailed policy direction for the protection and development of properties within the district consistent with the overall General Plan, Land Management Codes, and policies and direction of the Park City Council. The adoption of the Bonanza Park Planning District Supplement to the Park City General Plan adds the policy direction to the specific elements of the General Plan. Until the overall General Plan is edited or revised, this document will append to the General Plan.*

Deleted: Park Bonanza

### General District Description

The Bonanza Park District is the oldest commercial district outside of the historic Main Street area. As a planning area, the boundaries of the district are Bonanza Drive to the East, Park Avenue to the west and Kearns Boulevard to the north and Deer Valley Drive to the south. The district includes those properties along both sides of Bonanza from Iron Horse Drive to Kearns.

Deleted: Park Bonanza

The area is currently a broad mix of land uses from resort commissary and parking, to shops and restaurants, banking, public works buildings and the former lumber yard. Other uses include storage area, small art and consignment shops, banks and real estate offices. The one, in town, movie theater is within the area as well as one of the two main grocery stores. The area is currently zoned General Commercial (GC) and Light Industrial (LI).

The area includes housing along Kearns Boulevard and within the Rail Central project. Portions of the area are referred to the North of Main Area (NoMa) by a large percentage of the business and property owners in the area. NoMa functions as a joint marketing vehicle and forum for NoMa members to discuss business development.

### District Issues

Because the Bonanza Park District includes such a broad array of uses and provides services to the community at large, the District is an important part of the commercial life of Park City. The District is under pressure from competing commercial projects outside of the city, exemplified by the closure of the lumber yard last year. Movie theaters and restaurants in themed mall atmospheres have developed near the junction of the interstate and the state highways that form the entry corridor to Park City.

Deleted: Park Bonanza

Local restaurants and shopping continues to be an active part of the district, despite commercial competition from the junction areas. The cost of rental space in the district is less than the Main Street area, and parking is generally available.

The District is central to the daily flow of traffic to the resort areas and to the Main Street area. Four of the City's six stop lights are located on the District Boundaries. Many intersections and driveways affect the flow of traffic in the District and to the resort areas and Main Street.

Several of the buildings and developments have undergone redevelopment in the past 5 years, including the Rail Central Project, the theater complex, and the Centura Emporium project. These projects represent significant efforts by the private sector to provide community level services in this area.

## 2.0 District Objectives

The overall objective for the Bonanza Park District is shown below:

Deleted: Park Bonanza

**The District will primarily continue to serve the needs of the residents and visitors to Park City, consistent with changing consumer demands for services, restaurants, shopping and housing. Local businesses will be strongly encouraged. National brands will not be prominent in design or placement. The District is intended to act synergistically with Main Street, by providing a different lifestyle and commercial environment. Differences will be evident in architecture, urban design, and mix of commercial and residential uses in the District. The more detailed objectives for the area are found in the individual Plan Elements that follow.**

Development or re-development is not required by this General Plan amendment in this District. The intent of this plan is to establish the framework that accomplished the overall objectives of the City and guides land use decisions that affect private property proposals.

Because of the nature of the district as a combination of land uses, changes to the district are nearly inevitable. Changes can either occur by individual parcel, collections of properties or from outside forces, such as increased development elsewhere requiring roads to be widened in the district.

The goals and measures to achieve the overall planning objective for the district is to identify those elements that should be incorporated in development plans to guide change in a positive direction.

**For Bonanza Park District a positive direction is defined as increased pedestrianization, maintenance of the attractiveness of local and small business and restaurants, protection of existing housing areas, improved opportunities for a range of new housing, and coordinated direction for re-development proposals. Bicycle and vehicular circulation will be improved. Open spaces will provide for public areas, circulation, activities and community connectivness, with active, passive, natural and urban open areas. Mountain views will be maintained.**

Deleted: Park Bonanza

Facilitation of the overall success for the District is achieved by coordination of land use and transportation plans, definition and incorporation of uses that contribute to the overall success of the District. Facilitation includes consideration for modification of the current City zoning regulations, consistent with the intent of this section and the overall Park City General Plan. Facilitation also includes identifying the opportunities to contribute to the overall quality of life for all of Park City. Housing, shops and services that can be served by the existing transit system, parking areas that can serve the demands of the district plus provide supplemental parking for the resorts and Main Street are examples of the current range of opportunities presented within the district. Facilitation includes the possible identification of projects where City resources can be contributed to assist with overall benefits to the Park City community.

### 3.0 Amendments and Revisions to General Plan Elements

The Park City General Plan is comprised of elements related to the management of land uses, future development and growth management. The Bonanza Park District Planning Area Supplement is intended to be appended to the overall General Plan and modify the General Plan as outlined in the following sections.

Deleted: Park Bonanza

#### 3.1 GENERAL PLAN ELEMENT I. INTRODUCTION

No changes required

#### 3.2 GENERAL PLAN ELEMENT II. PARK CITY DIRECTION

No changes required. The planning direction for the Bonanza Park District is consistent with the stated goals.

Deleted: Park Bonanza

#### 3.3 GENERAL PLAN ELEMENT III. COMMUNITY CHARACTER

**3.3.1** The Bonanza Park District is included within the Developing Area Policies section of this Element. The current planning direction for the District is consistent with the current Developing Area Policies.

Deleted: Park Bonanza

#### 3.4 GENERAL PLAN ELEMENT IV. OPEN SPACE

Open space in this area is established through the provisions in the Land Management Code for the General Commercial (GC) and Light Industrial (LI) zones. Under basic zoning, the open space on a parcel is determined by the setbacks from the property line. Properties along Park Avenue, Kearns Boulevard and Deer Valley Drive are subject to the provisions of the Frontage Protection Zone, which requires additional Front Yard setbacks and a Conditional Use Permit approval for development within 100 feet of the Right of Way along these streets. Bonanza Drive is not currently subject to the Frontage Protection Zone requirements. In addition to the aesthetic importance of Open Space in this area, Open Space along roads provides a critical function for snow storage for snow storage and for adequate room for sidewalks, bus zones and walkways.

Additional Open Space is required for larger projects that are approved under the Master Development Plan (MPD) section of the Land Management Code rather than simply as an Allowed or Conditional Use within the zone.

**3.4.1** Open Space requirements would remain as in the current code to maintain equity between all GC and LI zoned properties whether in the District or in other Planning Areas. Plazas, decks at or near ground surfaces, outdoor seating areas, outdoor displays of public art areas; areas for outdoor music and similar uses are appropriate for consideration as Open Space. These spaces must be open to the public for use. Areas of plazas, decks and outdoor seating areas that are part of restaurant, bar or other similar uses are not considered to meet the Open Space requirements.

- 3.4.2** The Frontage Protection Zone (FPZ) requirements of a 30-foot setback from Park Avenue, Kearns Boulevard and Deer Valley Drive would be maintained. The FPZ setback of 30 feet should be maintained along both sides of Bonanza Drive to allow for improved sidewalks and snow storage areas. At grade plazas and decks are appropriate within the 30foot setback as long as snow storage and walkways meet the intent of the other element of the Planning Area. Decks may be up to one foot above grade within the setback area, but grading, and / or berms, may not be used to increase the height of the deck above the elevation of the existing roadway and adjacent properties.
- 3.4.3** Parking that is completely below grade, except for Open Space plaza spaces on the exposed level, not exceeding existing grade level, could be considered between the 30 foot setback area and the zone required setback and can be considered to be appropriate within the Planning Area in an MPD and without entrances and exits on Park Avenue, Kearns or Deer Valley Drive.
- 3.4.4** Within MPD's setbacks between buildings can be reduced to the minimum Fire Code requirements and Open Space combined in the most appropriate area. Snow storage must be considered in determining the appropriate amount and location of setbacks and Open Space.
- 3.4.5** For redevelopment of housing areas, Open Space requirements should not be less than the existing project. Required Open Space could be located within an MPD in the most appropriate location to support all the intentions of the Planning Area.

### **3.5 GENERAL PLAN ELEMENT V. LAND USE**

The mix of commercial uses, tenants, retailers and restaurants is critical to meeting the goals and objectives for the district. The mix of uses may change over the course of a project and over the course of time as development proceeds. For this reason, the mix of potential uses and tenants within a proposed project is to be reviewed on a project by project basis by the Planning Commission. The criteria for review is established by the goals and objective of this planning area, combined with the overall General Plan, and policies and goals of the City Council.

- 3.5.1** The objective is to create an atmosphere different from traditional shopping centers, with a mix of local and other shops attractive to residents and visitors to Park City.

The current array of land uses within the GC and LI zoning districts continue to be appropriate uses within the Bonanza Park District. Projects will be encouraged to comply with sustainable design practices noted in Section 3.8.1 and 3.8.2 of the General Plan.

Deleted: Park Bonanza

Base upon the most available, recent data, a 2007 private sector study of commercial inventories<sup>1</sup> reports approximately 469,000 square feet of retail, office, restaurant, industrial, and institutional space within the Bonanza Park District – west of Bonanza Drive. This square footage does not include the area of the Park City Public Works Building or Park City Mountain Resort Munchkin site. The portion of the Bonanza Park District east of Bonanza Drive adds an additional approximately 106,000 square feet for a total of approximately 575,000 square feet of these uses. A breakdown of the commercial land use categories in the district is shown in the chart following.

Deleted: Park Bonanza

Deleted: Park Bonanza



The Bonanza Park District commercial square footage includes large retail tenants:

Deleted: Park Bonanza

Albertson's 57,800 square feet Sports Authority (Gart's) 25,000 square feet Rite Aid 35,218 square feet

By comparison, Jan's Mountain Outfitters is approximately 12,500 square feet. Commercial buildings with several individual tenants such as the Emporium

<sup>1</sup> James Barth (2007) *Commercial Inventory for Park City and the Snyderville Basin*. Commerce CRG

(19,000 total square feet) and Park City Plaza (18,192 total square feet) produce a raw average of approximately 2,000 square feet per tenant.

- 3.5.2** Future retail and commercial buildings and uses should be generally consistent with the current buildings and tenant size mixes. Big-box retail uses should be discouraged due to potential traffic impacts and the negative effect on other elements of this plan, including open space and walkability.

The district currently has a mix of larger and smaller examples of “big” boxes” (previously noted examples are the Rite aid – 35,218 square feet and Albertsons (57,800 square feet). In the context of this General Plan Supplement, big box retail uses as single tenant spaces over approximately 15,000 square feet are to be reviewed with all of the guidelines in this Supplement for impacts primarily within the Bonanza Park District and adjacent transportation systems. Larger big box project with retail and commercial single users (approximately 15,000 square feet to approximately 25,000 square feet) should be reviewed carefully within the guidelines of the Supplement and overall General Plan for impacts on the overall town. Big box commercial and retail uses between approximately 25,000 square feet and approximately 50,000 square feet (except as replacement for existing buildings) should be considered for impacts on the entire town, but with awareness and consideration of possible more regional impacts on transportation, housing and open space. Proposed projects over 50,000 / 60,000 square feet, will be less likely to meet the guidelines of this section to be “consistent with current buildings and tenant size mix” and would be strongly discouraged. Mixes of uses, and tenant sizes within commercial projects is encouraged. Projects will need to demonstrate compliance with the objectives of this Element and other Elements of the General Plan. The mix will be determined at the MPD stage.

Deleted: Park Bonanza

- 3.5.3** Future retail and commercial buildings and uses should be generally consistent with the current buildings and tenant size mixes. Big-box retail uses should be discouraged due to potential traffic impacts and the negative effect on other elements of this plan, including open space and walkability.

The district currently has a mix of larger and smaller examples of “big” boxes” (previously noted examples are the Rite aid – 35,218 square feet and Albertsons (57,800 square feet). In the context of this General Plan Supplement, big box retail uses as single tenant spaces over approximately 15,000 square feet are to be reviewed with all of the guidelines in this Supplement for impacts primarily within the Bonanza Park District and adjacent transportation systems. Larger big box project with retail and commercial single users (approximately 15,000 square feet to approximately 25,000 square feet) should be reviewed carefully within the guidelines of the Supplement and overall General Plan for impacts on the overall town. Big box commercial and retail uses between approximately 25,000 square feet and approximately 50,000 square feet (except as replacement for existing buildings) should be considered for impacts on the entire town, but with awareness and consideration of possible more regional impacts on transportation, housing and open

Deleted: Park Bonanza

space. Proposed projects over 50,000 / 60,000 square feet, will be less likely to meet the guidelines of this section to be “consistent with current buildings and tenant size mix” and would be strongly discouraged. Mixes of uses, and tenant sizes within commercial projects is encouraged. Projects will need to demonstrate compliance with the objectives of this Element and other Elements of the General Plan. The mix will be determined at the MPD stage.

- 3.5.4** The combining of existing smaller tenant spaces to into big box spaces in existing projects or after project completion is further discouraged and will be subject to additional reviews by the Planning Commission under the terms of the General Plan and Land Management Code and especially for impacts due to potentially higher parking demands, changes to employee housing requirements and traffic and transportation impacts.
- 3.5.5** Existing and proposed housing areas should be protected from intrusions of commercial development, through increased commercial setbacks, significant landscaping and routing of traffic and deliveries away from these areas. Reviews of development and redevelopment proposals shall minimize shadow incursions into residential areas. Lighting should also not intrude into residential areas.
- 3.5.6** The design of proposed projects should carefully consider the location, geometry and access of loading and unloading areas. Loading and unloading of delivery vehicles should not restrict travel lane or pedestrian routes.
- 3.5.7** Some variation of building heights is allowed under the Master Development Plan (MPD) provisions of the Land Management Code. The Land Management Code does not specify the heights of buildings that could be conceptually approved under an MPD. Buildings at or below height allowed by the General Commercial and Light Industrial zones (currently up to 35 feet) are most consistent with building heights throughout Park City, with the exception of Main Street and some resort areas adjacent to mountainsides. Small increases in height from the zone height (less than 5 feet) can be considered if the height increase is not applied over the entire building and other considerations of this plan and the Land Management Code are applied. Large increases in building height (over 5 feet) can be considered in compliance with General Plan, if the height increases result in additional open space areas, protection of sun exposures and minimization of shade on public open space and walkway areas.

- 3.5.8** Additional height is generally more appropriate on the easterly, internal, areas of the planning district. Large height increases are not appropriate along the perimeter of the district, especially along the northern perimeter and adjacent to residential areas. Height increases must result in variations of height within a project and within the Planning District.
- 3.5.9** Potential height increased should consider the protection of mountain views, when viewed from Kearns Boulevard, Bonanza Drive and Homestake Drive. The goal of the view protection is to minimize any reduction of the current views from these roads. This goal is further achieved by locating any height increases within the more central areas of the Planning District and minimizing height along the perimeter.
- 3.5.10** The amount of parking in the district, as required under the existing Land Management Code, appears to be appropriate – that is, there are only a few situations where too much parking (Payless Drugs and Park City Plaza) is found, and some areas where parking and circulation is less than adequate (Iron Horse Drive, Rail Central). Within the Bonanza Park District, it is appropriate to consider “off-site” parking, within the Bonanza Park District if it results in an improved project form and improved walkability. Parking can also be combined in properly located parking garage(s). Combinations of parking from various uses should not result in a reduction of the Land Management Code required parking unless it can be definitely shown that a fewer number of parking spaces is appropriate.
- 3.5.11** The potential for rezoning the existing residential areas from General Commercial to one of the Land Management Code Residential zones would provide additional control over the preservation of housing uses, but could limit potential re-development opportunities for the properties in the future. Property owners and Homeowner associations should take the lead regarding rezoning proposals. The Planning Commission would weigh acceptance of the rezone proposals and City Council using the direction of the Bonanza Park District plan, the overall General Plan and City policies.
- 3.5.12** A range of housing is appropriate within the district. Housing would be reviewed under the Housing element of the General Plan. The objectives are to accommodate some of the employee housing demand generated by local employers, provide for housing opportunities to populate the district with primary residents (as opposed to visitors), and to provide housing opportunities, such as apartments over commercial areas, that are not found in other areas of the city. Housing should be considered in the context of other elements of the General Plan, including the effects on transportation and Open Space. Market rate housing should not cause the degradation of other elements of the General Plan.

Deleted: Park Bonanza

Deleted: Park Bonanza

Deleted: Park Bonanza

**3.5.13** Resort type housing units such as time-share and interval ownership products are acceptable but also should not be a dominant element in a project or cause negative effects on transportation, open space or primary resident housing (i.e., changing a condominium project with primary residents as tenants and owners to an interval ownership project. Hotel type uses are consistent with the goals and objectives of the General Plan and should be encouraged, subject to the other elements of the General Plan.

### **3.6 GENERAL PLAN ELEMENT VI. GROWTH MANAGEMENT**

The Growth Management Element describes the planned capacity of Park City for developments and provides planning direction for the potential annexation areas as well as neighborhoods within the City limits. The Bonanza Park District plays a key role in the long-term growth management strategy. First, redevelopment of the district will allow for current and future needs of Park City residents and tourists to be served within the current developed areas, moving some of the potential demand from undeveloped areas, such as Quinn's Junction. Second, by facilitating re-development the City can allow for some additional uses in the area without significant increases in traffic demands. Third, by encouraging a range of housing opportunities in the district, a reduction in demand for this use outside the City is possible. This focus of housing in the City limits reduces the need to extend City Services, such as transit, to outlying areas in order to minimize traffic demands.

Deleted: Park Bonanza

**3.6.1** It should be recognized that the district cannot be the target of all required employee housing projects that will come forward in the future. However, encouraging employee, affordable and attainable housing in this area allows for a population located patronizing the local shops of the area. Other housing types and prices are needed to encourage the young professional, local empty-nesters and artists to the area. Such housing, shops, and development mixes are flexible experiments. Projects should be allowed to proceed if they can show compliance with all the district objectives and criteria.

**3.6.2** Certain areas of the Planning District are underutilized in terms of types of use and the size of the uses within each parcel. Examples include the former Anderson Lumber site, and the Munchkin parking and commissary site for Park City Mountain Resort. Other areas are overused from their original intent due to lack of parking, inadequate circulation and land uses that are no longer adequately sized for the use. Examples of this situation occur along Woodside Road and Munchkin Road.

**3.6.3** It is the intent of this plan for the Bonanza Park District that redevelopment embraces change and a reorganization and distribution of land use to meet the other goals of the plan. Maximizing the development potential of each parcel, without direct consideration on the effect on transportation, adjacent land uses and the overall intent to exchange the viability of the entire City is not the intent of this plan.

Deleted: Park Bonanza

**3.6.4** Growth of some land uses in this district can be very important in limiting sprawl of outlying areas by encouraging infill in the Bonanza Park District. Each proposal to develop in the district must be evaluated against all the elements in the Plan including this portion of the Growth Management Element.

Deleted: Park Bonanza

### **3.7 GENERAL PLAN ELEMENT VII TRANSPORTATION**

The Bonanza Park District forms the hub of the major transportation corridors within Park City. It is the only Planning Area surrounded by existing transit routes on all sides. It is also one of the few areas with major frontage on the two main routes in and out of town – Highway U-224 (Park Avenue) and Highway U-248 (Kearns Boulevard). With this situation, a careful balance of change, growth and design are required to meet the transportation requirements for the future and reduce the current set of conflicts in the area.

Deleted: Park Bonanza

Conditional Use Permits, including Master Planned Developments require that traffic considerations be reviewed when considering approval of a project (Land Management Code 15-1-10 (E)). As an overall policy of the Park City General Plan, the City should continue to develop procedures and processes to evaluate the traffic and transportation impacts of a proposed project adjacent to the project location and on the overall City transportation framework.

The major traffic congestion area is Bonanza Drive. Bonanza functions as both a through route for to and from Deer Valley and Main Street and well as access to the land uses in the Bonanza Park District. The five driveways on the West side of Bonanza and three driveways on the east side of Bonanza cause much of the congestion. Changes in the area land use will change traffic patterns and timing. Re-development and intensification of uses has the high potential to create additional traffic. It is the intent of this element of the plan to accommodate change and some growth but not at the expense of increased traffic.

Deleted: Park Bonanza

**3.7.1** A transportation study, completed under the direction of the City, is required as soon as possible. The study should not be an attempt to only quantify future changes in traffic; rather, the focus of the study should be on feasible mechanisms to achieve the goals of all elements of the Bonanza Park District. Trip generation studies and estimates of Level of Service can be used as underpinnings of the transportation study.

Deleted: Park Bonanza

**3.7.2** Changes in land uses outside of the district will have more of an effect on this district than the changes inside the district. Traffic impacts from land use decisions at Quinn's Junction may force Bonanza Drive toward expansion to four lanes. Shifting land uses to Quinn's Junction, south or eastward will increase congestion on U248 in and out of town and could reduce the positive effect of redevelopment in the Bonanza Park district. For this reason, planning along Bonanza Drive should consider the undesirable effect of a forced widening of Bonanza due to eastward sprawl, but the acquisition of any potential right of way needs not promoted.

Deleted: Park Bonanza

**3.7.3** All Master Planned Development proposals, annexation requests, and "big box" retail proposals (as defined in section 3.5.2) shall include a transportation and traffic impact study and a transportation mitigation plan that adequately addresses the objectives of the other overall Park City General Plan, the Bonanza Park Amendments to the General Plan, with the intent that a proposed project not adversely impacts the City's road and pedestrian network.

Deleted: Park Bonanza

**3.7.4** The location of the district, central to resort and Main Street transportation flows, creates a potential opportunity to locate an inter-modal transportation center and parking area closer to activity areas in the town, rather than more remote locations being considered at Quinn's or Kimball Junctions. With frontage on both U 248 and Bonanza Drive, direct transit access is possible to the resorts and Main Street. Any facility of this type should be the result of detailed transportation information and study of capture rates and reductions of vehicles or vehicle miles traveled. An inter-modal facility accessed from Park Avenue or Deer Valley Drive is discouraged due to current traffic and turning movements. An intermodal facility in this district allows for shared parking uses, possible remote parking support for the resorts and Main Street. For this reason, City participation may be necessary to consider project potential, users, costs and impacts Careful coordination is necessary between street design, transit and intersections and signalization.

**3.7.5** Through traffic from Deer Valley Drive to Park Avenue and Deer Valley Drive to Kearns should be discouraged, to prevent disruption of potential neighborhood walking circulation patterns.

**3.7.6** Every effort should be made to reduce intersections with the roads surrounding the project area. Minor roads and driveways should be combined and directed to acceptable intersection locations. Individual drives and parking accesses should be discouraged and considered for elimination during re-development planning. The desired objective is to smooth the traffic flow along Bonanza and reducing the need for expansion of Bonanza due to developments within the Bonanza Park District.

Deleted: Park Bonanza

**3.7.7** Development within Bonanza Park should be planned so as not to cause Bonanza Drive to be widened. Traffic signals along Bonanza are strongly discouraged.

Deleted: Park Bonanza

**3.7.8** It is possible that that an additional signal may be warranted in the future between Park Avenue and Bonanza on Kearns Boulevard. This signal must be electronically coordinated and synchronized with the existing signal system. To the degree possible, north exiting traffic from Bonanza Park should be routed through this intersection.

Deleted: Park Bonanza

**3.7.9** Roundabouts have been considered over the past 10 years as a solution to intersection difficulties along Bonanza Drive. Redevelopment planning can allow for the roundabouts to be considered seriously. The roundabouts have the potential to reduce intersection conflicts and eliminate the need for additional signalization and driving /turn lanes. They will have the result of slowing circulation on Bonanza Drive. The use of roundabouts should not promote the widening of Bonanza except at the roundabout. Adequate geometry is essential to accomplishing successful roundabouts in the planning area and will require close cooperation with adjacent property owners and the City.

**3.7.10** School bus and transit routes along Kearns Boulevard and Bonanza Drive affect traffic flow due to the lack of turnouts and loading areas. Bus turnouts and protected loading areas should be coordinated with the school district and Park City Transit and incorporated into land plans along these roads.

- 3.7.11** Inadequate space for bicycles exists along Bonanza Drive. Adequate space should be provided or a separate bicycle route planned on internal connector streets in the District.
- 3.7.12** Pedestrian circulation and walkability within the District are key elements to accomplish the overall goals for the district. Sidewalks are required along the entire perimeter of the district. Sign plans, walking routes, snow removal and parking must take in to consideration and illustrate how pedestrian and bicycles are promoted and accommodated in designs.
- 3.7.13** Bonanza Drive presents a significant obstacle to the termination of the Rail Trail and the connection of the Rail Trail to the remainder of the Park City trail system. The City and adjacent property owners need to cooperate to resolve this conflict. Tunnels under Kearns should be considered if roadway and utility conflicts could be resolved.
- 3.7.14** The potential for aerial lift transportation between parking areas and the resorts has been presented as part of private party land use planning in the district. This type of transportation system, or a similar surface guideway system can be considered for future implementation. Considerations of building clearances and alignment will require careful coordination between landowners and the City.

**3.8 GENERAL PLAN ELEMENT VIII ENVIRONMENTAL**

Redevelopment of the District as planned has the potential to reduce land use sprawl, reduce the potential for remote junction commercial development and over-extension of transit services to remote locations.

- 3.8.1** Sustainable designs for projects sites and buildings are strongly encouraged. Use of formal rating systems (such as LEED™) is not required but can be used to substantiate a sustainable project design.
- 3.8.2** The City Council should consider providing incentives such as building permit fee reductions or priority reviews during the building permit review process for projects that use a documented sustainable design process.

**3.9 GENERAL PLAN ELEMENT IX HOUSING**

The redevelopment of the Bonanza Park District presents some positive opportunities to meet housing demand in an in-fill process and reduce (however slight) the demand to develop outlying properties. This is especially true for meeting employee housing demands and the desire for resort-urban lifestyles for young professionals and empty-nesters.

Deleted: Park Bonanza

**3.9.1** Care must be taken to balance the housing types, prices and locations of these types of housing to avoid prejudicing an area with a certain type of housing. Proposals should also reference section 3.5.11 of this Bonanza Park General Plan Supplement.

Deleted: Park Bonanza

**3.9.2** Additional housing in the area should not be encouraged to the extent that the other elements in the General Plan are negatively affected, particularly the Transportation Element.