



## AGENDA

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

**ROLL CALL**

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

**STAFF/BOARD COMMUNICATIONS AND DISCLOSURES**

**CONTINUATION – *Continue to date as outlined below***

269 Daly Avenue – Plat Amendment PL-11-01232

*Public hearing and continue to March 14, 2012*

Land Management Code – Amendments to Chapter 1, Chapter 10, and PL-11-01418

Chapter 15 for Special Exceptions

*Public hearing and continue to March 28, 2012*

**REGULAR SESSION – *Discussion and action items***

60 Sampson Avenue – Ratification of Findings for Conditional Use Permit PL-11-01369 5

*Possible action*

Ridgepoint at Deer Valley – Amendment of Record of Survey PL-11-01328 15

*Public hearing and possible recommendation to City Council*

1790 Bonanza Drive, Rail Central – Conditional Use Permit PL-11-01406 31

*Public hearing and possible action*

**WORK SESSION – *Discussion only, no action will be taken***

Quinn's Junction Partnership – Annexation PL-12-01473 63

**ADJOURN**

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.



## **REGULAR AGENDA**



## Planning Commission Staff Report



**Subject:** 60 Sampson Avenue  
**Author:** Mathew Evans  
**Date:** February 22, 2012  
**Type of Item:** Conditional Use Permit - Ratification of Findings  
**Project Number:** PL-11-01369

PLANNING DEPARTMENT

### **Summary Recommendation**

Staff recommends the Planning Commission ratify the Findings of Fact and Conclusions of Law to deny the Conditional Use Permit for a nightly rental request at 60 Sampson Avenue for an existing home located in the HRL Zone according to the Findings of Fact and Conclusions of Law.

### **Topic**

**Applicant:** Jan Maltby  
**Location:** 60 Sampson Avenue  
**Zoning:** Historic Residential Low (HRL)  
**Adjacent Land Uses:** Single-Family Residential, Vacant Land

### **Background**

On January 11, 2012, the Planning Commission held a regularly scheduled meeting to consider an application for a Conditional Use Permit to allow a nightly rental in an existing home located at 60 Sampson. The existing home is located in the Historic Residential Low (HRL) zone designation wherein nightly rentals are listed as a "Conditional Use" thus requiring a Conditional Use Permit to be issued by the Planning Commission.

On the aforementioned date, the Planning Commission reviewed the application held a public hearing and denied the application on a vote of 3-2. The Planning Commission discussed the possibility that the applicant could not mitigate conditions of approval found in Section 15-2.1-2 Land Management Code that the proposed Conditional Use Permit with respect to the conditional use review criteria #2, #4, #5 and #6 as outlined in LMC 15-1-10, could not be mitigated.

Furthermore, the Planning Commission had concerns about mitigation issues related to Criterion #14 (Expected ownership and management of the property), and there were concerns that there was no requirement for the applicant to hire a property management company to ensure that many of the issues associated with nightly rentals (e.g. trash, loud parties, etc.) would not be attended to by a local someone local who could enforce proper behavior by the tenants and ensure the proper care of the property while it was being used as a nightly rental.

The Planning Commission also noted that the City could not enforce the requirement for off-site parking even though there may be times when both King Road and Sampson Avenue become impassable and inaccessible for automobile travel. For these reasons, including the aforementioned reasons listed above, the Planning Commission, by a 3-2 vote, denied the application for the Conditional Use Permit to allow for the nightly rental as proposed.

The minutes of the meeting are attached in the packet.

**Findings of Fact, Conclusions of Law and Order regarding 60 Sampson Avenue Conditional Use Permit for a nightly rental of an existing home within the HRL Zone.**

The Planning Commission hereby ratifies the Findings of Fact, Conclusions of Law as follows:

Findings of Fact

1. The property is located at 60 Sampson Avenue. The property is improved with a 3,800 square foot, four bedroom, five full-bath, single family house.
2. The subject property is located within the Historic Residential Low Density (HRL) zoning district.
3. The house at 60 Sampson Avenue is located on an approximately 6,500 square feet (.15 acres) lot. Minimum lot size in the HRL district is 3,570 square feet.
4. The historic portion of the home is 1,818 square feet and was constructed in 1909 with a 1,953 square foot addition completed in 2008. The house has 4 bedrooms
5. Nightly rental uses are subject to a Conditional Use Permit in the HRL district.
6. Access to the subject property is off of Sampson Avenue with frontage onto King Road, both are public streets.
7. Sampson Avenue and King Road are very narrow roadways. The paved width of Sampson Avenue is 12 feet wide, which is not wide enough for two cars to pass each other. There is also no on-street parking available on Sampson Avenue. Testimony from residents suggests that this street has had difficulty being accessed by emergency vehicles in the past.
8. There are no legally established nightly rentals on Sampson Avenue. The Finance Department has confirmed that there are no business licenses issues for Nightly Rentals on Sampson Avenue.
9. Requiring additional cars to park in China Bridge in the rental agreement does not mitigate the impacts of additional cars because it is difficult for the City to enforce such a requirement and the Landlord has no incentive to enforce such a condition.
10. There are three separate sets of stairs and over 250 stairs from China Bridge making it unlikely that nightly rental tenants would actually use China Bridge as an alternative parking area. There is no on street parking in the vicinity of the residence.

11. Trash is a problem with nightly rentals because tenants often leave on a Monday and the trash is put outside however, the garbage pick-up isn't until Thursday. No mitigation for this impact has been proposed.
12. The Planning Commission finds that Criterion #2 (Traffic) of Section 15-2.1-2, LMC, cannot be mitigated because traffic on the roads leading to the applicant's property, and the street where the proposed nightly rental is located, are narrow roadways that may become subject to closure during a major storm event, such as snow or rain, and that renters may not be able to access the home because there are times when both King Road and Sampson Avenue are not passible by automobile. One must drive on steep hills to access Sampson Avenue, and it is not possible for two cars to pass each other on the road.
13. The Planning Commission finds that Criterion #4 (Emergency Vehicle Access) cannot be mitigated for the same reasons as found in Finding of Fact #2 that the roads leading to and from the proposed nightly rental are narrow road ways that may become impassible during major storm events, such as snow or rain, and that testimony from the Public suggests that emergency vehicles tend to get stuck turning from Sampson Avenue during normal weather, making emergency vehicle access to the nightly rental subject to delay. The Planning Commission further finds that the nightly rental may increase the need for emergency vehicle access to the area, and that such an increase would burden the neighborhood because of the narrow roadways which can become impassible during major storm events as described herein.
14. The Planning Commission finds that Criterion #5 (Location and amount of off-street parking) cannot be mitigated due to the fact that there are only two parking spaces at the proposed location for the nightly rental, and due to the fact that the existing home is 3,800 square feet, has four bedrooms, five bathrooms and sleeps an undetermined number of people and could potentially accommodate a large gathering of individuals, and there is no way for the City to enforce a maximum gathering of occupants for the nightly rental, and the fact that there is no on-street parking available at this location due to the fact that Sampson Avenue is in essence, a 12-foot wide one-way road with no on-street parking near the proposed nightly rental, and that King Road has the same physical conditions as Sampson Avenue, causing a potentially dangerous situation for those trying to park near the home.
15. The Planning Commission finds that Criterion #6 (Internal circulation system) cannot be mitigated due to the fact that both King Road and Sampson Avenue are narrow roadways which in essence, function as one-way streets, and that circulation in the area is usually difficult even if not complicated by frequent major storm events, and that the nightly rental could generate additional trash or additional service needs, and that those could potentially cause in increase of the level traffic generated from outside of the area, and that the streets leading to and from the proposed Nightly Rental are local streets that are more than likely at a failing level of service because they do not meet current City Street Standards for asphalt width and snow storage.

16. The Planning Commission is concerned that Criterion #14 (Expected ownership and management of the property) would be difficult to mitigate due to the fact that there are no provisions in the LMC to require that a local property management company oversee the nightly rental. The owner of 60 Sampson Avenue, who's primary residence is in New York, would be an absentee landlord and would not be able to ensure that issues related to trash and loud parties at the home could be taken care of to the satisfaction of the neighbors or the City. The burden of dealing with issues related to trash, loud parties, and other issues related to Nightly Rentals, is unfairly shifted to the neighborhood and the City to handle.
17. The Planning Commission finds that the condition to require off-site parking during times when King Road or Sampson Avenue may become impassable during periods of heavy snow, or other inclement weather, un-enforceable, and thus un-reasonable to impose.

### Conclusions of Law

1. The proposed conditional use permit has conditions that cannot be mitigated, including those found in criterion #2, #4, #5, #6 and possibly #14 of Section 15-2.1-2 of the Park City LMC.
2. The condition of approval to require off-site parking during heavy snow events or other inclement weather make King Road or Sampson Avenue impassible is un-enforceable by the City, and thus is an unreasonable condition of approval.

**Order:** The Conditional Use Permit for Nightly Rental at 60 Sampson Avenue is hereby denied for the reason specified within the Findings of Fact and Conclusions of Law listed herein.

Dated this 22<sup>th</sup> day of February, 2012.

---

Charlie Wintzer, Chairman, Planning Commission

Commissioner Thomas disclosed that he would be recusing himself from the North Silver Lake discussion due to his design involvement with the project.

Director Thomas Eddington reminded the Planning Commission of the joint City Council/Planning Commission meeting from 5:30 to 7:00 p.m. the following evening to discuss the Bonanza Park plan.

Director Thomas Eddington reported that the Council visioning originally scheduled for February 3<sup>rd</sup> and 4<sup>th</sup> had been changed to February 9<sup>th</sup> and 10<sup>th</sup>. He would send a reminder email to the Planning Commission and include the time the Planning Commission is scheduled on the agenda. Chair Wintzer had a previous obligation and he was unsure if he would be able to attend.

Chair Wintzer stated that a previous planning commissioner, Steve Deckert, had passed away. Chair Wintzer remarked that Mr. Deckert was a great Planning Commissioner and a great member of the community. Chair Wintzer outlined a number of major accomplishments that Mr. Deckert had achieved in Park City, which spanned the history of Park City's growth. He did it as a planner, as well as two terms as a planning commissioner.

On behalf of the Planning Commission, Chair Wintzer thanked the Staff for their work on the General Plan for Bonanza Park. It was an incredible job and the entire Staff spent many hours. As a thank you, the Planning Commission presented the Staff with a card and a gift card for lunch.

Chair Wintzer also thanked Commissioner Thomas for his efforts and involvement working with the Staff to complete the General Plan for Bonanza Park. He was certain the end result showed the talent that Commissioner Thomas had contributed.

#### **CONTINUATION(S) – Discussion, Public Hearing and Possible Action**

##### **Land Management Code – Amendments to Chapter 10 for Special Exceptions and Chapter 15 for Definitions of Special Exceptions. (Application #PL-11-01418)**

Chair Wintzer opened the public hearing. There was no comment. Char Wintzer closed the public hearing.

MOTION: Commissioner Thomas moved to CONTINUE the LMC Amendments to February 22, 2012. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

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

##### **1. 60 Sampson Avenue – Conditional Use Permit (Application #PL-11-01369)**

Planner Matt Evans stated that it has been several years since Park City approved a nightly rental application. Nightly rentals are conditional uses in some of the residential zones in the City. The property at 60 Sampson Avenue is located in the HRL zone, which requires a conditional use permit for nightly rentals in the zone, per LMC Chapter 15-2.1-2.

Planner Evans noted that the Staff report outlined a number of criteria for review when considering a conditional use permit. He pointed out there was not a separate set of criteria for considering a nightly rental use.

Planner Evans reviewed the request for a conditional use permit for a home located at 60 Sampson Avenue. He presented slides showing an aerial view and the reviewed the zone designation. The structure is a 3,800 square foot single family home, and includes an oversized one-car garage and a driveway area leading to the garage. One of the criteria requires that the nightly rental can provide two off-street parking spaces.

Planner Evans stated that the home at 60 Sampson Avenue is located on the Historic Homes Inventory. A permit was pulled in 2007 for a remodel and the project was recently completed. A 2,000 square foot addition was added to the home. The number of bedrooms and bathrooms show that the house is a substantial size. The applicant would like to rent the home for nightly rentals, which is allowed under a conditional use permit, as long as the rental period does not exceed 30 days.

Planner Evans reviewed the list of criteria for considering nightly rentals as outlined in the Staff report. Criteria 2 addressed traffic considerations. Currently the home is used as a second residence for the owner. The Staff recognized that traffic impacts from a nightly rental would be greater than those associated with a single family dwelling. However, since the criteria is not specific to nightly rental, it does not ask the Staff analysis to make extra considerations for that use. Criteria 5 addressed off-street parking. Due to the driveway, by definition it would meet the requirement for two off-street parking spaces.

The Staff recommended that the Planning Commission approve the conditional use permit for a nightly rental based on the findings of fact, conclusions of law, and conditions of approval as indicated in the Staff report.

Planner Evans reviewed the conditions of approval outlined in the Staff report.

Jan Maltby, the applicant/owner stated that they have owned the house since 2004 and never planned to rent it. She was born and raised in Utah and even though it is their second home, she considers it home because her whole family lives in Salt Lake. Ms. Maltby remarked that renting was not their first choice but life changes made the decision. She wanted the neighbors to understand that they would be very careful about who they rent to because it is their home.

Chair Wintzer opened the public hearing.

Carol Sletta, a resident at 135 Sampson, stated that she lives two doors down and across the street from 60 Sampson. Ms. Sletta remarked that within the last ten days their neighborhood had been turned up-side-down. She was unsure whether several people were renting or whether it was one family in the neighborhood; but taxis come and go, fireworks are set off late at night, trash overflows the trash cans. Ms. Sletta suspected that the disruption was caused by nightly renters. She had called Shelly Hatch in the License Department to ask who had permits for nightly rentals in the neighborhood, and Ms. Hatch told her no one on Sampson Avenue had a nightly rental license. Ms. Sletta stated that people drive too fast. Those who live there and know the neighborhood make it a point to slow down. With all the taxis and traffic, the situation would be much worse if there was snow this winter. She was concerned about losing the neighborhood to people who do not live there or care about the community. When she first moved to Sampson in 1979 nightly rentals were not allowed. Later an ordinance was passed to allow nightly rentals in the neighborhood, and it was done without notice to the neighbors. Ms. Sletta believed the neighborhood needs to remain a neighborhood and a safe place in Park City.

John Phillips, a resident on Norfolk agreed with all the comments made by Carol Sletta. He had also noticed excessive activity in the neighborhood and it was very apparent that many people were occupying one house. Mr. Phillips believed that Ms. Maltby would screen her renters; however, the neighbors adjacent to his home rent their house on occasion and even though they try to screen their renters, many times the renters were deceptive. Based on the location and the quaintness of their small neighbor, he was concerned that a nightly rental would create a large impact to the rest of the neighborhood. Mr. Phillips was also concerned about parking and traffic. With a 3800 square foot four bedroom home, he could envision a large number of people in the house.

Jimmy Weinberg, a resident at 201 Upper Norfolk, stated he is a former city employee who is now retired. He worked in the parking department and for the public works department. In that neighborhood the streets are extremely narrow. During his time with the City, they prided themselves on trying to create neighborhoods. He believed that a nightly rental would be a detriment to the neighborhood on Upper Norfolk. Mr. Weinberg referred to condition of approval #5, which spoke about the inclement weather and the difficulty of trying to reach the residence and the possibility of having to park at the China Bridge parking structure. He noted that there are three sets of steps and over 250 stairs from China Bridge to Upper Norfolk. Sampson Avenue is extremely narrow and two vehicles cannot pass. Mr. Weinberg urged the Planning Commission to consider all the impacts and to remember what the City is trying to create in town. He did not want to take rights away from the owner, but he felt the request was inappropriate for the street.

Ruth Meintsman, a resident at 305 Woodside, stated that her neighborhood on Woodside is mostly nightly rentals and she wanted to comment on the impacts. Ms. Meintsma understood that Park City thrives on nightly rentals and it is great that people can come to Park City for a short stay and have a good time. However, there are serious impacts. She lives across the street from a four bedroom nightly rental. That house has a garage and one parking spot in the driveway, but usually there are always three vehicles and those cars are always in motion. She believed it was due to the fact that visitors do not understand the logistics of Old Town and how to get around without a vehicle.

Ms. Meintsma stated that trash was also an incredible problem. Typically on a three day rental stay the trash can is filled double and it remains on the street for most of the week until the trash is picked up on Thursday. Ms. Meintsma suggested that the only way that type of impact could be mitigated would be through intense communication between the owners and the renters, as well as the neighborhood. As an example, the owner could compile a list of email addresses and use that as a way to inform the neighbors of the name of the renters, how long they would be staying, and the number of people expected to occupy the house. This would enable the neighbors to introduce themselves and help the renters to understand the logistics of Old Town. Ms. Meintsma believed that would help resolve the current miscommunication with nightly rentals and solve many of the problems.

John Phillips stated that he lives next door to a duplex that has been used for nightly rentals for years. There have been no problems, but they have a huge parking lot and it is not located on Sampson, which is more narrow than his road. He clarified that he was not opposed to nightly rentals in the neighborhood, but he was concerned with nightly rentals in that particular area.

Chair Wintzer closed the public hearing.

Chair Wintzer stated that the HRL zone was created for his neighborhood 35 years ago for the purpose of creating a neighborhood for primary residents. They did not want nightly rentals or duplexes. When the HRL zone moved across the canyon, everything that his neighborhood did not want was put into a conditional use. Chair Wintzer believed that nightly rentals takes away from a neighborhood and changes the nature of that neighborhood. He was unsure what could be done now since it is a conditional use in the zone per the LMC. Chair Wintzer personally thought the Planning Commission should look at changing the requirements in the LMC, even though it would not apply to this application.

Commissioner Hontz appreciated the public input this evening because it validates the negative impacts she sees and lives with every day as an Old Town resident. Commissioner acknowledged that some of the impacts were from long-term rentals as well as nightly rentals, and she believed that some of the nightly rental impacts could be mitigated. In order to support the requested CUP, she would need to have public health, safety and welfare concerns addressed, along with criteria 2,4,5 and 14, which relate to on-site parking and access. She noted that many homes in Old Town have garages and parking pads, however, renters are locked out of the garages because the owners store their personal belongings in the garage. Many renters who do have garage access prefer to park on the street rather than take the time to open the garage. Commissioner Hontz appreciated that Planner Evans had pointed out that parking is not allowed on Sampson, but that does not always deter renters. It is a huge impact to the residents to have to call the City to enforce illegal parking and an additional impact to the City to enforce it.

Commissioner Hontz pointed out that 60 Sampson is a large home. The renters could most likely have more than two vehicles and there is not room on the site to accommodate more than two. She did not believe the suggestion to park at China Bridge was a reasonable solution. Commissioner Hontz noted that this winter is abnormal weather because snow is the normal for Park City. She wants snow in Park City and slippery and hard to drive roads. She could not understand why the City would create more problems that would need to be resolved in the future by allowing nightly

renters in that area. Commissioner Hontz remarked that Sampson Avenue is the most challenging street in Old Town for access and size. She thought they might be able to meet the requirements to allow the conditional use permit, but she questioned whether it was worth it in terms of approving this type of use. She also questioned whether the CUP could be rescinded if there were consistent problems.

Assistant City Attorney, Polly Samuels McLean, clarified that a conditional use is an allowed use as long as the impacts can be mitigated. She asked if Commissioner Hontz was concerned that the impacts could not be mitigated in this location due to the lack of parking and other constraints.

Commissioner Hontz replied that she would be comfortable with the CUP if someone could convince her that the impacts could be mitigated. She believed some of the impacts could be addressed through the rental agreement; however, if the impacts were not mitigated, the burden would fall on the neighbors to resolve it. She was also concerned that if the conditions are not met and the impacts are not mitigated, it would take additional time to rescind the CUP.

Assistant City Attorney McLean pointed out that the legal criteria is whether or not the impacts can be mitigated. She understood that Commissioner Hontz was saying that if the impacts were difficult to enforce, they could not be mitigated. Commissioner Hontz replied that it was her concern, but she was willing to listen to other Commissioners if they could find a way to resolve that issue.

Commissioner Hontz stated that trash is a problem throughout Old Town with nightly rentals. She concurred with Ms. Meintsma that the property management company cleans the day after trash pickup, and the trash sits there for a week. Trash on the street erodes the experience for both residents and guests.

Commissioner Thomas understood that the concern was who would rent the house and assumptions on the number of people who would occupy the house. More occupants create more trash and more parking issues. He pointed out that the Planning Commission could not control that aspect, which is similar to the fact that they could not control who purchases a house or who rents it long term. He noted that an owner or long-term renter with a large family generates a lot of cars and a lot of trash, but that is completely allowed and acceptable. He could not see much difference between that occurring with a long-term renter versus a short-term renter. Commissioner Thomas remarked that the HRL zone was created to accept these conditional uses. He believed the impacts could be mitigated the same as with the normal community.

Commissioner Hontz remarked that the difference is that if someone lives there long-term, it is easier for a neighbor to talk to them face to face regarding a problem. It is more difficult to talk to someone renting short-term because they are leaving soon and do not care to address the problem. Commissioner Hontz appreciated Commissioner Thomas' comments, but she believed there was a significant difference between the two.

Commissioner Thomas still thought they were making assumptions on who would be renting the house. He was comfortable with the conditions and believed the impacts could be mitigated. Commissioner Thomas thought the issues begged a conversation on re-evaluating some of the

zones in terms of conditional uses and allowed uses. However, the Code is clear for this application and he was not opposed to the requested CUP.

Commissioner Savage concurred with Commissioner Thomas. Based on the comments this evening, he found nothing that would cause him to think that the impacts associated with nightly rentals would be materially different than the impacts that exist from the people who already use the house. Commissioner Savage noted that the Staff analysis indicates that there are no unmitigated impacts and he had not heard anything to make him think otherwise. Based on legal advice, if that is the case, the Planning Commission has an obligation to approve the application.

Commissioner Strachan stated that he heard evidence of unmitigated impacts from three separate people who have nightly rentals in their neighborhoods. He did not believe a rental agreement was an effective tool to mitigate the impacts because the landlord has no incentive to enforce the rental agreement. Once the landlord receives the money he is often an absentee party. Commissioner Strachan remarked that a CUP is infinite and once it is granted it cannot be taken away. They could assume that the impacts of a nightly rental are the same as the impacts of a primary resident family, but if that assumption is wrong, they cannot rescind the CUP. Commissioner Strachan pointed out that it only takes three or four instances of disagreeable and uncooperative nightly renters to make the impacts different than the impacts created by a permanent resident. He could not find the ability to mitigate the impacts of nightly rentals in this application.

Commissioner Strachan believed the LMC should be amended to only allow nightly rentals on the streets that immediately surround Main Street.

Chair Wintzer remarked that Condition of Approval #5 regarding the China Bridge was unrealistic and it could not be enforced. If the street is so difficult that it requires that type of a condition, it indicates that the impact was unmitigated.

Ms. Maltby remarked that the house could also be accessed from King Road, which would address concerns regarding emergency vehicles. There is no parking but there is direct access to the house. King Road is a two lane road and much wider than Sampson. Ms. Maltby stated that she has owned the house since 2004 and has never had a problem accessing the house due to bad weather. Chair Wintzer replied that the difference was that Ms. Maltby had a four-wheel drive vehicle and had lived in Park City long enough to understand the road and weather conditions.

MOTION: Commissioner Strachan moved to DENY the conditional use permit application for nightly rentals at 60 Sampson Avenue. Commissioner Hontz seconded the motion.

VOTE: The motion passed 3-2. Commissioners Hontz, Strachan and Wintzer voted in favor of the motion. Commissioners Thomas and Savage voted against the motion.

Ms. Maltby asked if she had any recourse against their decision. Chair Wintzer advised Ms. Maltby that she was entitled to the appeal process and her project planner could explain the details.

**2. North Silver Lake, Lot 2B – Extension of Conditional Use Permit  
(Application #PL-11-01392)**

# Planning Commission Staff Report



**Subject:** First Amended Ridgepoint at Deer Valley Condominium plat  
**Author:** Mathew W. Evans, Senior Planner  
**Project Number:** PL-11-01328  
**Date:** February 22, 2012  
**Type of Item:** Administrative – Amendment to Condominium Plat

## **Summary Recommendations**

Staff recommends that the Planning Commission hold a public hearing for the First Amended Ridgepoint at Deer Valley Condominium Record of Survey Plat and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

## **Description**

**Applicant:** Ridgepoint Homeowners Association represented by Marshall King of Alliance Engineering  
**Location:** Ridgepoint Lane at Woodland Drive near Royal Street  
**Zoning:** Residential Development (RD) District with Master Planned Development (MPD) Overlay  
**Adjacent Land Uses:** Residential and Open Space  
**Reason for Review:** Plat amendments require Planning Commission review and City Council approval

## **Proposal:**

The applicants are proposing to convert “Limited Common Ownership” to “Private Ownership” in 26 of the 38 units. The purpose of the conversion of ownership is to allow the owners of the 26 units to enclose the front entryway into the homes. Since the recording of the original plat, several owners have enclosed these areas where a covered entry way was present. Not all units have covered entry ways, and thus would not be affected by this proposal. The purpose of the application is to bring the current configuration of several units into compliance with the recorded plat. This proposal will also give the owners who have not yet enclosed their entry ways, the ability to do so legally. The proposal does not include an increase in footprint since the covered walkways are included within the footprint calculations. However, the amendment would increase the total square footage of habitable living space within 26 of the 38 units by 16-48 square feet.

## **Background**

On August 16, 2011, the City received a completed application for the Ridgepoint at Deer Valley amended condominium plat. The property is located generally at Ridgepoint Lane and Woodland Drive near Royal Street. The property is located within the Residential Development (RD) District with Master Planned Development (MPD)

overlay subject to the Deer Valley MPD.

The Ridgepoint at Deer Valley Condominium Plat as recorded in 1985 is a 38 unit development located adjacent to the Stag Lodge Condo's, The Cottages, and the Evergreen Subdivision within the Deer Valley Master Planned Development.

On July 11, 2011, the elected Trustees of the Ridgepoint Association at Deer Valley certified that there was a greater than 2/3rds majority of owners voted in the affirmative approving the proposed amendment.

### **Analysis**

Staff finds good cause for this plat amendment. Originally, 26 of the 38 units were built to have recessed front entry ways with an outside storage space closet on the landing outside of the front door. This amendment will allow the owners of those units to incorporate these areas into the living space of the unit. The change in the plat basically allows the owner to extend the doorway into the unit at the front of the landing. The outside storage closet becomes a part of the interior of the home, and can function more like a coat closet.

Several of the owners have already converted these areas proposed to be converted to "Private Ownership". Recently the City noticed this practice at Ridgepoint and told the owners that a plat amendment would be necessary, as well as building permits or else they would have to remove the improvements. The homeowners have agreed to the amendment, and the homeowners association petitioned the City for the change to consider these limited common areas as private ownership. These areas are not shared entrances, but are used solely by the owners of each individual unit. Converting these areas to private ownership will not adversely affect access to any of the units within the project and will provide more security for these closet/storage areas.

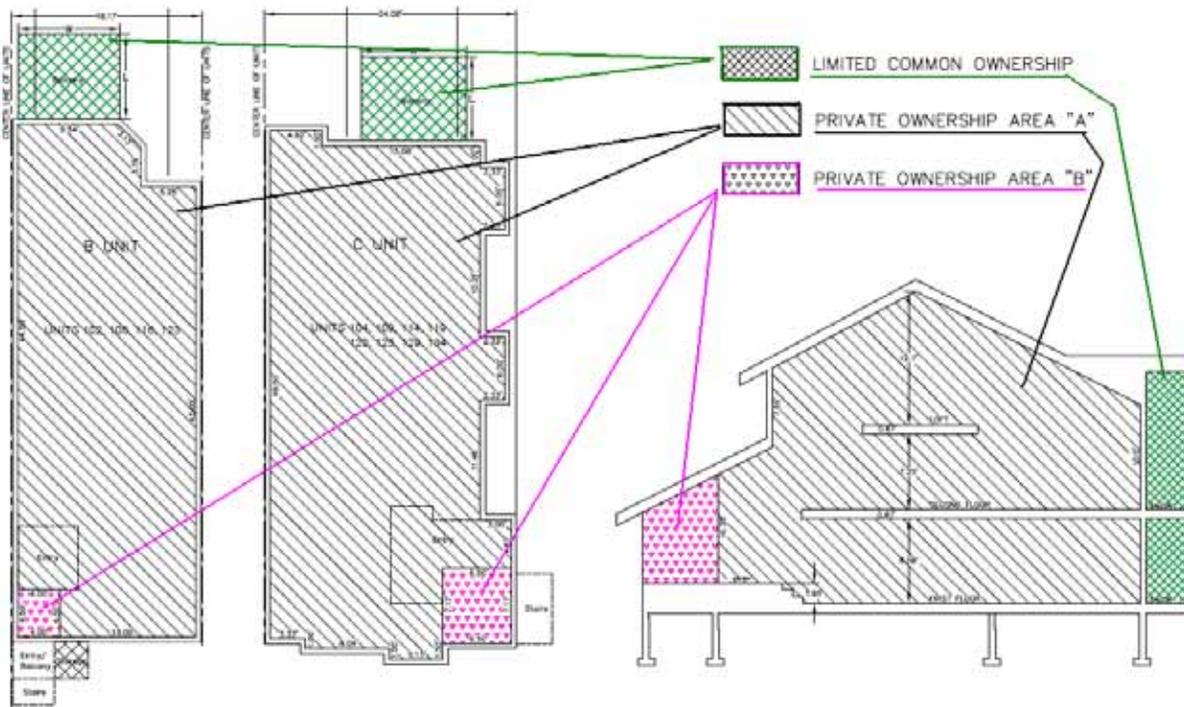
The entry areas proposed to be enclosed range in size from 16-48 square feet depending upon the plan. It is estimated that a total of 926 square feet will be converted from "limited common ownership" to "private ownership." The plat amendment will not change the footprint of the building, and will not cause any nonconformities for maximum allowed home size, setbacks, height, or otherwise. The project is located within the RD Zone designation. The proposal does not violate any of the lot or building requirements in the RD Zone, nor do they violate the Deer Valley MPD in terms of allowed density because Ridgepoint was allocated at total number of units and the number of units is not changing.

The proposed changes do not increase the parking requirement for the overall development. Section 15-3-6(A) requires that condominium units between 1,000 and 2,500 square feet have two (2) off-street parking spaces. Each unit within the Ridgepoint development has two parking spaces, one surface parking space, and one covered parking space located below the recreation area.

The applicants are also proposing to address a "clean-up" issue associated with the

back patios/decks of the same units. Currently these areas are shown as “balcony” on the recorded Ridgepoint plat. The term “Balcony” although accurate in its description, does not designate the use of the space. This amended plat will show these areas as “limited common ownership.” The plat amendment does not enlarge the balcony/patio areas as shown on the original plat; these areas cannot be converted to habitable living space, and are simply for the enjoyment of the individual owners of each unit.

There are no other proposed changes to the buildings or the amenities. The changes proposed shown in color on the attached amended record of survey for pages 2 and 3 of the Ridgepoint at Deer Valley Condominiums. This proposal does allow for the physical changes to the buildings as a result of the condo plat amendment, although the footprint does not change. Each owner is responsible to obtain the property Building Permits to enclose the entry way areas that the Plat Amendment will show as “Private Ownership”.



**Good Cause**

Good cause is found to approve the Plat Amendment based on the need reflect “as-built conditions” that exist at the Ridgepoint at Deer Valley Condominiums, as well as allow other units to make similar changes to the limited common area front porches. The proposed changes do not allow for the increase of footprint, and only expand each eligible unit by 16 to 48 square feet. The amount of habitable living spaces is only increased slightly, and the visual impacts, for the most part, are pre-existing due to the fact that many of the owners have already incorporated these areas as part of their units as a better use of the space provided during the original construction of the building.

The other proposed change simply re-names “balcony” shown on the record of survey, to “limited common ownership” which is the correct technical term.

### **Process**

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

### **Department Review**

This proposed plat amendment has gone through an interdepartmental review. Comments made during the initial review have been addressed and are reflected on the current plans.

### **Notice**

The property was posted and notice was mailed to property owners within 300 in accordance with the requirements in the LMC. Legal notice was also put in the Park Record.

### **Public Input**

No public input has been received by the time of this report; public input may be taken at the regularly scheduled Planning Commission public hearing.

### **Alternatives**

- The Planning Commission may forward a positive recommendation to the City Council for the First Amended Ridgepoint at Deer Valley Condominium Plat or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the First Amended Ridgepoint at Deer Valley Condominium Record of Survey Plat and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on First Amended Ridgepoint at Deer Valley Condominium Record of Survey Plat to a date certain.

### **Significant Impacts**

There are no significant fiscal or environmental impacts from this application. The building and all associated amenities were previously constructed and there are no proposed changes to the site and no increase in the parking requirements.

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

The recorded condominium plat stays as is and the limited common areas could not be enclosed to become private areas. Existing improvements may have to be removed.

### **Recommendation**

Staff recommends the Planning Commission hold a public hearing for the First Amended Ridgepoint at Deer Valley Condominium Plat and forward a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

**Exhibits**

Ordinance

Exhibit A – Draft Ordinance with Proposed Plat

Exhibit B – Color Photos

Exhibit C – Original Ridgepoint Recorded Plat

Exhibit A: **Draft Ordinance No. 12-**

**AN ORDINANCE APPROVING THE FIRST AMENDED RIDGEPOINT AT DEER VALLEY CONDOMINIUM PLAT LOCATED AT RIDGEPOINT LANE AT WOODLAND DRIVE NEAR ROYAL STREET, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at approximately Ridgepoint Lane at Woodland Drive have petitioned the City Council for approval of the First Amended Ridgepoint at Deer Valley Plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 22, 2012, to receive input on the First Amended Ridgepoint at Deer Valley Record of Survey Plat;

WHEREAS, the Planning Commission, on February 22, 2012, forwarded a recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Ridgepoint at Deer Valley Record of Survey Plat.

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The First Amended Ridgepoint at Deer Valley Record of Survey Plat as shown in Attachment A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at approximately Ridgepoint Lane at Woodland Drive.
2. The property is within the Residential Development (RD) District with Master Planned Development (MPD) Overlay, subject to the Deer Valley MPD.
3. The Plat Amendment allows a total of 926 square feet of "limited common space" to be converted to private ownership in 26 of the 38 units and would allow the front entry ways of each eligible unit to be enclosed.
4. The proposed amendment to the record of survey plat allows the area marked as "balcony" to be re-labeled as "limited common" area.
5. The Trustees of the Ridgepoint Homeowners Associated have given unanimous consent to the proposed plat amendment.
6. The Homeowners Association voted 91% affirmative to approve the proposed change with none of the affected owners voting not to amend.

7. The proposed plat amendment will not cause any nonconformities or noncompliance with the Residential Development (RD) Zone Designation or the Deer Valley MPD as there is no increase in the total number of units or the building footprint, setbacks, or building height.
8. Although the proposed amendment will increase the habitable living spaces for 26 of the 38 units, the amended plat will not require additional parking because none of the units will exceed 2,500 square feet, which is the maximum square footage allowed before the parking standard increases from two-spaces per unit to three-spaces per unit.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The approval of this plat amendment does not automatically permit the owners of Ridgepoint at Deer Valley the right to incorporate the newly revised private ownership areas as living space. Each individual owner shall be required to obtain the necessary Building Permits from the Building Department before any construction to enclose the entry areas can commence.
4. Patio and deck areas shown as "limited common ownership" are not to be converted to living space, nor are additional structures, including new roof covers, etc. allowed within these areas. The limited common ownership of deck and patio space is specifically for the personal enjoyment of each individual owner directly in back of unit as shown on the amended plat, and subject to normal maintenance and repair as deemed appropriate by the Homeowners association.

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

PASSED AND ADOPTED this \_\_\_<sup>th</sup> day of March, 2012.

PARK CITY MUNICIPAL CORPORATION

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

ATTEST:

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

APPROVED AS TO FORM:

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

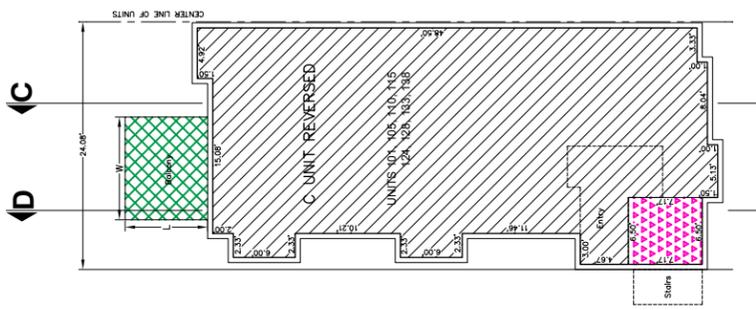
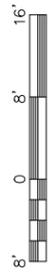
**Attachment A** – Proposed Record of Survey plat

BALCONY DIMENSION TABLE

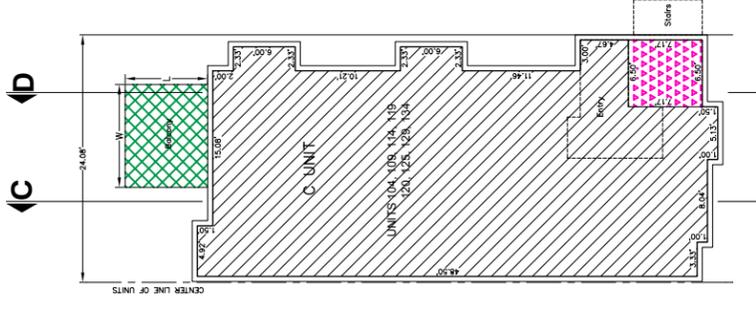
UNIT NO.	FIRST FLOOR BALCONY LENGTH (L)	SECOND FLOOR BALCONY WIDTH (W)	LENGTH (L)	WIDTH (W)
101	4 FT	10 FT	7 FT	13 FT
102	14 FT	13 FT	4 FT	10 FT
103	14 FT	13 FT	6 FT	10 FT
104	4 FT	10 FT	8 FT	14 FT
105	14 FT	13 FT	8 FT	13 FT
106	14 FT	13 FT	8 FT	10 FT
107	14 FT	13 FT	8 FT	10 FT
108	14 FT	13 FT	8 FT	10 FT
109	14 FT	13 FT	7 FT	13 FT
110	4 FT	10 FT	6 FT	10 FT
111	4 FT	10 FT	4 FT	10 FT
112	14 FT	13 FT	7 FT	10 FT
113	14 FT	13 FT	7 FT	10 FT
114	14 FT	13 FT	6 FT	13 FT
115	14 FT	13 FT	6 FT	10 FT
116	4 FT	10 FT	4 FT	10 FT
117	4 FT	10 FT	8 FT	10 FT
118	14 FT	13 FT	8 FT	10 FT
119	4 FT	10 FT	4 FT	10 FT
120	4 FT	10 FT	4 FT	10 FT
121	14 FT	13 FT	8 FT	10 FT
122	14 FT	13 FT	8 FT	10 FT
123	14 FT	13 FT	8 FT	10 FT
124	14 FT	13 FT	4 FT	10 FT
125	14 FT	13 FT	7 FT	13 FT
126	14 FT	13 FT	8 FT	10 FT
127	14 FT	13 FT	8 FT	10 FT
128	14 FT	13 FT	8 FT	13 FT
129	14 FT	13 FT	8 FT	13 FT
130	4 FT	10 FT	8 FT	10 FT
131	14 FT	13 FT	8 FT	10 FT
132	4 FT	10 FT	4 FT	10 FT
133	4 FT	10 FT	8 FT	13 FT
134	14 FT	13 FT	6 FT	10 FT
135	14 FT	13 FT	8 FT	10 FT
136	4 FT	10 FT	8 FT	10 FT
137	14 FT	13 FT	6 FT	10 FT
138	14 FT	13 FT	8 FT	13 FT

OWNERSHIP DESIGNATIONS

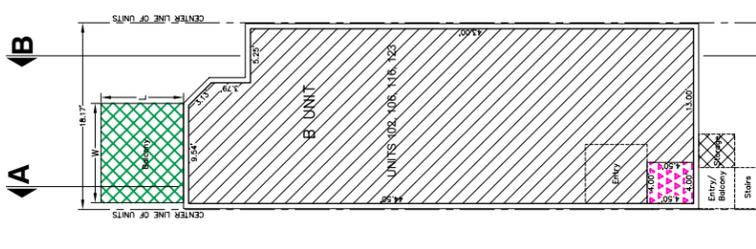
-  PRIVATE OWNERSHIP AREA "A"
-  COMMON OWNERSHIP
-  PRIVATE OWNERSHIP AREA "B"
-  LIMITED COMMON OWNERSHIP



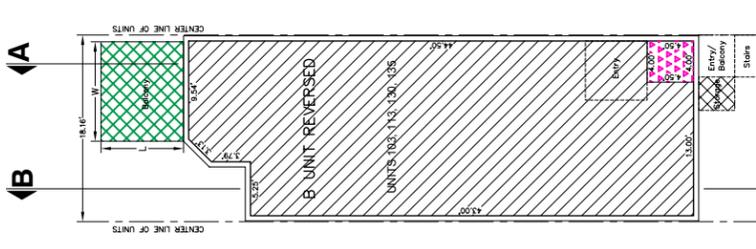
C UNIT REVERSED FIRST FLOOR PLAN



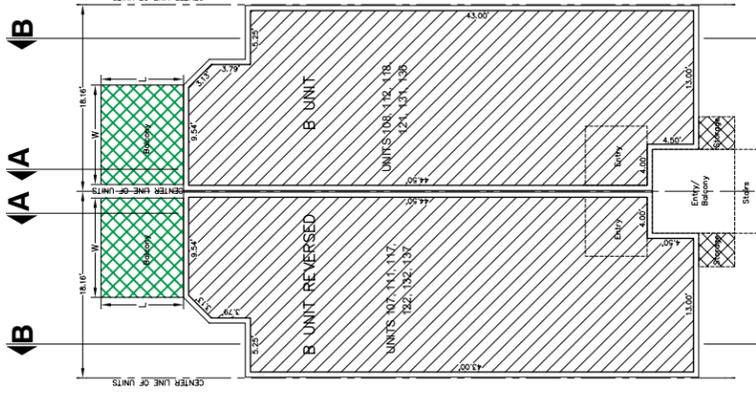
C UNIT FIRST FLOOR PLAN



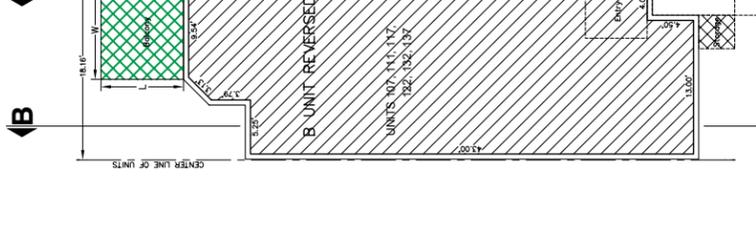
B UNIT REVERSED FIRST FLOOR PLAN (PRIVATE ENTRY)



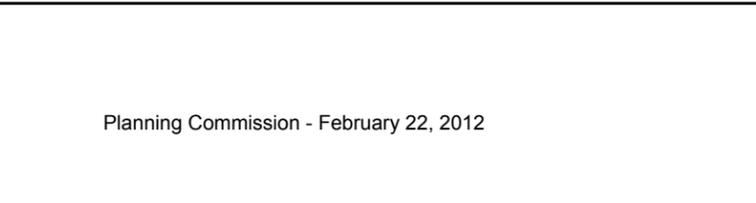
B UNIT REVERSED FIRST FLOOR PLAN (SHARED ENTRY)



B UNIT REVERSED SECOND FLOOR PLAN



B UNIT SECOND FLOOR PLAN



C UNIT REVERSED SECOND FLOOR PLAN

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF \_\_\_\_\_

DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

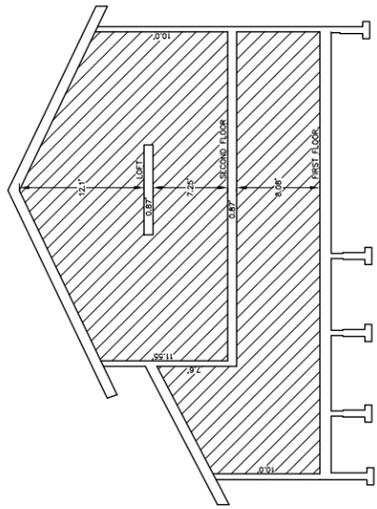
FEE \_\_\_\_\_ RECORDER \_\_\_\_\_

# RIDGEPOINT AT DEER VALLEY

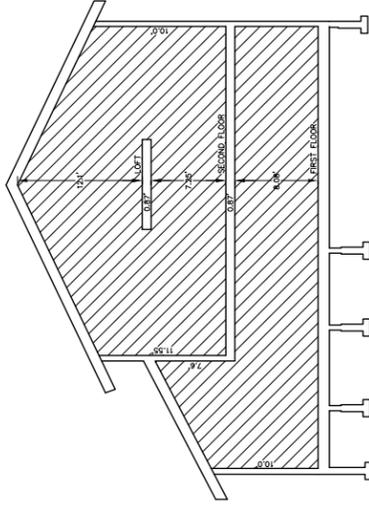
(435) 649-9467



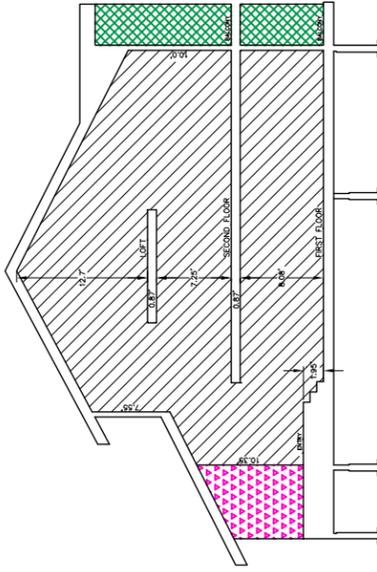
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS  
233 Main Street P.O. Box 2664 Park City, Utah 84302-2664



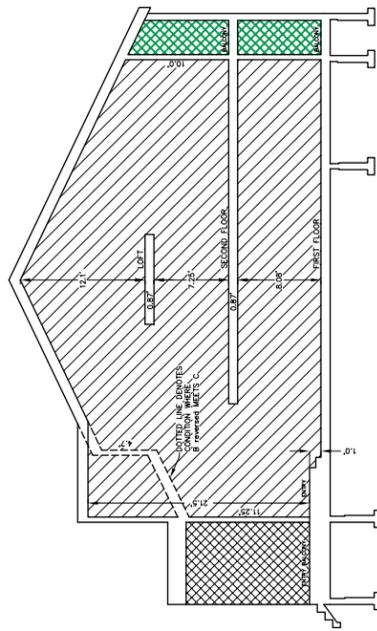
**BUILDING SECTION B**  
B UNIT (SHARED ENTRY)



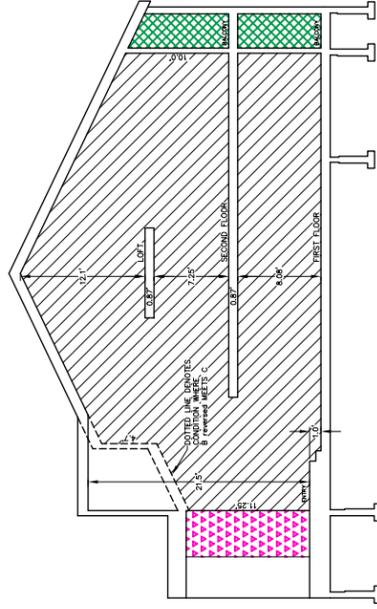
**BUILDING SECTION B**  
B UNIT (PRIVATE ENTRY)



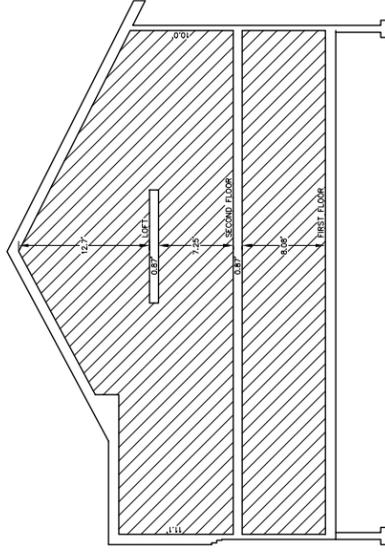
**BUILDING SECTION D**  
C UNIT



**BUILDING SECTION A**  
B UNIT (SHARED ENTRY)



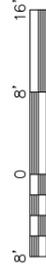
**BUILDING SECTION A**  
B UNIT (PRIVATE ENTRY)



**BUILDING SECTION C**  
C UNIT

OWNERSHIP DESIGNATIONS

	PRIVATE OWNERSHIP AREA "A"
	COMMON OWNERSHIP
	PRIVATE OWNERSHIP AREA "B"
	LIMITED COMMON OWNERSHIP



# RIDGEPOINT AT DEER VALLEY

(435) 649-9467

**Alliance Engineering**  
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS  
333 Main Street P.O. Box 2664 Park City, Utah 84302-2664

9/23/11 JOB NO.: 3-11-10 FILE: X:\SilverLakeVillage\dwg\svr\pic2010\031110.dwg SHEET 4 OF 4

**RECORDED**

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
AT THE REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
FEE \_\_\_\_\_ RECORDER \_\_\_\_\_



“B” Unit Shared Entry - Original Construction





"C" Unit - Original Construction



"C" Unit - Reconstructed Entry





“B” Unit Private Entry - Original Construction

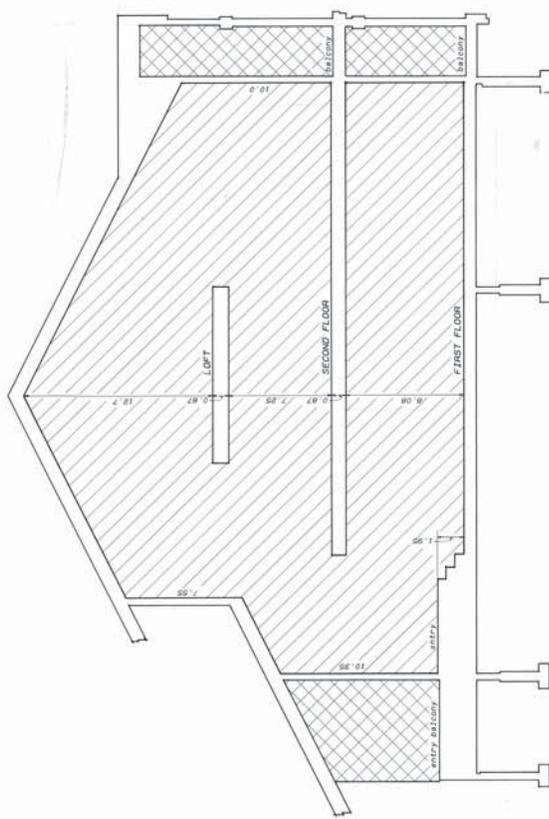


“B” Unit Private Entry - Reconstructed Entry

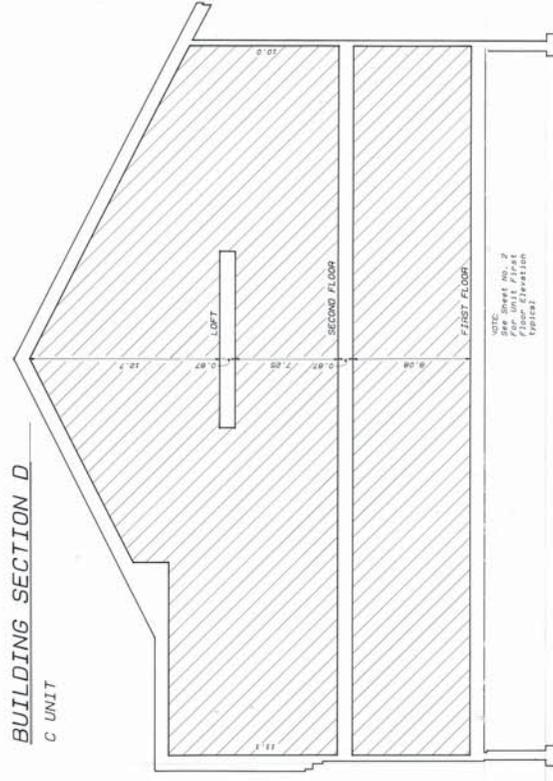
RECEIVED  
AUG 15 2011  
PARK CITY  
PLANNING DEPT.



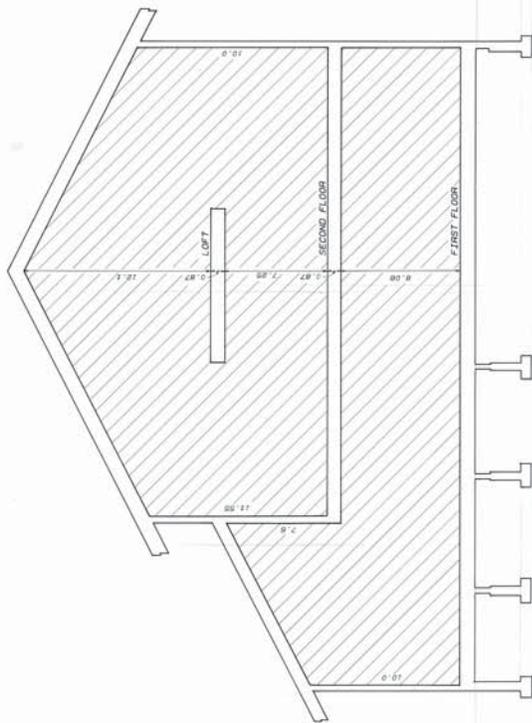




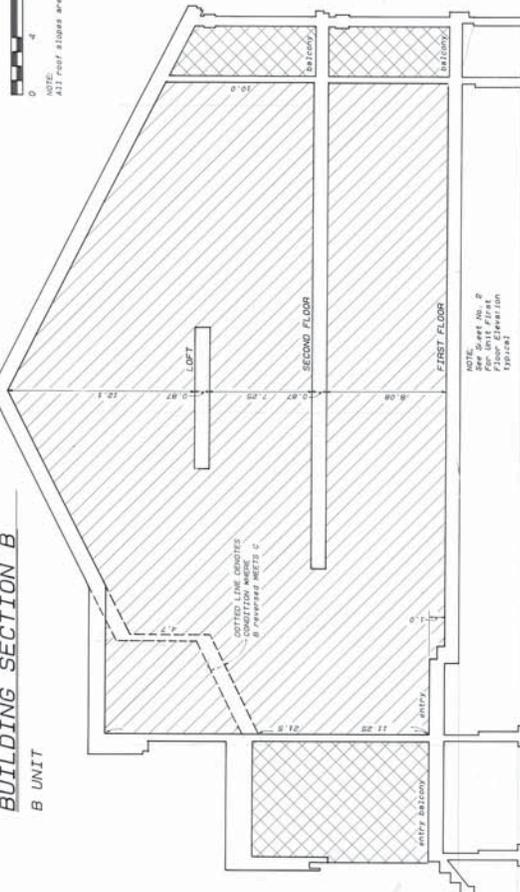
**BUILDING SECTION D**  
C UNIT



**BUILDING SECTION C**  
C UNIT



**BUILDING SECTION B**  
B UNIT



**BUILDING SECTION A**  
B UNIT



NOTE:  
Sheet No. 2  
For Unit First  
Floor Elevation  
Typical

NOTE:  
See Sheet No. 2  
For Unit First  
Floor Elevation  
Typical

Ridgepoint at Deer Valley  
SHEET No. 3 of 3

Subj # 293378 RECORDED  
STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE  
REQUEST OF Richard M. St. John  
DATE 12/3/11 TIME 3:25 ROOM 100 PAGE 3  
FEE \$65.00 RECORDERS Chloe Spang

# Planning Commission Staff Report



**Application #:** PL-11-01406  
**Subject:** Rail Central Telecommunication  
Antenna  
**Author:** Francisco Astorga, Planner  
**Date:** February 22, 2012  
**Type of Item:** Administrative – Conditional Use Permit

## Summary Recommendations

Staff recommends that the Planning Commission review the proposed Conditional Use Permit for a Telecommunication Facility at Rail Central, conduct a public hearing and provide Staff and the applicant input and direction.

## Description

**Applicant:** Mark Fisher, 1790 Bonanza Drive, LLC represented by Don Shively, AT&T Wireless, and Michael Sweeney, New Ideas Company, Inc.  
**Location:** 1790 Bonanza Drive, Rail Central  
**Zoning:** General Commercial (GC) District  
**Adjacent Land Uses:** Commercial and mixed-use residential  
**Reason for Review:** Conditional Use Permits require Planning Commission review and approval

## Proposal

This is a Conditional Use Permit (CUP) request for a Telecommunication Antenna to build an enclosed antenna at Rail Central located at 1790 Bonanza Drive. In addition to the enclosed antenna, the applicant is requesting to build a 10'x 20' addition on the front façade, west side, of Building One to locate the necessary equipment associated with the antennas. Equipment shelters located outside of existing buildings require Planning Commission review. The current use of the property is a two (2) story mixed use office and retail building.

## Background

On December 20, 2011 the City received a completed application for the Rail Central Telecommunication Antenna CUP. The property is located at 1790 Bonanza Drive in the General Commercial (GC) District. The proposal includes twelve (12) antennas to be placed on the elevator shaft tower located towards the east side of Building One. The applicant proposes to build an enclosure/addition which will be designed to resemble existing material already located on the elevator shaft tower. The equipment that will operate the antennas will be located in a proposed outbuilding built to resemble a mining shack located on the front, west end, of the Building One.

This proposed cellular site will serve city residents, tourists, and customers in the Bonanza Park area. According to the applicant, AT&T's customers continue to embrace the expanding features offered in smart phones that require large amounts of data transmitting through its cellular sites and these existing surrounding cellular sites are not at maximum capacity.

In the course of locating the new site in Park City, AT&T has taken efforts to mitigate the visual impact of the communication site. The applicant has followed the City's request by specifically designing its proposed communication site for location on a commercial building. This site does not have the ability to offer colocation capabilities like a monopole does. The applicant faces unique challenges with the topography surrounding Park City. They explained that a critical design element is "line of site" that frequency radio waves adhere to. Park City residents that subscribe to AT&T suffer as a result of this topography which prevents existing cellular sites from providing "line of site" coverage.

The applicant identified several properties as possible candidates on which to locate a communication facility. AT&T's radio frequency design requested a height of fifty feet (50') which places the "line of site" above the ground clutter. (See Exhibit A - Explanation Letter). Operation of the site will run twenty-four (24) hours a day seven (7) days a week 365 days a year. When repair service is required, it is AT&T's plan to perform the service during off peak hours.

In July 2002 the Planning Commission approved the Rail Central Master Planned Development (MPD) and CUP for a mixed-use development. In November 2003 the Planning Commission reviewed and approved an amended MPD application and required approval of a parking plan for restaurant use within Building One. In December 2006 the Planning Commission held a public hearing and provided staff and the applicant direction regarding a parking plan for a restaurant use pursuant to MPD conditions of approval that required ratification of a parking plan by the Commission prior to allowing a restaurant use. In October 2007 the Planning Commission approved the parking plan to allow a restaurant use within the approved MPD, in Building One, subject to numerous conditions. In February 2008 the Planning Commission reviewed and approved another amended MPD application to allow the basement area of Building One to be used for general, non-intensive, offices and storage. In June 2010 staff recognized that a proposed use, a tire service and repair shop to be located at Rail Central, did not increase the parking requirement for the MPD.

The expansion/addition of the elevator shaft tower to house the enclosed antennas and the proposed outbuilding to house the equipment associated with the antennas does not trigger an MPD amendment due to the small scale of the additions/expansions and due to the fact that the primary use of the property remains the same.

### **Analysis**

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

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

According to Land Management Code (LMC) § 15-2.18-2(B) a Telecommunication Antenna is a conditional use in the GC District. The Commission must make a determination that the proposed project use meets the CUP criteria found in LMC § 15-1-10 as follows:

1. Size and location of the site. **Discussion requested.**

Antennas on Roof

The twelve (12) telecommunication antennas are proposed to be placed on the existing elevator shaft tower located towards the east end (rear) of Building One within the Rail Central development. The table below illustrates the following width/depth/height expansion of the existing elevator shaft tower:

	Existing elevator shaft	Proposed expansion	Proposed elevator shaft with expansion
Size	width: 9'-0" depth: 7'-7"	1'x9" x 2 = 3'-6" 2'x3" x 2 = 4'-6"	width: 12'-6" depth 12'-1"
Height	38'-5" above ground	5'-4"	43'-9" above ground

	level		level
--	-------	--	-------

Staff recommends that the Commission analyze Exhibit B Site Plan, Exhibit C Enlarged Site Plan, Exhibit D South & East Elevation, Exhibit E North & West Elevation, Exhibit F Tower Photographic Simulations, Exhibit G Addition Photographic Simulations, and Exhibit I Photographs.

Addition for ground equipment

Staff finds that the size and location of the addition to the west end of the building to house the associated equipment does not need additional mitigation due to its small size. It meets all development standards found in the LMC.

2. Traffic considerations. **No unmitigated impacts.** There are no traffic impacts associated with the project.

3. Utility capacity. **No unmitigated impacts.**

No significant utility capacity is required for this project.

4. Emergency vehicle access. **No unmitigated impacts.**

There are no emergency vehicle access impacts associated with the project.

5. Location and amount of off-street parking. **Impacts mitigated.**

In June 2010 staff conducted an analysis of the existing parking located in the Rail Central development due to a building permit request for a tire service and repair shop to be located within Rail Central, an allowed use within the District and also within the MPD. At that time Staff identified a total 85 parking spaces. After carefully reviewing the approved MPD and the subsequent MPD amendments, Staff identified that the site required a total of 84 parking spaces.

Currently the applicant requests to build an addition to the west façade of Building One to locate the necessary equipment associated with the antennas. The addition is proposed to be placed over two (2) parking spaces. To mitigate the loss of two (2) parking spaces and to also improve the existing circulation the applicant proposes to reconfigure the existing layout of the parking throughout the project. This would be accomplished by not making any physical improvements other than re-striping the parking layout.

Staff has analyzed the applicant's proposed parking layout which adds a total of two (2) parking spaces (See Exhibit J). The newly proposed layout also improves circulation of the site. The rail trail parking spaces are not being affected in any way shape or form.

6. Internal circulation system. **Impacts mitigated.**

The applicant proposes to remove the eleven (11) perpendicular parking spaces located north of Building Two to be able to accommodate nine (9) angled parking spaces in the same area. The applicant also proposes to add eight (8) parallel parking spaces directly north of Building Two adjacent to the existing sidewalk. The applicant proposes the re-configured parking and the additional parking and also maintaining a twenty foot (20') drive aisle. This parking layout and circulation plan has been reviewed by the City Engineer, Chief Building Official, and Fire Marshall(See Exhibit J).

The angled parking also allows drivers to become better acquainted with the one-way drive aisle currently existing on the site. The internal circulation will remain the same.

7. Fencing, screening and landscaping to separate uses. **No unmitigated impacts.**

Fencing is not proposed at this time. No changes to the exterior landscaping are part of this application as the addition to house the associated equipment is being placed over two (2) parking spaces.

8. Building mass, bulk, orientation and the location on site, including orientation to adjacent buildings or lots. **Discussion requested.**

Staff recommends that the Commission analyze the expansion/addition of the elevator shaft tower in terms of building mass including the 5'-4" additional height. The following should be examined: Exhibit B Site Plan, Exhibit C Enlarged Site Plan, Exhibit D South & East Elevation, Exhibit E North & West Elevation, Exhibit F Tower Photographic Simulations, Exhibit G Addition Photographic Simulations, and Exhibit I Photographs.

9. Usable open space. **No unmitigated impacts.**

The proposed improvements, including the proposed addition to house the associated equipment and the proposed parking layout, do not encroach onto the existing open space found throughout the development.

10. Signs and lighting. **No unmitigated impacts.**

No signs are proposed at this time.

11. Physical design and compatibility with surrounding structures in mass, scale and style. **Discussion requested.**

Staff recommends that the Commission analyze the expansion/addition of the elevator shaft tower in terms of physical design and compatibility with surrounding features and structures in mass, scale, and style. The following should be examined: Exhibit B Site Plan, Exhibit C Enlarged Site Plan, Exhibit D South & East Elevation, Exhibit E North & West Elevation, Exhibit F Tower Photographic Simulations, Exhibit G Addition Photographic Simulations, and Exhibit I Photographs.

12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site. **No unmitigated impacts.**

No noise, vibration, odors, steam or mechanical factors are anticipated that are not normally associated within the General Commercial District.

13. Control of delivery and service vehicles, loading and unloading zones, and screening. **No unmitigated impacts.**

No deliveries are anticipated. Operation of the site will run 24 hours a day seven days a week, 365 days a year. When repair service is required, it is AT&T's plan to perform the service during off peak hours.

14. Expected ownership and management of the property. **No unmitigated impacts.**

The building is owned and managed by 1790 Bonanza Drive, LLC, Mark Fisher.

15. Sensitive Lands Review. **No unmitigated impacts.**

The proposal is not located within the Sensitive Lands Overlay zone.

The LMC also contains additional criteria for a Telecommunication Facility outlined in LMC 15-4-14 as follows:

#### Site Requirements

1. Setbacks. The placement of Telecommunications Facilities on a Lot shall comply with the Setbacks of the underlying zone as stated herein. Telecommunications Facilities shall comply with the Setbacks for main Structures and shall not be determined accessory Structures. **Complies.**

The proposed location of the expansion/addition of the enclosed antennas and the addition associated with the equipment meet all setbacks per the GC District.

2. Height. The Telecommunications Facilities shall comply with the base height requirement, as stated in LMC Chapter 15-2, for the zone in which it is placed. The height shall be measured from the Grade or roof beneath to the top of the

Antenna or mounting hardware whichever is higher. The following exemptions shall apply:

- a. Roof Mounted Antenna, placed on a flat roof, may extend up to ten feet (10') above the existing Structure, provided that the Antenna Setback from the edge of the roof is a minimum distance equal to or greater than the height of the Antenna. **Not applicable.**
- b. Roof mounted Antenna, placed on a pitched roof, may extend a maximum of five feet (5') above the existing Structure. **Discussion requested.**

The zone height of the GC District is thirty-five feet (35'). Gable, hip, and similar pitched roofs, 4:12 or greater, may extend up to five feet (5'), forty feet (40'). The LMC indicates that antennas, chimneys, flues, vents, and similar structures may extend up to five feet (5') above the highest point of the building. It also indicates that water towers, mechanical equipment, and associated screening, when enclosed or screened, may extend up to five feet (5') above the height of the building. The table below illustrates the existing and proposed heights:

	Height
Main ridge	34'-5"
<i>Existing</i> elevator shaft tower	38'-5"
<i>Proposed</i> elevator shaft tower with expansion	43'-9"

The applicant proposes to expand the height of the elevator shaft tower to be able to house the eight foot (8') antennas. The height of the existing tower is four feet (4') above the main ridge. The applicant proposes to expand the height to nine feet four inches (9'-4") above the main ridge.

The applicant indicated that the height of the proposed expansion is still below the highest "structure", the clock tower, which received a Planning Director exception when the MPD was originally approved in 2003. The LMC states that church spires, bell towers, and like architectural features may extend up to 50% above the zone height, but may not contain habitable space above the zone height. The height of the clock tower is 48'-9", approx.

The expansion/addition of the elevator shaft tower to house the antennas is located in the same structure or building as the clock tower architectural feature. Would the Commission consider the proposed expansion/addition of the elevator shaft tower similar to the clock tower?

Staff recommends that the Commission analyze the base height requirement. The following should be examined: Exhibit B Site Plan, Exhibit C Enlarged Site Plan, Exhibit D South & East Elevation, Exhibit E

North & West Elevation, Exhibit F Tower Photographic Simulations, Exhibit G Addition Photographic Simulations, and Exhibit I Photographs.

3. Use of Property. The Telecommunications Facility shall be an ancillary Use on the Lot on which it is placed. The Lot shall contain a separate principal Use. **Complies.**

The main use of the site is a commercial and mixed-use residential development.

4. Design.

- a. Equipment Shelters located outside of an existing Building shall require a public hearing in front of the Planning Commission for compliance with the Architectural Design Guidelines if applicable, and Park City Design Guidelines. **Complies.**

The proposed addition located on the west end of Building One is an ancillary addition which does not detract from the current architectural style of the building.

- b. Antenna and associated equipment shall incorporate materials and colors present in the context of the surrounding Area. Stealth Telecommunications Facilities shall be designed in a manner to blend with the existing and natural environment. **Complies.**

The proposed antennas are stealth and will not be viewed.

- c. Panel Antennas shall be no more than five square feet (5 sq. ft.) in Area per face. **Not applicable.**
- d. Freestanding Antennas and wall mounted Antennas shall be mounted a maximum of twelve inches (12") from the wall or pole. **Not applicable.**

#### Site Disturbance

Any Application, temporary or permanent, which requires the removal of Significant Vegetation or proposes any new, or improvements to driveways or roads a length greater than twenty feet (20') and/or a width greater than ten feet (10') wide, shall require a public hearing before the Planning Commission. As used herein, "Significant Vegetation" includes trees six inch (6") in diameter or greater measured four feet six inches (4'6") above the ground, groves of small trees or clumps of oak and maple covering an Area of twenty square feet (20 sq. ft.) or more measured at the drip line. Plans must show all such trees within twenty feet (20') of a proposed Telecommunications Facility. The Planning Department shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation. Not Applicable. **Not applicable.**

### Zoning Restrictions

Roof mounted/enclosed antennas located within the GC District may be approved by the Planning Commission on its consent agenda. However, the location of enclosed antennas, which requires an increase in height or exterior wall modification to the existing structure, shall require a public hearing.

### Technical Necessity Exception

If the Application does not meet the criteria as stated in Site Requirements, Site Disturbance, and Zoning Restrictions Sections above, the Applicant may apply to the Board of Adjustment for a technical necessity exception. The Board of Adjustment shall review the Application as a Variance pursuant to LMC Chapter 15-10 and shall require the Applicant to provide any additional technical information in order to approve the variance.

### Abandonment

The Applicant, or the Applicant's successor(s) and/or assign(s) shall be responsible for the removal of unused Telecommunications Facilities within twelve (12) months of abandonment of Use. If such tower is not removed by the Property Owner, then the City may employ all legal measures, including as necessary, obtaining authorization from a court of competent jurisdiction, to remove the tower, and after removal may place a lien on the subject Property for all direct and indirect costs incurred in dismantling and disposal of the tower, including court costs and reasonable attorney fees.

### Process

The applicant will have to submit a Building Permit application. The approval of this application constitutes Final Action that may be appealed following the procedures found in LMC 1-18. A Building Permit is publicly noticed by posting of the permit.

### Department Review

This project has gone through an interdepartmental review.

### Environmental Protection

The City's environmental manager indicated that the site is within the Soils Ordinance boundary and the property has been issued a Certificate of Compliance. If soils are disturbed as part of the construction of the addition the applicant will have to comply with the ordinance requirements for soil disturbance. Prior to construction, the Applicant will need to submit a soils handling plan that describes how soils will be handled during construction and how any soils will be disposed/handled if excess soils are generated as part of construction.

### Snyderville Basin Water Reclamation District

The proposed routing for the underground wiring will cross the sewer lateral from the building that comes out on the south side of the building. The contractor will need to be aware that the lateral is there and will need to be protected.

### Questar Gas

Questar Gas has a service line on the west end of the clock tower building and two (2) gas lines either in the road or behind the curb. Depending on the size of the building they might need to have the service line moved.

All of the comments above have been forwarded to the Applicant prior to the public hearing. No further issues were brought up at that time.

### **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.

### **Recommendation**

Staff recommends that the Planning Commission review the proposed Conditional Use Permit for a Telecommunication Facility at Rail Central, conduct a public hearing and provide Staff and the applicant input and direction.

### **Exhibits**

- Exhibit A – Explanation Letter
- Exhibit B – Site Plan
- Exhibit C – Enlarged Site Plan
- Exhibit D – South & East Elevation
- Exhibit E – North & West Elevation
- Exhibit F – Tower Photographic Simulations
- Exhibit G – Addition Photographic Simulations
- Exhibit H – Coverage Analysis
- Exhibit I – Photographs
- Exhibit J – Parking Layout Plan

Exhibit A - Explanation Letter

AT&T Wireless  
Attn: Don Shiveley  
10256 S. Sage Spring Circle  
South Jordan, UT 84095  
December 17, 2011

Francisco Astorga  
Planner  
Park City  
445 Marsac Ave  
Park City, UT 84060

Dear Mr. Astorga:

AT&T Wireless is proposing to build a roof mounted communication facility to be located at 1790 Bonanza Dr. Park City. The unmanned communication facility will include twelve (12) - eight (8) foot antennas mounted on the roof and screened behind material that will resemble existing stone work at the site. The antennas will be connected to radios located in a 10' X 20' shelter at the west end of the building. This shelter will be designed to have a look resembling a weathered mining shed.

Attached for your records is a coverage map of the proposed location that documents the current coverage with its existing communication sites in and around the city. I call your attention to the Kearns Blvd. corridor and the lack of sufficient coverage. The second map indicates what AT&T is projecting coverage will be when the proposed site is completed. AT&T receives numerous complaints regarding this "dead zone" from its customers residing in and visiting Park City and as demonstrated, there is a tremendous need for the proposed site.

In the course of locating the new site in Park City, AT&T has taken every effort to mitigate the visual impact of the communication site. AT&T has followed the city's request by specifically designing its proposed communication site for location on a commercial building. This site does not have the ability to offer colocation capabilities like a monopole does.

AT&T faces unique challenges with the topography surrounding Park City. A critical design element is "line of site" that frequency radio waves adhere to. Park City residents and visitors that subscribe to AT&T suffer as a result of this topography. Topography in and around Park City prevents AT&T's existing cellular sites from providing "line of site" coverage. The maps that are included show this challenge.

In AT&T's due diligence, several properties were identified as possible candidates to locate a communication facility. AT&T's radio frequency design requested a height of 50' which places the "line of site" above the ground clutter. Three sites were identified and are identified on one of the attached maps. AT&T rejected one of the candidates because it did not meet its objective. The other two candidates were approved with

Francisco Astorga  
December 19, 2011  
Page 2

conditions. The two approved candidates are on properties own by the same property owner.

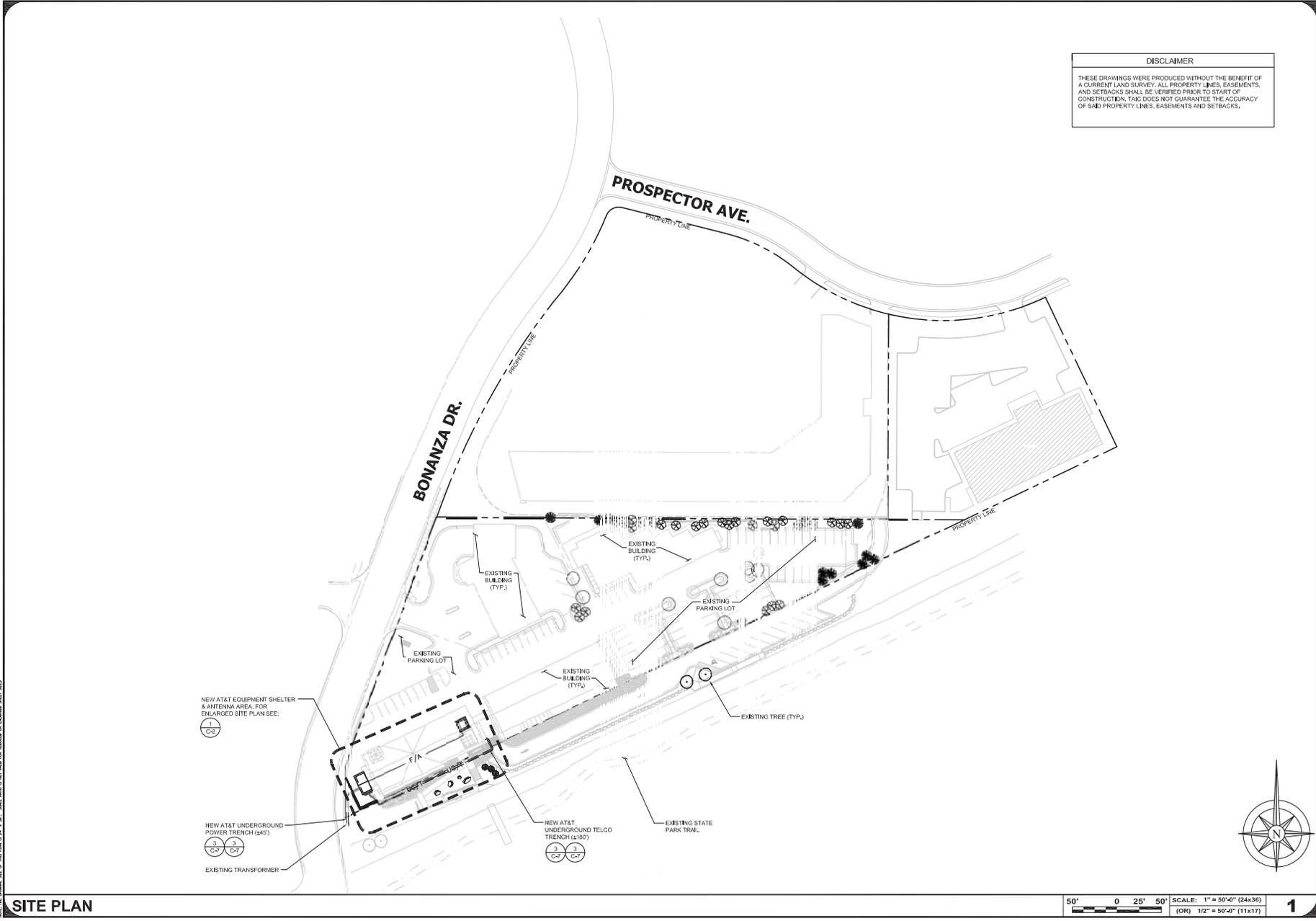
The proposed AT&T location will provide coverage along the Kearns Blvd corridor and enhance in-building coverage in the vicinity of the proposed site. At this point in time, AT&T does not have any other permanent build out plans for Park City in the next twelve months.

Should you have any questions about AT&T's proposed communication facility please do not hesitate to contact me.

Sincerely,

Don Shiveley  
Site Acquisition and Zoning Specialist

Exhibit B - Site Plan



REV.	DATE	DESCRIPTION	BY
0	12/09/11	90% CONSTRUCTION	ST
1	01/11/12	90% CONSTRUCTION	NSV
2	01/18/12	95% CONSTRUCTION	ST

**PROPRIETARY INFORMATION**

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY AND CONFIDENTIAL TO AT&T. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO AT&T IS STRICTLY PROHIBITED.

**Technology Associates**

UTAH MARKET OFFICE  
 9847 SOUTH 500 WEST  
 SANDY, UTAH 84070

**BLACK & VEATCH**  
 960 LEVY DRIVE, SUITE 200  
 SALT LAKE CITY, UTAH 84123  
 PHONE: (801) 201-6215

**at&t**

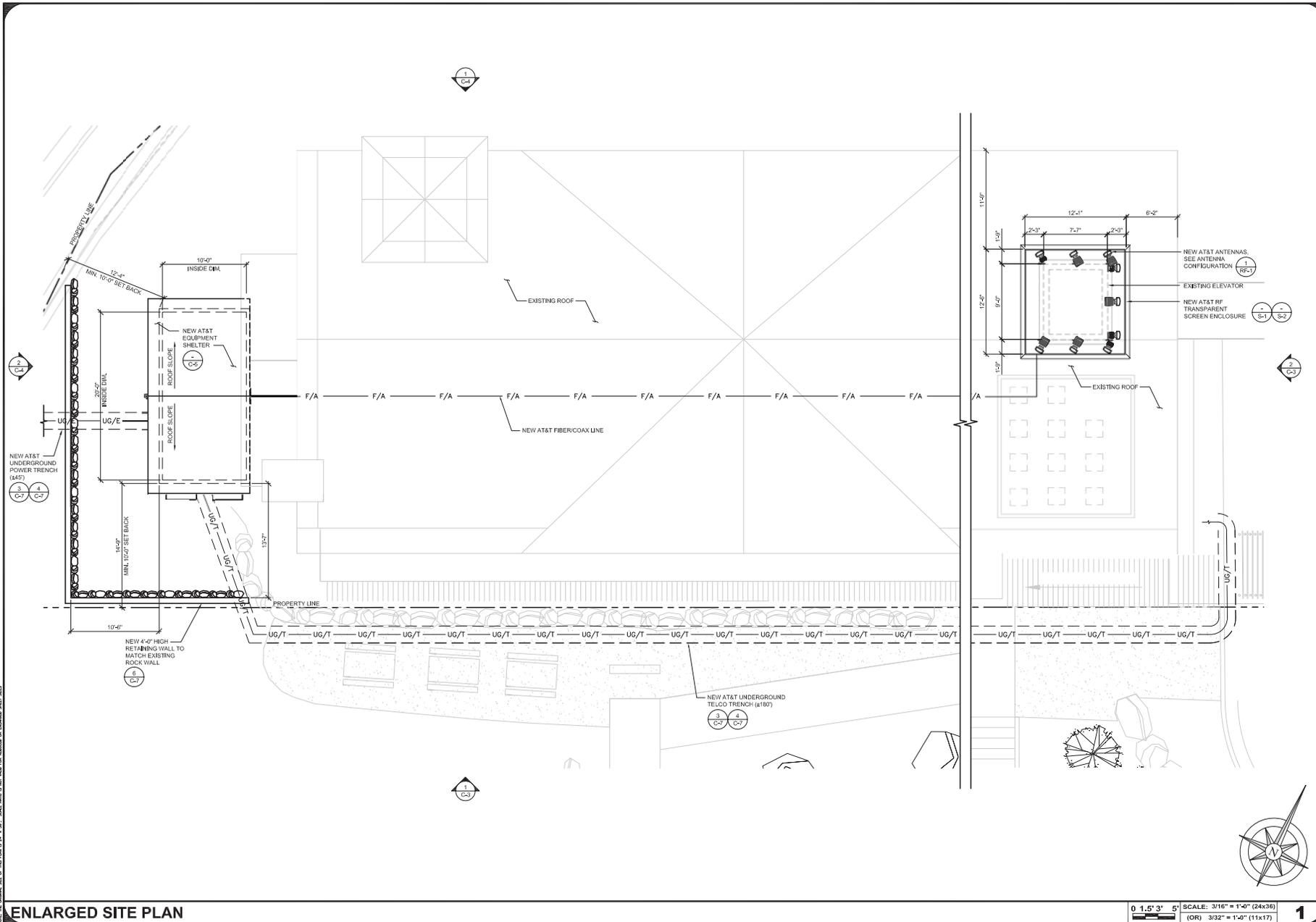
**PROSPECTOR SPRINGS**  
 SLK CUTU6006  
 1790 BONANZA DRIVE  
 PARK CITY, UTAH 84060

SHEET TITLE:  
**SITE PLAN**

**C-1**

NOT TO SCALE. USE OF THIS SHEET IS FOR THE PROJECT ONLY. THIS SHEET IS NOT VALID FOR ANY OTHER PROJECT OR PURPOSE.

Exhibit C - Enlarged Site Plan



REV	DATE	DESCRIPTION	BY
0	12/09/11	90% CONSTRUCTION	ST
1	01/11/12	90% CONSTRUCTION	NSV
2	01/11/12	95% CONSTRUCTION	ST

PROPRIETARY INFORMATION  
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO AT&T. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO AT&T IS STRICTLY PROHIBITED.

**Technology Associates**  
UTAH MARKET OFFICE  
9847 SOUTH 500 WEST  
SANDY, UTAH 84070

**BLACK & VEATCH**  
960 LEVY DRIVE, SUITE 200  
SALT LAKE CITY, UTAH 84123  
PHONE: (801) 201-6215

**at&t**

**PROSPECTOR SPRINGS**  
SLKCUU6006  
1790 BONANZA DRIVE  
PARK CITY, UTAH 84060

SHEET TITLE:  
**ENLARGED SITE PLAN**

**C-2**

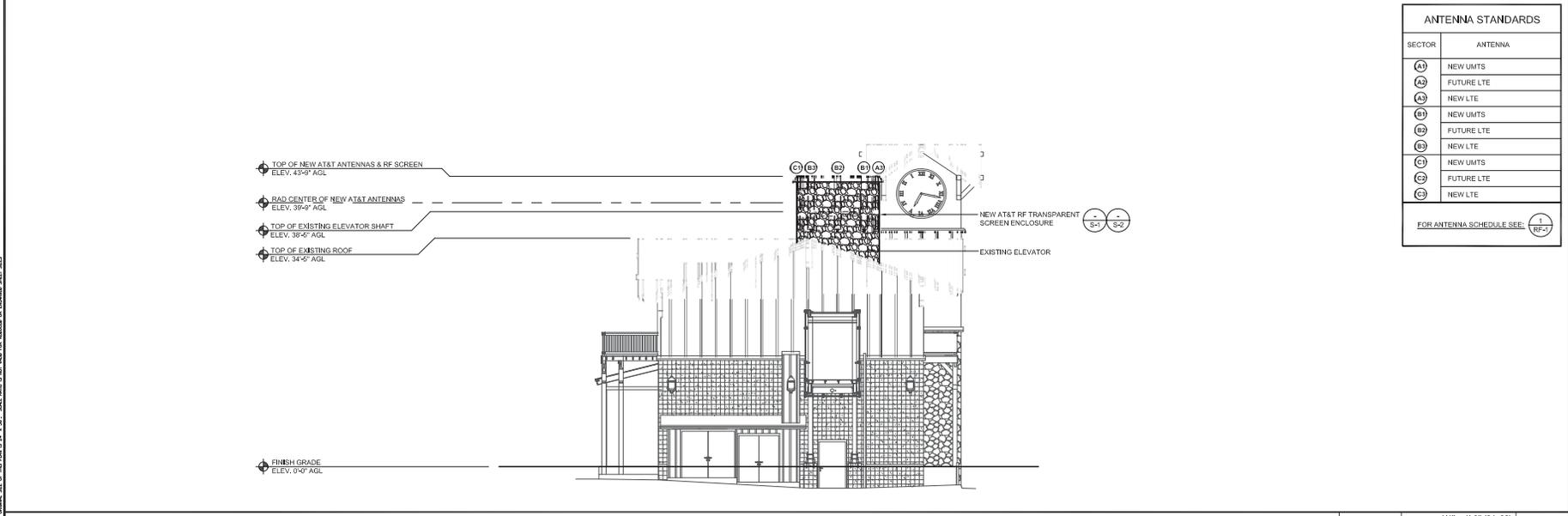
0 1.5' 3' 5' SCALE: 3/16" = 1'-0" (24x36)  
(OR) 3/32" = 1'-0" (11x17) 1

ENLARGED SITE PLAN

Exhibit D - South & East Elevation



**SOUTH ELEVATION** 0 1' 2' 4" SCALE: 1/4" = 1'-0" (24x36) (OR) 1/8" = 1'-0" (11x17) 1



**EAST ELEVATION** 0 1' 2' 4" SCALE: 1/4" = 1'-0" (24x36) (OR) 1/8" = 1'-0" (11x17) 2

REV	DATE	DESCRIPTION	BY
0	12/09/11	90% CONSTRUCTION	ST
1	01/11/12	90% CONSTRUCTION	NSV
2	01/11/12	95% CONSTRUCTION	ST

**PROPRIETARY INFORMATION**  
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO ITS FIRM USE OR DISCLOSURE OTHER THAN AS IT RELATED TO AT&T IS STRICTLY PROHIBITED

**Technology Associates**  
UTAH MARKET OFFICE  
9847 SOUTH 500 WEST  
SANDY, UTAH 84070

**BLACK & VEATCH**  
960 LEVY DRIVE, SUITE 200  
SALT LAKE CITY, UTAH 84123  
PHONE: (801) 201-6215

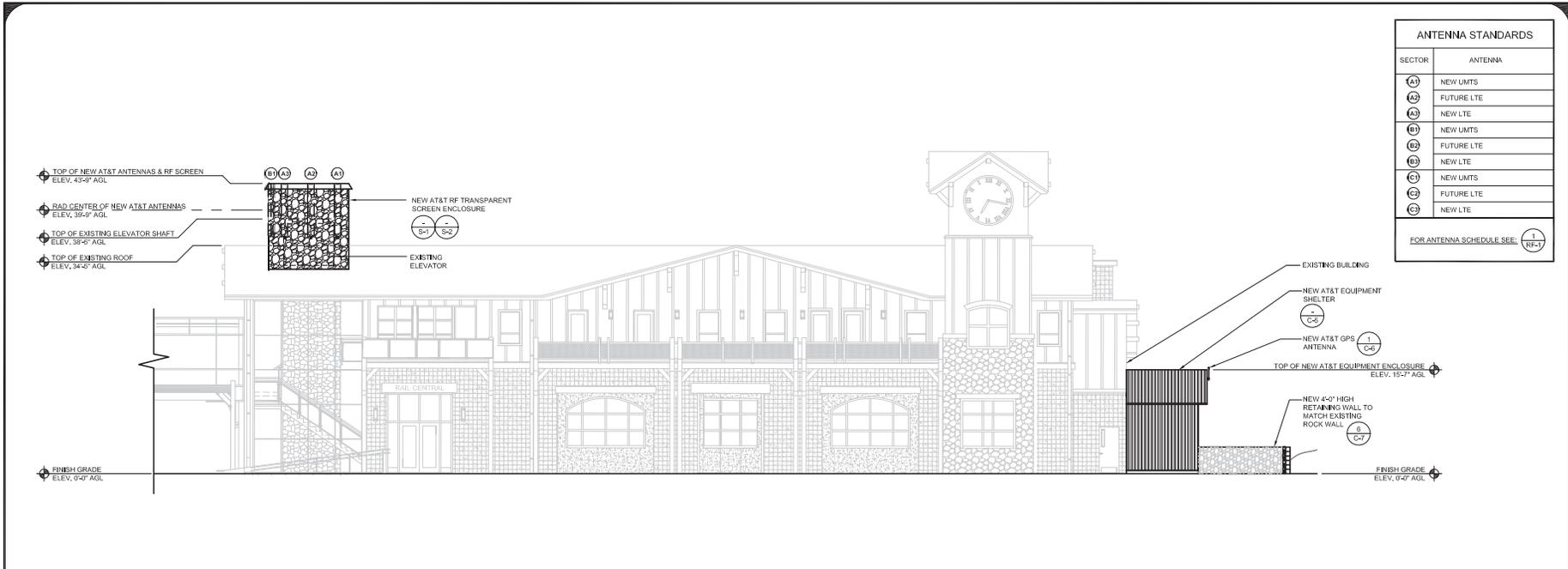
**at&t**

**PROSPECTOR SPRINGS**  
SLKUTU6006  
1790 BONANZA DRIVE  
PARK CITY, UTAH 84060

SHEET TITLE:  
**SOUTH & EAST ELEVATION**

**C-3**

Exhibit E - North & West Elevation



ANTENNA STANDARDS	
SECTOR	ANTENNA
(A1)	NEW LIMITS
(A2)	FUTURE LTE
(A3)	NEW LTE
(B1)	NEW LIMITS
(B2)	FUTURE LTE
(B3)	NEW LTE
(C1)	NEW LIMITS
(C2)	FUTURE LTE
(C3)	NEW LTE

**ISSUE STATUS**

REV	DATE	DESCRIPTION	BY
0	12/09/11	90% CONSTRUCTION	ST
1	01/11/12	90% CONSTRUCTION	NSV
2	01/11/12	95% CONSTRUCTION	ST

**PROPRIETARY INFORMATION**  
 THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO AT&T. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO AT&T IS STRICTLY PROHIBITED.

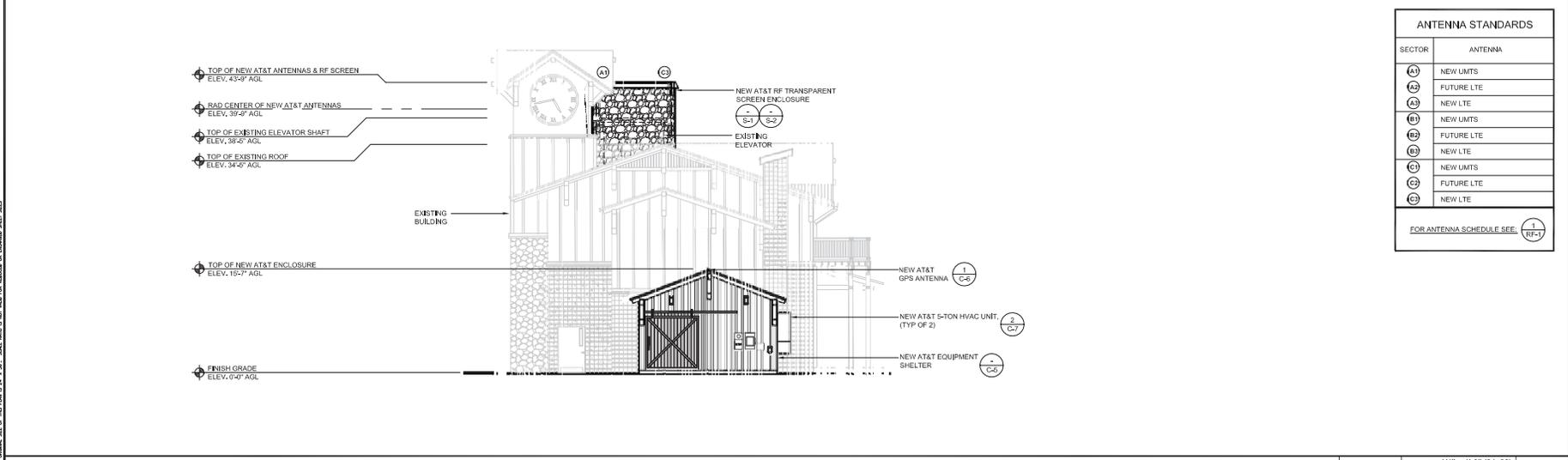
**Technology Associates**  
 UTAH MARKET OFFICE  
 9847 SOUTH 500 WEST  
 SANDY, UTAH 84070

**BLACK & VEATCH**  
 960 LEVY DRIVE, SUITE 200  
 SALT LAKE CITY, UTAH 84123  
 PHONE: (801) 201-6215



**NORTH ELEVATION**

0 1' 2' 4' SCALE: 1/4" = 1'-0" (24x36)  
 (OR) 1/8" = 1'-0" (11x17) **1**



ANTENNA STANDARDS	
SECTOR	ANTENNA
(A1)	NEW LIMITS
(A2)	FUTURE LTE
(A3)	NEW LTE
(B1)	NEW LIMITS
(B2)	FUTURE LTE
(B3)	NEW LTE
(C1)	NEW LIMITS
(C2)	FUTURE LTE
(C3)	NEW LTE

**PROSPECTOR SPRINGS**  
 SLKUTU6006  
 1790 BONANZA DRIVE  
 PARK CITY, UTAH 84060

**WEST ELEVATION**

0 1' 2' 4' SCALE: 1/4" = 1'-0" (24x36)  
 (OR) 1/8" = 1'-0" (11x17) **2**

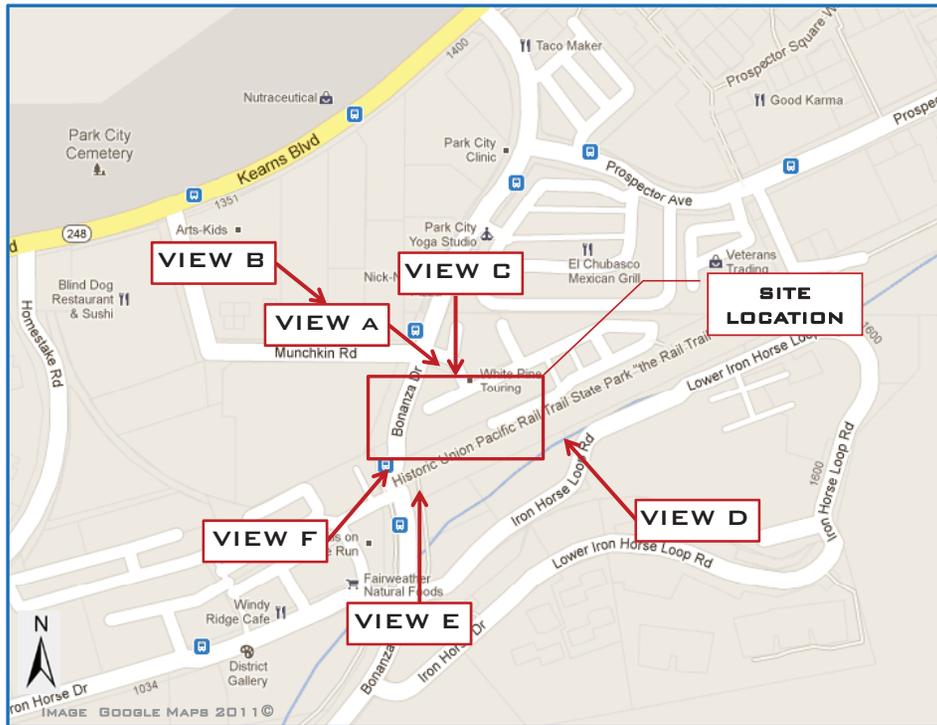
SHEET TITLE:  
**NORTH & WEST ELEVATION**  
**C-4**



# PHOTOGRAPHIC SIMULATION

## PROPOSED WIRELESS COMMUNICATIONS FACILITY

### SITE LOCATION MAP



**SITE NAME:** PROSPECTOR SPRINGS

**SITE ADDRESS:** 1790 BONANZA DRIVE  
PARK CITY, UT 84060

**DATE:** 12/14/2011

**APPLICANT:** AT&T WIRELESS

**CONTACT:** DON SHIVELEY  
SHIVELEY & ASSOCIATES  
801-550-7739

THE INCLUDED PHOTOGRAPHIC SIMULATION(S) ARE INTENDED AS VISUAL REPRESENTATIONS ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES. THE MATERIALS REPRESENTED WITHIN THE INCLUDED PHOTOGRAPHIC SIMULATION(S) ARE SUBJECT TO CHANGE.



**EXISTING CHIMNEY**

**EXISTING VIEW A -  
LOOKING SOUTHEAST FROM 100 FEET**

**PHOTOGRAPHIC SIMULATION A -  
LOOKING SOUTHEAST FROM 100 FEET**



**PROPOSED RESIZED  
STEALTHING  
CHIMNEY**





**EXISTING VIEW B -  
LOOKING SOUTHEAST FROM 500 FEET**

**EXISTING CHIMNEY**

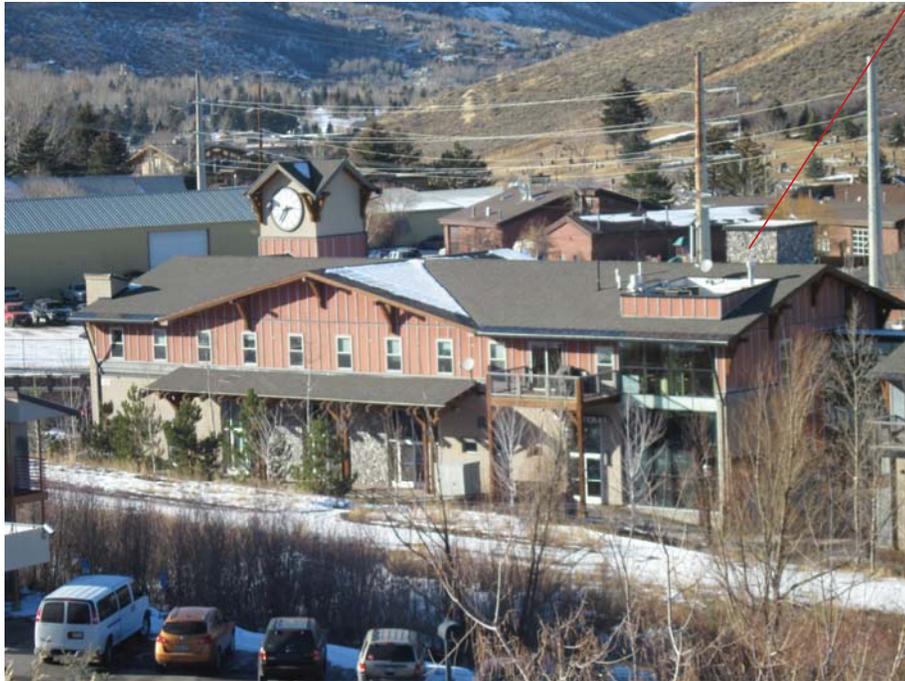
**PHOTOGRAPHIC SIMULATION B -  
LOOKING SOUTHEAST FROM 500 FEET**



**PROPOSED RESIZED  
STEALTHING  
CHIMNEY**

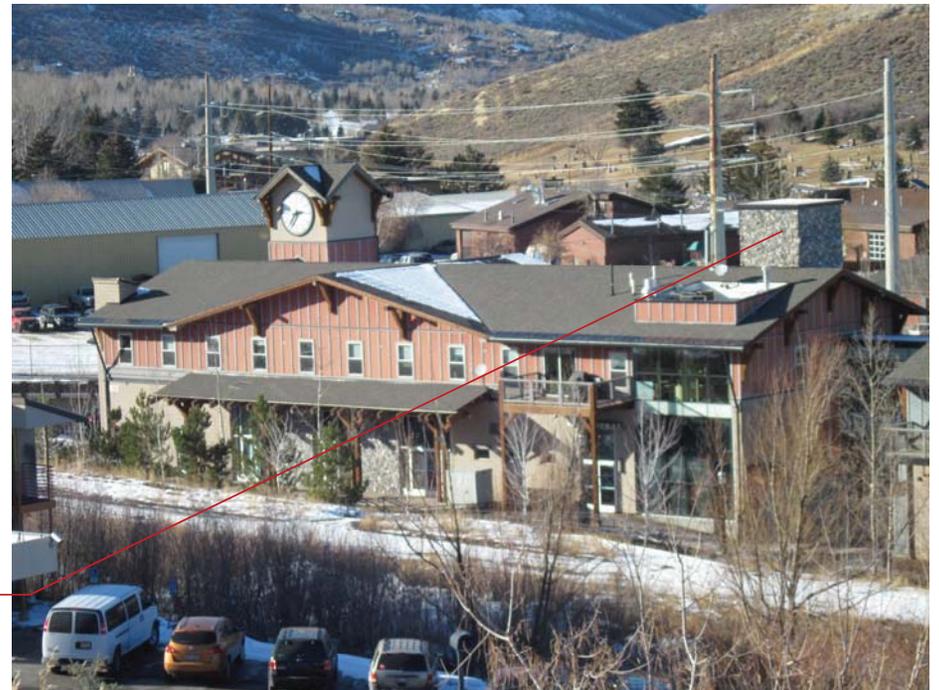
**PROPOSED MINE  
SHAFT BUILDING  
EQUIPMENT SHELTER**





**EXISTING CHIMNEY**

**PHOTOGRAPHIC SIMULATION D -  
LOOKING NORTHWEST FROM 500 FEET**



**PROPOSED RESIZED  
STEALTHING  
CHIMNEY**

**EXISTING VIEW D-  
LOOKING NORTHWEST FROM 500 FEET**





**EXISTING BUILDING**

**EXISTING VIEW C -  
LOOKING SOUTH FROM 200 FEET**

**PHOTOGRAPHIC SIMULATION C -  
LOOKING SOUTH FROM 200 FEET**



**PROPOSED MINE  
SHAFT BUILDING  
EQUIPMENT SHELTER**





EXISTING BUILDING

EXISTING VIEW E-  
LOOKING NORTH FROM 100 FEET

PHOTOGRAPHIC SIMULATION E-  
LOOKING NORTH FROM 100 FEET



PROPOSED MINE  
SHAFT BUILDING  
EQUIPMENT SHELTER

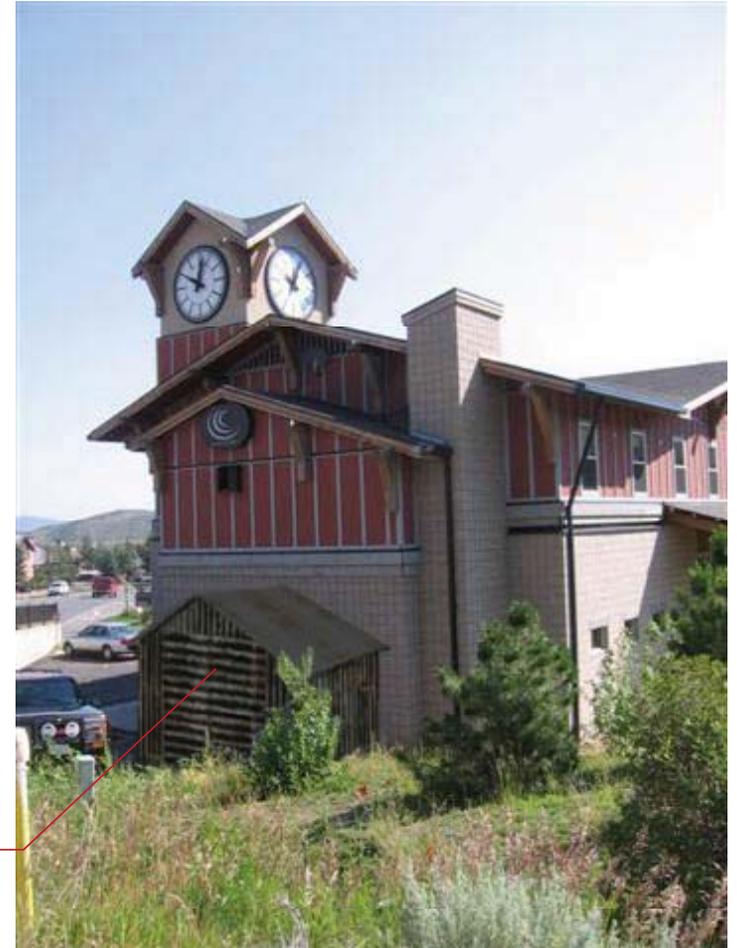




EXISTING BUILDING

EXISTING VIEW F -  
LOOKING NORTHEAST FROM 100 FEET

PHOTOGRAPHIC SIMULATION F -  
LOOKING NORTHEAST FROM 100 FEET



PROPOSED MINE  
SHAFT BUILDING  
EQUIPMENT SHELTER



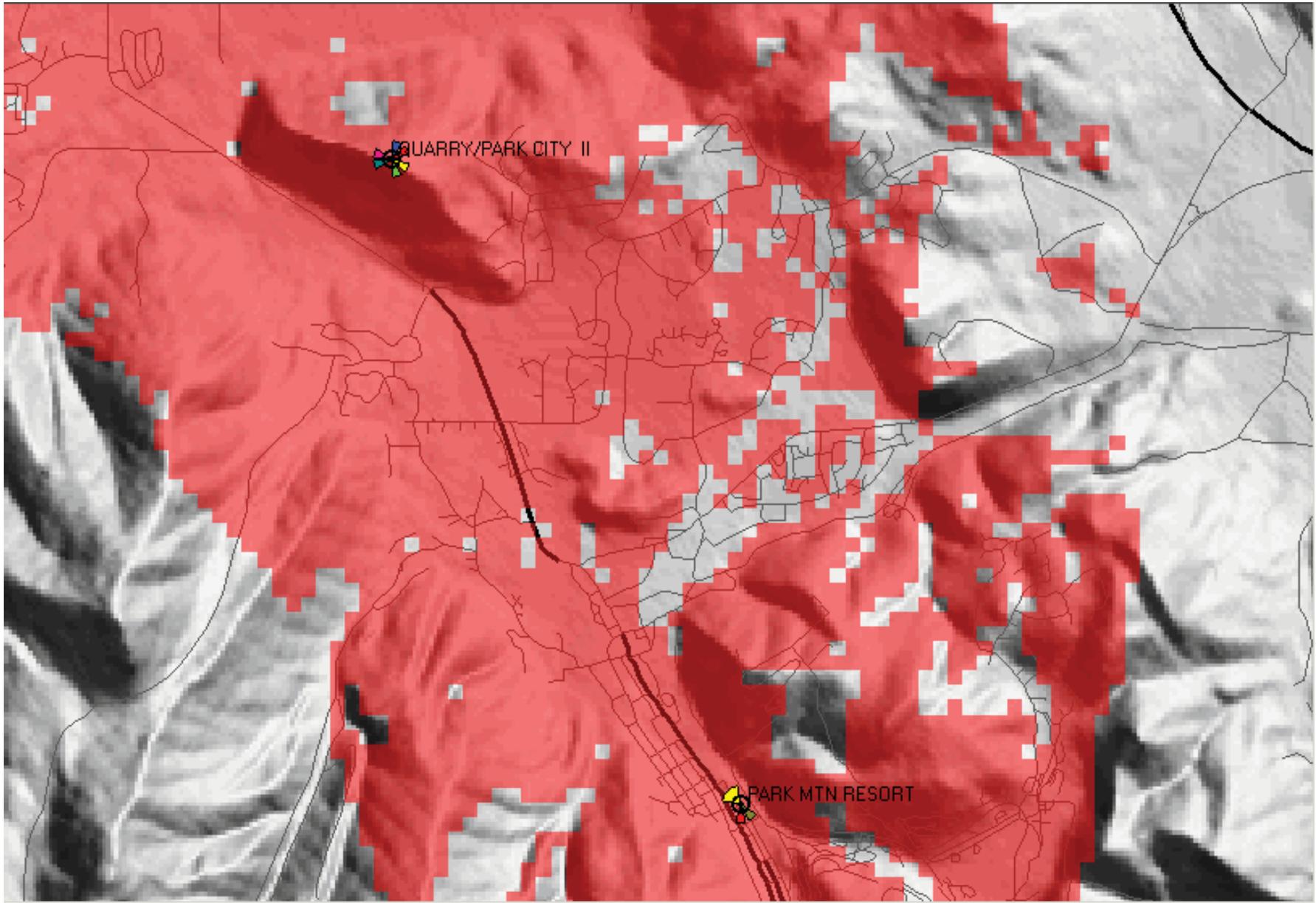
Exhibit G - Addition Photographic Simulations



**PROSPECTOR SPRINGS**  
1790 BONANZA DRIVE  
PARK CITY, UTAH 84060



# Composite Coverage of Area (Through 2011)



# Composite Coverage with Prospector Springs

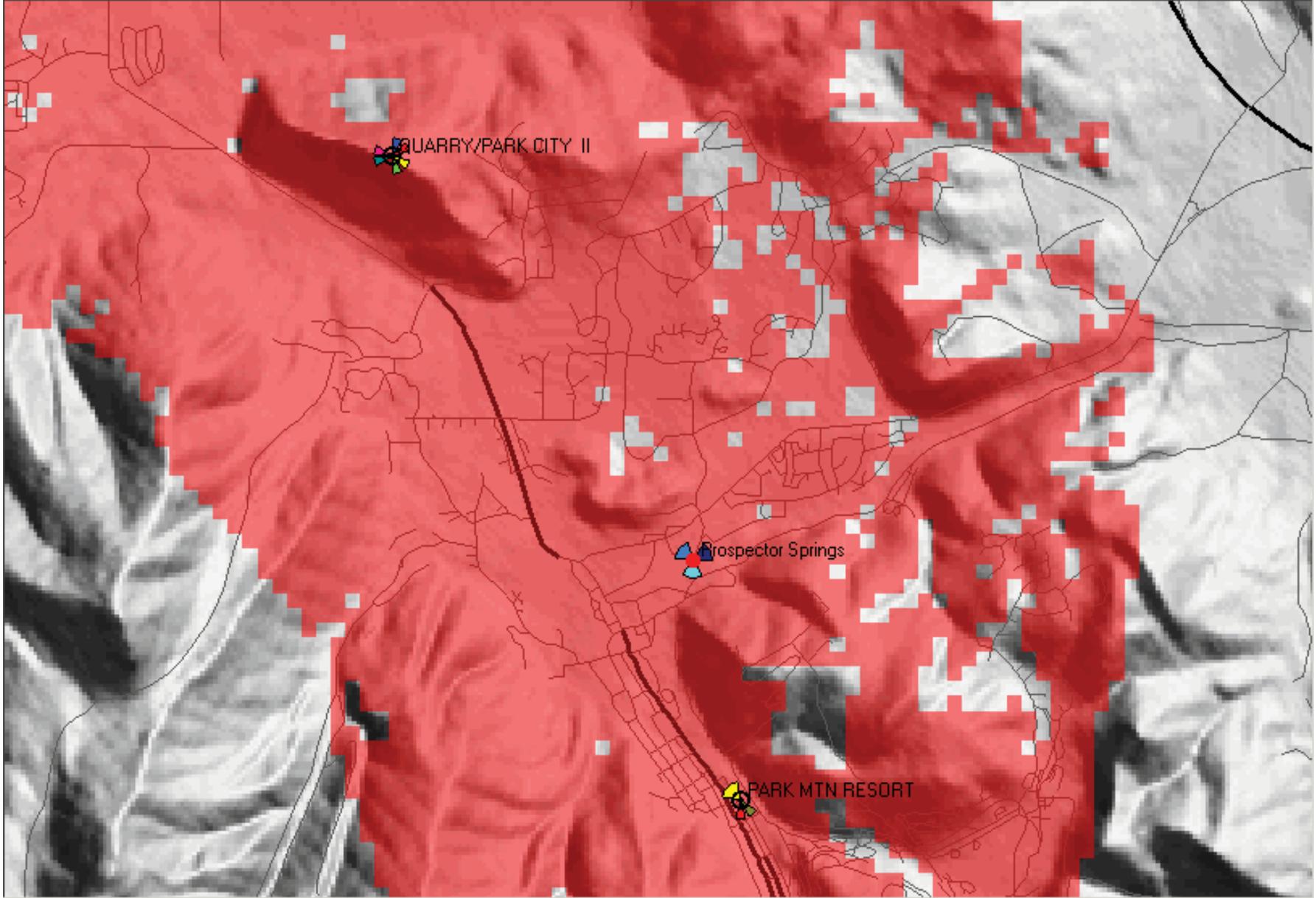


EXHIBIT I - SITE PHOTOGRAPH



Two

FRUIT CENTRAL

One

179

ALL TRAFFIC  
↑  
NO LEFT TURN

ALL TRAFFIC  
↑  
NO LEFT TURN

KNIGHT

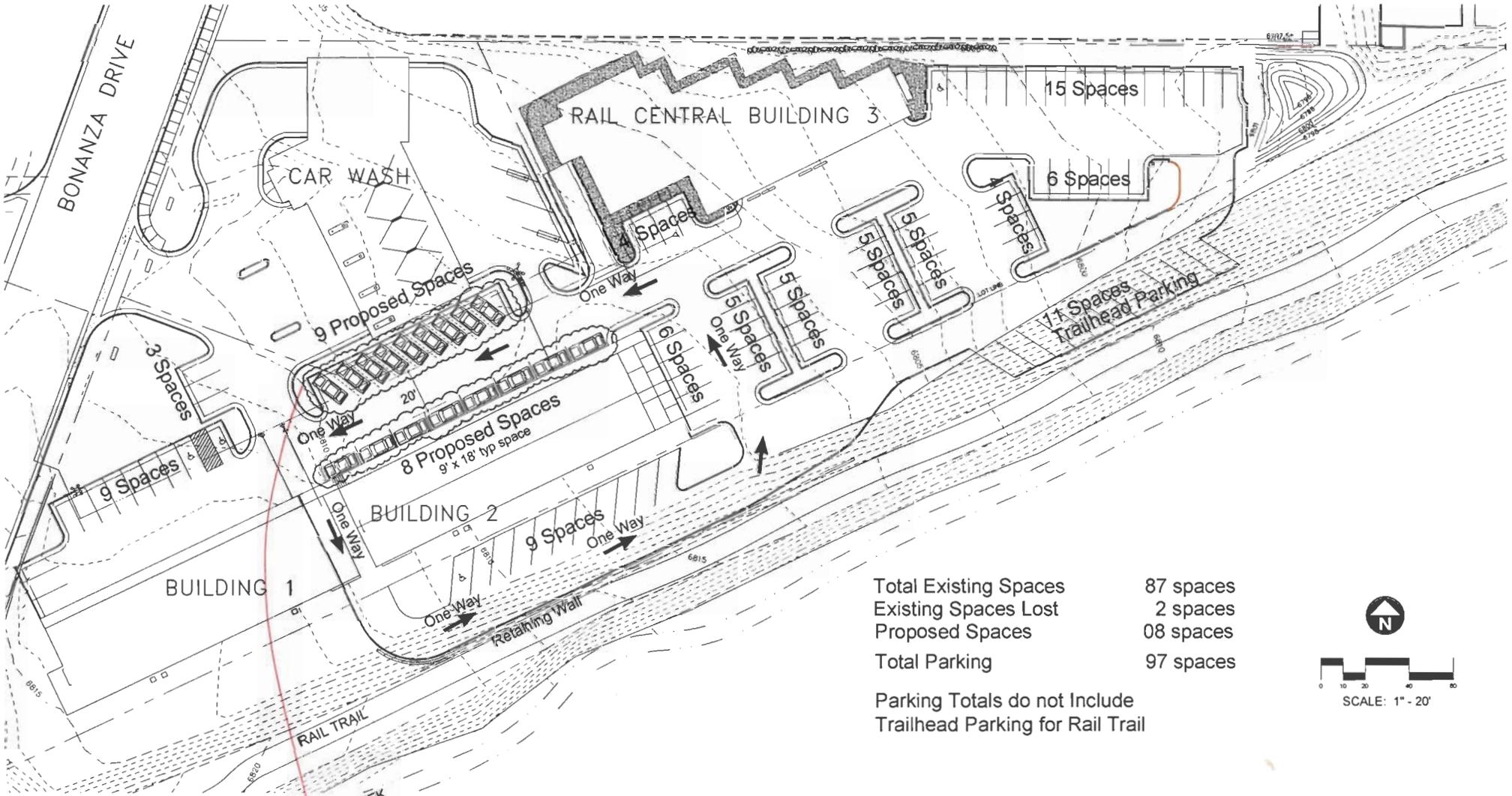
**EXHIBIT I - SITE PHOTOGRAPHS**



**EXHIBIT I - SITE PHOTOGRAPH**

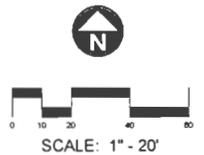


**EXHIBIT J - PARKING LAYOUT PLAN**



Total Existing Spaces	87 spaces
Existing Spaces Lost	2 spaces
Proposed Spaces	08 spaces
<b>Total Parking</b>	<b>97 spaces</b>

Parking Totals do not Include  
Trailhead Parking for Rail Trail



Site Plan may not reflect actual building footprints  
Current site condition verified during site visits

DECEMBER 14, 2011  
JANUARY 13, 2012  
JANUARY 20, 2012  
JANUARY 25, 2012

**PARKING STUDY**

*IF ANGLE PARKING  
IS @ 60° - 20'  
FOOT WIDE AISLE  
IS ADEQUATE*

**RAIL CENTRAL**

BONANZA DRIVE  
BONANZA PARK  
PARK CITY, UTAH



land planning • landscape architecture  
Post Office Box 663173  
1645 Bonanza Drive, Suite 206  
Park City, Utah 84098  
435.645.0623 435.908.3776  
pete@lamsolutionspc.biz

*[Signature]* 1/26/12

## **WORK SESSION**





# Planning Commission Staff Report

PLANNING DEPARTMENT

**Subject:** QUINN’S JUNCTION PARTNERSHIP  
ANNEXATION  
**Date:** February 22, 2012  
**Project Number:** PL-12-01473  
**Type of Item:** Work session – Annexation and Amendment to Zoning Map

### Summary Recommendations

Staff requests the Planning Commission review the requested annexation application at a work session and provide staff with preliminary feedback to help facilitate Commission analysis at the upcoming public hearing.

### Description

**Project Name:** Quinn’s Junction Partnership Annexation  
**Applicant:** Quinn’s Junction Partnership (“QJP”)  
**Representative:** Michael Martin, General Partner Quinn’s Junction Partnership  
**Location:** Southwest quadrant of US 40 and SR 248 intersection  
**Proposed Zoning:** Community Transition and Regional Commercial Overlay (CT-RCO)  
**Adjacent Land Uses:** Dedicated open space, US 40 and SR 248, Quinn’s Sports Complex and Open Space, Park City Heights MPD, Park City Medical Center, USSA Center of Excellence, Summit County Health Department, Medical Offices, Rail Trail recreation trail, Quinn’s Water Treatment Plant, and vacant agricultural land.  
**Proposed Uses:** Movie studio, Lodging, and associated uses

### Proposal

The applicant is requesting annexation and Master Plan Development approval of a 29.55 acre parcel of undeveloped land into the Park City Municipal Boundaries for the purpose of constructing a movie studio, hotel and associated uses. The applicant is requesting Community Transition- Regional Commercial Overlay (CT-RCO) zoning for the entire parcel. The property is subject to a County Settlement Agreement (Exhibit D) that acknowledges a vested development right for a Film and Media Campus up to 355,000 gross commercial square feet if the City denies annexation and the project is developed in Summit County.

## **Background**

### **Why is the City re-considering Annexation?**

The owners of the property have been attempting to develop the property in the County for over twenty years. The owners asserted that these efforts resulted in part from prior representations and assurances in conjunction with UDOT's reconstruction of US 40 and the SR248 intersection and condemnation of some portion of their property. As the various zoning disputes evolved, the owner and the County ended up in litigation in both state and federal court, as well as going through the Utah Private Property Ombudsman arbitration process. Development proposals have run the gambit between a small commercial highway gas station and motel, evaluation as a potential for the IHC hospital, and even a large entertainment and ski resort venue.

In 2005, the applicant petitioned the City for annexation concurrent with (but by separate petition) the Park City Heights project. The City was in the process of considering the adoption of the Community Transition (CT) zone which acknowledged commercial uses for the property at 3:1 unit/acre which was considered an up-zone from Summit County base zoning, but the zoning was still at a much lower density than the owner proposed (over 10:1). The City rejected the petition out of concern for the proposed density and timing of the annexation as it related to other areas, including IHC, Park City Heights and Osguthorpe, which if were not handled correctly may have resulted in lack of contiguity, an unincorporated island, etc. The owner sued the City and the City prevailed in state District Court. The owner appealed.

The owner withdrew the appeal of the dismissal when the property was under consideration for the U.S. Department of Defense/Air Force recreation facility and hotel in an effort to directly engage the City in negotiations towards a global settlement of all issues. While the City fairly successfully defeated federal attempts to circumvent local zoning by preemption, the project got new life under state legislation now known as MIDA (Military Installation Development Act), which extended broad powers of redevelopment authority on existing military bases to military land in other parts of the state, specifically in Summit (and later Wasatch) County. The legislation removed local planning authority over such military project area.

However, after another military hotel project area was chosen by MIDA, the QJP owners re-initiated their state and federal litigation against the County which had been largely stayed pending MIDA negotiations. QJP also secured an option with Raleigh Studios for a film and media campus and began lobbying the state for legislation similar to MIDA for a state economic development movie studio zone, again to remove local zoning authority from the County. Despite defeat of the legislation just last year, state legislative leadership strongly encouraged the County to resolve the matter prior to another legislative session, which likely would re-consider legislation introduced by studio supporters last year.

The City first asked the County if the parties could attempt to find an alternate

location for the studio where it would comply with local zoning. The County agreed to let the City lead this effort and the parties explored several locations but ultimately could not arrange a land trade. When it became clear that QJP and the County were making significant progress towards settling their litigation and the settlement would likely result in density significantly above that previously contemplated, the City asked the County for the right to participate in the settlement so that the City could re-assess whether annexation would be appropriate in light of the newly proposed vested density in the County Settlement Agreement.

Because the County Settlement vests zoning with QJP based upon applications pre-dating the City's last decision on annexation of the project, the City Council determined that the City should have another bite at the apple and reconsider annexation under the original 2005 petition. Therefore, the City entered into an Annexation Agreement which re-opens the original annexation application from 2005, including applying the previously paid application fees towards the current review. Accordingly, the annexation petition is not subject to recent General Plan map amendments or pending changes to the General Plan. The General Plan in effect for the 2005 review is the same as the current version, but for amendments made earlier this year for the CT zone and City boundary updates around the QJP property. Current Land Management Code provisions apply unless they conflict with express terms of the Annexation Agreement.

The City's efforts led to Planning Director Thomas Eddington's participation in refining the proposed site plan prior to its inclusion in the County Settlement Agreement. The "give" was that the City had to consider slightly higher density, although, the applicant asserts the County would be more receptive to an additional phase in the future beyond the 355,000. In addition to commercial use restrictions aimed at preventing direct ambush activity regarding Sundance, two noteworthy planning "gets" were:

- 1) The development and incorporation of design standards for the QJP project drafted to ensure compatibility with adjacent community transitional uses (IHC, USSA and PC Heights).
- 2) Site plan changes which include: a) elimination of water tower/highway sign or billboard; b) elimination of setbacks in exchange for additional height limits and shift of the building pads to provide parking in the back of the parcel, and siting smaller structures so as to step up to and screen the larger studio buildings. The City was less concerned with the northern/front setbacks given the steep grade change close to the interchange, and instead focused on moving the best designed building architecturally (hotel) to the most visible building pad. This also provided the opportunity for an open central area for use as an amphitheater.

## City Process

On January 20, 2012, the applicant re-filed an annexation petition with the City Recorder for annexation of one (1) 29.55 acre metes and bounds parcel that is currently within the jurisdiction of Summit County. The petition was accepted by the City Council on January 26, 2012 and certified by the City Recorder on February 2, 2012. Notice of certification was mailed to affected entities on February 2, 2012, as required by the State Code. The protest period for acceptance of the petition runs until March 5, 2012.

The property is located in the southwest quadrant of the Quinn's Junction Planning Area, at the intersection of US Highway 40 and State Road (SR) 248 (Exhibit A). The property is currently undeveloped. The applicant seeks to develop 374,000 square feet of commercial uses, limited to a movie studio and media campus, including a 100 room hotel, amphitheater, and associated uses.

As provided in the Annexation Agreement, the applicant is requesting the property be annexed and zoned Community Transition- Regional Commercial Overlay (CT-RCO). The use of the overlay zone recognizes the unique circumstances of the project and acknowledges the County's vested density determination based upon prior applications as limited to the express terms of the proposed MPD in Annexation Agreement, without creating a precedent for adjacent parcels in the CT zone. A further commercial up-zone of other parcels in the existing City CT zone would remain inconsistent under the current Land Use plan of the General Plan.

The applicant has filed an annexation plat (Exhibit B), an MPD application, and a preliminary one lot subdivision plat as part of an Annexation Agreement with the City (Exhibit C). **The MPD will be approved as part of the annexation decision and will not return for separate action by the Planning Commission.**

Per said Agreement, if developed in the City the MPD is:

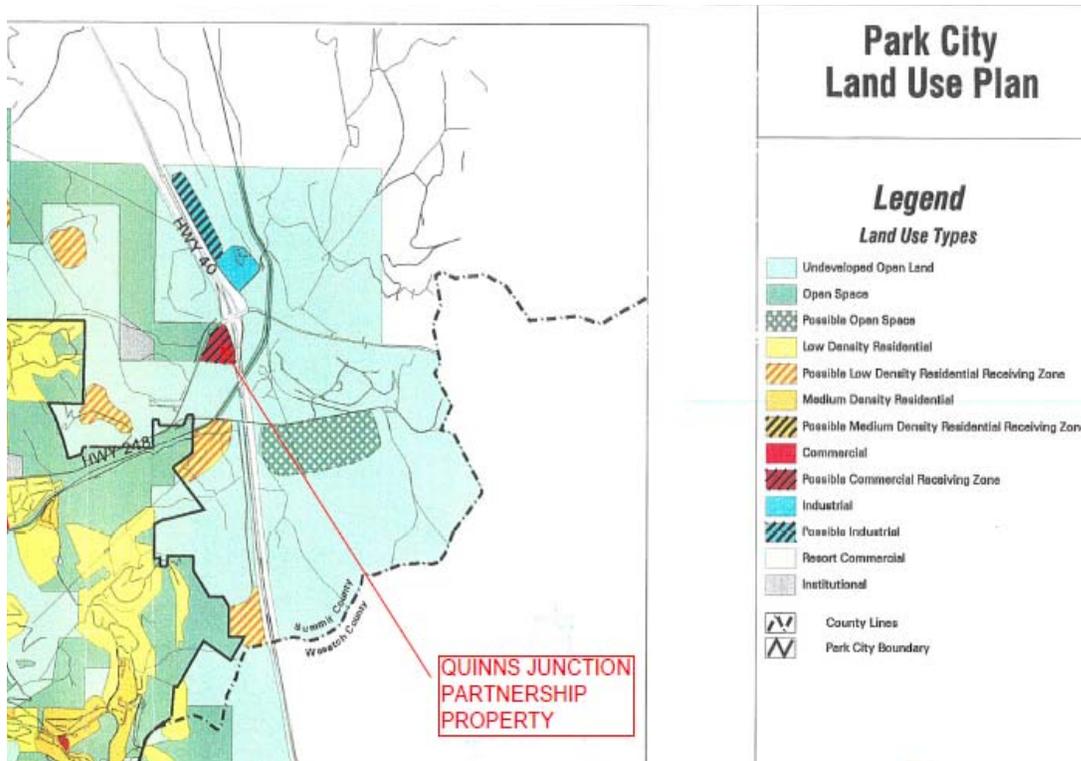
- Limited to 374,000 gross commercial square feet, excluding roads, parking lots, parking structures, porches, balconies, patios, decks, vent shafts, and courts.
- An enclosed atrium that serves as a pedestrian connection between two building pads that is not a stand along building and that may not be converted to habitable space is also excluded from the gross commercial square feet.
- The site plan and berming are to be installed as identified in Attachment A to Exhibit C.
- Final design approval of the project shall be by administrative Conditional Use Permit reviewed by the Park City Planning Department for compliance with the LMC.
- Building design shall comply with the Architectural Standards as identified in Attachment B to Exhibit C.
- Green Building design and construction shall meet minimum Shadow

LEED Standards.

- All signs shall comply with the Park City Sign Code, with no icon, water tower, or highway billboard signs permitted.
- No open space, setbacks, or affordable housing requirements may be imposed.
- Uses, including the proposed amphitheater, shall be of the type shown in Attachment C to Exhibit C and/or consistent with the Film Studio and Campus concept and the gross square footage of those uses shall not exceed the allowed gross commercial square feet. The stage may not be oriented toward City open space and shall be reviewed for compliance with the Architectural Standards.
- The proposed hotel is limited to 100 rooms (keys).
- A maximum building height of 50 feet for sound stages, or a maximum height not to exceed 60 feet in Pad 7 of Attachment A (site plan), in the event a major, long-term film production contract necessitates the full studio height.
- No more than 70% of the remaining buildings are allowed a building height of 36-40 feet with all other buildings to be no more than 28 feet in height according to the CT Zone height limit.
- No building shall be greater than 28' in height unless it is located more than 150' from the center line of a public roadway.
- Smaller buildings are massed and/or placed strategically (from an overall design aesthetic) to break up the volumes of the Sound Stage Buildings to mitigate appearance of the vertical façade of the taller buildings.
- Visual impact of parking shall be mitigated by various methods.
- The Movie Studio portion of the campus may have perimeter and entry security controls.
- The applicant is responsible for coordinating water and utility service, which may include a third party provider, in compliance with applicable standards prior to annexation approval.
- Other provisions as outlined in the Annexation Agreement (Exhibit C), including requirement that the applicant to create Covenants and Restrictions (CCRs) applicable to the entire property, including the Film Studio and all commercial owners and tenants, which prohibit commercial uses of any facility within the MPD which directly ambushes the Sundance Film Festival and other provisions as stated in said Agreement.
- If annexation is not approved, then development on this parcel will occur in Summit County subject to the County Settlement Agreement (Exhibit D.)

## Analysis

The General Plan (1997/2005) designates the QJP parcel as a potential “Commercial Receiving Zone” as part of the Park City Land Use Plan.



Obviously, the Annexation Agreement (as part of the broader County Settlement Agreement) waives several conditions typically applied to annexations by local code. The Council determination that these provisions are inapplicable due to the vested rights of prior County applications is consistent with LMC § 15-8-5(C), which provides that “unless the City Council finds that the circumstances of the annexation are such that a condition or conditions do not apply,” and goes on to indicate that such a finding may happen when “unusual or unique circumstances may emerge from time to time where special conditions may apply.”

This is not the first time the City was forced into a pragmatic decision whether to attempt to improve and mitigate a proposed project on its borders which already had vested rights in excess of City standards and code provisions. The Deer Crest Annexation (including the St. Regis Hotel) is another example where the project had density and height approvals in Wasatch County in excess of those identified in our annexation planning area and proposed zoning. The City determined that control of access through old Keetley Road and protection of the Deer Valley resort brand outweighed normal planning conditions and entered into a similar settlement agreement with Wasatch County, Queen Ester HOA and the applicant which resulted in a compromised solution that achieved the City's primary planning objectives, while reducing impacts of the development to the

greatest degree possible. The Planning Commission and Council are tasked with a similar difficult balancing act here. The City must decide whether local authority over site planning and design, and limiting commercial uses consistent and hopefully in partnership with Sundance Film Festival, are worth waiving certain conditions in exchange for others.

As a legislative act, qualified by the express conditions of a settlement agreement, the annexation decision is a unique tool for the City to protect its entry corridor and fundamental general plan and sustainability principles.

The property is located within the Park City Municipal Corporation Annexation Expansion Area boundary, as described in the adopted Annexation Policy Plan (Land Management Code (LMC) Chapter 8) and is contiguous with the current Park City Municipal Boundary along the south boundary with Park City Heights MPD. The property is the entirety of property owned in this location by this applicant. Summit County recently considered their affected entity notice and communicated support for City annexation.

Access to the property is from State Road (SR) 248 a major highway and entry corridor to Park City. Proposed access point to the property is on the east side of the existing intersection of SR 248 and Round Valley Drive. The applicant participated with UDOT during the design and construction of the intersection during the IHC approval process to provide for access to the property. Staff is in the process of obtaining the scope of UDOT approvals for the property. The current proposal has two additional driveway cuts that may have to obtain additional UDOT approvals.

The applicant has submitted an annexation plat (Exhibit B), prepared by a licensed surveyor and additional annexation petition materials according to provisions of the City's Annexation Policy Plan and Utah State Code.

As part of the County Settlement Agreement, the Council agreed to enter into the associated Annexation Agreement between the City and QJP. This Annexation Agreement stipulates that the Annexation shall include an approved Master Planned Development. MPD application material and supporting information were also submitted (Exhibits C, E, F, and G) to the Planning Department. However, detailed site plans and building pad plans and elevations were not reviewed for this report.

#### **Review pursuant to Utah Code Annotated (UCA) Sections 10-2-401, 10-2-402 and 10-2-403**

The annexation petition has been reviewed pursuant to the Utah Code Annotated (UCA) Sections 10-2-401, 10-2-402 and 10-2-403.

The annexation petition requirements set forth in these sections of the UCA have been met; including issues of 1) contiguity and municipal annexation expansion area, 2) boundaries drawn along existing local districts, special districts and other taxing entities, and 3) for the content of the petition.

## **Review pursuant to the Annexation Policy Plan- purpose**

Chapter 8 of the Land Management Code is considered Park City's annexation policy plan and declaration. In Section 15-8-1 the Code states the following:

*The annexation requirements specified in this Chapter are intended to protect the general interests and character of the community; assure orderly growth and development of the Park City community in terms of utilities and public services; preserve open space, enhance parks and trails; ensure environmental quality; protect entry corridors, view sheds and environmentally Sensitive Lands; preserve Historic and cultural resources; create buffer areas; protect public health, safety, and welfare; and ensure that annexations are approved consistent with the Park City General Plan and Utah State Law.*

In addition the Annexation Policy Plan states:

*If practical and feasible, boundaries of an Area proposed for annexation shall be drawn:*

- (A) *Along the boundaries of existing special districts for sewer, water, fire, and other services, along the boundaries of school districts whose boundaries follow City boundaries... and along the boundaries of other taxing entities;*
- (B) *To eliminate islands and peninsulas of territory that is not receiving municipal type services;*
- (C) *To facilitate the consolidation of overlapping functions of local government;*
- (D) *To promote the efficient delivery of services; and*
- (E) *To encourage the equitable distribution of community resources and obligations.*

*It is the intent of this Chapter to ensure that Property annexed to the City will contribute to the attractiveness of the community and will enhance the resort image which is critical for economic viability, and that the potential deficit of revenue against expense to the City is not unreasonable.*

## **Review pursuant to the Annexation Policy Plan- requirements**

The Annexation Policy Plan (see Section 15-8-5 (B)) requires an annexation evaluation and staff report to be presented that contains the following items:

### 1. General Requirements of Section 15-8-2

See below for detailed analysis of the annexation as it relates to Section 15-8-2. Staff is in the process of reviewing two traffic studies submitted by the applicant and will include specific discussion with input from City transportation team members at the public hearing.

## 2. Map and natural features

The property consists of a 29.55 acre parcel that is contiguous to the Park City Municipal boundary. The parcel is within the Annexation Expansion Area, as described by the adopted Annexation Policy Plan. The property is undeveloped pasture land.

The Pace-Homer irrigation ditch traverses the center of the property in a north-south direction. Staff will provide additional analysis of the Baseline Survey for the public hearing.

A small area of designated wetlands is identified on the far northeast boundary within the UDOT ROW. This area appears adjacent to the property and staff will likely recommend conditions as part of the Construction Mitigation Plan to mitigate any potential impacts.

There are no steep or very steep slopes as the property is relatively flat with an overall slope of less than 15%. The property is bordered by highways on three sides and open space along the south side.

The Baseline Survey did not indicate areas of flood plain hazard.

## 3. Density

The applicant seeks to develop 374,000 square feet of commercial uses, including a movie studio, a 100 room hotel, amphitheater, and associated uses. No residential density or population exists on the property and no new residents are proposed.

## 4. Land Uses-existing and proposed

Wildlife - The applicant provided wildlife information from the Utah Division of Wildlife (Exhibit G). A specific wildlife study was not conducted. Deer, elk, and moose may be found on the property, which is adjacent to areas of undeveloped lands and designated open space. The area is also bounded on three sides by major highways and has very little cover for wildlife protection. Native and non-native grasses and low shrubs cover the property. In terms of species of special interest, the property is not within areas identified as critical sage grouse habitat.

Environmental Issues – The applicant provided a copy of an Environmental Baseline Survey for Quinn’s Junction (Exhibit G) completed in May 2007 by URS Corporation for Hill AFB. The baseline survey was completed for the property per ASTM Standard Practice for Environmental Site Assessments, E 1527-05. The intent of the survey was to determine if there are any documented environmental conditions on or near the subject property that provide a potential for contamination of the property.

The survey found no listed database findings for the subject property and two sites with environmental conditions were identified within a one-mile radius. These sites include the Richardson Flat Tailings, listed as a National Priority List, as well as a Comprehensive Environmental Response, Compensation, Liability

Information System (CERCLIS) ENG, ROD site. Both sites are outside of the subject property boundaries and at lower elevation, down gradient from subject property and therefore unlikely that these sites pose an environmental threat to the groundwater on the subject property.

The annexation is outside the City's Soils Ordinance District. The baseline survey did not find evidence of contamination from mine tailings or other contaminants that would have been brought to this property by the ditch and that would cause soil or groundwater contamination concerns. The sources for this ditch include Dority Spring, Pace Homer Spring, and other small springs in the Park City area to the west of the property. While the ditch parallels Silver Creek for most of its length, it is at a higher elevation protecting it from possible contamination by the waters of Silver Creek, and does not appear to have been used for many years.

The survey indicates that the annexation property has not been contaminated by historic mining impacts or other industry and though near contaminated sites, it is unlikely to be impacted by those sites (Exhibit G).

#### Utility & Access

- At this time the applicant has proposed a preliminary utility and access strategy to serve the property. Water is proposed from Summit Water Distribution with lines stubbed in from the north. Sewer service is provided by SBWRD who shall approve the utility plan and plat prior to recordation. A line extension agreement with SBWRD to extend sewer to the Property is the applicant's responsibility and shall occur prior to recordation of the final subdivision plat. Other utilities are available in the area and will need to be extended to this site.
- A utility plan is required to be submitted with the final subdivision plat, for review and approval by the City Engineer, as a condition precedent to recordation of the subdivision plat.
- Appropriate guarantees for any public improvements associated with development on this property will be required prior to issuance of any building permits. Fire hydrant locations will need to be addressed to the satisfaction of the City Engineer and Fire Marshall.
- Access to the property is from State Road (SR) 248 a major highway and entry corridor to Park City. Proposed access point to the property is on the east side of the existing signalized intersection of SR 248 and Round Valley Drive.

#### 5. Character and Development of adjacent property

The applicant submitted information regarding surrounding areas within one mile of the annexation property. This information is described and mapped in the Environmental Baseline Survey (Exhibit G). Information in the Survey includes land uses, topography, natural areas such as streams and wetlands, wildlife

areas, historic and cultural sites, environmental sites, photos of existing conditions, utilities and roads, hydrology and flood plains, wells (water, gas, oil, other), radon, and FCC and FAA sites.

Surrounding land uses include dedicated open space, highways US 40 and SR 248, Quinn's Sports Complex and City open space, Park City Heights MPD, Park City Medical Center, USSA Center of Excellence, Summit County Health Department, Medical Offices, Rail Trail recreation trail, Quinn's Water Treatment Plant, and vacant agricultural land.

The character of development on adjacent properties is generally large buildings in a campus like setting, surrounded by connected open space, with a pattern of trails and connections providing an alternative to roadways. Adjacent properties also include Highways, utilities, Rail Trail, future residential development (Park City Heights), and open space.

6. Zoning- existing and proposed

The property is subject to a Settlement Agreement which acknowledges a vested development right for a Film and Media Campus up to 355,000 square feet. The applicant is requesting the property be annexed and zoned Community Transition- Regional Commercial Overlay (CT-RCO). This zoning designation is Community Transition zoning with a Regional Commercial Overlay. The purpose of the RCO zone is to allow, through an MPD, commercial development and land uses per LMC Sections 15-2.17.3 – 15-2.17-5. The 2012 Annexation Agreement (Exhibit C) further defines development parameters of the MPD for this property.

7. Goals and Policies of the Park City General Plan

(See (B) below.)

8. Assessed valuation

Annexation of the proposed area will have a positive impact on the property's assessed valuation and additional property tax revenue will be generated.

9. Demand for municipal services

All essential services will be provided by existing entities, with the exception of water. These services include: Park City Fire District, Snyderville Basin Water Reclamation District (SBWRD - sewer), Park City School District, Questar gas, Rocky Mountain Power- power, Comcast - cable, Qwest - gas, and BFI trash removal. The property is subject to the Annexation Agreement that allows a third party water provider. A final utility plan will be submitted for approval by the City Engineer, as a condition precedent to recordation of the final subdivision plat.

10. Effect on City boundaries

This annexation does not create an island, peninsula, or other irregular shaped City boundary. This annexation provides contiguity to the City Limits along the south boundary contiguous with the Park City Heights Annexation and MPD. The property is within the City's Annexation Expansion Area boundary and the City

has expectations that this Property will be part of the City.

11. Timetable for extending services

The property is subject to an Annexation Agreement that allows a third party water provider. Other utilities are to be extended from utilities in the area. A final utility plan will be submitted for approval by the City Engineer, as a condition precedent to recordation of the final subdivision plat. A timetable of extending these services shall be provided with the final subdivision plat application. Sewer service is provided by SBWRD who shall approve the utility plan and plat prior to recordation. A line extension agreement with SBWRD to extend sewer to the Property is the applicant's responsibility and shall occur prior to recordation of the final subdivision plat.

12. Revenue versus costs

Staff will provide additional economic analysis for the public hearing.

13. Tax consequences

The property will be entirely privately owned. Revenue will be generated through property taxation, sales taxation, and other forms of taxation specific to the uses (resort sales and lodging taxes, transit taxes, etc) The City will gain revenue if this parcel is annexed and developed within the City limits.

14. Impact on Summit County

Summit County will lose that portion of sales tax revenue that will be paid to Park City; however Park City not Summit County will be responsible for providing municipal services.

15. Historic and cultural resources

The Environmental Baseline Survey (Exhibit G) identified the area as adjacent to a Federal Historic Area due to the existence of the Union Pacific Park City Branch Railroad Grade in the area, which is on the National Register of Historic Places. No other historic or cultural resources were mapped. No historic sites or structures are on the property.

**Review pursuant to the Annexation Policy Plan- Section 15-8-2- General Requirements**

City Staff has reviewed the proposed annexation and preliminary plat against the following general requirements established for annexation to Park City as presented in LMC Section 15-8-2, as follows:

- (A) Property under consideration of annexation must be considered a logical extension of the City boundaries.

***The property is contiguous to the Park City Municipal boundary at the southern boundary with Park City Heights Master Planned Development.  
The property across SR 248 is within the Park City Municipal Boundary.  
The property is a logical extension of the City boundaries and is within the***

**Park City Annexation Expansion Area boundary.**

(B) Annexation of Property to the City must be consistent with the intent and purposes of this Chapter and the Park City General Plan.

***This annexation proposal has been submitted and processed consistent with the intent and purposes of LMC Chapter 8, the Annexation Policy Plan. The annexation petition has been accepted by the City Council and the petition certified by the City Recorder. The applicant submitted all required documents and information, per LMC Section 15-8-3 (A)-(J). Affected entities have been noticed of the petition acceptance by the City Council.***

***The property will be posted for the March 14, 2012, public hearing. Affected property owners will be notified of the public hearing and legal notice of the hearing will be published in the Park Record. The property falls within the Park City Annexation Expansion Area boundary.***

***The property is within the Highway 40/248 Southwest planning area of the Park City General Plan (p 43-45). Applicable objectives and goals of this planning area are as follows:***

- ***There may be an opportunity to create a special development concept at the southwest corner for some anticipated neighborhood or resort support commercial uses.***
- ***This area should not be developed with commercial uses that substantially increase traffic on Highway 248.***
- ***Establish guidelines for mixed-use, clustered, commercial development on the southwest corner parcel.***
- ***The design of future structures in this area should be in scale and character with the rural mountain character of the area. This area when developed should enhance rather than detract from the aesthetic quality of the entry corridor. A standard highway strip commercial development would not be favorably considered.***
- ***Parking should be at the back or sides of the buildings to avoid a foreground of asphalt for the visitor traveling along the entry corridor (SR 248).***
- ***Landscaping will be critical along the entry corridor to soften the view toward the commercial structures.***
- ***Landscape material native to the region should be used as the dominant material.***
- ***Focus on gateway aspects of site design.***
- ***Modify the existing entry corridor overlay zone (ECOZ) as necessary to assure adequate setbacks for structures, parking standards, lighting regulations, design criteria, and landscaping. (These items were incorporated in the ordinance creating the CT zone).***

- **Enhance the visual experience for visitors and residents using this entrance to the City.**
- **Improve vehicular access to this Planning Area (i.e. with signalized intersections, grade separated trail crossing, etc.).**
- **Limit driveways and intersections on Highway 248.**

**Additionally, the General Plan established goals designed to address foreseeable problems and express community aspirations (General Plan p. 5-10). The applicable key goals include:**

- **Preserve the mountain resort and historic character of Park City.**
- **Preserve environmental quality, open space, and outdoor recreational opportunities.**
- **Maintain the high quality of public services and facilities.**
- **Work effectively with other governmental agencies to achieve the goals of the General Plan.**
- **Maintain the unique identity and character of an historic community.**
- **Manage the amount, rate, form, and location of growth.**
- **Involve the community in decision making.**
- **Plan for realistic population growth consistent with the City's vision**

(C) Every annexation shall include the greatest amount of Property possible that is a contiguous Area and that is contiguous to the City's municipal boundaries.

**The annexation includes the greatest amount of Property possible that is a contiguous area and that is contiguous to Park City's boundaries.**

(D) Piecemeal annexation of individual small Properties shall be discouraged if larger contiguous Parcels are available for annexation within a reasonable time frame in order to avoid repetitious annexations.

**The annexation area constitutes the largest area possible owned by the applicant (see above) and is not a piecemeal annexation of individual small Properties.**

(E) Islands of county jurisdiction shall not be left or created as a result of the annexation and peninsulas and irregular boundaries shall be avoided.

**This annexation does not create an island or peninsula of County property. The proposed annexation boundary follows the City's Annexation Expansion Area boundary and is not an irregular boundary. A separate annexation petition has been filed for the adjacent SR 248, Osguthorpe and all of the City-owned Round Valley open space.**

(F) In addition to services provided by existing districts, such as sewer, fire protection, and public schools, the following urban level services, consistent with those normally provided in the rest of the incorporated boundaries will be provided to the annexed Areas:

- Police protection - **City Police protection will be provided if annexed.**
- Snow removal on Public Streets- **The City will provide snow removal from Public Streets within the property, however all private roads and driveways are to be maintained by the property owner.**
- Street maintenance- **The City will not be financially responsible for providing maintenance of private property.**
- Planning, zoning, and Code enforcement- **Currently Summit County Planning and Building Department and would transfer to the City departments of planning, building, and engineering.**
- Availability of municipal sponsored parks and recreational activities and cultural events and facilities **Parks are public and open to County and City residents. This annexation ideally would provide trail connections to existing trails within the City and to future open space and recreation parcels, such as a connection to the Rail Trail recreational trail system and a continuation of the existing sidewalk system along SR 248 to the intersection with Round Valley Drive.**
- Water services as the Area is developed. Existing water treatment and storage facilities may currently be inadequate to provide services to the annexed Area. Developers of the annexed Area are required to pay for the cost of improvements related to the extension of and connection with the City lines and systems as well as participate in additional improvements such as storage capacity and distribution as necessary for safe, reliable, and efficient water flows. **The property is subject to an Annexation Agreement allowing a third party water provider. A final utility plan will be submitted for approval by the City Engineer, as a condition precedent to recordation of the final plat.**

(G) If feasible and practical, water and sewer lines shall be extended to the Area proposed for annexation. Expenses associated with such extension shall be the responsibility of the Applicant(s). The City shall determine timing and capacity of extending water to the proposed annexation area. The Water Reclamation district shall determine timing and capacity of extending sewer service to the proposed annexation area. **The property is subject to an Annexation Agreement that allows a third party water provider. A final utility plan will be submitted for approval by the City Engineer, as a condition precedent to recordation of the final subdivision plat. Sewer service is provided by SBWRD who shall approve the utility plan and plat prior to recordation.**

(H) Before considering requests for annexation the City shall carefully analyze the impacts of annexation of an Area, taking into consideration whether the Area will create negative impacts on the City and considering whether the

City can economically provide services to the annexed Area. Community issues such as location and adequacy of schools and community facilities, traffic, fire protection, particularly in Wildfire/Wildland Interface Zones, useable open space and recreation Areas, protection of Sensitive Lands, conservation of natural resources, protection of view corridors, protection and preservation of Historic resources, affordable housing, balance of housing types and ownership, adequate water and sewer capacity to serve the future needs of the proposed annexation Areas shall also be considered. ***The property is subject to an Annexation Agreement the purpose of which is to facilitate development of a movie/film studio and associated uses, with local influence over the design, construction, and restrictions of the CCRs. Impacts of this development have been taken into consideration in said Agreement. Review of the MPD site plan will consider issues of traffic, fire protection and access, open space, trails, protection of Sensitive Areas, protection of view corridors, and whether adequate water and sewer capacity exist to serve the future needs of the annexed area.***

- (I) Situations may exist where it is in the public interest to preserve certain lands from Development where there exist Geologic Hazards, excessive Slopes, flood plains or where the need for preservation of community open space and/or agricultural lands is consistent with the General Plan. In such circumstances, annexation may occur as a means of retaining those lands in a natural state. ***The property of this annexation does not contain existing Geologic Hazards, excessive Slopes, or flood plains. The property is currently vacant pasture land with native grasses and an existing irrigation ditch.***
  
- (J) The City shall consider annexation of unincorporated Areas of Summit County that are within the annexation expansion Area. ***The property is within the annexation expansion Area.***
  
- (K) In general, the City does not favor annexation of territory, which should be located within another municipality, nor does it favor the annexation of unincorporated territory solely for the purpose of acquiring municipal revenues, or for retarding the capacity of another municipality to annex. ***The property is not within another municipality and the annexation is not solely for the purpose of acquiring municipal revenues or for retarding the capacity of another municipality to annex this property.***
  
- (L) Annexations that expand the resort and/or tourist economy provide second home or rental residential Properties, preserve environmentally Sensitive Lands, and provide significant public open space and community facilities are preferred.
  - ***The purpose of this annexation is to facilitate a well designed movie/film studio complex that meets established Design Guidelines***

*of the LMC as well as specific guidelines that are part of the Annexation Agreement (Attachment A of Exhibit C).*

- *A movie/film studio and associated uses could contribute to an expanded resort and/or tourist economy and help diversify the predominantly seasonal economy depending on the quality of the final development.*
- *Being able to influence the design of a development at one of Park City's primary entry corridors is a consideration of this annexation.*
- *If the development is constructed within the Park City municipal boundary the project will be built to LEED Shadow Standards and per the Annexation Agreement will be required to create CCRs that protect the Sundance Film Festival from direct ambush uses, thus further enhancing the existing tourist economy.*
- *The site has few environmentally Sensitive Lands and is adjacent and across from existing public open space and community facilities.*

### **Discussion – Focus on Site Plan and Design**

**Staff requests Planning Commission discussion of the following:**

- What MPD site plan issues does the Planning Commission find as the most important to focus on for the public hearing?
- What additional information does the Planning Commission need for the public hearing?
- Are there specific external trail connections or internal circulation that need to be incorporated into the site plan?
- Does the Commission agree that the support commercial uses should include an element of neighborhood support commercial/basic grocery?
- The Planning staff intends to utilize a team approach to focus analysis on design, traffic, circulation and lighting. Does the Commission have any other particular areas of concern which it would like to direct the staff to focus additional analysis on?

### **Department Review**

The application is scheduled to be reviewed by the Interdepartmental Development Review Committee on February 14, 2012. Any additional comments will be included in the Staff Report for the public hearing.

### **Notice and Public Input**

A public hearing will be scheduled and noticed for the March 14, 2012, Planning Commission regular meeting. The property will be posted and notices will be

mailed and published in the Park Record according to requirements for annexations in the Land Management Code and Utah Code.

### **Future Process**

- The Planning Commission requested a work session review of the annexation prior to a public hearing (**February 22, 2012**). **Review of the annexation is at this point.**
- The Planning Commission shall hold a public hearing (**March 14, 2012**) on the matter and shall consider forwarding a recommendation to the City Council.
- The City Council is the final decision maker regarding annexation of land into Park City and shall hold a public hearing prior to making a decision on the matter (**tentatively scheduled for March 22, 2012, conditioned upon the Planning Commission forwarding a recommendation at the March 14<sup>th</sup> meeting**).

### **Recommendation**

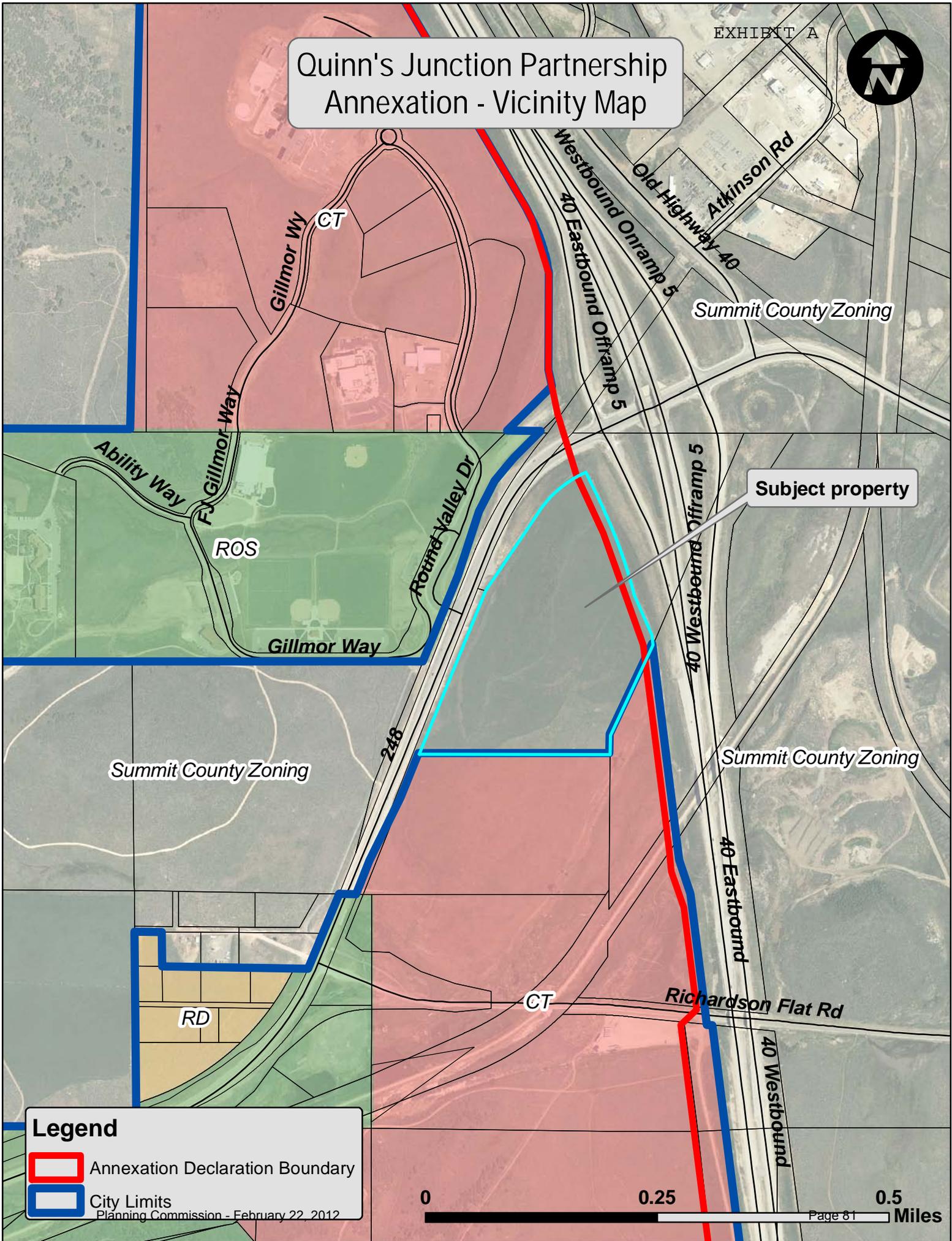
Staff requests the Planning Commission review the requested annexation application at a work session and provide staff with any comments.

### **Exhibits**

- Exhibit A- Existing Zoning and Municipal Boundary Map/Annexation Expansion Area Boundary Map
- Exhibit B- Annexation Petition and Plat
- Exhibit C- Annexation Agreement MPD-2012
- Exhibit D- County Settlement Agreement
- Exhibit E- General Project Description
- Exhibit F- Existing conditions
- Exhibit G- Additional submittal information summaries (The entire binder of submittal information, including appendices to the various reports and studies is available for review at the Planning Department and will be posted to a Quinn's Junction Partnership Annexation page on-line at [www.parkcity.org](http://www.parkcity.org). The page will also include links to the LMC zoning sections).



# Quinn's Junction Partnership Annexation - Vicinity Map



Subject property

**Legend**

-  Annexation Declaration Boundary
-  City Limits

Planning Commission - February 22, 2012





## ANNEXATION AGREEMENT

**THIS ANNEXATION AGREEMENT** (the "Agreement") is entered into as of this 17<sup>th</sup> day of January, 2012, by and among QUINNS JUNCTION PARTNERSHIP (Michael Martin, General Partner), the sole owner of certain undeveloped real property in the Snyderville Basin, including all legal claims belonging to Ralph Merrill (the "QJP"), and PARK CITY MUNICIPAL CORPORATION, a political subdivision of the State of Utah, by and through its City Manager (the "Park City").

### RECITALS:

A. QJP is the owner of approximately 29 acres of land and appurtenant real property rights, located on the southwest corner of Quinn's Junction, which is at the intersection of U.S. 40 and S/R 248 in the Snyderville Basin, Summit County, Utah (the "Property"). QJP desires to build a mixed use development on the Property consisting of a Motion Picture Studio and Media Campus, ancillary and support commercial and lodging (the "Film Studio").

B. QJP has asserted claims and commenced litigation against Summit County ("the County") in two separate lawsuits and other administrative actions that are currently pending in State and Federal Courts. QJP anticipates consolidating the cases and adding the Park City as a defendant to the litigation.

C. As a result of this litigation several disputes have arisen between the Park City, the County and QJP.

D. The parties desire to settle all claims, actions, and litigation between them (the "Litigation").

E. This Agreement is part of that certain *Settlement Agreement For Film And Media Campus* (the "Settlement Agreement") which is expected to be entered into by and between the County and QJP. This Agreement and the Settlement Agreement collectively implement the agreed upon conditions for settlement of the Litigation.

F. This Agreement provides that QJP shall attempt in good faith to annex into Park City. In the event of a rejection of the annexation petition, QJP will be vested with certain development rights within unincorporated Summit County as defined in the County Settlement Agreement.

## **PARK CITY AND QJP HEREBY AGREE AS FOLLOWS:**

### **ARTICLE I**

#### **Property**

1.1 Legal Description of Property. The legal description of the Property included with the Film Studio is attached to the County Settlement Agreement as Exhibit A, which is incorporated into this Agreement by this reference. No other property may be added to the legal description of the Film Studio for purposes of this Agreement, except by written amendment. Except as expressly set forth in this Agreement, this Agreement shall not affect any land other than the Property.

1.2 General Description of Film Studio. The Film Studio covered by this Agreement consists of approximately 29 acres of land located generally nearby and on the southwest corner of U.S. 40 and S.R. 248 in Summit County, Utah.

1.3 Vested Development Right. As a compromise of claims and in settlement of the Litigation, Park City hereby recognizes that the Property has a vested development right to the commercial uses, densities, and configuration as part of a Motion Picture Studio and Media Campus as stated in the County Settlement Agreement.

### **ARTICLE II**

#### **Annexation to Park City**

2.1 Annexation Declaration Area. Utah law favors that development take place within the boundaries of cities and towns where land is located in a city's annexation declaration area. The Property is within the Park City Annexation Declaration Area.

2.2 Petition. Park City shall expedite its review process to decide whether to annex the Property or not within 90 days of acceptance of the petition. The petition shall include the most recent traffic study and the most recent Environmental report on the QJP property.

2.3 Decision on Petition. Park City shall use all reasonable efforts to either approve or reject the QJP Annexation Petition within ninety (90) days. If reasonable circumstances require additional time (such as QJP failure to provide legally required information, third party protest, or state or local mandated notice provisions), both parties shall continue to cooperate to expedite the review and QJP shall provide at least 14 days written notice after the expiration of 90 days of its intent to withdraw the petition unless the City Council votes to annex. QJP agrees it will not withdraw the petition prior to the City Council rendering a final decision/vote or the expiration of the above time periods, whichever occurs first.

2.4 Zoning. The annexation petition will propose Regional Commercial Overlay- CT (Community Transition) zoning for the Property, which Park City will adopt

concurrently if the annexation is approved to enable the Master Plan discussed in Section 2.5.

2.5 Master Plan. The intent of the parties is to include such Master Plan components in a development agreement to be approved by the City Council concurrently with the annexation of the Property. The City Council shall receive the recommendation of the Planning Commission regarding the annexation, zoning and Master Planned Development (“MPD”). Due to the pre-existing vesting in the County and the terms of the County Settlement Agreement, QJP shall be exempt from any conflicting Park City Land Management Code provisions as expressly stated in the MPD. The following shall form the basis of the final MPD:

- a. Total Development Activity shall be limited to a Gross Commercial Floor Area of 374,000 square feet. Gross Commercial Floor Area shall include all enclosed areas of a building but shall not include roads, parking lots, or parking structures. Unenclosed porches, balconies, patios and decks, vent shafts, courts and one atrium subject to the restrictions below are not calculated in Gross Commercial Floor Area. As part of the MPD Site Plan in subsection (b), QJP may propose an enclosed atrium which primarily serves as a pedestrian connection between two building pads but which may also be used for studio film/set work provided such atrium is not a stand-alone studio/building and may not be converted to habitable space, is in an area screened from SR 248, and is approved as part of the Annexation, such approval not to be unreasonably withheld.
- b. The Site Plan and berming shall materially be the same as Site Plan included as **Attachment A**, unless modified by the City Council and accepted by QJP. Final design approval shall be an administrative conditional use permit reviewed by the Planning Department in compliance with LMC Chapter 5 and the Architectural Standards attached as **Attachment B**. This Annexation Agreement shall govern in the event of any conflict with Attachment B. Green Building design and construction shall meet minimum shadow LEED standards. All signage must comply with generally applicable Park City codes and no icon, water tower, or highway billboard is permitted.
- c. No open space, setbacks or affordable housing requirements may be imposed. QJP shall post City affordable housing information in a work place accessible to all its employees.
- d. Uses, including the amphitheater, shall be of the type as shown on **Attachment C** and/or consistent with the Film Studio and Campus concept and the gross square footage of those uses shall not exceed the limitation of paragraph 2.5 a. above. The hotel shall limited to 100 rooms and keys. The amphitheater stage may not be oriented toward City open space and shall be reviewed for compliance with Attachment B.
- e. Maximum building height 50 feet for sound stages, or a maximum height not to exceed 60 feet in Pad 7 of Attachment A in the event a major, long-term film production contract necessitates the full studio height. Non- Sound Stage Buildings:

- No more than 70% of the remaining buildings on the campus are between 36 - 40 feet in height.
  - Remaining building(s) on the campus are not greater than 28 feet in height (the CT Zone height limit).
  - No building shall be greater than 28 feet in height unless located more than 150 feet from the centerline of a public roadway.
  - Smaller buildings are massed and/or placed strategically to break up the volumes of the Sound Stage Buildings. This "stepping" will mitigate the appearance of the vertical façade of the taller buildings.
- f. Park City acknowledges that the Movie Studio portion of the campus shall have perimeter and entry security controls. Otherwise, internal circulation and trails shall otherwise comply with generally required MPD requirements.
  - g. The City shall request state funding for structured/underground parking and QJP shall support the City's request including the use of lobbyists to coordinate such joint request for the 2012 legislative session. Mitigation of the visual impacts of the parking and its relation to public transit planned for the project are acknowledged to be a material element of this settlement. Both parties must agree in advance on any legislative strategy regarding film studios in Park City or in the County or associated parking as stated above.
  - h. QJP shall pay all normal and legally imposed fees associated with planning review, permits and subsequent Development Activity, and all generally applicable impact fees, levies and taxes, all of which shall be nonrefundable unless otherwise provided by Park City ordinance. Park City acknowledges prior receipt of the annexation fee and no additional annexation fee is required.
  - i. QJP is responsible for coordinating water and utility service, which may include a third party provider, in compliance with applicable standards prior to annexation approval.
  - j. As a result of QJP's rights vesting as a result of County applications prior to the Quinns Junction Area Study (the "QJAS"), Park City hereby finds the terms of this Agreement exempt from the findings of the QJAS.

2.6 Non-compete and Sundance Sponsorship. QJP shall encourage the owner/operator of the Film Studio (currently anticipated to be Raleigh Studios) to consult with and enter into such sponsorship and use agreement with the Sundance Institute regarding the 2012 Sundance Film Festival (and thereafter so long as the studio is operational). Any agreements reached between Raleigh and Sundance shall be confidential but shall be provided to Park City prior to the approval of annexation of the property. QJP shall create covenants and restrictions (CCRs) applicable to the entire Property, including the Film Studio and all commercial owners and tenants, which prohibit commercial uses of any facility within the MPD which directly ambushes the Sundance Film Festival. Nothing herein shall prevent independent negotiations and agreements between the film studio operator and Park City or any Park City Master Festival License (MFL) holder. If such agreements are reached either prior to or subsequent annexation of the property, QJP shall incorporate such provisions into the CCRS so as to apply to all commercial tenants or owners. Direct ambush commercial

uses shall be defined to include but not be limited to event rental or subleasing during the dates of the Sundance Film Festival for the purposes of commercial business activity, marketing or promotional gifting not approved by Sundance which directly and materially competes with existing, official Sundance sponsorship. In the event annexation is not approved, this paragraph 2.6 shall apply to the vested development rights as defined in the County Settlement Agreement.

### **ARTICLE III**

#### **Release**

3. Mutual Releases. At the time of, and contingent upon approval or rejection of the completed annexation, and excepting the parties' respective rights and obligations under this Agreement, QJP, on behalf of itself and QJP's partners, officers, directors, employees, agents, attorneys and consultants, hereby releases Park City, council members, officials, employees, agents, attorneys and consultants, and Park City, on behalf of itself and Park City's board members, officials, employees, agents, attorneys and consultants, hereby releases QJP and QJP's partners, officers, directors, employees, agents, attorneys and consultants, from and against any and all claims, demands, liabilities, costs, expenses of whatever nature, whether known or unknown, and whether liquidated or contingent, arising on or before the date of this Annexation Agreement in connection with the Property or the application for annexation, processing or approval of applications relating to annexation of the Property or the Film Studio, to include any past claims for vested development rights, not including those recognized by Summit County, that are not provided for in this Agreement and any claims or potential claims arising out those lawsuits styled Merrill v. Summit County, Case No. 2:08-cv-723 pending in the U.S. District Court in and for the State of Utah, Central Division, and Merrill v. Summit County, Case No. 050500052 pending in the Third District Court, Summit County, Utah Nothing herein shall alter or effect the terms and conditions of the Settlement agreement or subsequent agreements if annexation fails as provided herein between QJP and Summit County.

### **ARTICLE IV**

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

4.1 Agreements to Run with the Land. This Annexation Agreement and its accompanying Exhibits shall be recorded against the Property described in Exhibit A to the County Settlement Agreement. The agreements contained herein shall be deemed to run with the land and shall be binding on and shall inure to the benefit of all successors in ownership of the Property. As used herein, QJP shall include the parties signing this Agreement and all successor owners of any part of the Property.

4.2 State and Federal Law. The parties agree, intend and understand that the obligations imposed by this Agreement are only such as are consistent with state and federal law. The parties further agree that if any provision of this Agreement becomes, in its performance, inconsistent with state or federal law or is declared invalid, this Agreement shall be deemed amended to the extent necessary to make it consistent with

state or federal law, as the case may be, and the balance of the Agreement shall remain in full force and effect.

4.3 Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, whether oral or written, covering the same subject matter. This Agreement may not be modified or amended except in writing mutually agreed to and accepted by both parties to this Agreement.

4.4 Applicable Law. This Agreement is entered into under and pursuant to, and is to be construed and enforceable in accordance with, the laws of the State of Utah.

4.5 Rights of Third Parties. This Agreement is not intended to affect or create any additional rights or obligations on the part of third parties.

4.6 Execution of Agreement. This Agreement may be executed in multiple parts as originals or by facsimile copies of executed originals; provided, however, if executed and evidence of execution is made by facsimile copy, then an original shall be provided to the other party within seven (7) days of receipt of said facsimile copy.

4.7. City Council Approval. This Agreement is subject to the legislative approval of the City Council at an appropriately noticed open and public meeting.

4.8. Notices. Notices pursuant to this Agreement shall be deemed to have been properly given when deposited, postage prepaid, with the U.S. Postal Service, addressed to the parties as follows:

Quinns Junction Partnership  
Attn: Greg S. Ericksen  
Law Offices of Greg S. Ericksen  
1065 South 500 West  
Bountiful, UT 84010

With copies to:

Scott M. Lilja  
VanCott Bagley Cornwall & McCarthy  
36 South State Street, Suite 1900  
Salt Lake City, UT 84111

Park City Municipal Corporation  
Attention: City Attorney  
P. O. Box 1480  
Park City, Utah 84060  
Tel.: (435) 615-5025  
Fax: (435) 615-4901

- 4.9 Legislative Decision. The parties acknowledge that the decision to annex is purely a legislative decision by the City Council and nothing herein shall limit the City Council's discretion or power to make that legislative decision. While certain staff members of Park City have provided preliminary input to Quinn's and interested purchasers of the Property, and staff will continue to do so, such input is merely advisory as the final authority and decision to annex rests solely with the legislative body of Park City. Nothing herein shall limit the Park City's ability to annex the Property so long as an annexation petition is in conformance with U.C.A. § 10-2-403, and all other applicable requirements of Park City ordinances, the Park City General Plan, and Title 10, Chapter 2, Part 4 of the Utah Code.
- 4.10 This Agreement is contingent on QJP and Summit County entering into the *Settlement Agreement for Film and Media Campus* referred to in Recital E. above. In the event that *Settlement Agreement* is not entered into within 10 days from the date of this Agreement, this Agreement is null and void.
- 4.11 In the event Park City does not annex the property into the City jurisdiction in good faith as provided in this agreement, the parties hereby agree that QJP may apply to Summit County for development without protest ("protest" does not include public comment on final site planning and aesthetic design) from Park City provided that the application is consistent with the County Settlement Agreement. Nothing herein shall prevent Park City from public hearing participation or submitting comments on Settlement Agreement amendments or any subsequent development plan amendments.

DATED this 17th day of January, 2012.

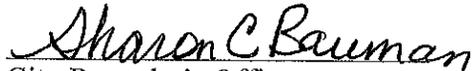
QUINN'S JUNCTION PARTNERSHIP

By:  General Partner  
Q.J.P.

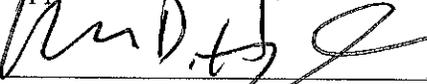
PARK CITY MUNICIPAL CORPORATION

By:   
Thomas Bakaly, City Manager

Attest:

  
City Recorder's Office

Approved as to Form:

  
City Attorney's Office



*LEGAL DESCRIPTION*  
**EXHIBIT A**

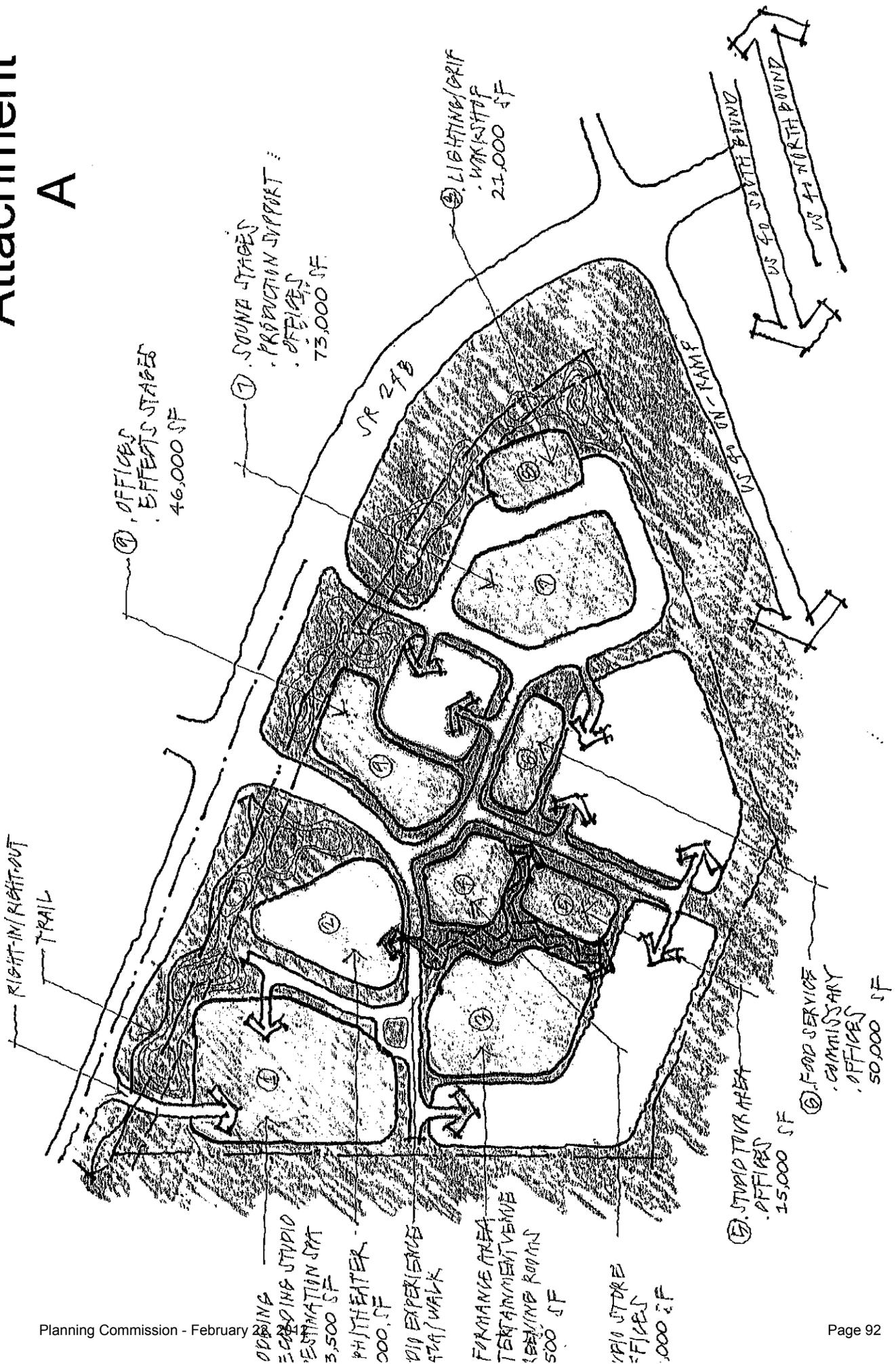
*Order No. 161891*

*The land referred to in this exhibit is situated in the county of Summit State of Utah, and is described as follows:*

Beginning on the Easterly line of State Highway 248 at a point which is South 89°53' East along the Section line 1557.19 feet and South 00°00'00" East 1834.09 feet from an aluminum pipe monument at the Northwest corner of Section 2, Township 2 South, Range 4 East, Salt Lake Base and Meridian (from which Section corner the Glo Stone Monument at the Northeast corner of said Section 2 bears South 89°53'00" East 5320.725 feet), thence along the Easterly right of way line of said Highway North 22°00'40" East 1005.180 feet to a UDOT brass cap monument, thence along said right of way line North 34°07'00" East 544.699 feet to a UDOT brass cap monument, thence along said right of way line 338.834 feet along the arc of a 638.500 foot radius curve to the right (chord bears North 49°20'26" East 334.872 feet) to a UDOT brass cap monument, thence North 64°25'25" East 14.394 feet to a UDOT brass cap monument, thence along the Westerly right of way line of the new U.S. Highway 40 South 25°33'14" East 223.713 feet to a UDOT brass cap monument, thence along said Westerly right of way line 535.196 feet along the arc of a 2664.790 foot radius curve to the right (chord bears South 19°45'25" East 534.297 feet) to a UDOT brass cap monument, thence along said right of way line South 23°49'09" East 243.421 feet to a UDOT brass cap monument, thence along said right of way line South 7°02'43" East 58.383 feet to a rebar with aluminum cap at a point that is South 89°53' East along the Section line 800.00 feet and South 25°20'00" West 1336.802 feet from the PK nail marking the location of the North Quarter corner of said Section 2, thence South 25°20'00" West 568.966 feet to a rebar with aluminum cap on the North-South Quarter Section line of said Section 2, thence along said Quarter Section line South 0°30'48" West 109.935 feet to a rebar with aluminum cap at a point that is South 0°30'48" West 1834.13 feet from said North Quarter corner of Section 2, thence North 89°53'00" West 1087.396 feet to a rebar with aluminum cap at the point of beginning.

*Tax ID No: SS-91-A*

# Attachment A



## Architectural Design Guidelines

The purpose of the architectural design guidelines is to provide direction for development of the vertical elements of the Film Studio Campus in order to achieve a built environment that is in harmony with the natural setting, existing structures where appropriate, and provides a comfortable, distinctive, and stimulating environment. The buildings currently located west of the US 40 and SR 248 Interchange and also located in the Park City Municipal limits were developed as a gathering of buildings to support sport, recreation and health.

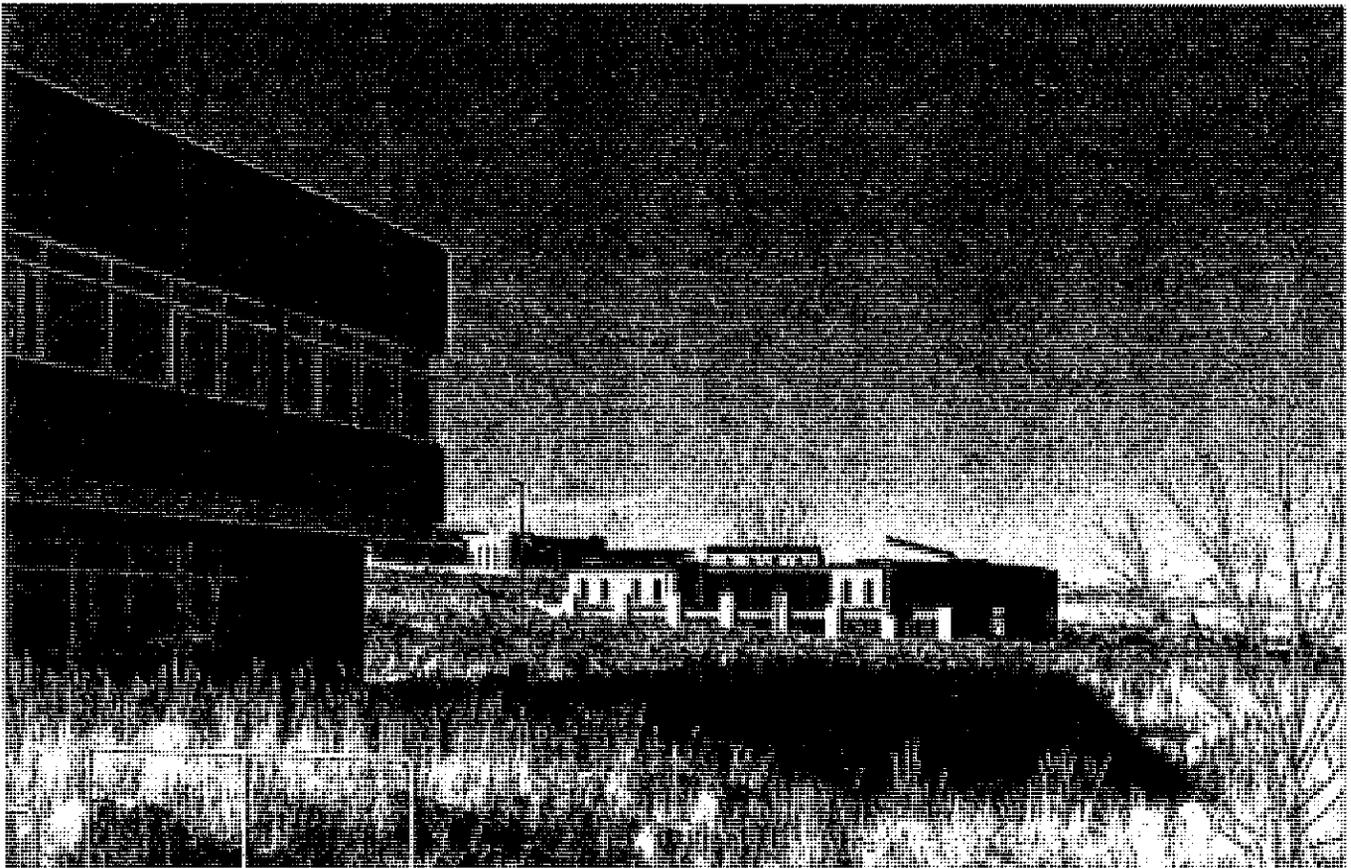
In the design process, the existing buildings were reviewed by the Park City Planning Staff and Planning Commission. As such, the building designs capture the essence of the mountain setting while at the same time honoring the architecture of the era. Varying examples of this style can be found in the IHC Hospital, Summit County Public Health Center and Park City Ice Arena.

The goal of these design guidelines is to synthesize the proposed Film Studio Campus design into an architectural expression that connects to the surrounding structures and respects the importance of the Park City entry corridor.



## General Guidelines

- Each new building should have a distinct architectural concept that is consistent in theme but rich in subtle variation.
- Buildings should be designed to provide a clear, unified, and easily identifiable image. Methods to achieve this include using similar architectural styles and materials, complementary roof forms, signs, colors, and pavement.
- All buildings should relate visually to one another and be compatible with adjacent buildings.
- Encouraged architectural and landscape design qualities and elements for the Film Studio Campus buildings are:
  - Using buildings to screen parking areas, service areas and storage areas;
  - Providing building modulation, entry accentuation and rich architectural details;
  - Incorporation of water conservation site design;
  - Use of shielded exterior lighting, protecting the night sky and creating path illumination; and
  - Natural landscaping to soften building exteriors and buffer between uses.
  - Green Building design and construction to meet minimum LEED Silver Standards.



*View of three compatible buildings showing natural landscaping as a buffer between uses.*

## Height and Mass

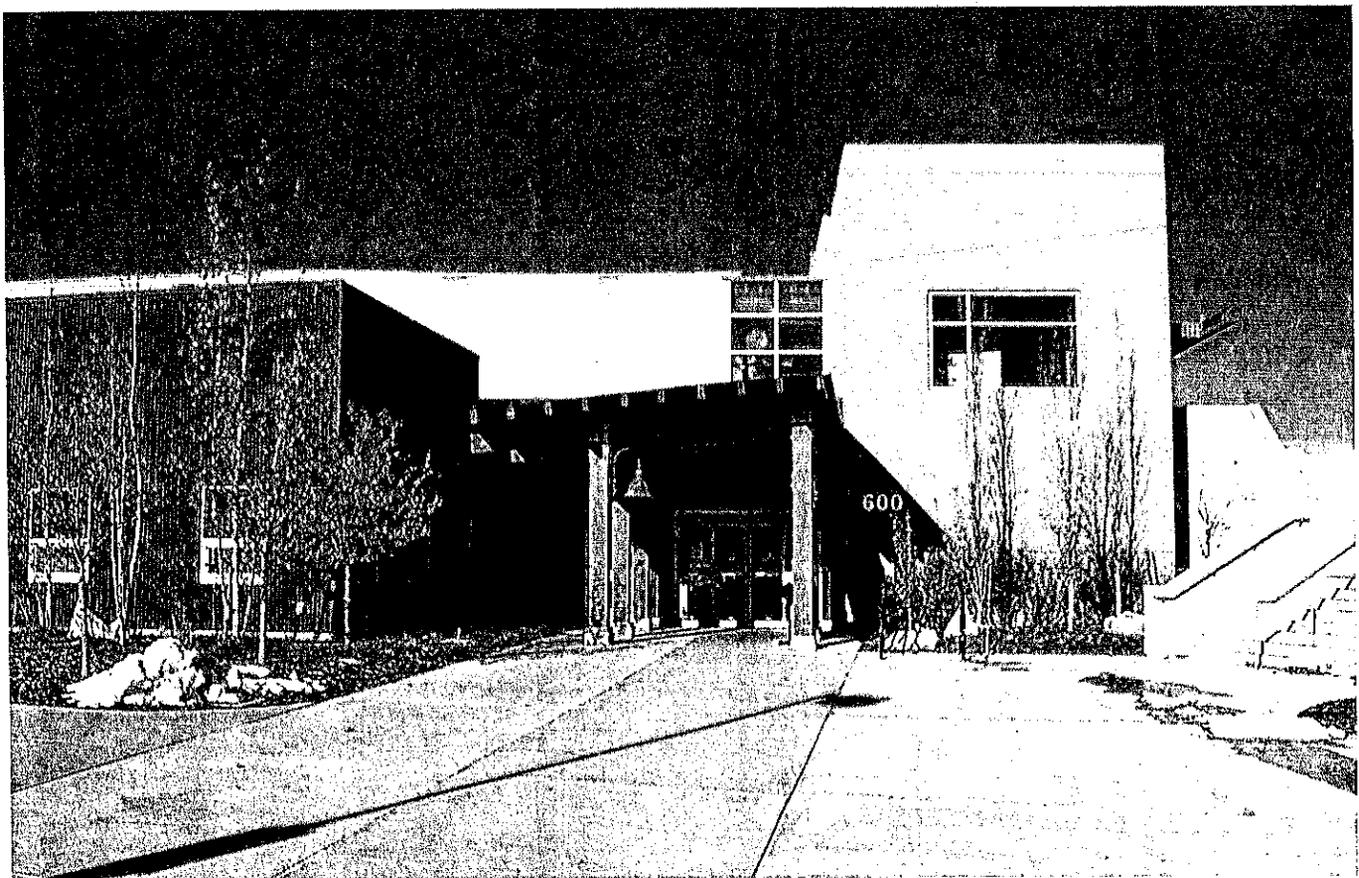
- The height and mass of the Film Studio Campus buildings should consider the visual and physical relationship to adjacent uses. A structure that dominates its environment by its relative size is strongly discouraged.
- The mass of a larger building should be broken down into a group of buildings clustered into traditional building compounds or a campus setting to create a sense of community.
- Building design should employ clean, simple, geometric forms and coordinated massing to produce overall unity, scale, and interest.
- Varying building heights, massing, roof forms and setbacks to define different functions such as offices, residential, hotel, studio and other uses is encouraged.
- Buildings should relate to the terrain and each other in their massing and forms. Larger masses should be located at the centers of building compositions, with smaller forms stepping outwards and down.



*IHC Hospital showing variation in building mass and roof form.*

## Building Design

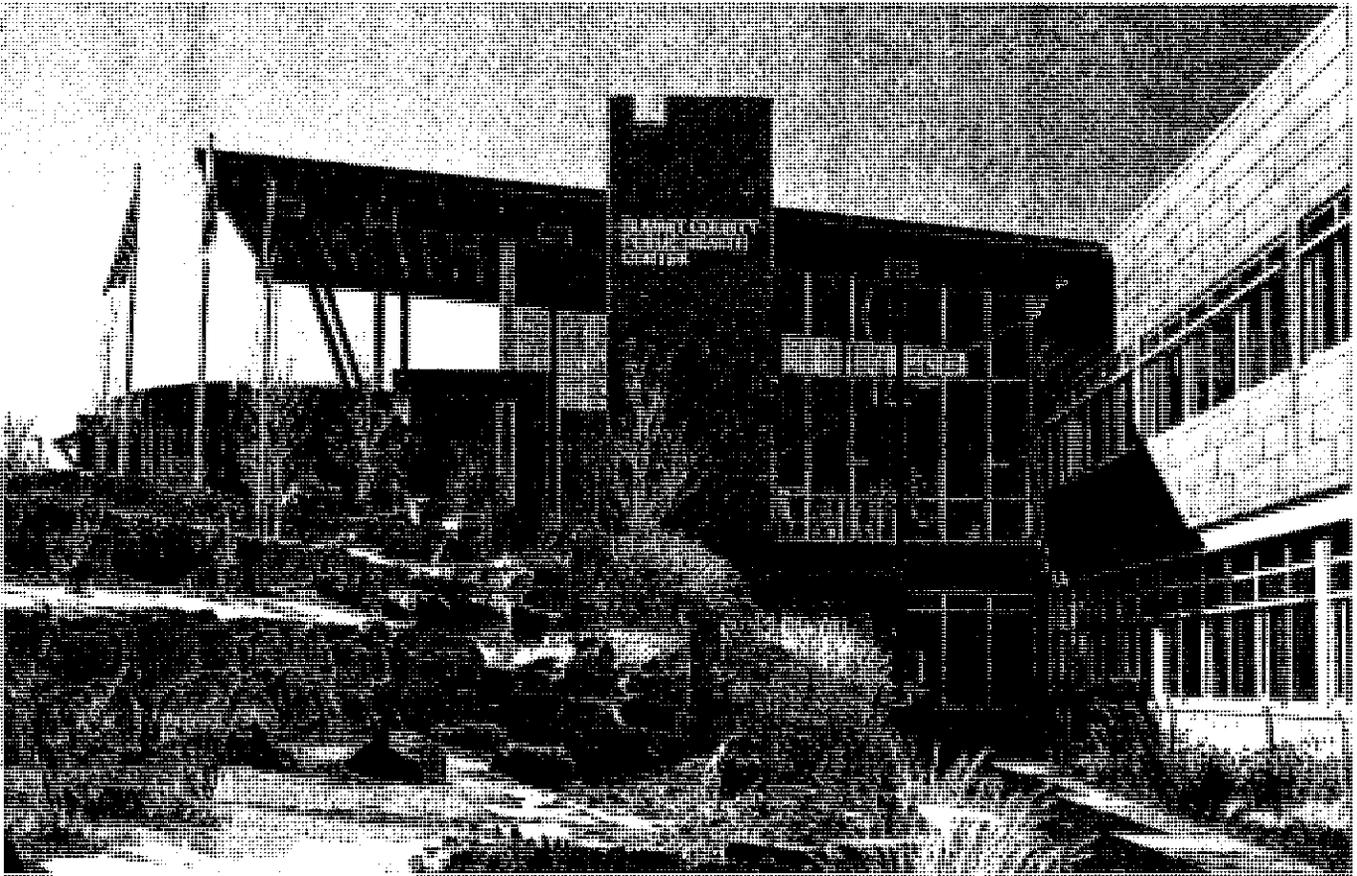
- Variety in building forms should be employed to create visual character and interest.
- Facades with a high level of visual interest from both vehicular and pedestrian viewpoints are encouraged. The exterior character of all buildings should enhance pedestrian activity in their immediate vicinities.
- Long building facades should be broken up with architectural details. Facades with varied setbacks are encouraged to provide visual interest.
- Rear and side wall elevations should provide building offsets and architectural details similar to the front facade.
- Entrances to individual buildings should be readily identifiable to visitors through the use of recesses or pop-outs, roof elements, columns, or other architectural elements.



*Park City Ice Arena showing a variety of form and identifiable entry.*

## Roofs

- Roofs should be integral to the architectural theme of the Film Studio Campus buildings and contribute to the visual continuity. Rooflines of buildings should include variations to avoid long, continuous planes.
- Rooftops should be considered as design elements from various viewpoints: at ground level, from other buildings, and from adjacent perimeter roadways. Mixing roof forms on buildings creates variety in the “roofscape.” Roofs should also be interesting when seen from above from upper levels of the mountain terrain.
- Rooftop equipment should be screened from view on all four sides by architectural features integrated with the design of the building.
- Roof design shall allow solar panels to be integrated into the roof design. Building orientation and shading design should minimize solar gain and maximize daylight harvesting.



*Summit County Public Health Center showing a roof as a design element.*

## Materials and Color

- Materials should be chosen to withstand abuse or accidental damage by machinery. False facades and other simulated materials and ornamentation are not allowed.
- Clear or lightly tinted low-e glass (glazing) should be used, particularly at pedestrian levels where transparency between indoor and outdoor spaces is desirable.
- The use of various siding materials (i.e. masonry, concrete, metal, or wood siding to produce effects of texture and relief that provide architectural interest) is required.
- The use of compatible colors in a single facade or composition is required. Compatible colors add interest and variety while reducing building scale and breaking up plain walls.
- A color palette should be used on the Film Studio Campus buildings to help reduce their perceived size. Contrasting design elements and material colors that help break up the vertical monotony of large walls is necessary.



*Example of Material Palette.*

# Attachment C

## FILM AND TELEVISION/RECORDING STUDIO -PARK CITY

	Squae Footage	Bldg Number	Bldg Total SF
STUDIO LODGING	85,000	1	
RECORDING STUDIO	2,500	1	
DESTINATION SPA	6,000	1	93,500
AMPITHEATER	6,000	2	6,000
SPECIAL EVENT STAGE	15,000	3	
SCREENING ROOMS	14,000	3	
ENTERTAINMENT VENUE	3,000	3	
PERFORMANCE AREAS/ OTHER VILLAGE VENUES	17,500	3	49,500
STUDIO STORE/ OTHER VILLAGE VENUES/OFFICES	20,000	4	20,000
STUDIO TOUR AREAS	6,000	5	
OFFICES/ OTHHER VILLAGE VENUES	9,000	5	15,000
FOOD SERVICES COMMISSARY/ OFFICES ANCHOR TENANT	50,000	6	50,000
SOUNDSTAGES	48,000	7	
PRODUCTION SUPPORT/OFFICES	25,000	7	73,000
LIGHTING & GRIP	10,500	8	
WORKSHOP/EQUIPMENT STORAGE	10,500	8	21,000
EFFECTS STAGE/ OFFICES	46,000	9	46,000
		TOTAL SF	374,000

WHEN RECORDED RETURN TO

David L. Thomas  
Chief Civil Deputy  
Summit County Attorney  
P.O. Box 128  
60 N. Main Street  
Coalville, Utah 84017

**SETTLEMENT AGREEMENT  
FOR FILM AND MEDIA CAMPUS**

**THIS SETTLEMENT AGREEMENT** (the "Agreement") is entered into as of this 18<sup>th</sup> day of January, 2012, by and among QUINNS JUNCTION PARTNERSHIP (Michael Martin, General Partner), the sole owner of certain undeveloped real property in the Snyderville Basin, including all legal claims belonging to Ralph Merrill (the "QJP"), and SUMMIT COUNTY, a political subdivision of the State of Utah, by and through its County Manager (the "County").

**RECITALS:**

A. QJP is the owner of approximately 29 acres of land and appurtenant real property rights, located on the southwest corner of Quinn's Junction, which is at the intersection of U.S. 40 and S/R 248 in the Snyderville Basin, Summit County, Utah (the "Property"). QJP desires to build a mixed use development on the Property consisting of a Motion Picture Studio and Media Campus, ancillary and support commercial and lodging (the "Film Studio").

B. The Property is claimed to be within the Annexation Policy Plan of Park City Municipal Corporation (the "City") and its Expansion Area (the "Park City Annexation Declaration Area") in accordance with Utah Code Annotated ("UCA"), §10-2-201.5. The provisions of UCA, §10-2-402 have been satisfied. QJP has filed an Annexation Petition with Park City (the "QJP Annexation Petition" or "Petition") in accordance with UCA, §10-2-403.

C. QJP has asserted claims and commenced litigation against the County in two separate lawsuits and other administrative actions that are currently pending in State and Federal Courts.

D. As a result of this litigation several disputes have arisen between Summit County and QJP.

E. The parties desire to settle all claims, actions, and litigation between them (the "Litigation").

F. This Agreement implements the agreed upon conditions for settlement of the Litigation.

F. This Agreement provides that QJP shall attempt in good faith to annex into the City. In the event of a rejection of the annexation petition by the City, QJP will be vested with certain development rights within unincorporated Summit County.

G. Summit County, acting pursuant to its authority under Utah Code Annotated, Section 17-27a-101, et seq. and the Code, has made certain determinations with respect to the proposed Film Studio, and, in the exercise of the discretion afforded the County Manager in Summit County Code §1-14-10(F)(17) to settle lawsuits, has elected to approve of this Agreement.

## **SUMMIT COUNTY AND QJP HEREBY AGREE AS FOLLOWS:**

### **ARTICLE I**

#### **Vested Rights within Unincorporated Summit County**

1.1 Legal Description of Property. The legal description of the Property included with the Film Studio is attached hereto as Exhibit A, which is incorporated into this Agreement by this reference. No other property may be added to the legal description of the Film Studio for purposes of this Agreement, except by written amendment. Except as expressly set forth in this Agreement, this Agreement shall not affect any land other than the Property.

1.2 General Description of Film Studio. The Film Studio covered by this Agreement consists of approximately 29 acres of land located generally nearby and on the southwest corner of U.S. 40 and S.R. 248 in Summit County, Utah.

1.3 Vested Development Right. As a compromise of claims and in settlement of the Litigation, the County hereby recognizes that the Property has a vested development right to the following commercial uses, densities, and configuration as part of a Motion Picture Studio and Media Campus:

1.3.1 Total Density not to exceed a maximum of 355,000 gross square feet.

1.3.2 One Hotel/Lodging facility which shall not exceed 100 keyed rooms within the gross square footage granted herein without further approval by the County.

1.3.3 Heights not to exceed 32 feet except in the cases of sound stages/studios and entry way fire suppression water tank, which shall not exceed 60 feet.

1.3.4 Setback of buildings from the centerline of SR 248 and US 40 shall not be less than 150 feet from any building over 28 feet in height. Setback of all other buildings or structures shall not be less than 100 feet from the centerline of SR 248 and US 40.

1.3.5 All exterior street and other lighting shall be kept to a minimum, directed downward, and ensure that light sources are fully shielded. Only high pressure

sodium, incandescent, LED or other sources appearing to be amber in color consistent with the Code provisions for the protection of the night sky shall be allowed.

1.3.6 Permitted Uses shall be Recreation, International Film School, Commercial Support Retail, Entertainment Center, Hotel/Lodging, Motion Picture Media Campus, Sound Stages/Studios, and Event Center. All other uses are prohibited.

1.3.7 All other provisions of Summit County Code, §§ 10-1 thru 10-11, and all other County ordinances, which are not in conflict with §§1.3.1 – 1.3.6 herein, shall be applicable to the Property.

1.4 Process. §1.3 shall be subject to the approval of an appropriate form of Development Agreement.

## **ARTICLE II**

### **Annexation to Park City**

2.1 Annexation Declaration Area. Utah law favors that development take place within the boundaries of cities and towns where land is located in a city's annexation declaration area. The Property is claimed to be within the Park City Annexation Declaration Area.

2.2 Annexation Agreement. As a condition subsequent to the vesting of uses, densities, and configuration of the Film Studio contained in §1.3, QJP and the City have executed an Annexation Agreement, a copy of which is fully set forth at "Exhibit B" herein.

2.3 Petition. As a further condition subsequent to the vesting of uses, densities, and configuration of the Film Studio contained in §1.3, QJP has filed the QJP Annexation Petition with the City and QJP agrees it will not withdraw the petition prior to the City Council rendering a final decision/vote or the expiration of the time periods set forth in paragraph 2.3 of the Annexation Agreement, whichever occurs first.

2.4 Decision on Petition. The City shall either approve or reject the QJP Annexation Petition within ninety (90) days of the acceptance of the Petition by the City consistent with UCA, §10-2-405(1).

2.5 Effect of Petition Approval. Upon approval of the QJP Annexation Petition, the provisions of §§1.3 and 1.4 as they pertain to the Film Studio shall be vacated. The remainder of this Agreement shall remain in full force and effect.

2.6 Effect of Petition Rejection. Upon rejection of the QJP annexation petition, the provisions of §§1.3 and 1.4 as they pertain to the Film Studio shall be effective and in full force and effect.

**ARTICLE III**  
**Releases and Hold Harmless**

3.1 Mutual Releases. At the time of, and subject to, the execution of this Agreement, and the acceptance of the QJP Annexation Petition by the City pursuant to UCA, §10-2-405(1), and excepting the parties' respective rights and obligations under this Agreement, QJP, on behalf of itself and QJP's partners, officers, directors, employees, agents, attorneys and consultants, hereby releases the County and the County's board members, council members, officials, employees, agents, attorneys and consultants, and the County, on behalf of itself and the County's board members, officials, employees, agents, attorneys and consultants, hereby releases QJP and QJP's partners, officers, directors, employees, agents, attorneys and consultants, from and against any and all claims, demands, liabilities, costs, expenses of whatever nature, whether known or unknown, and whether liquidated or contingent, arising on or before the date of this Agreement in connection with the Property or the application, processing or approval of applications relating to the Property or the Film Studio, to include any past claims for vested development rights that are not provided for in this Agreement and those lawsuits styled Merrill v. Summit County, Case No. 2:08-cv-723 pending in the U.S. District Court in and for the State of Utah, Central Division, and Merrill v. Summit County, Case No. 050500052 pending in the Third District Court, Summit County, Utah. Said lawsuits shall be dismissed with prejudice within five (5) calendar days of the acceptance by the City of the QJP Annexation Petition in accordance with UCA, §10-2-405(1).

**ARTICLE IV**  
**General Terms and Conditions.**

4.1 Agreements to Run with the Land. This Agreement and its accompanying Exhibits shall be recorded against the Property described in Exhibit A. The agreements contained herein shall be deemed to run with the land and shall be binding on and shall inure to the benefit of all successors in ownership of the Property. As used herein, QJP shall include the parties signing this Agreement and all successor owners of any part of the Property.

4.2 State and Federal Law. The parties agree, intend and understand that the obligations imposed by this Agreement are only such as are consistent with state and federal law. The parties further agree that if any provision of this Agreement becomes, in its performance, inconsistent with state or federal law or is declared invalid, this Agreement shall be deemed amended to the extent necessary to make it consistent with state or federal law, as the case may be, and the balance of the Agreement shall remain in full force and effect.

4.3 Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, whether oral or written, covering the same subject matter. This Agreement may not be modified or amended except in writing mutually agreed to and accepted by both parties to this Agreement.

4.4 Notices. All notices hereunder shall be given in writing by certified mail, postage prepaid, at the following addresses:

To the County:

Summit County Manager  
Summit County Courthouse  
60 N. Main  
P.O. Box 128  
Coalville, UT 84017

With copies to:

David L. Thomas  
Chief Civil Deputy Summit County Attorney  
60 N. Main  
P.O. Box 128  
Coalville, UT 84017

To Developer:

Quinns Junction Partnership  
Attn: Greg S. Ericksen  
Law Offices of Greg S. Ericksen  
1065 South 500 West  
Bountiful, UT 84010

With copies to:

Scott M. Lilja  
VanCott Bagley Cornwall & McCarthy  
36 South State Street, Suite 1900  
Salt Lake City, UT 84111

4.5 Applicable Law. This Agreement is entered into under and pursuant to, and is to be construed and enforceable in accordance with, the laws of the State of Utah.

4.6 Rights of Third Parties. This Agreement is not intended to affect or create any additional rights or obligations on the part of third parties.

4.7 Execution of Agreement. This Agreement may be executed in multiple parts as originals or by facsimile copies of executed originals; provided, however, if executed and evidence of execution is made by facsimile copy, then an original shall be provided to the other party within seven (7) days of receipt of said facsimile copy.

4.8 Duration. The term of this Agreement shall commence on, and the effective date of this Agreement shall be, the date upon which the last signature appears hereon. The Term of this Agreement shall extend for a period of ten (10) years following the effective date unless the Agreement is earlier terminated, or its term modified by written amendment to this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed by Summit County, acting by and through the County Manager, and by a duly authorized representative of QJP as of the above-stated date.

COUNTY: COUNTY MANAGER OF SUMMIT COUNTY,  
STATE OF UTAH

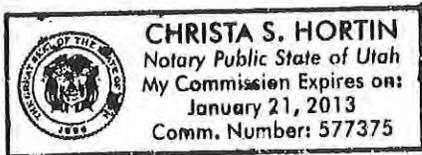
By: *Robert Jasper*  
Robert Jasper, County Manager

APPROVED AS TO FORM:

*David L. Thomas*  
David L. Thomas  
Chief Civil Deputy

STATE OF UTAH                    )  
  : ss.  
COUNTY OF SUMMIT            )

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of January, 2011, by Robert Jasper, the County Manager of Summit County, State of Utah.



*Christa S. Hortin*  
NOTARY PUBLIC  
Residing at: Wanship, Utah

My Commission Expires: 1-21-13

Quinns Junction Partnership:

Quinns Junction Partnership, by its General Manager:

By: *Michael Martin*, general manager  
Michael Martin, Its General Manager

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of January, 2012, by Michael Martin, General Manager of Quinns Junction Partnership.



*Jonie Simmons*  
NOTARY PUBLIC  
Residing at: West Jordan, Utah

My Commission Expires:

10/16/13

# EXHIBIT A

## EXHIBIT "A"

That certain real property located in Summit County, State of Utah described as follows:

Beginning on the Easterly line of State Highway 248 at a point which is South 89°53' East along the Section line 1557.19 feet and South 00°00'00" East 1834.09 feet from an aluminum pipe monument at the Northwest corner of Section 2, Township 2 South, Range 4 East, Salt Lake Base and Meridian (from which Section corner the Glo Stone Monument at the Northeast corner of said Section 2 bears South 89°53'00" East 5320.725 feet); thence along the Easterly right-of-way line of said Highway North 22°00'40" East 1005.180 feet to a UDOT brass cap monument; thence along said right-of-way line North 34°07'00" East 544.699 feet to a UDOT brass cap monument; thence along said right-of-way line 338.834 feet along the arc of a 638.500 foot radius curve to the right (chord bears North 49°20'26" East 334.872 feet) to a UDOT brass cap monument; thence North 64°25'25" East 14.394 feet to a UDOT brass cap monument; thence along the Westerly right-of-way line of the new U.S. Highway 40 South 25°33'14" East 223.713 feet to a UDOT brass cap monument; thence along said Westerly right-of-way line 535.196 feet along the arc of a 2664.790 foot radius curve to the right (chord bears South 19°45'25" East 534.297 feet) to a UDOT brass cap monument; thence along said right-of-way line South 23°49'09" East 243.421 feet to a UDOT brass cap monument; thence along said right-of-way line South 7°02'43" East 58.383 feet to a rebar with aluminum cap at a point that is South 89°53' East along the Section line 800.00 feet and South 25°20'00" West 1336.802 feet from the PK nail marking the location of the North Quarter corner of said Section 2; thence South 25°20'00" West 568.966 feet to a rebar with aluminum cap on the North-South Quarter-Section line of said Section 2; thence along said Quarter-Section line South 0°30'48" West 109.935 feet to a rebar with aluminum cap at a point that is South 0°30'48" West 1834.13 feet from said North Quarter corner of Section 2; thence North 89°53'00" West 1087.396 feet to a rebar with aluminum cap at the point of beginning.

## PROJECT DESCRIPTION

Quinn's Junction Partnership is located at the Southwest corner of Highway 40 and 248. It consists of 29.55 acres of relatively flat land. The land has historically been used for agricultural purposes and does not contain any wetlands or flood plains. The parcel sits at a key intersection of the Highway 40 on/off ramps and is highly visible. The intent of the project is to create a film and media campus, as per the settlement agreement with Summit County and Park City, dated January 19th, 2012, to develop a project that compliments the Park City resort style and provides visitors another recreational venue in which to participate.

Quinn's Junction Partnership is proposing 374,000 gross square feet of regional commercial vested zoning, as per the settlement agreement with Summit County dated January 17, 2012 and an agreement with Park City effective January 19<sup>th</sup>, 2012. The parcel has been designed as a film and media campus consisting of film studio stages, offices, support retail and lodging, food services, recreation, entertainment and festivals. There will be a strong focus on the public realm as expressed in active, walk-able plazas, and buildings oriented toward the more public spaces.

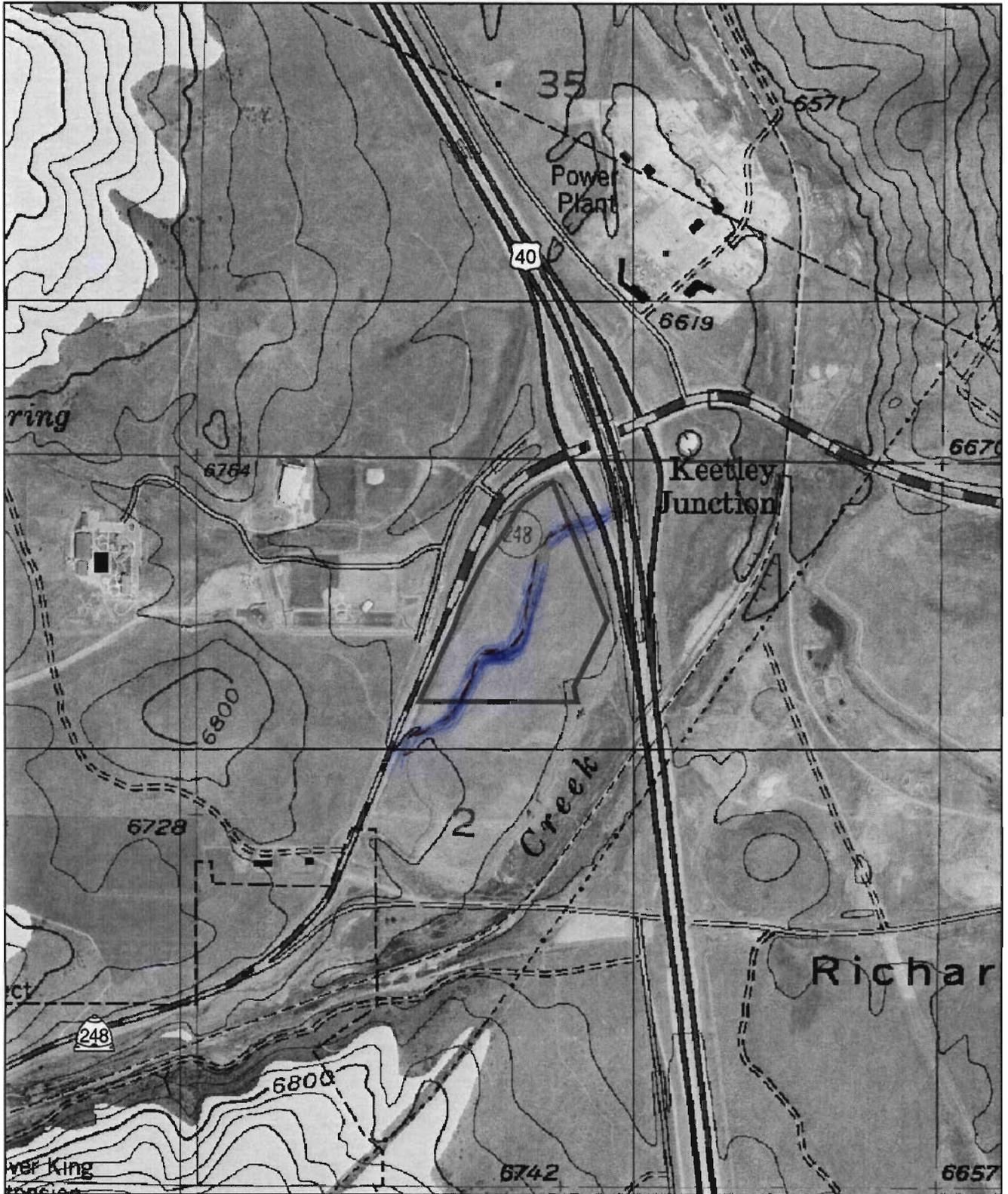
The project presents a unique opportunity to shape Park City's entry corridor from Highway 248 in a manner that creates a strong mountain aesthetic. The use of local natural materials throughout the development will insure a Park City character and flavor to the site. The use of these local materials will be incorporated into the buildings, furnishings, light fixtures, signs, public benches, waste receptacles, and other site details, characterizing the individual architectural style. The architecture will express authenticity in simple building forms

To achieve a high quality community image, both overall building appearance and its details shall convey a sense of solid permanent construction incorporated into the site. Quality also extends to consistency and completeness of the project. All individual project components shall be designed and completed as a single homogeneous whole.

The primary design goal is to create a neighborhood that is mountain rural in its architectural character and preserves a buffer from Highway 248, as per settlement agreement with Summit County. One main access point has been designed to minimize interference with through traffic on the corridor roadway. Surface parking will be buffered from the entry corridor and will use landscaping, berming and buildings for screening purposes whenever possible.

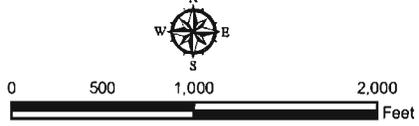


④



Source: USGS 7.5' Topographic Map, Park City East, Utah (1999), National Agriculture Imagery Program, Summit County (2006)

**Figure 1-2  
Quinn's Junction  
Site Map**



-  Pace Homer Ditch
-  Quinn's Junction APE

May 2007  
Final

1-4

Environmental Baseline Survey  
Quinn's Junction

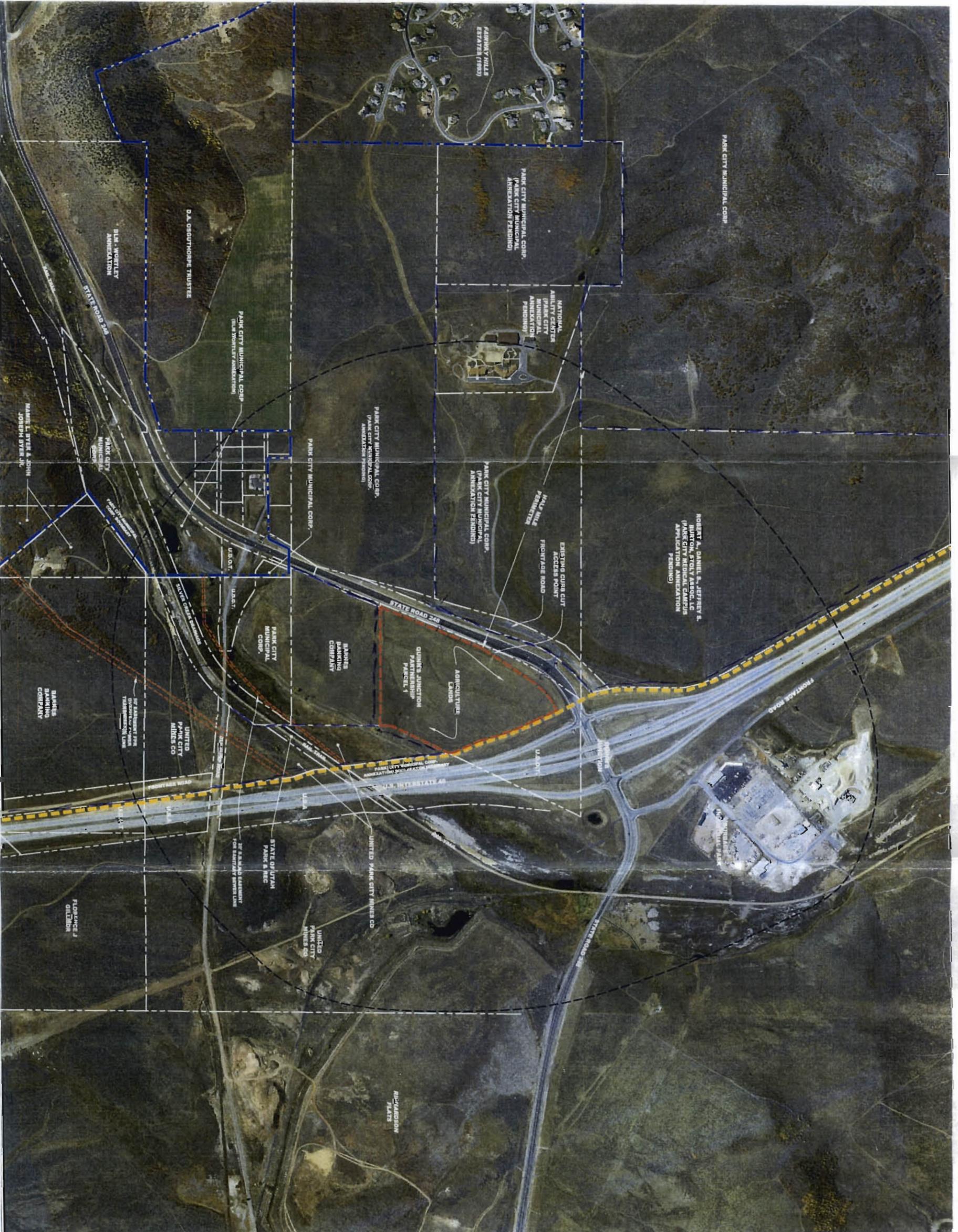
quinn's junction  
partners parcel

park city  
municipal  
corporation  
annexation  
petition

January 24, 2005

Parcel 1  
Quinn's Junction Partnership  
PO Box 609  
Bountiful, Utah 84011

- EXISTING CONDITION LEGEND
- EXISTING MUNICIPAL BOUNDARIES
  - EXISTING COUNTY BOUNDARIES
  - EXISTING STATE BOUNDARIES
  - EXISTING FEDERAL BOUNDARIES
  - EXISTING WATER RIGHTS
  - EXISTING EASEMENTS
  - EXISTING RIGHTS-OF-WAY
  - EXISTING UTILITIES
  - EXISTING FLOODPLAIN
  - EXISTING LANDMARKS



**RECEIVED**  
JAN 20 2012  
CITY  
PLANNING DEPT.

0 200 400 800 1200  
SCALE 1" = 400'

existing conditions

# CONTENTS

## PREFACE

Annexation Petition Application	Tab 1
Project Description	Tab 2
Master Planned Development Application	Tab 3
I. APPLICANT AND NOTIFICATION INFORMATION	Tab 4
II. TITLE REPORT	Tab 5
III. LAND USE ANALYSIS MAPS	Tab 6
Cover Sheet	
ALTA/ACSM Land Title Survey	
Annexation Plat	
Existing Conditions	
Sensitive Land Overlay Analysis	
Visual Assessment	
Conceptual Master Development Site Plan & Proposed Park City Zoning Classification	
Conceptual Master Utility Plan	
Conceptual Phasing Plan	
IV. WILDLIFE HABITAT	Tab 7
V. GENERAL PLAN	Tab 8
VII. TRAFFIC GENERATION	Tab 9
VIII. PUBLIC UTILITIES AND ESSENTIAL SERVICES	Tab 10
IX. FISCAL IMPACT ANALYSIS	Tab 11

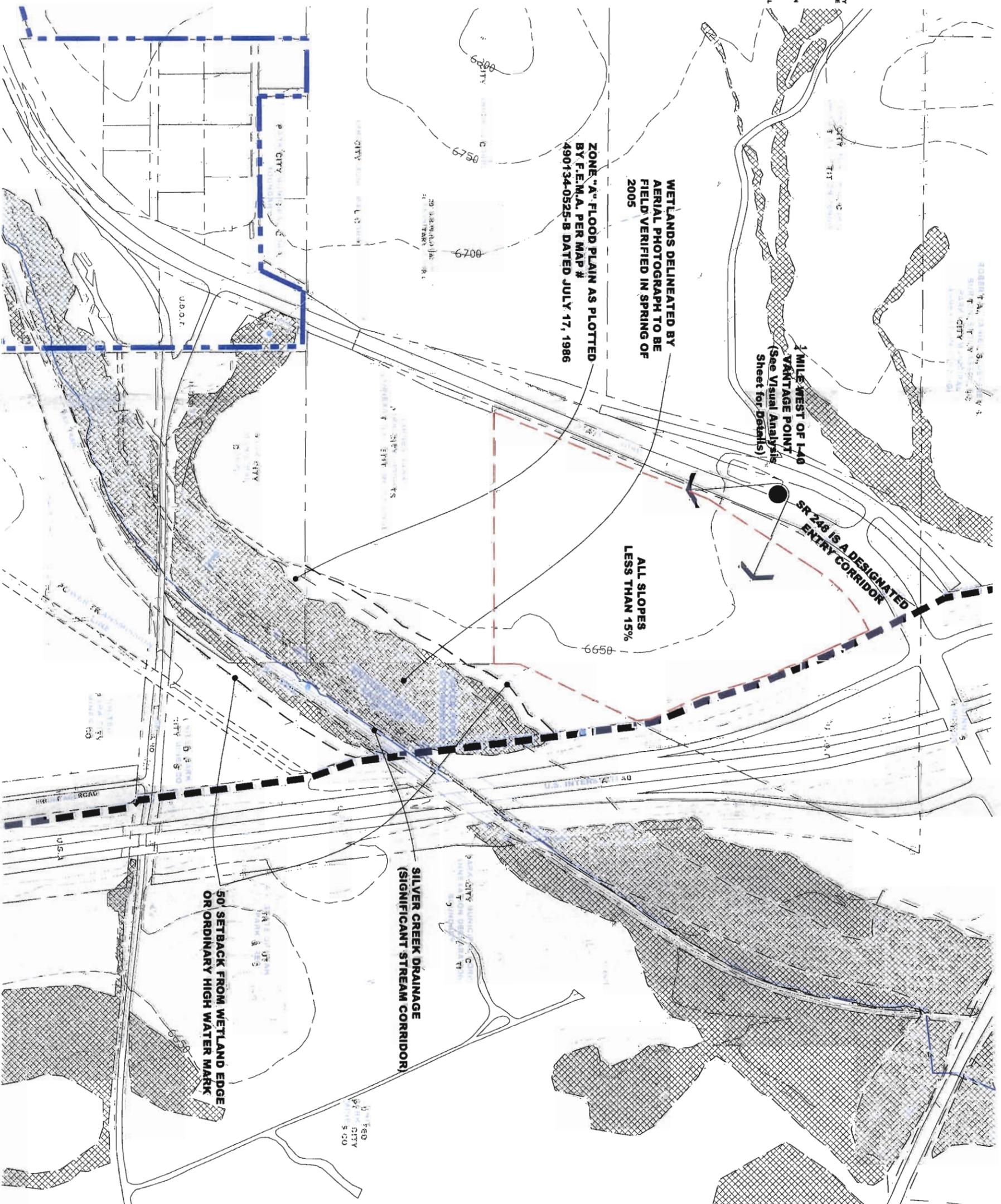
SENSITIVE LANDS OVERLAY ANALYSIS LEGEND

-  WETLANDS
-  100 YEAR FLOOD PLAIN
-  MAJOR DRAINAGE WAY

- NOTE:
- 1) THERE ARE NO SIGNIFICANT GEOLOGIC FEATURES, AREAS OF UNSTABLE SOILS OR AREAS OF UNSTABLE TOPOGRAPHY WITHIN THE ANNEXATION PETITION BOUNDARY.
  - 2) ALL DEVELOPABLE AREA SOILS WITHIN PETITION AREA ARE SUITABLE SUITABLE FOR DEVELOPMENT.
  - 3) THERE ARE NO SIGNIFICANT HISTORICAL FEATURES FOUND WITHIN ANNEXATION PETITION BOUNDARY.
  - 4) PART OF THE ANNEXATION PETITION AREA IS WITHIN THE ENTRY CORRIDOR PROTECTION ZONE AND CAN BE SEEN FROM VANTAGE POINT - 1/2 MILE WEST OF I-40.
  - 5) THERE ARE NO SUBSIDIARY PROTECTION AREAS WITHIN ANNEXATION PETITION AREA.
  - 6) ALL SLOPES ARE LESS THAN 15% WITHIN ANNEXATION PETITION AREA.
  - 7) THERE ARE NO VISIBLE WETLANDS FOUND WITHIN ANNEXATION PETITION AREA FROM AERIAL PHOTOS OR HISTORIC DATA, SHALL FIELD VERIFY IN SPRING 2005.
  - 8) NO PART OF THE ANNEXATION PETITION AREA IS WITHIN THE FEMA 100 YEAR FLOODPLAIN.

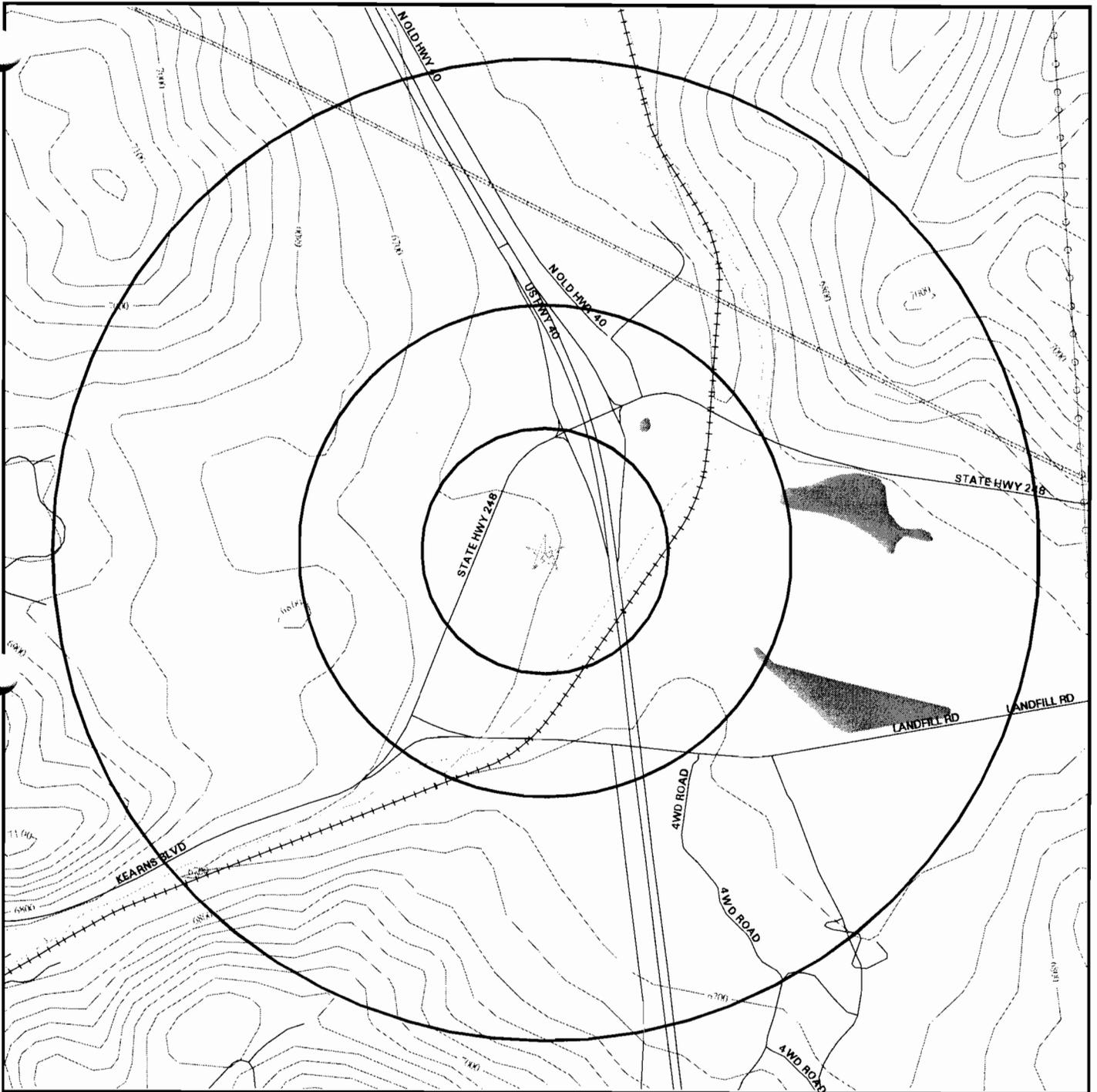
January 24, 2005

RECEIVED  
JAN 20 2012  
PLANNING DEPT.



sensitive lands overlay analysis

# Flood Plain Map

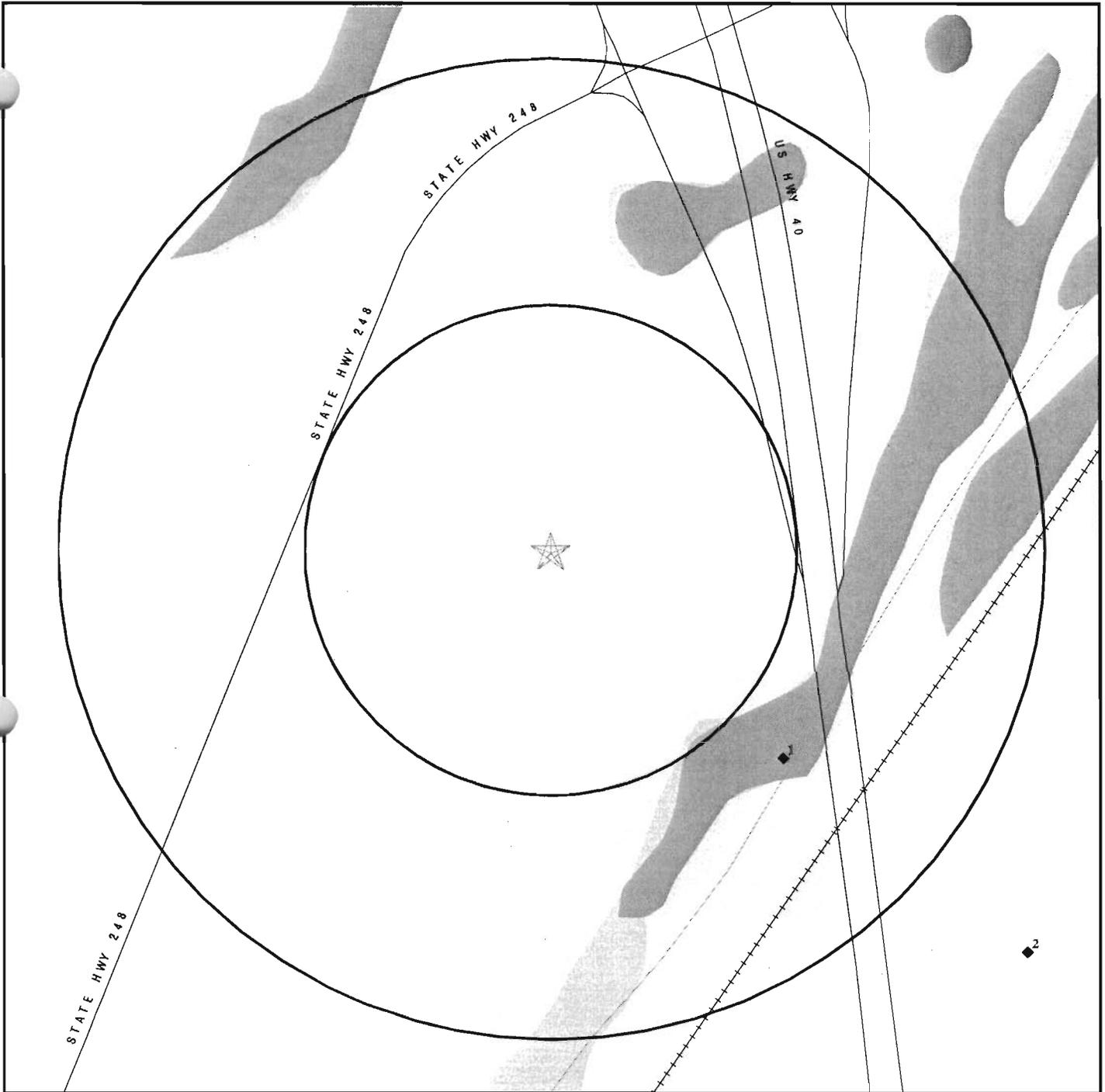


- Major Roads
- Contour Lines
- Waterways
- County Boundary
- Power Lines
- Pipe Lines
- Fault Lines
- Water
- 100-year flood zone
- 500-year flood zone
- Electronic FEMA data available
- Electronic FEMA data not available



<p><b>SITE NAME:</b> Quinns Junction  <b>ADDRESS:</b> Park City          Park City UT 84060  <b>LAT/LONG:</b> 40.6794 / 111.4639</p>	<p><b>CLIENT:</b> URS Corporation  <b>CONTACT:</b> Valerie Waldorf  <b>INQUIRY #:</b> 1768743.7s  <b>DATE:</b> October 4, 2006</p>	<p>TC1768743.7s Page 22 of 41</p>
--	--	-----------------------------------

# DETAIL MAP - 1768743.2s



- ☆ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- ▲ Manufactured Gas Plants
- ⚡ Sensitive Receptors
- ☒ National Priority List Sites
- ☒ Landfill Sites
- ☒ Dept. Defense Sites

- ☐ Indian Reservations BIA
- ⚡ Oil & Gas pipelines
- National Wetland Inventory
- ☐ State Wetlands

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Quinns Junction  
 ADDRESS: Park City  
 Park City UT 84060  
 LAT/LONG: 40.6794 / 111.4639

CLIENT: URS Corporation  
 CONTACT: Valerie Waldorf  
 INQUIRY #: 1768743.2s  
 DATE: October 04, 2006 2:04 pm



---

## **Hill Air Force Base, Utah**

---

Final

---

***Environmental Baseline Survey for the  
Quinn's Junction Property***

May 2007

JAN 20 2012

**FINAL**  
**ENVIRONMENTAL BASELINE SURVEY**  
**for the**  
**Quinn's Junction Property**

May 2007

Prepared for:

Ms. Kay Winn  
75 CEG/CEVOR  
7274 Wardleigh Road  
Hill AFB, UT 84056-5137

Prepared by:

URS Corporation  
756 East Winchester Street, Suite 400  
Salt Lake City, UT 84107

## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>ES-1</b>
<b>1.0 PURPOSE OF THE ENVIRONMENTAL BASELINE SURVEY.....</b>	<b>1-1</b>
1.1 Boundaries of the Property and Survey Area .....	1-1
1.2 Special Terms and Conditions (User Reliance).....	1-1
1.3 Assumptions, Limitations, and Exceptions.....	1-1
<b>2.0 SURVEY METHODOLOGY.....</b>	<b>2-1</b>
2.1 Approach and Rationale.....	2-1
2.1.1 Description of Documents Reviewed .....	2-1
2.1.2 Property Inspections.....	2-1
2.1.3 Personal Interviews.....	2-2
2.1.4 Sampling .....	2-2
<b>3.0 FINDINGS FOR SUBJECT PROPERTY .....</b>	<b>3-1</b>
3.1 History and Current Use .....	3-1
3.2 Environmental Setting .....	3-1
3.3 Hazardous Substances.....	3-1
3.3.1 Hazardous Materials and Petroleum Products .....	3-1
3.3.2 Hazardous and Petroleum Waste .....	3-1
3.4 Installation Restoration Program Contamination .....	3-1
3.5 Storage Tanks .....	3-2
3.5.1 Aboveground Storage Tanks.....	3-2
3.5.2 Underground Storage Tanks .....	3-2
3.5.3 Pipelines, Hydrant Fueling, and Transfer Systems.....	3-2
3.6 Oil/Water Separators.....	3-2
3.7 Pesticides .....	3-2
3.8 Medical or Biohazardous Waste .....	3-2
3.9 Ordnance .....	3-2
3.10 Radioactive Wastes.....	3-2
3.11 Solid Waste .....	3-2
3.12 Groundwater .....	3-2
3.13 Wastewater Treatment, Collection and Discharge.....	3-3
3.14 Drinking Water Quality .....	3-3
3.15 Asbestos .....	3-3
3.16 Polychlorinated Biphenyls.....	3-3
3.17 Radon.....	3-3
3.18 Lead-Based Paint .....	3-3
<b>4.0 FINDINGS FOR ADJACENT PROPERTIES .....</b>	<b>4-1</b>
4.1 Land Uses .....	4-1
4.2 Surveyed Properties .....	4-1

**TABLE OF CONTENTS (Cont.)**

**5.0 APPLICABLE REGULATORY COMPLIANCE ISSUES ..... 5-1**

5.1 List of Compliance Issues..... 5-1

5.2 Description of Corrective Actions ..... 5-1

5.3 Estimates of Various Alternatives ..... 5-1

**6.0 CONCLUSIONS ..... 6-1**

6.1 Facility Matrix ..... 6-1

6.2 Property Categories Map ..... 6-1

6.3 Resources Map..... 6-1

6.4 Data Gaps..... 6-1

**7.0 RECOMMENDATIONS..... 7-1**

**8.0 CERTIFICATIONS..... 8-1**

APPENDIX A Terms and Acronyms

APPENDIX B Legal Property Description

APPENDIX C Photographs of Site

APPENDIX D EDR Environmental Radius Search Reports

APPENDIX E UDERR Search Results

APPENDIX F References

**LIST OF FIGURES**

Figure 1-1 Overview Map ..... 1-3

Figure 1-2 Site Map ..... 1-4

Figure 4-1 Database Search Results ..... 4-3

## EXECUTIVE SUMMARY

URS Corporation (URS) performed an Environmental Baseline Survey (EBS) at the property known as Quinn's Junction. Quinn's Junction is located in Summit County just outside of Park City, Utah, west of the intersection of State Route 248 (SR-248) and Highway 40, and covers approximately 24 acres (Figures 1-1 and 1-2). This property is being considered for acquisition by Hill Air Force Base (AFB).

Currently, Hill AFB is the administrator of a 26.6-acre property owned by the Department of Defense (DoD) and known as the Silver Mountain Recreational Annex (Figure 1-1). The property was transferred from the Department of Interior, Bureau of Land Management (BLM), to the Department of Defense (DoD), Air Force in April 2003 for the purpose of developing a morale, welfare, and recreation facility. The general topography at the Silver Mountain property is quite steep and the parcel is currently zoned, by Park City, as recreational open space. Therefore, Hill AFB is considering acquiring the Quinn's Junction property for the development of a recreational facility instead of trying to develop the Silver Mountain Recreational Annex.

Air Force Policy Directive 32-70 requires that an EBS be prepared for real estate property transactions. This EBS was prepared in accordance with Air Force Instruction (AFI) 32-7066 (U.S. Air Force, 1994). The purpose of this EBS is to document the environmental condition, both past and present, for the Quinn's Junction property.

A thorough review of records collected from Hill AFB personnel and/or third parties and a site inspection were conducted in the preparation of this document, and no evidence of contamination or any deleterious environmental conditions was discovered.

During a reconnaissance visit on September 28, 2006, the site was visually inspected for signs of previous use that may have resulted in environmental impacts. A follow up visit was conducted on October 18, 2006 to trace the route of the Pace-Homer Ditch from Park City to the subject property. Photographs taken during these visits are included in Appendix C. These photographs provide views of the site and the surrounding area from several vantage points.

No industrial, commercial, or residential developments currently occupy the subject property. The property has been used in the past as an agricultural field. Currently, native and non-native grasses and shrubs cover the subject property. Below is a list of properties that are adjacent to the Quinn's Junction property:

- Undeveloped private property (pasture land) adjacent to the south property line.
- State Route 248 (SR-248) owned by the State of Utah adjacent to the north and west property line.
- Highway 40 owned by the State of Utah adjacent to the east property line.

Because this piece of property is located in an area known for mining activity, research was conducted to verify that the Pace-Homer Ditch, which has been the source of irrigation water for the property in the past, did not become contaminated by mine tailings or other contaminants that would have been brought to the subject property. No evidence of any contamination related to the Pace-Homer Ditch was identified that would cause soil or groundwater concerns at the subject property.

Also, an environmental database search was completed for the Quinn's Junction property per ASTM Standard Practice for Environmental Site Assessments, E 1527-05. The intent was to determine if there are any documented environmental conditions on or near the subject property that provide a potential for contamination at Quinn's Junction. As shown in Figure 4-1, the search found no listed database findings for the subject property, yet two sites with environmental conditions were identified within a one-mile radius of Quinn's Junction. (1) The Richardson Flat Tailings is listed as a National Priority List (NPL), Proposed NPL, Comprehensive Environmental Response, Compensation, Liability Information System (CERCLIS), Engineering (ENG) Controls, and a Record of Decision (ROD) site, and (2) the Park City Batch Plant is listed as a Underground Storage Tank (UST) site.

Both sites are outside of the subject property boundaries and at lower elevations than the subject property at locations topographically down gradient from the subject property on the Silver Creek drainage. Therefore, it is unlikely that these sites pose an environmental threat to the groundwater on the Quinn's Junction property.

During the preparation of this EBS, no evidence of any environmental conditions associated with the subject property was discovered that would adversely affect a real estate property transaction for the subject property. It is recommended that Hill AFB proceed with any desired real estate property transactions associated with the Quinn's Junction property.

## **Section 1**

### **PURPOSE OF THE ENVIRONMENTAL BASELINE SURVEY**

The Quinn's Junction property is located in Summit County just outside of Park City, Utah, west of the intersection of State Route 248 (SR-248) and Highway 40, and covers approximately 24 acres. Hill Air Force Base (AFB) does not currently own this property. This property is being considered for acquisition by Hill AFB. The property would be acquired for the development of an Air Force morale, welfare, and recreation facility.

#### **1.1 Boundaries of the Property and Survey Area**

Figures 1-1 and 1-2 show the location of the Quinn's Junction site under consideration in this Environmental Baseline Survey (EBS). The site is located just outside (to the east) of Park City and is in a fairly flat pasture. This site is in Summit County in the Northwest corner of Section 2, Township 2 South, and Range 4 East of the Salt Lake Base and Meridian. The subject property is bound by SR-248 on the west and northwest, Highway 40 right-of-way (ROW) on the northeast and east, and by private agricultural land on the south. The subject property is entirely fenced with one gate located on the west side. The property is privately owned. A legal description of the property is located in Appendix B.

#### **1.2 Special Terms and Conditions (User Reliance)**

URS has performed the scope of work set forth in the proposal (the "Proposal") for this project, as it may have been amended, in specific reliance on the understandings and agreement. The EBS (the "Report") and any other information that URS prepared and submitted to Hill AFB in connection with this project are for the sole use and benefit of Hill AFB and the United States Air Force (USAF) and may not be used or relied upon by any other person or entity without prior written consent of Hill AFB and URS, except as provided for specifically in the agreement. Any such consent given by URS shall be subject to the terms and conditions of the Proposal and such other terms and conditions as URS may reasonably require, including without limitation, a monetary limit to URS' liability to any person granted such consent (the "Grantee"). Any such Grantee shall be deemed to have agreed to such terms and conditions by its use and reliance on the Report. Such Grantee must also agree not to reveal the contents of the Report to any other person or entity without the prior written consent of both Hill AFB and URS.

Should site conditions change or should there be changes in applicable laws, standards, or technology, the information and conclusions in the Report may no longer apply. The Report is intended to be used in its entirety and no excerpts may be taken to be representative of the findings of this investigation. Environmental land-use issues and constraints of possible relevance (e.g., wetland surveys and sensitive habitats) were not included in the scope of services.

#### **1.3 Assumptions, Limitations, and Exceptions**

URS has prepared this EBS using reasonable efforts to identify recognized environmental conditions associated with hazardous substances or petroleum products at the property. Findings within this EBS report are based on information collected from observations made on the day of the site reconnaissance and from reasonably ascertainable information obtained from certain public agencies and other referenced sources.

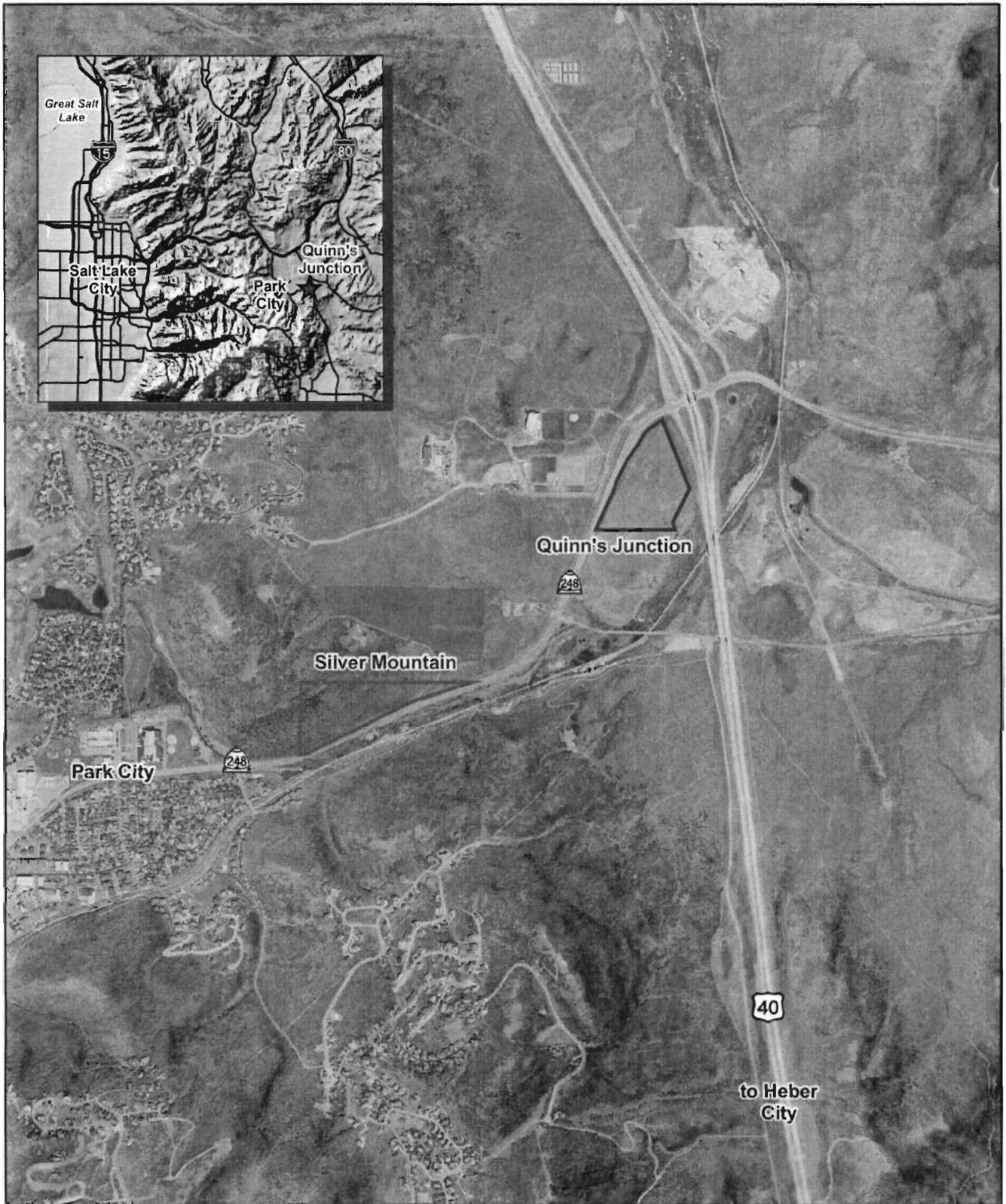
This report is not definitive and should not be assumed to be a complete or specific definition of all conditions above or below grade. Current subsurface conditions may differ from the conditions implied by surface observations or historical sources and can be most reliably evaluated through intrusive techniques that were beyond the scope of this assessment. Information in this report is not intended to be used as a construction document and should not be used for demolition, renovation, or other construction purposes. URS makes no representation or warranty that the past or current operations at the property are, or have been, in compliance with all applicable federal, state, and local laws, regulations, and codes. This report does not warrant against future operations or conditions, nor does it warrant against operations or conditions present of a type or at a location not investigated. Regardless of the findings stated in this report, URS is not responsible for consequences or conditions arising from facts that were not fully disclosed to URS during the assessment.

Environmental Data Resources, Inc (EDR), an independent data research company, provided the government agency database search referenced in this report. Surrounding area properties were listed within specific approximate minimum search distances intended to meet the requirements of ASTM Practice E 1527-05. The information in the government agency database was assumed to be correct and complete unless obviously contradicted by URS' observations or other credible referenced sources reviewed during the assessment.

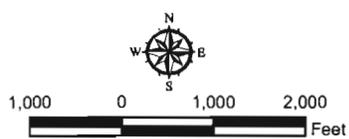
Reasonable efforts were made to identify evidence of hazardous substances or petroleum products on the property during the assessment. Reasonable efforts were limited to observation of accessible areas, review of referenced public records, and interviews. These methods may not identify subsurface equipment or evidence hidden from view by things such as, but not limited to, snow cover, paving, construction activities, stored materials, and landscaping.

URS is not a professional title insurance or land surveyor firm and makes no guarantee, explicit or implied, that any records acquired or reviewed, or any physical descriptions or depictions of the property in this report, represent a comprehensive definition or precise delineation of property ownership or boundaries.

A chain-of-title review is not included in the scope of work of this EBS.



**Figure 1-1  
Overview Map**

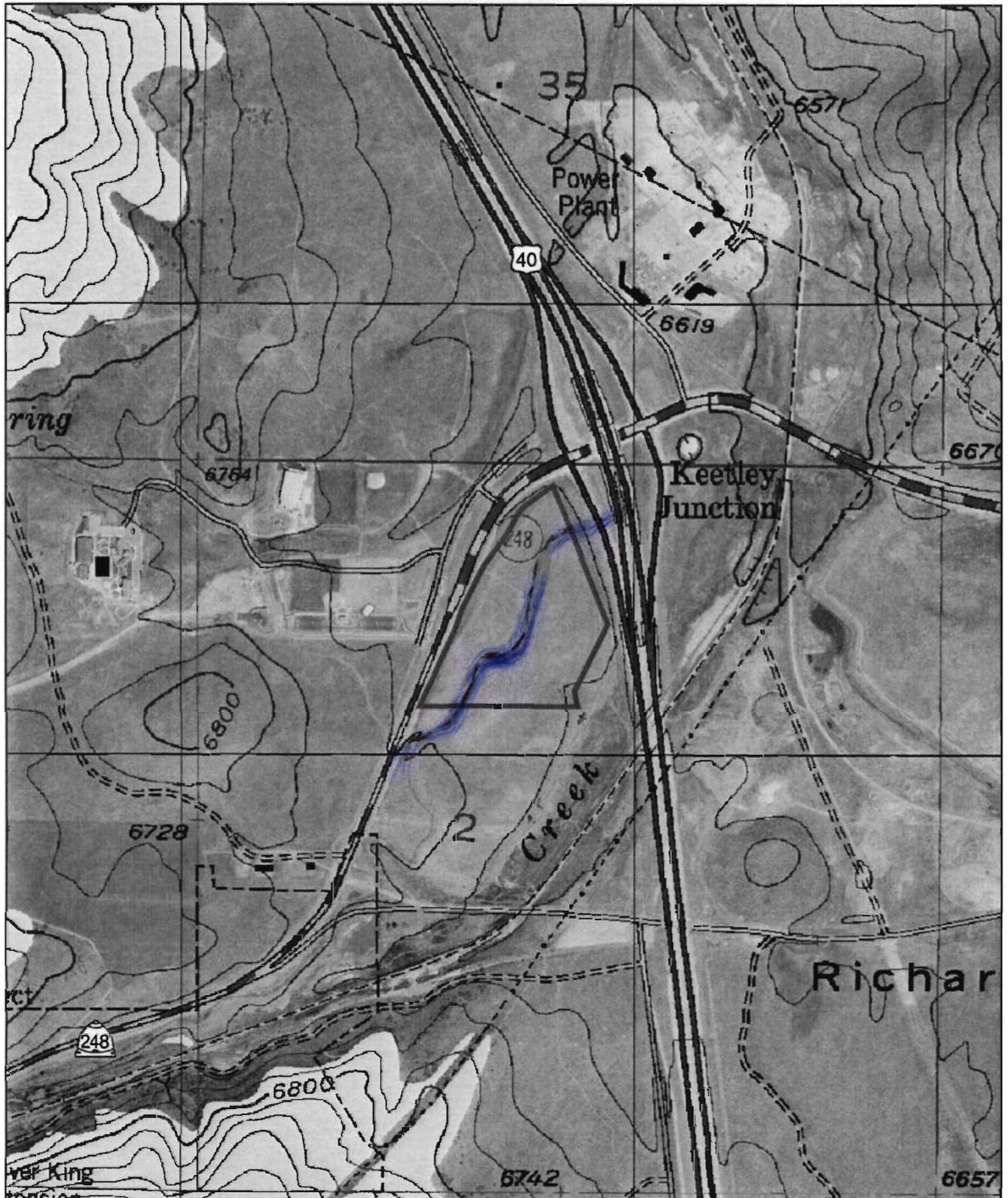


-  Quinn's Junction APE
-  Silver Mountain Recreational Annex Property Boundary

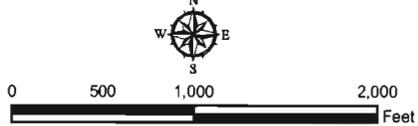
May 2007  
Final

1-3

Environmental Baseline Survey  
Quinn's Junction



Source: USGS 7.5' Topographic Map, Park City East, Utah (1999), National Agriculture Imagery Program, Summit County (2006)



-  Pace Homer Ditch
-  Quinn's Junction APE

**Figure 1-2**  
**Quinn's Junction**  
**Site Map**

## Section 2

### SURVEY METHODOLOGY

This section describes the methodology used to document current environmental conditions at the subject property. A review of existing records and a visual site inspection of the location were conducted. This survey was prepared in accordance with AFI 32-7066 (U.S. Air Force, 1994).

#### 2.1 Approach and Rationale

The subject property under evaluation is located in Summit County, just east of Park City, Utah. An environmental data search was conducted to determine if any *recognized environmental conditions* exist on or near the site. Additionally, the site was inspected, interviews were conducted, and records were reviewed in order to document past use and the current environmental conditions.

##### 2.1.1 Description of Documents Reviewed

A radius search report, conducted by EDR as specified by ASTM Standard Practice for Environmental Site Assessments, E 1527-05 is included in Appendix D and was reviewed to determine if there are any real or potential environmental issues on or adjacent to the subject property. A total of 47 federal, state, and local environmental databases were searched covering distances that range from 0.25-miles to 1.0-mile from the center of the property depending on the database. Searched databases include but are not limited to the Federal Comprehensive Environmental Response, Compensation, Liability Information System (CERCLIS); National Priority List (NPL); Proposed NPL; as well as the State Underground Storage Tank (UST) and Leaking Underground Storage Tank (LUST) lists.

EDR also searched for Sanborn fire insurance maps, aerial photographs and historical topographic maps. The EDR search did not find any Sanborn maps or aerial photographs for the site location in their databases. The search did find two topographic maps of the property from 1955 and 1999, and these maps are provided in Appendix D.

URS also reviewed database search results (Appendix E) from the Utah Division of Environmental Response and Remediation (UDERR) to verify the environmental site locations provided by EDR.

##### 2.1.2 Property Inspections

During a reconnaissance visit on September 28, 2006, the site was visually inspected for signs of previous use that may have resulted in environmental impacts. A follow up visit was conducted on October 18, 2006 to trace the Pace-Homer Ditch (Refer to Section 3.1) from Park City to the subject property. Photographs taken during these visits are included in Appendix C. These photographs provide views of the site and the surrounding area from several vantage points.

### **2.1.3 Personal Interviews**

Personal interviews were conducted with the following individuals:

- Greg Erikson - (a lawyer representing the current property owners) on October 6 and October 23, 2006
- Ralph Merrill - (one of the current property owners) on October 6, 2006
- Orvil Pace - (an area resident and former rancher) on October 23, 2006
- Tim Ingwell – (a Bureau of Land Management (BLM) project manager with the Salt Lake Field Office] on October 25, 2006

The interviews were conducted to obtain information regarding the past and present uses of the subject property and the surrounding area.

### **2.1.4 Sampling**

There are no records of environmental sampling being conducted on the subject property, and no sampling was performed or deemed necessary as part of this EBS based on the findings of the property inspection, the public records review, and the interviews conducted as discussed in Sections 3 and 4 of this EBS.

Analytical results (USGS 2004) for water samples taken from the Pace-Home Ditch in the Silver Maple Claims Area south/southwest of the subject property were reviewed in an effort to determine if there are any known irrigation water quality issues.

## **Section 3**

### **FINDINGS FOR SUBJECT PROPERTY**

#### **3.1 History and Current Use**

Historically the subject property has been used as an agricultural field to graze livestock and raise alfalfa. The historical Pace-Homer Ditch crosses the subject property running generally from south to north (Figure 1-2). The water source for the ditch has been Dority Spring, Pace-Homer Spring, and other smaller springs. However, the portion of the ditch on the subject property is no longer used for irrigation purposes and has not been used for approximately six to eight years (Pace 2006). The ditch runs from springs in Park City toward the subject property and parallels Silver Creek for most of its length. According to a water rights search, the priority date of the water right at Quinn's Junction is 1861. A section of the irrigation ditch near Silver Mountain was rerouted underneath SR-248 in 1999 due to a roadway widening project. Before it was rerouted it was an open ditch which ran mostly parallel to, but above Silver Creek. Currently, most of the water flowing in the ditch is diverted by two culverts into Silver Creek about a mile south/southwest of the subject property.

The subject property is currently used as pasture land. There were sheep and horses on the property during the September 2006 site visit.

#### **3.2 Environmental Setting**

No industrial, commercial, or residential developments currently occupy the subject property. Native and non-native grasses and shrubs cover the subject property. There are moist soil type plants along the ditch. The subject property is heavily grazed and had sheep and horses on it during the site visit. A preliminary wetland delineation was conducted by Hill AFB on September 19, 2006 and the moist soil areas did not meet the wetland criteria outlined by the U.S. Army Corps 1987 manual. No further action was taken.

The site was not identified as the location of any environmental concerns or conditions in any of the 47 databases reviewed within the EDR database search report.

#### **3.3 Hazardous Substances**

##### **3.3.1 Hazardous Materials and Petroleum Products**

No hazardous materials or petroleum products were identified on the subject property during the site visit.

##### **3.3.2 Hazardous and Petroleum Waste**

No hazardous or petroleum waste products were identified on the subject property during the site visit.

#### **3.4 Installation Restoration Program Contamination**

The subject property has not been investigated under the Installation Restoration Program (IRP) and therefore no IRP contamination has been identified.

### **3.5 Storage Tanks**

#### **3.5.1 Aboveground Storage Tanks**

No aboveground storage tanks were identified on the subject property during the site visit.

#### **3.5.2 Underground Storage Tanks**

No underground storage tanks were identified on the subject property during the site visit.

#### **3.5.3 Pipelines, Hydrant Fueling, and Transfer Systems**

No pipelines, hydrant fueling, or transfer systems were identified on the subject property during the site visit.

### **3.6 Oil/Water Separators**

No oil/water separators were identified on the subject property during the site visit.

### **3.7 Pesticides**

No pesticides were identified on the subject property during the site visit.

### **3.8 Medical or Biohazardous Waste**

No medical or biohazardous wastes were identified on the subject property during the site visit.

### **3.9 Ordnance**

No ordnance was identified on the subject property during the site visit.

### **3.10 Radioactive Wastes**

No radioactive wastes were identified on the subject property during the site visit.

### **3.11 Solid Waste**

No solid waste was identified on the subject property during the site visit, other than minor scattered debris (such as bottles, wood scraps, and aluminum cans).

### **3.12 Groundwater**

According to the EDR report there are no wells located on the subject property and no wells were observed during the site visit.

Groundwater at the subject property likely follows the topography and flows in a direction towards Silver Creek and down the Silver Creek drainage. The subject property is at an elevation of approximately 6,655 feet with Silver Creek located to the southeast of the property at an elevation of approximately 6,620 feet.

Because this piece of property is located in an area known for mining activity and there is known contamination along Silver Creek at the Silver Maple Claims Site near portions of the Pace-Homer Ditch, research was conducted to verify that the Pace-Homer Ditch did not become contaminated by mine tailings or other contaminants that would have been brought to the subject property via the irrigation water.

Based on a draft report prepared for the BLM and interviews with Tim Ingwell of the BLM (BLM 2005, Ingwell 2006), the Pace-Homer Ditch does not flow through any mine tailings at the Silver Maple Claims Site. The ditch is located at a higher elevation than the tailings located along Silver Creek. A separate report, written by the U.S. Geological Survey (USGS 2004), contained water sample analytical results from two locations within the Pace-Homer Ditch. These samples showed that the water quality for the Pace-Homer ditch was within acceptable limits for agricultural use per Utah regulation R317-2 for arsenic, barium cadmium, chromium, copper, and lead.

No groundwater concerns have been identified on the subject property.

### **3.13 Wastewater Treatment, Collection and Discharge**

No wastewater treatment, collection or discharge systems were identified on the subject property during the site visit.

### **3.14 Drinking Water Quality**

No drinking water sources were identified on the subject property during the site visit. No impact to drinking water quality has been identified to come from the subject property.

### **3.15 Asbestos**

No asbestos was identified on the subject property during the site visit.

### **3.16 Polychlorinated Biphenyls**

No polychlorinated biphenyls (PCBs) were identified on the subject property during the site visit.

### **3.17 Radon**

No radon gas was identified on the subject property during the site visit.

### **3.18 Lead-Based Paint**

No lead-based paints were identified on the subject property during the site visit.

## **Section 4**

### **FINDINGS FOR ADJACENT PROPERTIES**

This section provides information for the properties that are adjacent to the Quinn's Junction property. Below is a list of properties that are adjacent to the subject property:

- Undeveloped private property (pasture land) adjacent to the south property line.
- State Route 248 (SR-248) owned by the State of Utah adjacent to the north and west property line.
- Highway 40 owned by the State of Utah adjacent to the east property line.

Refer to Figure 4-1 to see an aerial view of the surrounding properties and roads. There is also a newly constructed ice sheet facility across SR-248 to the west. The other property on the west side of SR-248 in the vicinity of the Quinn's Junction property is currently undeveloped private land.

#### **4.1 Land Uses**

According to the inspection conducted during the site visit and the telephone interview conducted with the property owner's lawyer, the private property located adjacent to the subject property's southern property line is used as pasture land. Currently there are cattle on the adjacent property. The properties along the west and north sides of the subject property are owned by the State of Utah and are occupied by SR-248 and its ROW. SR 248 is a three-lane paved road. The property along the eastern boundary of the subject property is also owned by the State of Utah and is occupied by Highway 40 and its ROW. Highway 40 is a four-lane paved highway.

#### **4.2 Surveyed Properties**

In September of 2006, an EDR environmental database search report (Appendix D) was completed for the Quinn's Junction property and the area within 0.25-miles to one-mile radius, depending on the database searched, of the approximate center of the subject property. The intent of the database search was to determine if there are any documented environmental conditions on or near the subject property that provide a potential for contamination at the subject property.

As shown in Figure 4-1, the search found no listed database findings for the subject property.

EDR identified one NPL site (also listed as a Proposed NPL, CERCLIS, Engineering (ENG) Controls, and a Record of Decision (ROD) site), a LUST site, and one listed both as a UST and LUST site within a one-mile radius:

- Rhichardson Flat Tailings (NPL, PNPL, CERCLIS, ENG, ROD)
- Phoston Siding Site (LUST)
- Park City Service Center (LUST, UST)

The locations of these sites were researched further by comparing EDR data to the UDERR interactive map database, and it was determined that the locations provided by EDR for both the Phoston Siding Site and the Park City Service Center are inaccurate. Both of these sites are located outside of the one-mile search radius from the Quinn's Junction property. The Park City Service Center site is located approximately 5 miles to the north near the intersection of Highway 40 and Interstate 80, and the Phoston Siding site is located approximately 1.5 miles to the east on SR-248. Based on these distances and the topography, neither site is a concern for contamination on the subject property.

The UDERR interactive map database also provided the location of a UST site within the one-mile search radius:

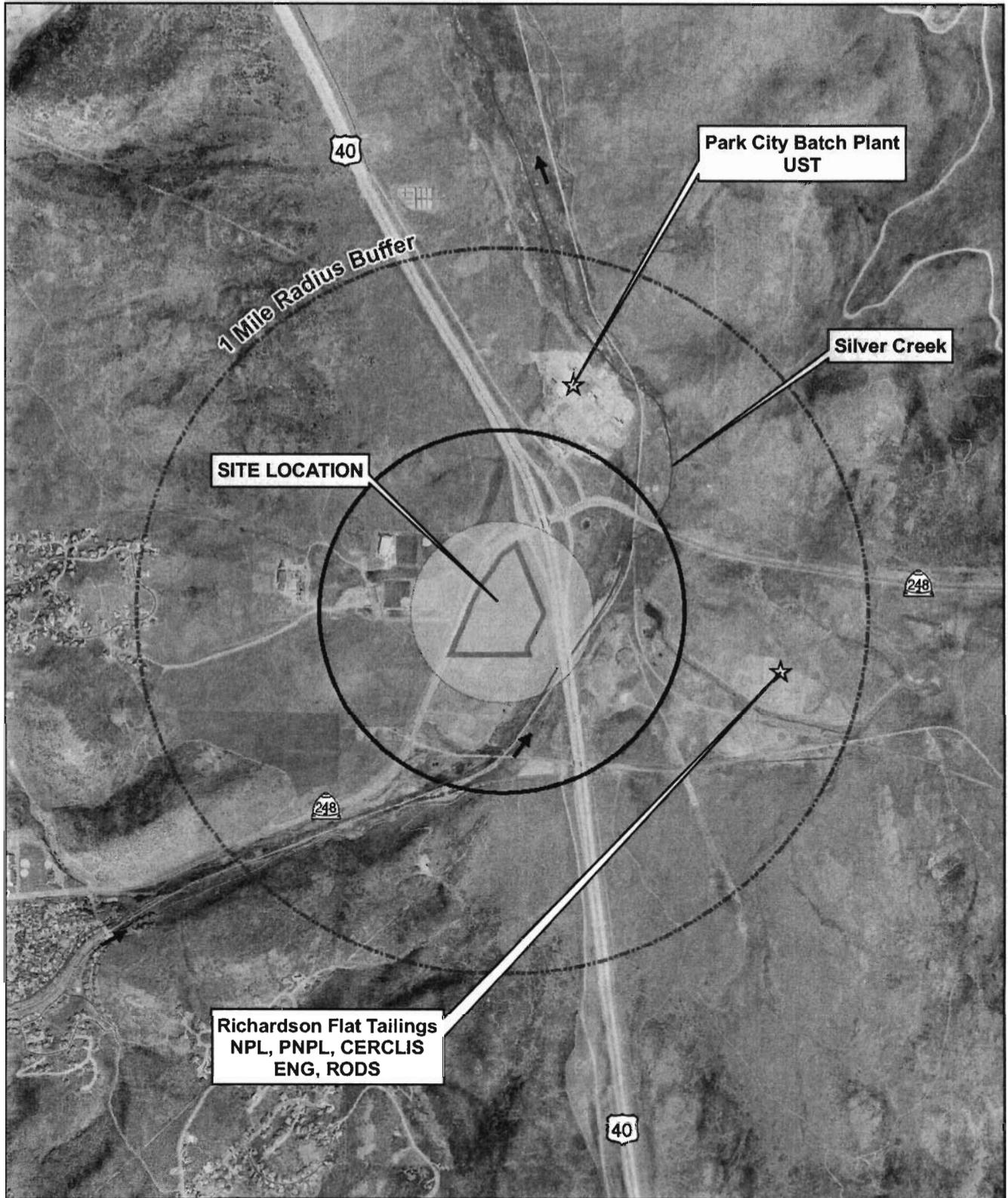
- Park City Batch Plant (UST)

The Park City Batch Plant UST site is located across Highway 40 in an industrial park on property owned by Geneva Rock Products Inc. Figure 4-1 shows the locations of the sites within the one-mile search radius.

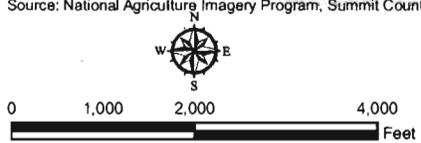
The approximate elevations for the subject property and identified sites are:

- Quinn's Junction Property – 6,655 ft.
- Richardson Flat Tailings (NPL, PNPL, CERCLIS, ENG, ROD) – 6,640 ft.
- Park City Batch Plant (UST) – 6,600 ft.

Also shown in Figure 4-1 is the location of Silver Creek. Silver Creek runs northeast between the subject property and the Richardson Flat Tailings and is lower in elevation than the property at an elevation of approximately 6,620 ft. The ground water in the area of the subject property and the Richardson Flat Tailings likely follows the topography flowing toward and down the Silver Creek drainage. Based on this, it is unlikely that the identified environmental sites, both located topographically down gradient from Quinn's Junction, pose a threat of groundwater contamination to the subject property.



Source: National Agriculture Imagery Program, Summit County (2006)



- Quinn's Junction
- 0.25 - Mile Search Radius
- 0.5 - Mile Search Radius
- 1 - Mile Search Radius
- Creek Flow Direction

**Figure 4-1:  
Database Search Results\***  
\* - Locations are based on data provided by Utah Division of Environmental Response and Remediation (UDERR)

**Section 5**  
**APPLICABLE REGULATORY COMPLIANCE ISSUES**

There are no compliance issues associated with the subject property.

**5.1 List of Compliance Issues**

Not applicable.

**5.2 Description of Corrective Actions**

Not applicable.

**5.3 Estimates of Various Alternatives**

Not applicable.

## **Section 6**

### **CONCLUSIONS**

No documented evidence of a *recognized environmental condition* was discovered at the subject property during a review of documents or during the reconnaissance visit. For the purposes of real estate transactions, as defined in AFI 32-7066, and based on the findings of this EBS, the Quinn's Junction property is designated as Category 1.

A Category 1 property is defined by AFI 32-7066 as: *Areas where no release or disposal of hazardous or petroleum substances have occurred (including no migration of these substances from adjacent areas).*

#### **6.1 Facility Matrix**

There are no facilities present on the subject property.

#### **6.2 Property Categories Map**

The subject property is designated as Category 1. No additional map is provided as there is not more than one category designated for the subject property.

#### **6.3 Resources Map**

A resources map is not applicable to the subject property. No resources map is included.

#### **6.4 Data Gaps**

To the best of URS Corporation's knowledge, there are no data gaps in the resources used to compile this EBS.

## **Section 7 RECOMMENDATIONS**

No evidence of *recognized environmental conditions* associated with the subject property was discovered that would adversely affect a real estate property transaction for this subject property. The site is designated as Category 1. Therefore, it is recommended that Hill AFB proceed with any desired real estate property transaction associated with the subject property.

**Section 8  
CERTIFICATIONS**

**Certification of the Environmental Baseline Survey**

URS has conducted this Environmental Baseline Survey on behalf of the Air Force. URS has reviewed all appropriate records made available, and conducted visual site inspections of the facilities following an analysis of information during the record search. The information contained within the survey report is based on records made available and, to the best of URS's knowledge, is correct as of September 15, 2006.

Certified by: Valerie Waldorf  
URS Corporation

Date: 5/31/2007

Approved by: Henry Brown  
Hill Air Force Base

Date: 8 June 7

**Certification of PCB Clearance**

A records search and an on-site inspection indicate that the site has not been exposed to PCB materials or equipment.

Certified by: Valerie Waldorf  
URS Corporation

Date: 5/31/2007

Approved by: Henry Brown  
Hill Air Force Base

Date: 8 June 7

**Certification of No Contamination**

The campground or the site contain no known hazardous substances as that term is defined in the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601), as amended, or other contamination as specified by the Resource Conservation and Recovery Act of 1976, the implementing Environmental Protection Agency regulations [40 Code of Federal Regulations (CFR) parts 261, 262, 263, and 761], and the Federal Property Management Regulations (41 CFR Part 101-47). A complete search of agency files revealed that no hazardous substance has been stored for more than one year, known to have been released, or disposed of on the Air Force-controlled sites described below.

Name/Description of areas being accessed: 24 acre site surrounding and including the Carter Creek Campground on mountainous land, located in the Northwest quarter of Section 13 of Township 2N, Range 10E.

Certified by: Valerie Walsh  
URS Corporation

Date: 5/31/2007

Approved by: Sam Bressan  
Hill Air Force Base

Date: 6/1/07

## WILDLIFE HABITAT

The State of Utah maintains a list of wildlife species organized by County. These lists are organized by Federal listings and State listings. Following are the lists for wildlife species in Summit County.

### Federally Listed – Summit County:

<u>Common Name</u>	<u>Specific Name</u>	<u>Status</u>
Bald Eagle	Haliaeetus leucocephalus	T
Yellow-billed Cuckoo - Possibly	Coccyzus americanus	C
Black-footed Ferret – Unconfirmed	Mustela nigripes	E Extirpated
Brown (Grizzly) Bear – Historically?	Ursus arctos	T Extirpated
Canada Lynx	Lynx canadensis	T

<u>Symbol</u>	<u>Definition</u>
E, T Extirpated	An “endangered” or “threatened” taxon that is “extirpated” and considered by the U.S. Fish and Wildlife Service to no longer occur in Utah.
T	A taxon that is listed by the U.S. Fish and Wildlife Service as “threatened” with becoming endangered.
C	A taxon for which the U.S. Fish and Wildlife Service has on file sufficient information on biological vulnerability and threats to justify it being a “candidate” for listing as endangered or threatened.

Created by the Utah Division of Wildlife Resources – 05/21/2004

### State Listed – Summit County:

<u>Common Name</u>	<u>Specific Name</u>	<u>State Status</u>
Bald Eagle	Haliaeetus leucocephalus	S-ESA
Bluehead Sucker	Catostomus discobolus	CS
Bobolink	Dolichonyx oryzivorus	SPC
Bonneville Cutthroat Trout	Oncorhynchus clarki utah	CS
Brown (Grizzly) Bear	Ursus arctos	S-ESA
Canada Lynx	Lynx canadensis	S-ESA
Colorado River Cutthroat Trout	Oncorhynchus clarki pleuriticus	CS
Columbia Spotted Frog	Rana luteiventris	CS
Desert Mountain Snail	Oreohelix Peripherica	SPC
Ferruginous Hawk	Buteo regalis	SPC
Greater Sage-Grouse	Centrocercus urophasianus	SPC
Leatherside Chub	Gila copei	SPC
Lewis’s Woodpecker	Melanerpes lewis	SPC
Long-Billed Curlew	Numenius americanus	SPC
Northern Goshawk	Accipiter gentiles	CS
Smooth Greensnake	Opheodrys vernalis	SPC
Three-Toed Woodpecker	Picoides tridactylus	SPC
Western Pearlshell	Margaritifera falcata	SPC
Western Toad	Bufo boreas	SPC

<u>Symbol</u>	<u>Definition</u>
S-ESA	Federally-listed or candidate species under the Endangered Species Act.

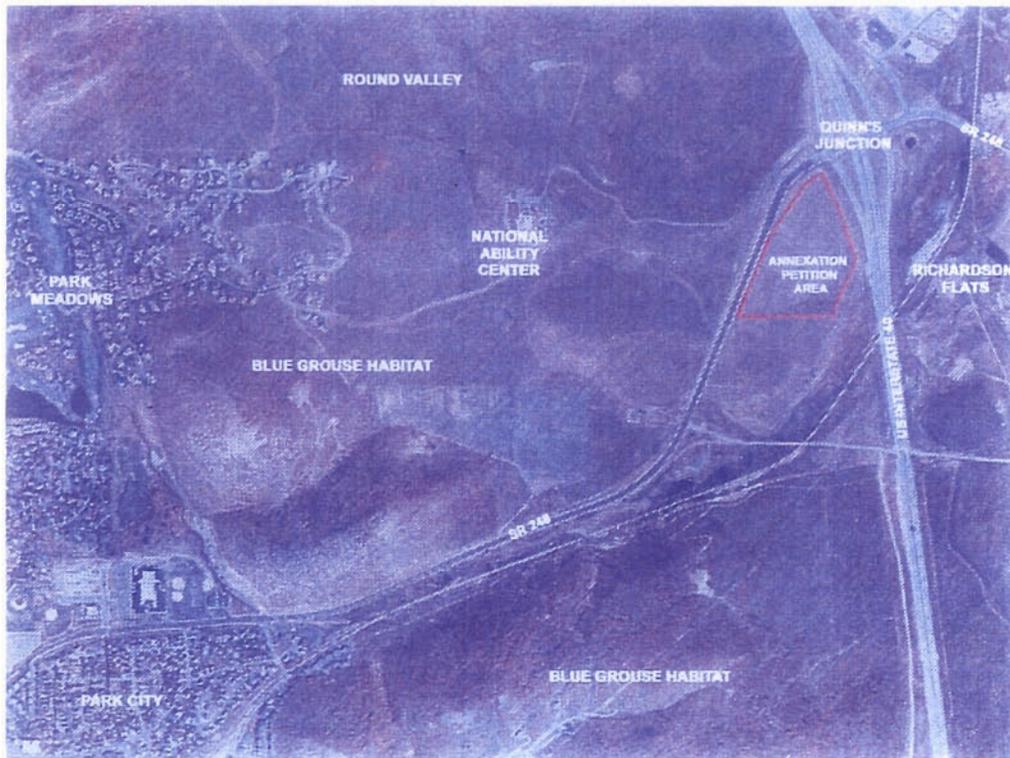
**JAN 20 2012**

- SPC Wildlife species of concern.
- CS Species receiving special management under a Conservation Agreement in order to preclude the need for Federal listing.

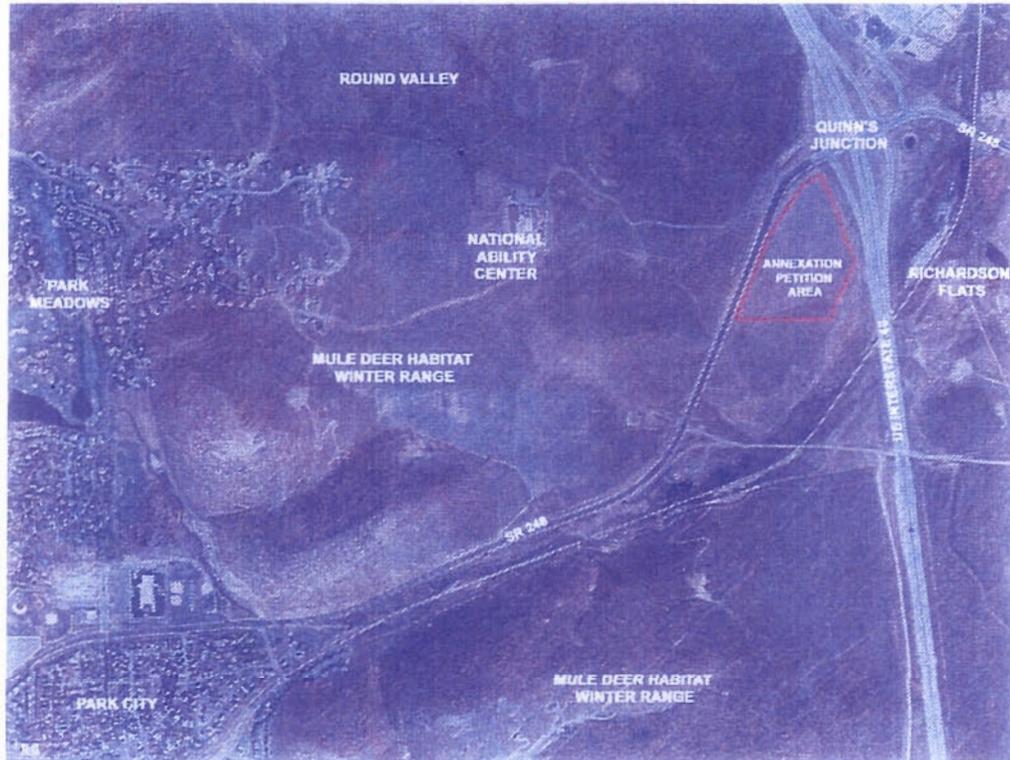
Of the animals Federally and State listed, none of the species make substantive use of the project area. However, a site and species-specific survey would need to be conducted to determine their existence or non-existence within the project area.

Animals of record with the Utah Division of Wildlife Resources that already or may have the potential to occur on the project area include Blue Grouse, Mule Deer, Ruffed Grouse, and Sage-Grouse. Attached are maps provided by the Utah Division of Wildlife Resources, which show the species, type of habitat, and value rating.

**Species:** Blue Grouse  
**Habitat:** Year Long  
**Value:** Substantial



**Species:** Mule Deer  
**Habitat:** Summer  
**Value:** High



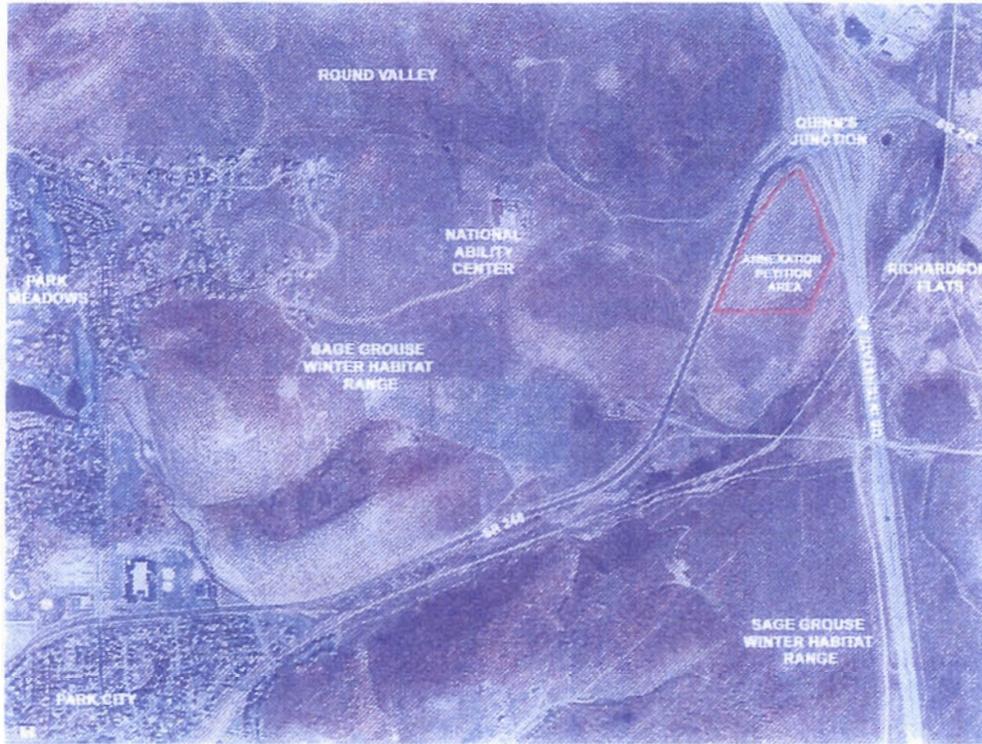
**Species:** Ruffed Grouse  
**Habitat:** Year Long  
**Value:** Substantial



**Species:** Sage-Grouse (Brood)  
**Habitat:**  
**Value:** Undefined



**Species:** Sage-Grouse  
**Habitat:** Winter  
**Value:** Undefined





January 20, 2012

**PRIVILEGED – SUBJECT TO MUTUAL NON-DISCLOSURE AGREEMENT**

Greg S. Ericksen  
Greg S. Ericksen Law Offices  
1065 South 500 West  
Bountiful, Utah 84010

Re: **Quinn's Junction Impacts Study**

Dear Mr. Ericksen:

F.D.P.

Sage was retained by your firm to perform a study of the impacts on Summit County and Park City of a proposed film development project in Summit County, Utah. The proposed location for this development is in an unincorporated portion of Summit County. The location of the proposed project is near Park City, Utah, but is not within that city's boundaries.

**SUMMARY OF FINDINGS**

- The proposed F.D.P will have minimal, if any, impact on the demographics of the County and City.
- The proposed F.D.P will provide a net fiscal benefit to the County of almost \$1 million per year.
- The additional traffic generated by the proposed resort will not result in additional spending on highways and roads that is not already planned or envisioned.
- If the proposed F.D.P were annexed into Park City, the proposed F.D.P would provide a substantial fiscal benefit to the Park City School District.
- If the proposed F.D.P were annexed into Park City, the proposed F.D.P would provide a significant fiscal benefit to the City.
- The proposed F.D.P will provide additional tourists to the area, which will benefit the local business by providing them with more sales opportunities.

The following sections outline in more detail each of the findings summarized above.

UTAH OFFICE  
136 E South Temple, Suite 2220  
Salt Lake City, Utah 84111

Telephone 801.531.0460  
Facsimile 801.531.0460

JAN 20 2012

NEVADA OFFICE  
3960 Howard Hughes Pkwy, Suite 500  
Las Vegas, Nevada 89109

Telephone 702.433.2092  
Facsimile 702.433.2792

IDAHO OFFICE  
801 West Main Street, Suite 100  
Boise, Idaho 83702

Telephone 208.639.5226  
Facsimile 208.639.5227

*PRIVILEGED – SUBJECT TO MUTUAL NON-DISCLOSURE AGREEMENT*

---

*PROJECT BACKGROUND AND ASSUMPTIONS*

---

Based upon the information supplied the current proposal for this project includes the following major facilities:

As per Summit County Settlement Agreement dated 01/18/12  
As per Park City Settlement Agreement effective 01/19/12

Sage understands the proposed F.D.P. development is intended to be a **motion picture studio campus**.  
An estimate of the total taxable value of the proposed project is presented in Schedule 1.

*IMPACT ON DEMOGRAPHICS*

---

*FISCAL IMPACTS ON SUMMIT COUNTY*

---

To understand the fiscal impacts that the proposed resort will have on the County, Sage has estimated the total taxes that will be assessed to the F.D.P. For this analysis, Sage obtained the 2006 Approved Property Tax Rates and Budgets for Summit County from the Utah State Tax Commission, Property Tax Division. Please refer to Appendix A for copy of the relevant section outlining the Summit County rates. Applying the relevant tax rates to the estimated taxable value provides the estimated tax collections that the County will gain from the proposed resort project.

As shown in Schedule 2, Summit County is expected to experience additional property tax collections totaling \$1,737,891. This is nearly a 10 percent increase in tax collection for the County when compared to the 2005 total property tax collections for the County of \$17,865,936<sup>1</sup>. In addition to the property tax collection, it is estimated that the proposed resort will provide transient room tax collection of \$1,566,945. Therefore, the proposed resort is estimated to provide Summit County with additional tax revenues of \$3,304,836, without including any sales tax estimates.

The more important factor in assessing fiscal impact is the additional expenditures the county will incur in providing services to the new F.D.P. Property taxes are collected to cover the cost of community services such as police salaries, park maintenance and school construction. While Sage was not able to find a list of services in Summit County that are supported by property tax collection, neighboring Salt Lake County lists the following services:

---

<sup>1</sup> December 31, 2005. Summit County, Utah. Financial Statements With Auditors' Report Thereon, p. 9.

***PRIVILEGED – SUBJECT TO MUTUAL NON-DISCLOSURE AGREEMENT***

---

1. Aging Services
2. Air Pollution Control
3. Animal Services
4. Arts
5. Communicable Disease Control
6. Community Health Services
7. Community Policing
8. Community Resources & Development
9. Convention Centers
10. Crime Prevention
11. Criminal Incarceration (Metro Jail)
12. Criminal Justice Services
13. Criminal Prosecution
14. Elections
15. Family Health Services
16. Fire Protection
17. Flood Control
18. Food Protection
19. Gang Control and Prevention
20. Garbage Collection
21. Golf Courses
22. Hazardous Waste Management Health Clinics
23. Ice Centers
24. Libraries
25. Mental Health Services
26. Paramedics
27. Parks
28. Property Records
29. Public Health Nursing
30. Public Schools
31. Recreation Centers
32. Road Maintenance and Improvement
33. Search and Rescue
34. Social Services
35. Special Needs Recreation
36. Sports Programs
37. Street Lights
38. Substance Abuse Services
39. Swimming Pools
40. Vital Records
41. Water Quality Control
42. Youth Services

As one can observe from this list, a large majority of the services supported through property tax collections relate mostly to caring for permanent residents and the community in general. Given this it would be inappropriate to estimate County expenditures by simply applying the historical rates proportionally to the new

***PRIVILEGED – SUBJECT TO MUTUAL NON-DISCLOSURE AGREEMENT***

---

development. The reality is the County will incur additional expenditures but those expenditures will not increase in an amount equal to the tax collections from this project.

In fact, since Summit County is home to resort communities much of the infrastructure necessary to meet the needs of a resort development are already in place or planned. For instance, there already exists large hotel and condominium developments in the County, which means the County has already had to make plans for ensuring safety of residents in an environment where large masses of tourists congregate (i.e. fire fighting capabilities, law enforcement capabilities, and so forth). So, while the County may incur incremental expenditures to meet the additional needs for the new resort, the County will not have to develop entirely new plans and services.

Based upon the 2005 Auditors' Report for Summit County, direct charges for services offsets 44.1 percent of the total expenditures of the County<sup>2</sup>. In other words, to the extent the proposed resort requires specific County services, the County will charge a separate fee for that service, such fee would be in addition to the property taxes. Given this, an estimate of the costs the County will incur should be based upon the net program costs after subtraction of direct program revenues.

Attached in Appendix B, is a copy of the Statement of Activities schedule from the 2005 Auditors' Report for Summit County. As shown in the Statement of Activities, the primary government expenses net of program revenues is \$19,551,693. However, this amount was reduced due to excess revenue in the business-type activities section of \$322,919. Therefore, as a measure of conservatism, Sage's analysis does not include this offset and is based upon expenses net of program revenues of \$19,874,612.

As shown in Schedule 3, dividing each of the expense components that comprise the \$19,874,612 by the total collections for property, general sales, use, and transient room taxes, of \$28,018,522<sup>3</sup>, one derives a percentage of taxes that are expended in each of the primary government areas. Applying these percentages to the estimated tax collections for the County of \$3,304,836 (total property taxes plus transient room tax), provides an estimated cost to the County of \$2,344,247, resulting in a net benefit to the County of almost \$1 million. This benefit does not include an estimate for sales taxes and does not make adjustments for the fact that not all expenses will see a proportional increase. However, even without determining the additional adjustments, the net result is that the proposed resort results in a positive net fiscal impact on the County.

***TRAFFIC IMPACTS***

---

Sage was asked to review the various traffic studies and analyses that exist to determine what the fiscal impact of the added traffic volumes of the proposed project might be. For this analysis Sage has reviewed the following:

1. Western Snyderville Basin Transportation Impact Fee Analysis – August 21, 2006
2. 2<sup>nd</sup> Annual Transportation Report Summit County, Utah – 2006
3. Western Snyderville Basin Transportation/Transit Plan – November 2005
4. Snyderville Basin General Plan – January 2002
5. Summit County Regional Transit Study – December 1999

---

<sup>2</sup> Ibid. p. 10.

<sup>3</sup> Property taxes of \$17,865,936 plus general sales and use taxes of \$6,084,364, plus transient room tax of \$4,068,222.

***PRIVILEGED – SUBJECT TO MUTUAL NON-DISCLOSURE AGREEMENT***

---

Based upon our review of the various documents, it is apparent that the growth in Summit County has already generated traffic problems that have required substantial road and highway development and enhancement. It appears that the rapid growth quickly outpaced the previous highway and road development plans. In particular the areas of Jeremy Ranch and Kimball Junction and the SR-224 corridor have experienced traffic congestion resulting in significant expenditures by the state and county to alleviate the problems. A lot of the problems are apparently attributable to the overlapping of resort communities, with schools, with residential communities, and with retail projects, combining locals traffic, shopping traffic, school traffic, and tourist traffic.

The area where the proposed F.D.P to be developed is away from the most problematic traffic areas and is actually very near a major highway, US-40. With the development being planned as a destination resort the amount of traffic generated should be less than the traffic for a ski resort. Destination resorts often times arrange group travel or bussing-type service to take their guests to and from other local tourist destinations. In fact, in the Western Snyderville Basin Transportation Impact Fee Analysis notes that “recreational homes [...] generate less trips than homes occupied year-round.”<sup>4</sup> The proposed development would fall into this type of category.

In addition, it is our understanding that near the area of the proposed resort there are several projects already planned for development. In December of 2006, the Park City Council approved a training facility for the United States Ski and Snowboard Association, an Intermountain Healthcare Hospital, a 15-acre expansion of the recreation complex and a 5-acre affordable-housing site to be built at Quinns Junction.<sup>5</sup>

Based upon a review of the documents and information mentioned, it is evident that while this project will have some impact on the total traffic in the County, however there are already planned enhancements to the roads and highways in the area. Because enhancements are already necessary without this development the additional road costs would be incremental if any.

Essentially, the road and highway enhancements are already planned and it is not certain that this new project will require any improvements to the local infrastructure beyond what is planned. Thus the estimated expenditures of \$563,836 for highways and public improvements calculated in Schedule 3 should offset any possible incremental costs. Furthermore, the fiscal impact analysis found that this project will result in estimated tax collections in excess of estimated expenditures of nearly \$1 million per year for the County, such excess could be also be tapped to offset any incremental costs incurred, if any.

***IMPACT ON PARK CITY***

---

Sage was asked to analyze what impacts this F.D.P might have on Park City. As presently situated, the proposed F.D.P is in an unincorporated portion of Summit County will not be subject to Park City property taxes. If the proposed development were annexed into Park City, the F.D.P. would pay additional property taxes.

As shown in Schedule 2, we have estimated that the total tax collections for Park City and the Park City School District would be \$1,776,411 and \$4,669,014, respectively. As previously outlined, this F.D.P is only expected to add: ○ population of permanent residents.

---

<sup>4</sup> P. 15

<sup>5</sup> Deseret News. Hotel showdown: U.S. military could use supremacy to build hotel in Park City's open space. January 7, 2002.

***PRIVILEGED – SUBJECT TO MUTUAL NON-DISCLOSURE AGREEMENT***

---

According to statistics provided by the Park City School District's Business Manager, the student generation per housing unit was 0.52 in 2005. Applying that rate to the proposed F.D.P would result in an estimated addition of 0 students to the district.

Based upon our estimates, Park City would collect \$1,776,411 in property taxes from the proposed F.D.P., but the costs to Park City for this F.D.P would likely be very minimal. The F.D.P would still be paying Summit County property taxes and receiving most of the necessary services from the County. In fact, there would be some overlap between the services provided by Park City and the County, resulting in greater positive impact to the county. At this point, it would seem that annexing this project into Park City would result in only minimal added expenditures, which in turn would allow Park City to either reduce taxes or spend additional funds on other projects not directly related to the proposed

Even without the annexation of this resort into Park City, the City still benefits. This project is not a seasonal venture like the ski resorts as the proposed resort is envisioned to have film making year-round.

As such, it is anticipated to bring additional tourists to the area during the "off-seasons." Naturally these tourists will venture into Park City making various retail and food purchase, resulting in additional sales tax revenues for the City.

In summary, the proposed F.D.P results in positive impacts for Park City in all scenarios.

***IMPACT ON LOCAL BUSINESSES***

---

Sage was asked to assess what impacts the proposed project might have on the local businesses in County and City. For the most part, the businesses that will experience an impact are located within Park City. Based upon the information that has been provided and reviewed, Sage finds that the proposed project would positively benefit the local businesses by providing additional tourists to the area during the traditional "off-seasons."

***RESERVATION OF RIGHT TO SUPPLEMENT OR REVISE REPORT***

---

Sage reserves the right to update or supplement this report in the event that additional or updated information becomes available.

***COMPENSATION***

---

Sage is being compensated for its services based upon its normal hourly fee schedule. The opinions contained in this report have been reached independently and our fees are in no part contingent upon the findings of this report.

Mr. Greg Ericksen  
January 20, 2012  
Page 7 of 7

***PRIVILEGED – SUBJECT TO MUTUAL NON-DISCLOSURE AGREEMENT***

---

We hope that this report clearly explains the results of our analyses, as well as our conclusions. If you have any questions or need more information please contact either Daniel Rondeau or myself at your earliest convenience.

Sincerely,  
Sage Forensic Accounting, Inc.



by: Derk G. Rasmussen, CPA, ABV, CFE, ASA

**TAXABLE VALUE ASSUMPTIONS**

*Schedule I*

Source: Jack Johnson Company

	UNITS (or SF)	Unit Equivalents	Land Sales Price per Unit	Residual Land Value	SF/Unit	Market Valuation per Finished Units	Percentage Primary Residential	Total Taxable Value per Product Type	Value per SF
<b>Housing Units</b>									
Lodge-Hotel	**per plan		\$68,000	20%	1,000	\$340,000	0%	\$612,000,000	\$340
Total - Housing Units	2400	2400						\$868,620,000	
<b>Commercial Space</b>					SF/Unit				
Retail/Restaurants	** per plan	48	N/A	N/A	1	\$19,200,000	0%	\$19,200,000	\$400
Convention Facilities	**per plan	20	N/A	N/A	1	\$8,000,000	0%	\$8,000,000	\$400
Total - Commercial Space	** per plan							\$27,200,000	
<b>TOTALS</b>								<b>\$895,820,000</b>	

Notes

\* - Total taxable value includes adjustment for primary residence tax exemption.

\*\* Per plan means the annexation agreement with Park City effective Jan. 19, 2012

ANNUAL TAX LEVY ESTIMATES

	Project Value Assumptions		General Fund	Special Revenue Fund	Debt Services Fund	Municipal Services Fund	Weber Basin Water	Transient Room Tax	Park City	Park City School Dist.
	Units/SF	UEs								
<b>Tax Rate:</b>			0.000807	0.000372	0.000077	0.000506	0.000178	0.03	0.001983	0.005212
<b>Housing Units</b>										
Lodge-Hotel	1800	1800	\$493,884	\$227,664	\$47,124	\$309,672	\$108,936		\$1,213,596	\$3,189,744
<b>** per plan</b>										
Total - Housing Units	2400	2400	\$700,976	\$323,127	\$66,884	\$439,522	\$154,614		\$1,722,413	\$4,527,247
<b>Commercial Space</b>										
Retail/Restaurants	** per plan		\$15,494	\$7,142	\$1,478	\$9,715	\$3,418		\$38,074	\$100,070
<b>** per plan</b>										
Total - Commercial Space	68,000	68	\$21,950	\$10,118	\$2,094	\$13,763	\$4,842		\$15,864	\$41,696
<b>TOTALS</b>		2,468	\$722,927	\$333,245	\$68,978	\$453,285	\$159,456	\$1,566,945	\$1,776,411	\$4,669,014

Total Estimated Summit County Property Tax Collections --> \$1,737,891

Notes:

Occupancy Rate 53%  
Average Rental Rate \$150.00  
Rental Days per Year 365

\*\* Per plan means the annexation agreement with Park City effective Jan. 19, 2012

PRIVILEGED - SUBJECT TO  
MUTUAL NON-DISCLOSURE AGREEMENT

Quinn's Junction Development  
Summit County, Utah



**ESTIMATED COUNTY EXPENDITURES FOR PROPOSED F.D.P. Schedule 3**

	Net Program Costs	Percent of Tax Collections	Expended On Proposed Resort
General government	\$1,333,369	4.76%	\$157,273
Public Safety	7,315,320	26.11%	862,855
Public Health	634,182	2.26%	74,803
Highways & Public Improvements	4,780,227	17.06%	563,836
Culture & Rec	3,329,717	11.88%	392,746
Econ Development	2,481,796	8.86%	292,732
<b>Total Net Program Costs</b>	<b>\$19,874,611</b>	<b>70.93%</b>	<b>\$2,344,247</b>

**PRIVILEGED – SUBJECT TO  
MUTUAL NON-DISCLOSURE AGREEMENT**

**Utah State Tax Commission**  
**Property Tax Division**  
**2006 Approved Property Tax Rates and Budgets**

ENTITY NUMBER	BUDGET TYPE	BUDGET DESCRIPTION	APPROVED TAX RATE	APPROVED BUDGET
COUNTY NUMBER: 22			COUNTY NAME:	SUMMIT

**SUMMIT COUNTY**

1010	10	General Operations	0.000753	\$6,833,713
1010	20	Interest and Sinking Fund/Bond	0.000077	\$698,799
1010	50	Tort Liability	0.000022	\$199,657
1010	250	Capital Improvements	0.000032	\$290,410
1010	540	Health	0.000125	\$1,134,415
1010	950	State Assessing & Collecting	0.000139	\$1,261,469
1010	955	Local Assessing and Collecting	0.000108	\$980,134
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.001256</b>	<b>\$11,398,597</b>

**PARK CITY SCHOOL DISTRICT**

2010	50	Tort Liability	0.000005	\$36,257
2010	90	Recreation	0.000042	\$304,560
2010	210	Basic School Levy	0.001515	\$10,985,918
2010	220	Transportation	0.000114	\$826,663
2010	230	Debt Service	0.000910	\$6,598,802
2010	240	Capital Outlay	0.000780	\$5,656,116
2010	510	Voted Leeway	0.001650	\$11,964,861
2010	516	K-3 Reading Program - Guaranteed	0.000018	\$130,526
2010	521	10% Additional Other	0.000178	\$1,290,755
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.005212</b>	<b>\$37,794,459</b>

**NORTH SUMMIT SCHOOLS**

2020	50	Tort Liability	0.000036	\$23,178
2020	90	Recreation	0.000508	\$327,063
2020	210	Basic School Levy	0.001515	\$975,395
2020	220	Transportation	0.000257	\$165,463
2020	230	Debt Service	0.001213	\$780,960
2020	240	Capital Outlay	0.001537	\$989,559
2020	515	Board Approved Leeway	0.000401	\$258,174
2020	521	10% Additional Other	0.000751	\$483,513
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.006218</b>	<b>\$4,003,304</b>

Monday, October 02, 2006

Page 60 of 87

**Utah State Tax Commission**  
**Property Tax Division**  
**2006 Approved Property Tax Rates and Budgets**

ENTITY NUMBER	BUDGET TYPE	BUDGET DESCRIPTION	APPROVED TAX RATE	APPROVED BUDGET
<b>SOUTH SUMMIT SCHOOL DISTRICT</b>				
2030	50	Tort Liability	0.000014	\$16,221
2030	90	Recreation	0.000835	\$967,470
2030	210	Basic School Lev	0.001515	\$1,755,350
2030	220	Transportation	0.000232	\$268,806
2030	230	Debt Service	0.000561	\$650,001
2030	240	Capital Outlay	0.001719	\$1,991,713
2030	510	Voted Leeway	0.000479	\$554,992
2030	515	Board Approved Leeway	0.000423	\$490,108
2030	516	K-3 Reading Program - Guaranteed	0.000121	\$140,196
2030	521	10% Additional Other	0.000408	\$472,728
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.006307</b>	<b>\$7,307,584</b>
<b>COALVILLE</b>				
3010	10	General Operations	0.003699	\$194,588
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.003699</b>	<b>\$194,588</b>
<b>FRANCIS</b>				
3020	10	General Operations	0.001993	\$99,179
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.001993</b>	<b>\$99,179</b>
<b>HENEFER</b>				
3030	10	General Operations	0.001234	\$27,264
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.001234</b>	<b>\$27,264</b>
<b>KAMAS</b>				
3040	10	General Operations	0.001647	\$117,018
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.001647</b>	<b>\$117,018</b>
<b>OAKLEY</b>				
3050	10	General Operations	0.000874	\$88,123
3050	20	Interest and Sinking Fund/Bond	0.000288	\$29,038
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.001162</b>	<b>\$117,161</b>
<b>PARK CITY</b>				
3060	10	General Operations	0.001493	\$6,112,544

Monday, October 02, 2006

Page 61 of 87

**Utah State Tax Commission  
Property Tax Division  
2006 Approved Property Tax Rates and Budgets**

ENTITY NUMBER	BUDGET TYPE	BUDGET DESCRIPTION	APPROVED TAX RATE	APPROVED BUDGET
3060	20	Interest and Sinking Fund/Bond	0.000490	\$2,006,126
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.001983</b>	<b>\$8,118.671</b>
<b>A...WEBER BASIN WATER CONSERVANCY DISTRICT (1)</b>				
4005	150	Water Conservancy	0.000178	\$1,522,228
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000178</b>	<b>\$1,522,228</b>
<b>B...SOUTH SUMMIT CEMETERY MAINTENANCE DISTRICT</b>				
4010	10	General Operations	0.000213	\$156,381
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000213</b>	<b>\$156,381</b>
<b>C...SOUTH SUMMIT FIRE PROTECTION DISTRICT</b>				
4020	70	Fire Protection	0.000335	\$184,074
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000335</b>	<b>\$184,074</b>
<b>D...NORTH SUMMIT FIRE PROTECTION DISTRICT</b>				
4030	70	Fire Protection	0.000581	\$190,392
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000581</b>	<b>\$190,392</b>
<b>H...SUMMIT COUNTY SERVICE AREA #3 (SILVER CREEK SERVICE AREA)</b>				
4040	620	Public Streets	0.001400	\$195,000
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.001400</b>	<b>\$195,000</b>
<b>K...PARK CITY FIRE SERVICE DISTRICT</b>				
4060	70	Fire Protection	0.000963	\$7,401,965
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000963</b>	<b>\$7,401,965</b>
<b>L...SUMMIT COUNTY SERVICE AREA #5</b>				
4070	570	County Service Area	0.001115	\$14,523
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.001115</b>	<b>\$14,523</b>
<b>N...SUMMIT COUNTY SERVICE AREA #6</b>				
4090	570	County Service Area	0.000500	\$698,000
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000500</b>	<b>\$698,000</b>
<b>R...WANSHIP CEMETERY MAINTENANCE DISTRICT</b>				
4120	100	Cemetery	0.000090	\$23,185
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000090</b>	<b>\$23,185</b>

Monday, October 02, 2006

Page 62 of 87

**Utah State Tax Commission  
Property Tax Division  
2006 Approved Property Tax Rates and Budgets**

ENTITY NUMBER	BUDGET TYPE	BUDGET DESCRIPTION	APPROVED TAX RATE	APPROVED BUDGET
<b>S...SUMMIT COUNTY SERVICE AREA #8</b>				
4130	570	County Service Area	0.002602	\$549,388
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.002602</b>	<b>\$549,388</b>
<b>U...SUMMIT COUNTY MOSQUITO ABATEMENT DISTRICT</b>				
4150	110	Mosquito Abatement	0.000044	\$388,171
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000044</b>	<b>\$388,171</b>
<b>V...HOYTSVILLE CEMETERY MAINTENANCE DISTRICT</b>				
4160	100	Cemetery	0.000069	\$3,006
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000069</b>	<b>\$3,006</b>
<b>Y...SUMMIT COUNTY WILDLAND FIRE SERVICE AREA</b>				
4170	70	Fire Protection	0.000007	\$3,275
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000007</b>	<b>\$3,275</b>
<b>X...CENTRAL UTAH WATER CONSERVANCY DISTRICT (2)</b>				
4270	150	Water Conservancy	0.000357	\$33,406
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000357</b>	<b>\$33,406</b>
<b>(E-E) SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT</b>				
4310	20	Interest and Sinking Fund/Bond	0.000334	\$1,127,070
4310	90	Recreation	0.000502	\$1,693,980
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000836</b>	<b>\$2,821,050</b>
<b>SUMMIT CO. MUNICIPAL TYPE SERVICES FUND</b>				
6010	10	General Operations	0.000338	\$1,574,401
6010	50	Tort Liability	0.000043	\$200,294
6010	250	Capital Improvements	0.000125	\$582,249
<b>SUM OF RATES AND BUDGETS :</b>			<b>0.000506</b>	<b>\$2,356,944</b>

*Quinn's Junction Development*  
*Summit County, Utah*

**Sage**   
FORENSIC ACCOUNTING

**SM 11111**

**A/B**

---

**Summit County, Utah**  
**Statement of Activities**  
**For the Year Ended December 31, 2005**

Function/Programs Primary government	Program Revenues			Net (Expense) Revenues & Changes in Net Assets			Component Units		
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Primary Government Business-type Activities	Total	Mountain Regional Water	Snyderville Basin SSD
<b>Governmental activities</b>									
General government	\$ 8,697,184	4,856,381	2,507,434	-	(1,333,369)	-	-	-	-
Public safety	10,424,598	2,179,821	929,457	-	(7,315,320)	-	-	-	-
Highways and public improvements	5,921,047	-	1,140,820	-	(4,780,227)	-	-	-	-
Cultural and recreation	3,346,408	-	16,691	-	(3,329,717)	-	-	-	-
Conservation and economic development	3,918,407	1,436,611	-	-	(2,481,796)	-	-	-	-
Public health	3,221,109	266,462	2,320,465	-	(634,182)	-	-	-	-
<b>Total governmental activities</b>	<b>35,528,754</b>	<b>8,739,275</b>	<b>6,914,867</b>	<b>-</b>	<b>(19,874,612)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Business-type activities</b>									
Transit District	894,283	1,217,202	-	-	-	322,919	-	-	-
<b>Total business-type activities</b>	<b>894,283</b>	<b>1,217,202</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>322,919</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total primary government</b>	<b>\$ 36,423,037</b>	<b>9,956,477</b>	<b>6,914,867</b>	<b>-</b>	<b>(19,874,612)</b>	<b>322,919</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Component units</b>									
Mountain Regional Water	\$ 3,478,388	4,735,361	11,667	-	-	-	1,268,640	-	-
Snyderville Basin SSD	5,023,895	592,767	30,000	1,299,575	-	-	-	(3,101,553)	-
<b>Total component units</b>	<b>\$ 8,502,283</b>	<b>5,328,128</b>	<b>41,667</b>	<b>1,299,575</b>	<b>-</b>	<b>-</b>	<b>1,268,640</b>	<b>-</b>	<b>(3,101,553)</b>
<b>General revenues</b>									
Property taxes					17,865,936				3,402,736
General sales and use tax					6,084,364				192,356
Transient room tax					4,068,222				-
Impact fees					-			704,709	-
SID assessments					-			5,182,900	-
Gain (loss) on sale of capital assets					(103,596)			169,846	-
Miscellaneous					8,035			115,896	9,219
Net interest earnings (expenses)					448,840	3,734	452,574	(1,942,342)	129,582
Transfers					(25,000)	25,000	-	-	-
<b>Total general revenues</b>					<b>28,346,801</b>	<b>28,734</b>	<b>28,375,535</b>	<b>4,231,009</b>	<b>3,733,893</b>
<b>Change in net assets</b>					<b>8,472,189</b>	<b>351,653</b>	<b>8,823,842</b>	<b>5,499,649</b>	<b>632,340</b>
<b>Net assets - beginning, as adjusted</b>					<b>104,513,467</b>	<b>(100,893)</b>	<b>104,412,574</b>	<b>6,111,060</b>	<b>10,179,285</b>
<b>Net assets - ending</b>					<b>\$ 112,985,656</b>	<b>250,760</b>	<b>113,236,416</b>	<b>11,610,709</b>	<b>10,811,625</b>

The notes to the financial statements are an integral part of this statement.

**TAXABLE VALUE ASSUMPTIONS**

**Schedule I**

Source: Jack Johnson Company

	UNITS (or SF)	Unit Equivalents	Land Sales Price per Unit	Residual Land Value	SF/Unit	Market Valuation per Finished Units	Percentage Primary Residential	Total Taxable Value per Product Type	Value per SF
<b>Housing Units</b>									
Lodge-Hotel	1800	1800	\$68,000	20%	1,000	\$340,000	0%	\$612,000,000	\$340
Condominium Units*	600	600	47,000	10%	2,000	470,000	20%	256,620,000	\$235
<b>Total - Housing Units</b>	<b>2400</b>	<b>2400</b>						<b>\$868,620,000</b>	
<b>Commercial Space</b>					SF/Unit				
Retail/Restaurants	48,000	48	N/A	N/A	1	\$19,200,000	0%	\$19,200,000	\$400
Convention Facilities	20,000	20	N/A	N/A	1	\$8,000,000	0%	\$8,000,000	\$400
<b>Total - Commercial Space</b>	<b>68,000</b>	<b>68</b>						<b>\$27,200,000</b>	
<b>TOTALS</b>								<b>\$895,820,000</b>	

Notes

\* - Total taxable value includes adjustment for primary residence tax exemption.

**ANNUAL TAX LEVY ESTIMATES**

**Schedule 2**

	Project Value Assumptions		General Fund	Special Revenue Fund	Debt Services Fund	Municipal Services Fund	Weber Basin Water	Transient Room Tax	Park City	Park City School Dist.
	Units/SF	UEs								
<b>Tax Rate:</b>			0.000807	0.000372	0.000077	0.000506	0.000178	0.03	0.001983	0.005212
<b>Housing Units</b>										
Lodge-Hotel	1800	1800	\$493,884	\$227,664	\$47,124	\$309,672	\$108,936		\$1,213,596	\$3,189,744
Condominium Units	600	600	\$207,092	\$95,463	\$19,760	\$129,850	\$45,678		\$508,877	\$1,337,503
Total - Housing Units	2400	2400	\$700,976	\$323,127	\$66,884	\$439,522	\$154,614		\$1,722,473	\$4,527,247
<b>Commercial Space</b>										
Retail/Restaurants	48,000	48	\$15,494	\$7,142	\$1,478	\$9,715	\$3,418		\$0	\$0
Convention Facilities	20,000	20	\$6,456	\$2,976	\$616	\$4,048	\$1,424		\$38,074	\$100,070
Total - Commercial Space	68,000	68	\$21,950	\$10,118	\$2,094	\$13,763	\$4,842		\$53,938	\$141,766
<b>TOTALS</b>	<b>2,468</b>	<b>2,468</b>	<b>\$895,820,000</b>	<b>\$333,245</b>	<b>\$68,978</b>	<b>\$453,285</b>	<b>\$159,456</b>	<b>\$1,566,945</b>	<b>\$1,776,411</b>	<b>\$4,669,014</b>

Total Estimated Summit County Property Tax Collections --> \$1,737,891

**Notes:**

Occupancy Rate 53%  
Average Rental Rate \$150.00  
Rental Days per Year 365

PRIVILEGED - SUBJECT TO  
MUTUAL NON-DISCLOSURE AGREEMENT

Quinn's Junction Development  
Summit County, Utah



**ESTIMATED COUNTY EXPENDITURES FOR PROPOSED RESORT Schedule 3**

	Net Program Costs	Percent of Tax Collections	Expended On Proposed Resort
General government	\$1,333,369	4.76%	\$157,273
Public Safety	7,315,320	26.11%	862,855
Public Health	634,182	2.26%	74,803
Highways & Public Improvements	4,780,227	17.06%	563,836
Culture & Rec	3,329,717	11.88%	392,746
Conservation & Econ Development	2,481,796	8.86%	292,732
<b>Total Net Program Costs</b>	<b>\$19,874,611</b>	<b>70.93%</b>	<b>\$2,344,247</b>

**PRIVILEGED – SUBJECT TO  
MUTUAL NON-DISCLOSURE AGREEMENT**

*Quinn's Junction Development*  
*Summit County, Utah*

**Sage**   
FORENSIC ACCOUNTING

**R**

**A#**

---

## PUBLIC UTILITIES AND ESSENTIAL SERVICES.

### School Impacts

The project area is located within the Park City school District Boundaries. Following is a list of the schools that would service the school-aged children.

School	Grade
McPolin Elementary	K-5
Ecker Hill	6-7
Treasure Mt.	8-9
Park City High School	10-12

The project area is located approximately 1 ¼ miles from the McPolin, Treasure Mountain and Park City High Schools. Bus service is necessary when the schools are located more than 1 ½ miles from homes. This would require bus service for all of the schools with the exception of the High School, which only requires bus service when homes are located more than two (2) miles from the school.

Per discussions with the School District, all of the schools have room for future expansion. According to the Park City school District, the student generation rate per housing unit is .53. Understanding that this proposal encompasses a total of 0 housing units, regardless of whether they are primary or secondary units, the development has the potential to generate approximately 0 students in the Park City District.

For additional details regarding the fiscal impacts to the Park City School District, please refer to the section regarding fiscal impacts.



## WATER

The property owner has water rights associated with the property. Quinn's Junction L.C. has 60 acre-feet of water rights that can be used and a commitment to provide water from two tanks less than 1/2 mile away by Summit Water Company. The water issued in 1861 as award #820.

Preliminary engineering show the path of the water line.

Easements have been obtained by Quinn's to run the water from the tanks to the site along the S/R 40 highway access right of way. This is subject to UDOT approval. UDOT has expressed verbally that this will be allowed.

Attached is a water usage table. All water needed for the project can be distributed from Summit Water Company to the site.

SUMMIT WATER DISTRIBUTION COMPANY  
6400 NORTH PACE FRONTAGE ROAD #1  
PARK CITY, UTAH 84098  
435-649-7324  
FAX: 435-649-7347

February 16, 2007

Summit County Planning Department  
60 North Main Street  
P.O. Box 128  
Coalville, Utah 84017

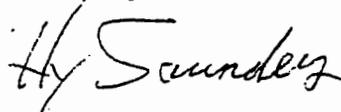
RE: Will Serve for Quinn's Junction

To Whom It May Concern:

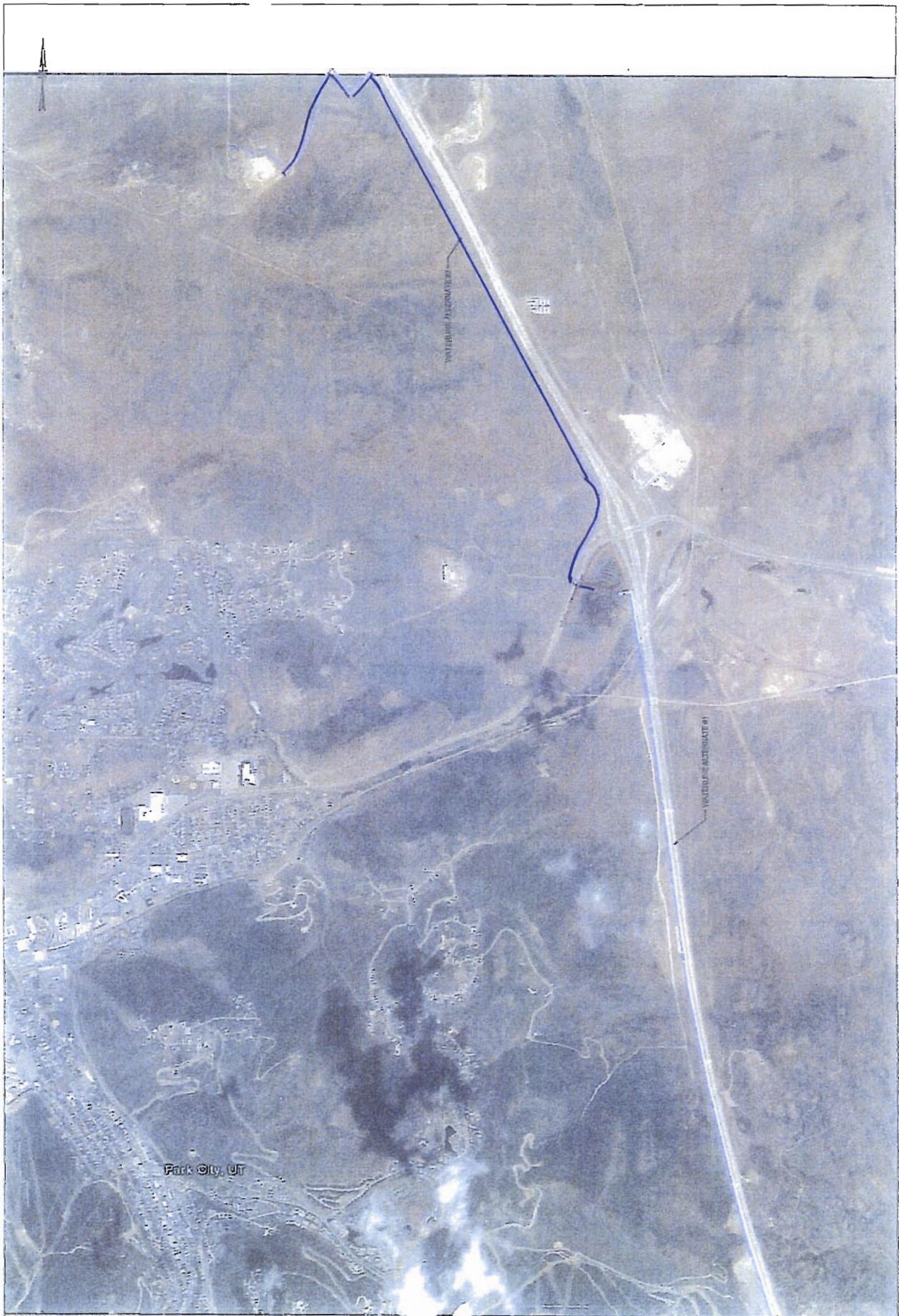
Please accept this letter as confirmation that Summit Water Distribution Company ("Summit Water") is committed to provide water service to the Quinn's Junction mixed-use development. Summit Water presently has two (2) water tanks near the Quinn's Junction area with a capacity of approximately 2.25 million gallons of storage, sufficient source, pipeline, storage capacity and water rights to serve the requested 1.2 million square feet of mixed use development.

Summit Water is committed to provide adequate water for culinary and irrigation purposes necessary to adequately service Quinn's Junction upon development approval and further confirms that it has the present ability to supply water to the project through water transmission lines it has through public easements to the Quinn's Junction property from its storage tanks.

Sincerely,



Hy Saunders  
President



**Blue line shows water from Summit water**

When Recorded, Mail To:

Summit Water Distribution Company  
6400 N. Pace Frontage Road, #1  
Park City, Utah 84098

With A Copy To:

Property Reserve, Inc.  
5 Triad Center  
55 North 300 West, Suite 650  
Salt Lake City, UT 84180

00773735 8k01782 Ps80174-00184  
ALAN SPRIGGS, SUMMIT CO RECORDER  
2006 APR 03 16:14 PM FEE \$30.00 BY 668  
REQUEST: KIRTON & MCCORMIE

Affecting Parcel Nos. SS-57 and SS-57-2-A.

(Space above for Recorder's use only)

### WATER DISTRIBUTION FACILITIES EASEMENT

THIS WATER DISTRIBUTION FACILITIES EASEMENT (this "Agreement") is entered into this 30<sup>th</sup> day of March 2006, by and between PROPERTY RESERVE, INC., a Utah non-profit corporation, formerly known as Desert Title Holding Corp. ("Grantor"), and SUMMIT WATER DISTRIBUTION COMPANY, a Utah non-profit mutual water company ("Grantee").

#### RECITALS

A. Grantor owns certain real property (the "Grantor's Parcel") located in Summit County, State of Utah.

B. Grantor desires to grant a perpetual, nonexclusive easement on, over, and across: (1) a 30 foot wide portion of Grantor's Parcel to be used for water pipes and related water distribution facilities; and (2) an approximately 0.140 acre portion of Grantor's Parcel on which to access and construct a booster station to become a part of the "Water Distribution Facilities" (defined below) for the purposes more particularly described herein, and Grantor is willing to grant the easement to Grantee for such purposes subject to the terms and conditions set forth herein. Both portions of Grantor's Parcel referenced in the immediately preceding sentence are collectively referred to herein as the "Easement Parcel." The Easement Parcel is more particularly described on Exhibit A and graphically depicted on Exhibit B, both of which are attached hereto and incorporated by reference herein.

#### TERMS AND CONDITIONS

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and of the mutual promises and subject to the conditions set forth below, the parties agree as follows:

1. Grant of Easement. Grantor hereby conveys to Grantee a perpetual, non-exclusive easement on, over and across the Easement Parcel for the sole purpose of accessing, installing, using, operating, maintaining, repairing and replacing underground water pipes and

BK1782 PG0174

distribution facilities, a booster station, above-ground pumps, valves and other equipment necessary or useful to the operation of such water distribution facilities (collectively, the "Water Distribution Facilities").

2. **Condition of the Easement Parcel.** Grantee accepts the Easement Parcel and all aspects thereof in "as is", "where is" condition, without warranties, either express or implied, "with all faults", including but not limited to both latent and patent defects, and the existence of hazardous materials, if any. Grantee hereby waives all warranties, express or implied, regarding the title, condition and use of the Easement Parcel, including, but not limited to any warranty of merchantability or fitness for a particular purpose. Without limiting the generality of the foregoing, this easement is granted to Grantee subject to: (i) any state of facts which an accurate ALTA/ASCM survey (with Table A items) or physical inspection of the Easement Parcel might show, (ii) all zoning regulations, restrictions, rules and ordinances, building restrictions and other laws and regulations now in effect or hereafter adopted by any governmental authority having jurisdiction; and (iii) reservations, easements, rights-of-way, covenants, conditions, restrictions, encroachments, liens, and encumbrances and all other matters of record or enforceable at law or in equity. Grantee shall obtain any and all consents, approvals, permissions, and agreements to cross, encumber or encroach upon any other easements or rights of others related to its use and improvement of the Easement Parcel.

3. **Taxes.** Reserved.

4. **Access.** Grantee and its agents, employees, and contractors shall have the unrestricted right to enter upon the Easement Parcel for the purposes permitted by this Agreement. Grantee shall enter upon the Easement Parcel at its sole risk and hazard, and Grantee and its successors and assigns, hereby release Grantor from any claims relating to the condition of the Easement Parcel and the entry upon the Easement Parcel by Grantee, its agents, employees, servants, contractors and other such parties.

5. **Improvements.** If Grantee desires to add any improvements not described in paragraph 1 above, Grantee shall provide Grantor with detailed plans and specifications for the proposed change or improvement at least forty five (45) days in advance. Grantor shall have the right to approve, modify, or deny the requested change or improvement if Grantor determines that it is likely to unreasonably interfere with or impair, or has the potential to interfere with or impair, Grantor's current or future use or development of the Grantor's Parcel. The parties will use good faith efforts to cooperate with each other to agree upon mutually acceptable plans and specifications for the improvement, alteration and/or development of the Easement Parcel. The approved plans will incorporate, to the extent known at the time the plans and specifications are submitted to Grantor, the placement of any roads, landscaping, fences, signs, and other improvements.

In the event Grantee needs to perform construction or maintenance work on the Easement Parcel, Grantee shall: (i) use good faith efforts to ensure that there is continual pedestrian and vehicular access to the Grantor's Parcel; (ii) use reasonable efforts to minimize any interference or disruption to Grantor's use and occupancy of the Grantor's Parcel; (iii) perform any such work at its sole cost and expense; and (iv) perform such work expeditiously and in a good and workmanlike manner.

6. **Insurance.** Prior to exercising its rights under this Agreement, Grantee shall obtain and maintain a policy of general commercial liability insurance insuring Grantee's interests against claims for personal injury, bodily injury, death, property damage occurring on, in or about the Easement Parcel and the ways immediately adjoining the Easement Parcel, with a "Combined Single Limit" (covering personal injury liability, bodily injury liability and property damage liability) of not less than One Million Dollars (\$1,000,000.00).

7. **Maintenance.** Grantee, at its sole cost and expense, shall maintain and repair the Water Distribution Facilities and any and all related improvements installed by Grantee, in good order and condition. Grantee shall promptly repair any damage to the Grantor's Parcel and Grantor's improvements located thereon (including, without limitation, any and all landscaping, trees, fences, water and/or irrigation pipes, lines and ditches, curbs, gutters, asphalt surfaces, fences, signs, lighting, etc.) caused by Grantee, its agents, servants, employees, contractors or anyone performing work by, through, for, or under Grantee ("Grantee's Agents"), and shall restore the Grantor's Parcel and the improvements thereon to the same or better condition as they existed prior to any entry onto or work performed on the Grantor's Parcel by Grantee and Grantee's Agents.

8. **Liens.** Grantee shall keep the Grantor's Parcel free from any liens arising out of any work performed, materials furnished, or obligations incurred by, through, for or under Grantee, and shall indemnify, hold harmless and agree to defend Grantor from any liens that may be placed on the Grantor's Parcel and/or the property pertaining to any work performed, materials furnished or obligations incurred by, through, for, or under Grantee or any of Grantee's Agents. Any such liens shall be released of record within thirty (30) days.

9. **Compliance with Laws.** Grantee will comply with all present or future laws, statutes, codes, acts, ordinances, rules, regulations, orders, judgments, decrees, injunctions, rules, regulations, permits, licenses, authorizations, directions and requirements of and agreements with all governments, departments, commissions, boards, courts, authorities, agencies, officials and officers, foreseen or unforeseen, ordinary or extraordinary, including, without limitation, any building, zoning and land use laws.

10. **Indemnification.** Grantee and its successors and assigns and Grantor and its successors and assigns hereby agree to indemnify, defend and hold harmless the other party, and any entity controlling, controlled by or under control with the indemnified party, and its and their officers, directors, employees, managers, members, agents, servants, successors, and assigns from and against any and all liens, encumbrances, costs, demands, claims, judgments, and/or damage caused by or arising out of the negligent acts and/or omissions of the indemnifying party and its agents, servants, employees, and/or contractors in connection with work upon or the use of the Grantor's Parcel and/or the Water Distribution Facilities. The terms and conditions of this provision shall remain effective, notwithstanding the expiration or termination of this Agreement for the period of the applicable statute of limitations.

11. **Reservation by Grantor.** Grantor hereby reserves the right to use the Easement Parcel for any use not inconsistent with Grantee's permitted use of the Easement Parcel. Without limiting the above, Grantor reserves the right: (a) for pedestrian and vehicular ingress to

and egress on and over the Easement Parcel; (b) for the construction and maintenance of buildings, and the placement and maintenance of landscaping, trees, signs, light standards, sidewalks, curbs and gutters, ditches, irrigation pipes and related appurtenances, fences, asphalt roadways, utilities of any type or nature, and driveways; (c) to relocate this easement and/or the Water Distribution Facilities at any time at Grantor's own cost and expense, provided that such relocation provides Grantee with comparable easement rights and such relocation terminates the use of the easement in its prior location without unreasonably interrupting service and Grantee's rights under the Agreement; (d) to grant other non-exclusive easements, licenses and rights within or on the Easement Parcel to other parties, giving Grantee written notice thereof and without unreasonably interfering with or interrupting service and Grantee's rights under the Agreement; and (e) to convey or transfer any or all of its interests in Grantor's Parcel or the Easement Parcel to any party at any time.

12. Notices. Any notice required or desired to be given under this Agreement shall be considered given either: (i) when delivered in person to the recipient named below, (ii) three (3) days after deposit in the United States mail in a sealed envelope or container, either registered or certified mail, return receipt requested, postage prepaid, addressed by name to the person and party intended. All notices shall be given at the following addresses:

If to Grantor:

Property Reserve, Inc.  
5 Triad Center  
55 North 300 West, Suite 650  
Salt Lake City, UT 84180

If to Grantee:

Summit Water Distribution Company  
Attn: General Manager  
6400 N. Pace Frontage Road, #1  
Park City, Utah 84098

Either party may designate a different individual or address for notices, by giving written notice thereof in the manner described above.

13. Miscellaneous.

13.1 Interpretation. Section titles and captions to this Agreement are for convenience only and shall not be deemed part of this Agreement and in no way define, limit, augment, extend, or describe the scope, content, or intent of any part of this Agreement. The parties acknowledge and agree that all of the terms and conditions of this Agreement are contractual in nature and shall be interpreted under any applicable law as contractual obligations, and each party waives any claims or defenses to the contrary.

13.2 Applicable Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Utah.

13.3 Run with the Land/Successors. Subject to the terms and conditions of this Agreement, the easement granted herein shall be perpetual and shall run with the land, and the terms and conditions of this Agreement shall inure to the benefit of and be binding upon the parties, their successors and assigns.

13.4 Integration. This Agreement constitutes the entire agreement between the parties pertaining to the subject matter hereof, and supersedes all prior agreements and understandings pertaining thereto. No covenant, representation, or condition not expressed in this Agreement shall affect or be deemed to interpret, change, or restrict the express provisions hereof. Any amendment or modification to this Agreement shall be in writing and signed by authorized agents or officers of the parties.

13.5 Waiver. No failure by any party to insist upon the strict performance of any covenant, duty, agreement, or condition of this Agreement or to exercise any rights or remedy for a breach of this Agreement shall constitute a waiver of any such breach or of such right or remedy or of any other covenant, agreement, term, or condition.

13.6 Rights and Remedies. The rights and remedies of any of the parties stated herein are not intended to be exclusive, and the exercise of one or more of the provisions of this Agreement shall not preclude the exercise of any other provisions. Each of the parties confirms that damages at law may be an inadequate remedy for a breach or threatened breach of any provision hereof. The respective rights and obligations hereunder shall be enforceable by specific performance, injunction, or other equitable remedy, but nothing herein contained is intended to or shall limit or affect any rights at law or by statute or otherwise of any party aggrieved as against the other party for a breach or threatened breach of any provision hereof, it being the intent of this paragraph to make clear the agreement of the parties that the respective rights and obligations of the parties hereunder shall be enforceable in equity as well as at law or otherwise.

13.7 Enforceability and Litigation Expenses. If any action, suit, or proceeding is brought by a party hereto with respect to a matter or matters covered by this Agreement or if a party finds it necessary to retain an attorney to enforce its rights under this Agreement, all costs and expenses of the prevailing party incident to such proceeding or retention, including reasonable attorneys' fees, shall be paid by the non-prevailing party.

13.8 Authorization. Each individual executing this Agreement represents and warrants that he or she has been duly authorized by appropriate action of the governing body of the party for which he/she signs to execute and deliver this Agreement in the capacity and for the entity set forth where he/she signs and that as a result of his/her signature, this Agreement shall be binding upon the party for which he/she signs.

13.9 No Public Use/Dedication. The use of the Easement Parcel by Grantee, its successors or assigns, is permissive and shall be limited to the express purposes contained herein. Neither Grantee, nor its successors or assigns, nor the public shall acquire nor be entitled to claim or assert any rights to the Easement Parcel or any other portion of the Grantor's Parcel





EXHIBIT A

(Legal Description of Easement Parcel)

Following is the legal description of the Easement Parcel:

Prepared by T.S.C.  
Sec 27 Easement4.doc

DESERET TITLE HOLDING CORP.

PERPETUAL WATERLINE EASEMENT #1;

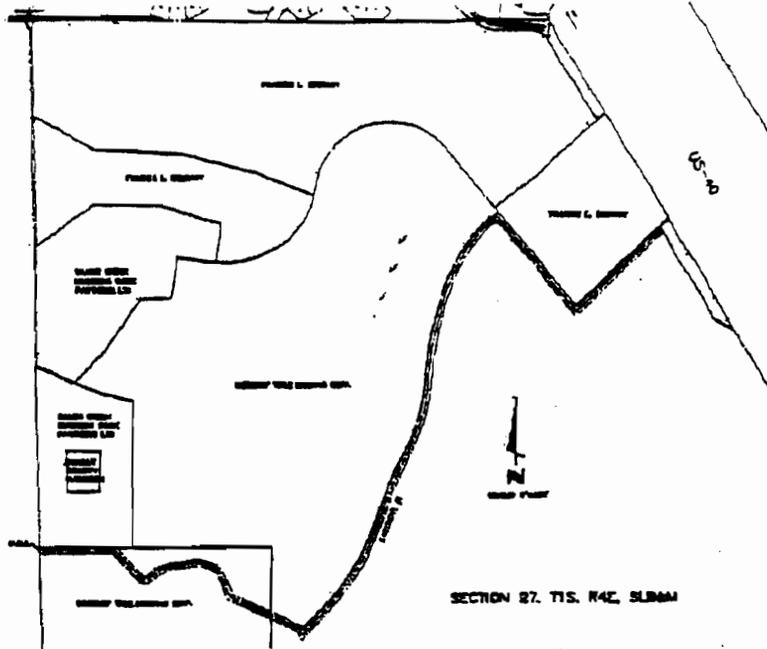
A tract of land situated in the northern half of Section 27, Township 1 South, Range 4 East, Salt Lake Base and Meridian, more particularly described as follows:

A perpetual non-exclusive 30 foot wide easement for an underground waterline, 15 feet on each side of the following described centerline:

Beginning at a point on the Westerly line of Grantor's land, said point lies S01°27'28"E, 2578.15 feet along the section line from the Northwest corner of said Section 27; and running thence, along the Northerly line of Grantor's land, N90°00'00"E, 340.26 feet; thence S43°28'37"E, 194.23; thence S89°05'20"E, 26.08 feet; thence N47°53'47"E, 57.92 feet; thence Northeasterly 121.53 feet along the arc of a 207.13-foot radius curve to the right (Chord to said curve bears N74°18'06"E for a distance of 119.79 feet); thence N82°48'52"E, 67.47 feet; thence Southeasterly 173.03 feet along the arc of a 137.96-foot radius curve to the right (Chord to said curve bears S58°14'00"E for a distance of 161.91 feet); thence S19°32'35"E, 78.87 feet; thence S64°22'07"E, 358.23 feet; thence S30°37'32"E, 33.84 feet; thence N39°41'50"E, 277.78 feet; thence Northeasterly 254.35 feet along the arc of a 728.83-foot radius curve to the left (Chord to said curve bears N29°28'20"E for a distance of 253.06 feet); thence N21°07'58"E, 285.11 feet; thence N22°34'34"E, 189.28 feet; thence Northerly 375.02 feet along the arc of a 809.26-foot radius curve to the left, to a point of reverse curve (Chord to said curve bears N16°04'32"E for a distance of 371.67 feet); thence Northeasterly 425.84 feet along the arc of a 1698.68-foot radius curve to the right (Chord to said curve bears N10°25'28"E for a distance of 424.73 feet); thence Northeasterly 402.50 feet along the arc of a 856.26-foot radius curve to the right (Chord to said curve bears N31°09'39"E for a distance of 398.80 feet); thence N54°02'19"E, 48.50 feet; thence S38°50'41"E, 584.37 feet; thence N45°27'00"E, 556.30 feet more or less, to a point on the easterly line of Grantor's land. Said point also lies on the westerly line of the frontage road for US 40.

NW, NE, SW  
27  
154E

BK1782 PG0181



807038.07

**RECORDER'S NOTE**  
 LEGIBILITY OF WRITING, TYPING OR  
 PRINTING UNSATISFACTORY IN THIS  
 DOCUMENT WHEN RECEIVED.

Following is the legal description for the Booster Station:

**SECTION 27 – BOOSTER STATION EASEMENT:**

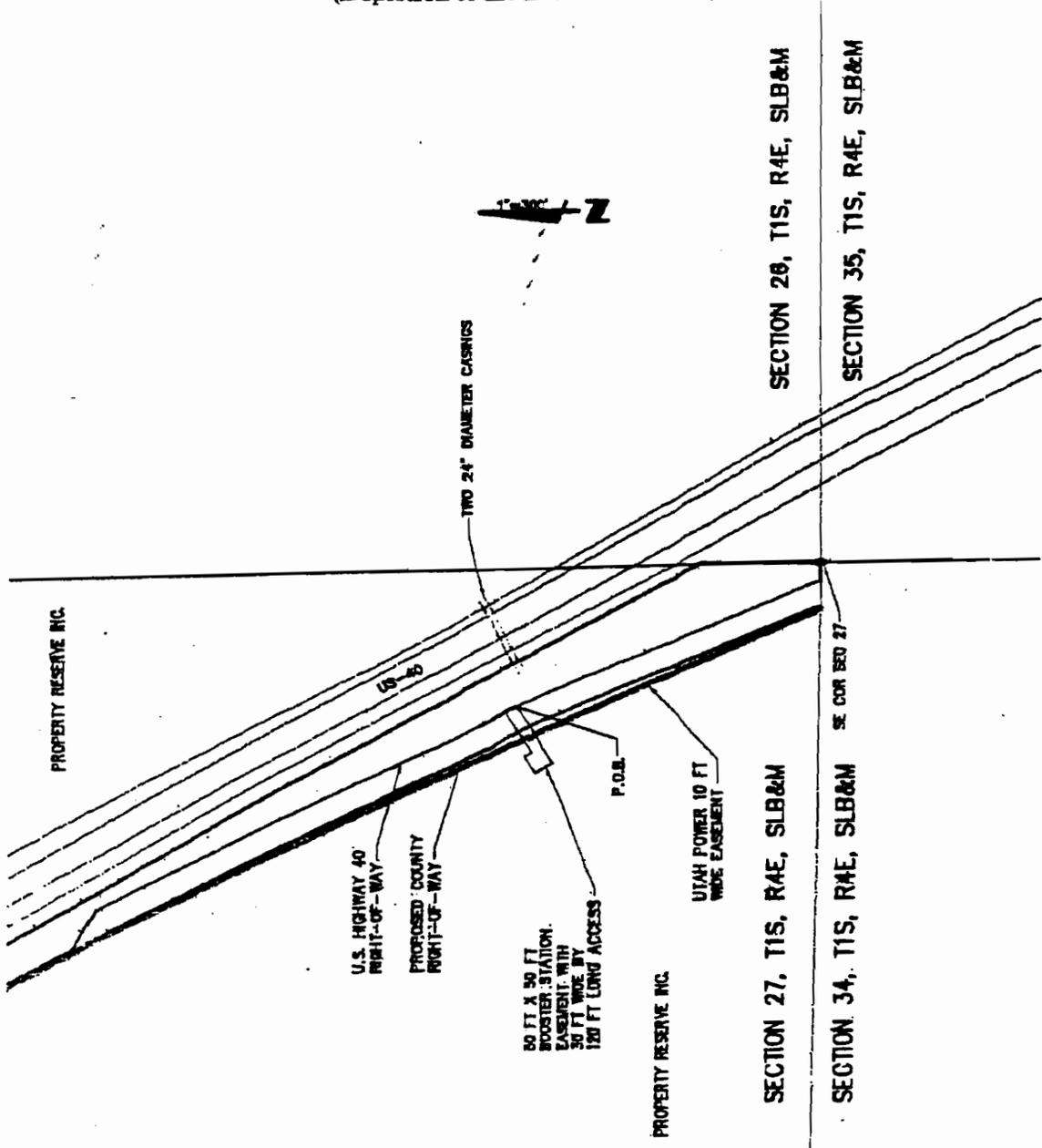
Beginning at the Southeast Corner of Section 27, Township 1 South, Range 4 East, Salt Lake Base & Meridian; and running thence N89°40'20"W, 44.88 feet along the south line of said Section 27 to the southwesterly line of the existing U.S. highway 40 right-of-way; thence Northwesterly along the U.S. highway 40 right-of-way, 331.03 feet along the arc of a 23,078.312-foot radius curve to the right, to a point of reverse curve (Note: Chord to said curve bears N24°22'05"W for a distance of 331.03 feet.); thence Northwesterly along the U.S. highway 40 right-of-way, 445.68 feet along the arc of a 22,758.312-foot radius curve to the left to the point of beginning, said point also lies on the Northeasterly line of Grantors land (Note: Chord to said curve bears N24°31'08"W for a distance of 445.68 feet); and running thence N30°57'22"W, 30.00 feet along the Northeasterly line of Grantors land; thence S60°03'38"W, 120.00 feet, thence N30°57'22"W, 20.00 feet; thence S60°03'38"W, 50.00 feet; thence S30°57'22"E, 50.00 feet; thence N60°03'38"E, 170.00 to the point of beginning.

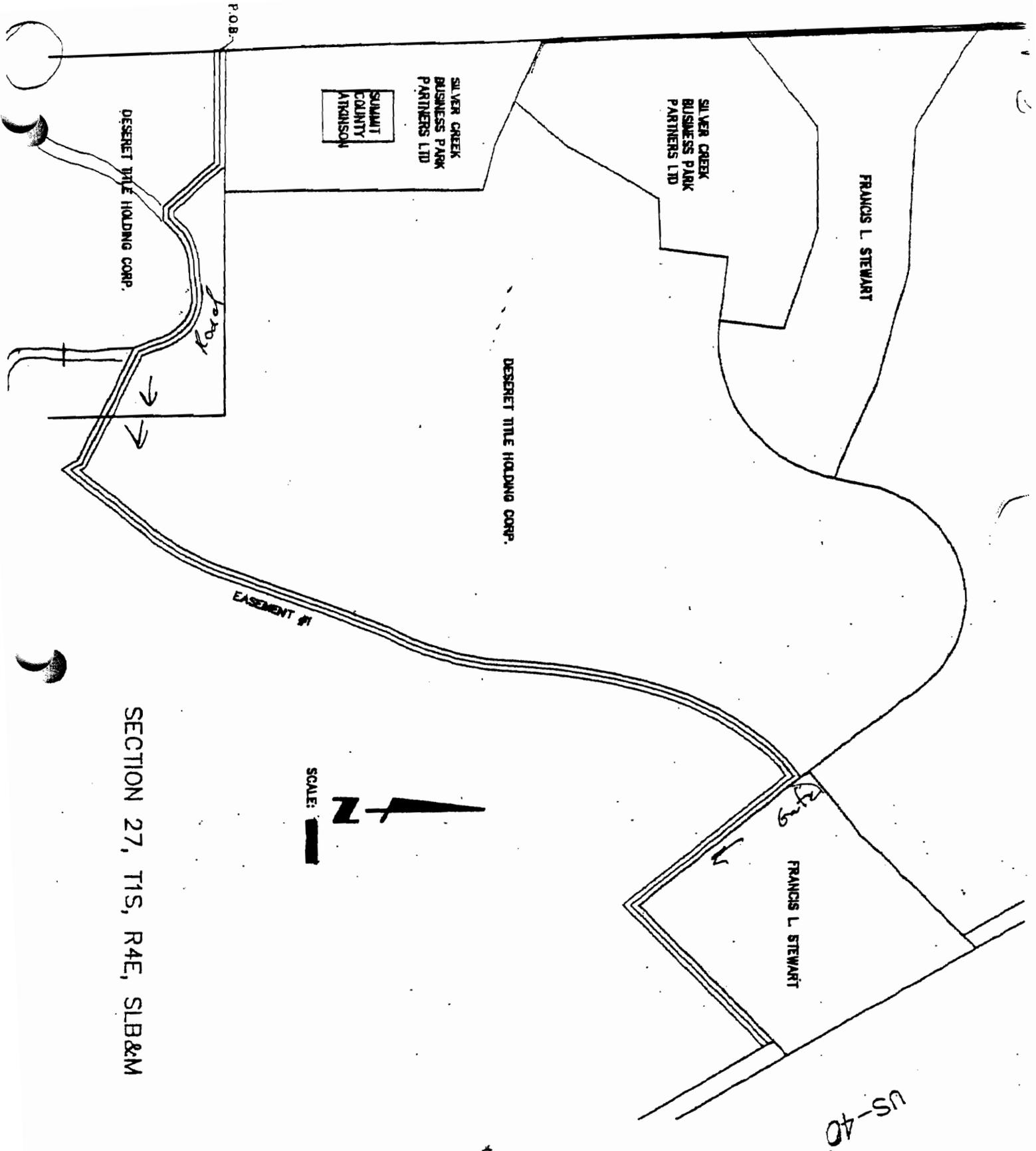
The above described parcel of land contains 0.140 acres, more or less

SE 27  
154E

**EXHIBIT B**

(Depiction of the Easement Parcel)





SECTION 27, T1S, R4E, SLB&M



**QUINN'S JUNCTION PARTNERSHIP**  
**PRELIMINARY WATER DEMAND ESTIMATE**  
 01-15-05

**POTABLE WATER DEMAND TABLES**

**Potable (indoor) Water Demand Requirements**

---

Commercial Space (gal/day/sf) = 0.15

Potable Consumptive Value (for sanitary sewer systems) (%) = 20%

Potable System Loss Factor = 0%

**Potable Season Durations**

---

Winter	33.33%	=(120 days)
Summer	33.33%	=(120 days)
Spring/Fall	33.33%	=(120 days)
	100.00%	

**Potable Occupancy (Demands by Season)**

---

100.00%	=100.00 (% occupancy)
100.00%	=Winter (% occupancy')
100.00%	=Summer (% occupancy)
100.00%	=Spring/Fall (% occupancy)
100.00%	= Average Year Round Occupancy

**Potable Peaking Factors**

---

	1.00	= ADD
ADD *	2.00	= PDD
	400	= ADD (gpd)/ERC

**QUINN'S JUNCTION PARTNERSHIP  
PRELIMINARY WATER DEMAND ESTIMATE**

01-15-05

**IRRIGATION WATER DEMAND TABLES**

**Irrigation (outdoor) Water Demand Requirements**

---

Gross Irrigated Acreage PDD (gal/day/ac) <sup>1</sup> = 8,064	<< 3746 min for Zone 2
Irrigated Acreage Per Small Lot (acre) = 0.0459	2,000 S.F
Irrigated Acreage Per Medium Lot (acre) = 0.1377	6,000 S.F
Irrigated Acreage Per Large Lot (acre) = 0.1837	8,000 S.F
Pond Evaporation PDD (gal/day/ac) = 12,754	
Irrigation Consumptive Value (%) = 70%	
Pond Evaporation Consumptive Value (%) = 100%	
Irrigation System Loss Factor = 0%	

**Irrigation Season Durations**

---

58.00%	=Winter (% of year)
21.00%	=Summer (% of year)
21.00%	=Spring/Fall (% of year)
100.00%	

**Irrigation Occupancy (Demands by Season)**

---

100.00%	=100.00 (% occupancy)
0.00%	=Winter (% occupancy)
100.00%	=Summer (% occupancy)
100.00%	=Spring/Fall (% occupancy)

**Irrigation Peaking Factors**

---

1.00	= ADD
------	-------

QUINN'S JUNCTION PARTNERSHIP  
PRELIMINARY WATER DEMAND ESTIMATE

01-15-05

**NOTES**

**Abbreviations**

---

ADD = Average Day Demand

PDD = Peak Day Demand (2.0xADD)

PHD = Peak Hour/Instantaneous Demand ( $Q(\text{gpm})=10.8 \times N^{0.64}$ ;  
R309-203-9.2a)

ERC = Equivalent Residential Connection (R309-203-8.2b; 400  
gpm ADD)

N = Total Number of ERC's (R309-203-8.2b)

**Constants**

---

1 acre-ft = 325,851 gal.

1 acre = 43,560 sf

Notes: \* All irrigation is based on a 153 day irrigation season

\*\* The equation for PHD is non-linear, therefore the  
totals are not actual summations

The irrigation acres for the commercial area has been  
estimated to be 1/4 of the total development area.

**QUINN'S JUNCTION PARTNERSHIP  
PRELIMINARY WATER DEMAND ESTIMATE  
01-15-05**

**UNIT DEMAND - USEAGE TABLE**

Description	Use				Unit Demand			
	Potable/ Irrigation (units)	Irrigation Per Unit (acres)	Total Irrigation (acres)	100%Occ (gpd)	Winter (gpd)	Summer (gpd)	Spr/Fall (gpd)	
<b>COMMERCIAL</b>								
Potable (indoor)								
General Commercial (SF)	300,000			0.20	0.20	0.20		0.20
Irrigation (outdoor)								
General Commercial Landscaping (AC)	1.0	7.0	7.0	8,064	0	8,064		8,064
<b>Commercial Total</b>								
<b>Potable Total</b>								
<b>Irrigation Total</b>								
<b>Grand Total</b>								

**QUINN'S JUNCTION PARTNERSHIP  
PRELIMINARY WATER DEMAND ESTIMATE  
01-15-05**

**PEAK DAY DEMAND TABLE**

Description	Peak Day Demand ( PDD Source)									
	100% Occupancy						Total Demand			
	(gpm)	(gpd)	(gpm)	(gpd)	(gpm)	(gpd)	(gpm)	(gpd)	(gpm)	(gpd)
<b>COMMERCIAL</b>										
Potable (indoor)										
General Commercial (SF)	41.67	60,000	41.67	60,000	41.67	60,000	41.67	60,000	41.67	60,000
Irrigation (outdoor)										
General Commercial Landscaping (AC)	39.20	56,448	0.00	0	39.20	56,448	39.20	56,448	39.20	56,448
Commercial Total	80.87	116,448	41.67	60,000	80.87	116,448	80.87	116,448	80.87	116,448
Potable Total	42	60,000	42	60,000	42	60,000	42	60,000	42	60,000
Irrigation Total	39	56,448	0	0	39	56,448	39	56,448	39	56,448
Grand Total	81	116,448	42	60,000	81	116,448	81	116,448	81	116,448

**QUINN'S JUNCTION PARTNERSHIP  
PRELIMINARY WATER DEMAND ESTIMATE**

01-15-05

**AVERAGE DAY DEMAND TABLE**

Description	Average Day Demand (ADD Storage)									
	Unit Demand					Total Demand				
	100%Occ (gpd)	Winter (gpd)	Summer (gpd)	Spr/Fall (gpd)	100%Occ (gpd)	Winter (gpd)	Summer (gpd)	Spr/Fall (gpd)	Summer (gpd)	Spr/Fall (gpd)
<b>COMMERCIAL</b>										
Potable (indoor)										
General Commercial (SF)	0	0	0	0	30,000	30,000	30,000	30,000	30,000	30,000
Irrigation (outdoor)										
General Commercial Landscaping (AC)	4,032	0	4,032	4,032	28,224	0	28,224	28,224	28,224	28,224
Commercial Total					58,224	30,000	58,224	58,224	58,224	58,224
Potable Total					30,000	30,000	30,000	30,000	30,000	30,000
Irrigation Total					28,224	0	28,224	28,224	28,224	28,224
Grand Total					58,224	30,000	58,224	58,224	58,224	58,224

**QUINN'S JUNCTION PARTNERSHIP  
PRELIMINARY WATER DEMAND ESTIMATE**

01-15-05

**PEAK HOUR DEMAND TABLE**

Description	Peak Hour Demand (Distribution)											
	Equiv. Res. Conn.'s					Flow						
	100%Occ (erc)	Winter (erc)	Summer (erc)	Spr/Fall (erc)	100%Occ (gpm)	Winter (gpm)	Summer (gpm)	Spr/Fall (gpm)	100%Occ (gpm)	Winter (gpm)	Summer (gpm)	Spr/Fall (gpm)
<b>COMMERCIAL</b>												
<b>Potable (indoor)</b>												
General Commercial (SF)	75.0	75.0	75.0	75.0	171	171	171	171	171	171	171	171
<b>Irrigation (outdoor)</b>												
General Commercial Landscaping (AC)	70.6	0.0	70.6	70.6	165	0	0	165	165	165	165	165
<b>Commercial Total</b>	<b>145.6</b>	<b>75.0</b>	<b>145.6</b>	<b>145.6</b>	<b>336</b>	<b>171</b>	<b>171</b>	<b>171</b>	<b>336</b>	<b>336</b>	<b>336</b>	<b>336</b>
<b>Potable Total</b>	<b>75</b>	<b>75</b>	<b>75</b>	<b>75</b>	<b>171</b>	<b>171</b>	<b>171</b>	<b>171</b>	<b>171</b>	<b>171</b>	<b>171</b>	<b>171</b>
<b>Irrigation Total</b>	<b>71</b>	<b>0</b>	<b>71</b>	<b>71</b>	<b>165</b>	<b>0</b>	<b>0</b>	<b>165</b>	<b>165</b>	<b>165</b>	<b>165</b>	<b>165</b>
<b>Grand Total</b>	<b>146</b>	<b>75</b>	<b>146</b>	<b>146</b>	<b>336</b>	<b>171</b>	<b>171</b>	<b>171</b>	<b>336</b>	<b>336</b>	<b>336</b>	<b>336</b>

**QUINN'S JUNCTION PARTNERSHIP  
PRELIMINARY WATER DEMAND ESTIMATE**

01-15-05

**WATER RIGHTS TABLE**

Description	Annual Demand (Water Rights)			
	Diversion		Consumption	
	Per Unit (ac-ft)	Total (ac-ft)	(%)	(ac-ft)
<b>COMMERCIAL</b>				
Potable (indoor)				
General Commercial (SF)	0.000	33.600	0%	0.000
Irrigation (outdoor)				
General Commercial Landscaping (AC)	1.897	13.279	70%	9.295
<b>Commercial Total</b>		<b>46.879</b>		<b>9.295</b>
Potable Total		33.6		0.0
Irrigation Total		13.3		9.3
<b>Grand Total</b>		<b>46.9</b>		<b>9.3</b>

## **Sewer Capacity.**

The Snyderville Basin Water Reclamation District (SBWRD) currently has a trunk line running within a few hundred feet of the project area along the Rail trail Corridor. (SBWRD) has been contacted regarding the project and they feel that there is ample capacity in the trunk line as well as the treatment facility to service the project. Attached is the anticipated line and connection shown in bright blue.

## **Solid Waste**

BFI is willing and able to service the project.

## **Animal Control.**

Per discussions with Summit County Animal Control, the project area is within the County service area and falls under their jurisdiction.

**QUINN'S JUNCTION**  
**SR-248 ACCESS STUDY**  
**Silver Mountain Resort with IHC**  
**PARK CITY, UTAH**

**February 2, 2007**

**HORROCKS**  
  
**E N G I N E E R S**

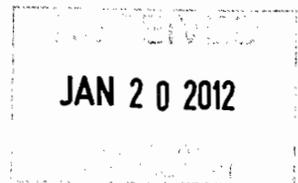


Table of Contents

INTRODUCTION AND SUMMARY ..... Page 1  
    Purpose of Report and Study Objectives ..... Page 1  
    Executive Summary ..... Page 1

PROPOSED DEVELOPMENT ..... Page 3  
    Site Location..... Page 3  
    Land Use..... Page 4

ANALYSIS OF EXISTING AND FUTURE CONDITIONS..... Page 4  
    SR-248 Characteristics..... Page 4  
    Existing and Future Traffic Volumes..... Page 4  
    Assumptions ..... Page 4

ACCESS OPTIONS ..... Page 5

PROJECTED TRAFFIC ..... Page 9  
    Site Traffic Forecasts ..... Page 9

TRAFFIC AND IMPROVEMENT ANALYSIS..... Page 11  
    Study Intersection Level of Service ..... Page 11

CONCLUSIONS AND RECOMMENDATIONS..... Page 14

APPENDIX..... Page 17

## INTRODUCTION AND SUMMARY

### Purpose of Report and Study Objectives

The purpose of this report is to identify potential access locations to service future development on SR-248 between US-40 and approximately 0.75 miles south-west of US-40 in Park City, Utah. The study objectives are to describe existing conditions, define the study area, estimate trip generation and distribution for potential future development, analyze existing PM conditions with traffic added from the Quinn's Recreation Center, Phase I of the IHC Hospital and Silver Mountain Resort, analyze 2025 conditions under full build-out of the area with two access options, and recommend improvements to mitigate traffic impacts.

### Executive Summary

**Site Location and Study Area.** Properties adjacent to SR-248 include the Silver Mountain Resort (Quinn's Junction Partnership), IHC, Quinn's Recreation Complex, National Ability Center (existing), and Barnes Banking Company. The study intersections include SR-248 and the U.S. 40 northbound and southbound ramps in addition to Landfill Road and SR-248. The proposed IHC Road and Silver Mountain 1 accesses were also analyzed.

**Future Development Descriptions.** The Silver Mountain Resort includes 600 Townhouses/Condominiums, a Hotel with 1800 rooms with a convention center, a retail shopping center of 1,000 sq feet, and a live theater with 2000 seats. Phase I of the IHC hospital includes a 121,000 sq. ft. hospital and a 30,000 sq. ft. attached medical office building. Full build out of the hospital includes approximately 500,000 sq. ft. of space that includes a hospital, medical support facilities and medical office space. The Quinn's Recreation Complex includes a 46,000 sq. ft. Ice Sheet and several outdoor playing fields. The Barnes Banking parcel is approximately 20 acres where it was assumed (at 10,000 sq. ft./acre) that up to 200,000 sq. ft. of retail would be developed.

### Principal Findings.

Silver Mountain Resort is expected to generate approximately 23,000 daily trips with 813 and 806 of these occurring during the AM and PM peak hours, respectively. Phase I of the IHC hospital is expected to generate approximately 3,160 daily trips with 215 and 250 of these occurring during the AM and PM peak hours, respectively. Full build-out of the various parcels are expected to generate up to 49,000 new daily trips with 1,600 and 2,500 of these occurring during the AM and PM peak hours, respectively.

The 2005 PM conditions were analyzed with traffic added from the recreation center and phase I of the IHC Hospital. One shared access that services the recreation center and phase I of the hospital was modeled on SR-248 as a unsignalized and a signalized access. With the shared access being unsignalized the intersection is expected to operate at LOS F. The traffic simulation

model shows eastbound left turns having a difficult time finding large enough gaps to turn onto SR-248. With the shared access being signalized the intersection is expected to operate at LOS B.

The 2025 conditions were analyzed with full build-out of the various parcels, including the Silver Mountain Resort (Quinn's Junction Partnership), IHC, Quinn's Recreation Complex, National Ability Center (existing), and Barnes Banking Company, under two proposed options (see page 5 for details of the two options). All the study intersections in the various options are expected to operate at LOS E or better under 2025 conditions with full build-out the various parcels mentioned above.

### **Conclusions and Recommendations.**

It is recommended that the joint access to SR-248 for the proposed IHC hospital and Quinn's Recreation Center be signalized upon completion of the developments. It is also recommended that an additional through lane in each direction on SR-248 be added at this intersection prior to 2025. Also, the conclusion of this report is that the second access, Silver Mountain 1, can be unsignalized and restricted to right turns only (Option 1B); this will not adversely affect traffic flow in the area.

## **PROPOSED DEVELOPMENT**

### **Site Location**

The study area is on SR-248 between US-40 and approximately 0.75 miles south-west of US-40 in Park City. The study intersections include SR-248 and the U.S 40 northbound and southbound ramps in addition to Landfill Road and SR-248. The proposed IHC Road and Silver Mountain I accesses were also analyzed. Properties adjacent to SR-248 include IHC, Quinn's Recreation Complex, National Ability Center (existing), Barnes Banking Company, and the Quinn's Junction Partnership. See Figure 1.

### **Land Use**

The Silver Mountain Resort includes 600 Townhouses/Condominiums, a Hotel with 1800 rooms with a convention center, a retail shopping center of 1,000 sq feet, and a live theater with 2000 seats. Phase I of the IHC hospital includes a 121,000 sq. ft. hospital and a 30,000 sq. ft. attached medical office building. Full build out of the hospital includes approximately 500,000 sq. ft. of space that includes a hospital, medical support facilities and medical office space. The Quinn's Recreation Complex includes a 46,000 sq. ft. Ice Sheet and several outdoor playing fields. The Barnes Banking parcel is approximately 20 acres where it was assumed (at 10,000 sq. ft./acre) that up to 200,000 sq. ft. of retail would be developed.

## **ANALYSIS OF EXISTING AND FUTURE CONDITIONS**

### **SR-248 Characteristics**

SR-248 is currently a three-lane road that is classified by the Utah Department of Transportation as a category 4 Regional Rural roadway with a minimum signal spacing of ½ mile. However, UDOT is currently reevaluating its access management standards. It is anticipated, based upon conversations with the Region 2 traffic engineer, that SR-248 category will be changed so that the signal spacing minimum will be ¼ mile and no unsignalized access will be allowed.

Based upon counts obtained from UDOT, SR-248 currently carries approximately 13,500 vehicles per day (vpd). A typical three-lane roadway has a daily capacity of 15,000 vpd.



Figure 1 Site Location

## Assumptions

The following assumptions were made in performing the study:

### 2005 Conditions

- The U.S. 40 northbound and southbound ramps have been signalized since the Spring of 2006.

## 2025 Conditions

- A frontage road will be in place that runs between Quinn's Junctions and Silver Creek. It was assumed that the frontage road would carry up to 5,000 trips per day.
- It was assumed that SR-248 would be expanded to 5-lanes. As stated before, a three-lane roadway has a capacity of approximately 15,000 vpd. Based upon straight line growth projections SR-248 will exceed 15,000 vpd by the year 2010.
- It was assumed that Landfill Road would carry up to 5,000 trips per day.

## ACCESS OPTIONS

Two main access alternatives were developed for analysis. Each main alternative has three different scenarios associated with it, resulting in a total of six different scenarios analyzed in this report. Both options allow for a future signal to be located at the Landfill Road/SR-248 intersection. The following is an overview of each option.

**Option #1:** This option has a signal located approximately 1400 ft southwest of the U.S. Southbound ramp which provides access to the properties on both sides of SR-248. See figure 2. This signal location provides the ¼ mile spacing required by UDOT access management standards. The distance from the access (referred to as IHC Road) to Landfill Road is approximately 2200 ft. This option was analyzed under the current conditions with two through lanes in each direction on SR-248 (Option 1), as well as with three through lanes in each direction on SR-248 (Option 1A).

One additional option (Option 1B) adds a second access to Option 1A approximately 700 ft southwest of the IHC Road access. This additional access (referred to as Silver Mountain 1) does not have a traffic signal and restricts the access to allow only right turns in and out of the development, with right turns onto SR-248 being stop controlled. The distance from Silver Mountain Road to Landfill Road is approximately 1500 ft. See Figure 3.

**Option #2:** This option relocates the IHC Road access in Option #1 to a point approximately 1100 feet southwest of the U.S. Southbound ramp, and adds a second access (referred to as Silver Mountain 1) located on the border of the Barnes Banking and Quinn's Junction Partnership properties approximately 1100 feet southwest of IHC Road. See figure 4. The distance from this access to Landfill Road is approximately 1400 ft. The benefit of this access location is that it serves the Barnes Banking, Quinn's Junction Partnership, recreation center and IHC properties.

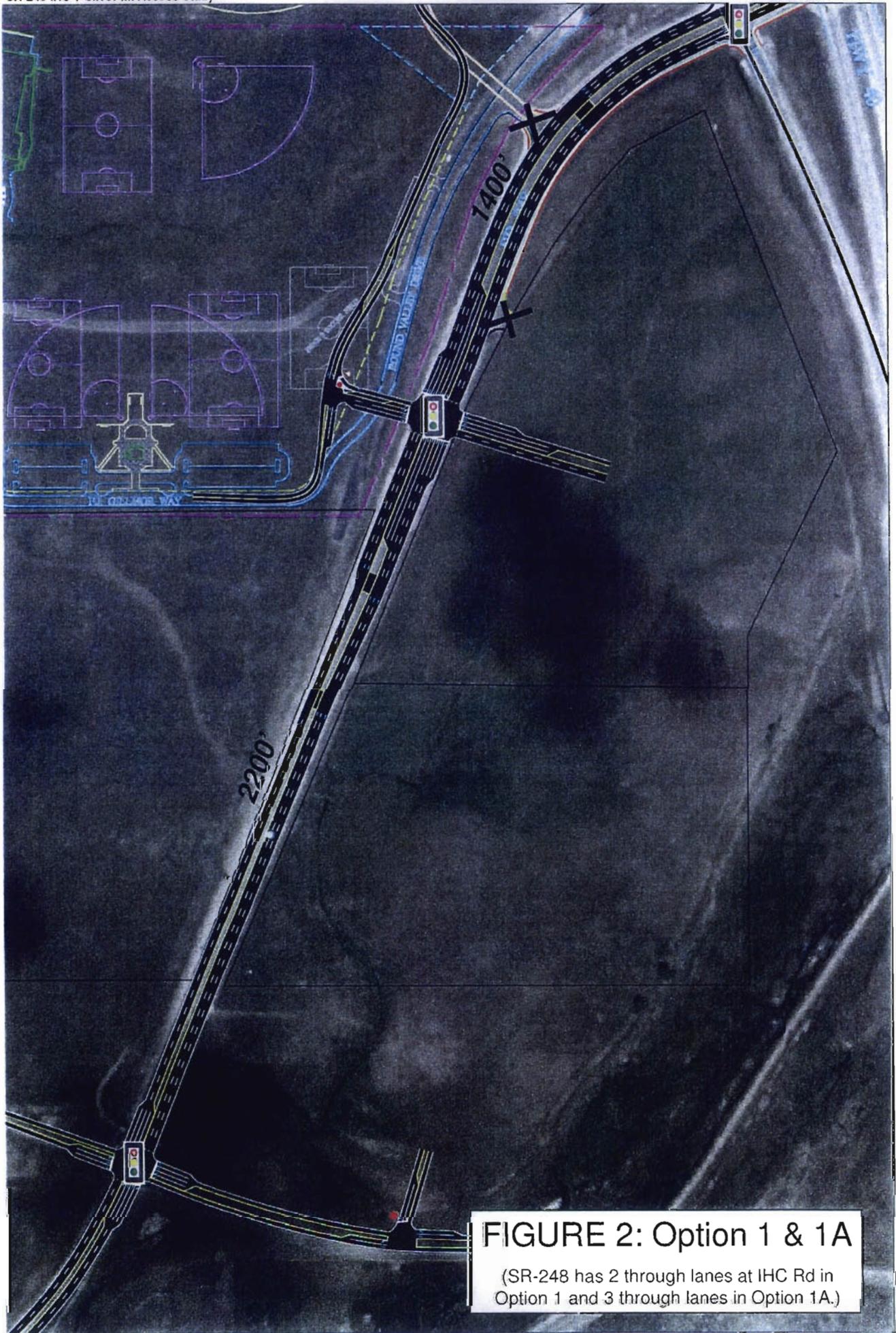
Option #2 was analyzed under the current conditions with two through lanes in each direction on SR-248 (Option 2), as well as with three through lanes in each direction on SR-248 at IHC Road (Option 2A). Options 2 and 2A analyze the Silver Mountain 1 access as a signalized intersection with left and right turns permissible out of and onto Silver Mountain 1. One additional option (Option 2B) analyzed in the report has a configuration identical to 2A except for a change in the configuration of IHC Road west of SR-248. See figure 5. The change did not affect the analysis

at the intersection, and therefore the results of the analysis of Option 2B are omitted from this report.

Table 1 summarizes the different options analyzed in this report. The different options are shown in Figures 2 through 5.

**Table 1: Options Analyzed**

<b>Option</b>	<b>Number of Full Accesses</b>	<b>Approximate Distance from U.S. SB Ramp to IHC Road</b>	<b>Lanes on SR-248 at IHC Road</b>	<b>Silver Mountain 1 Traffic Control</b>	<b>Restrictions on Silver Mountain 1</b>
1	1	1400 feet	2	-	-
1A	1	1400 feet	3	-	-
1B	1 + 1 Right In/Right out	1400 feet	3	Stop Controlled	Right In/Right Out
2	2	1100 feet	2	Signalized	None
2A	2	1100 feet	3	Signalized	None
2B	2	1100 feet	3	Signalized	None



**FIGURE 2: Option 1 & 1A**  
(SR-248 has 2 through lanes at IHC Rd in Option 1 and 3 through lanes in Option 1A.)

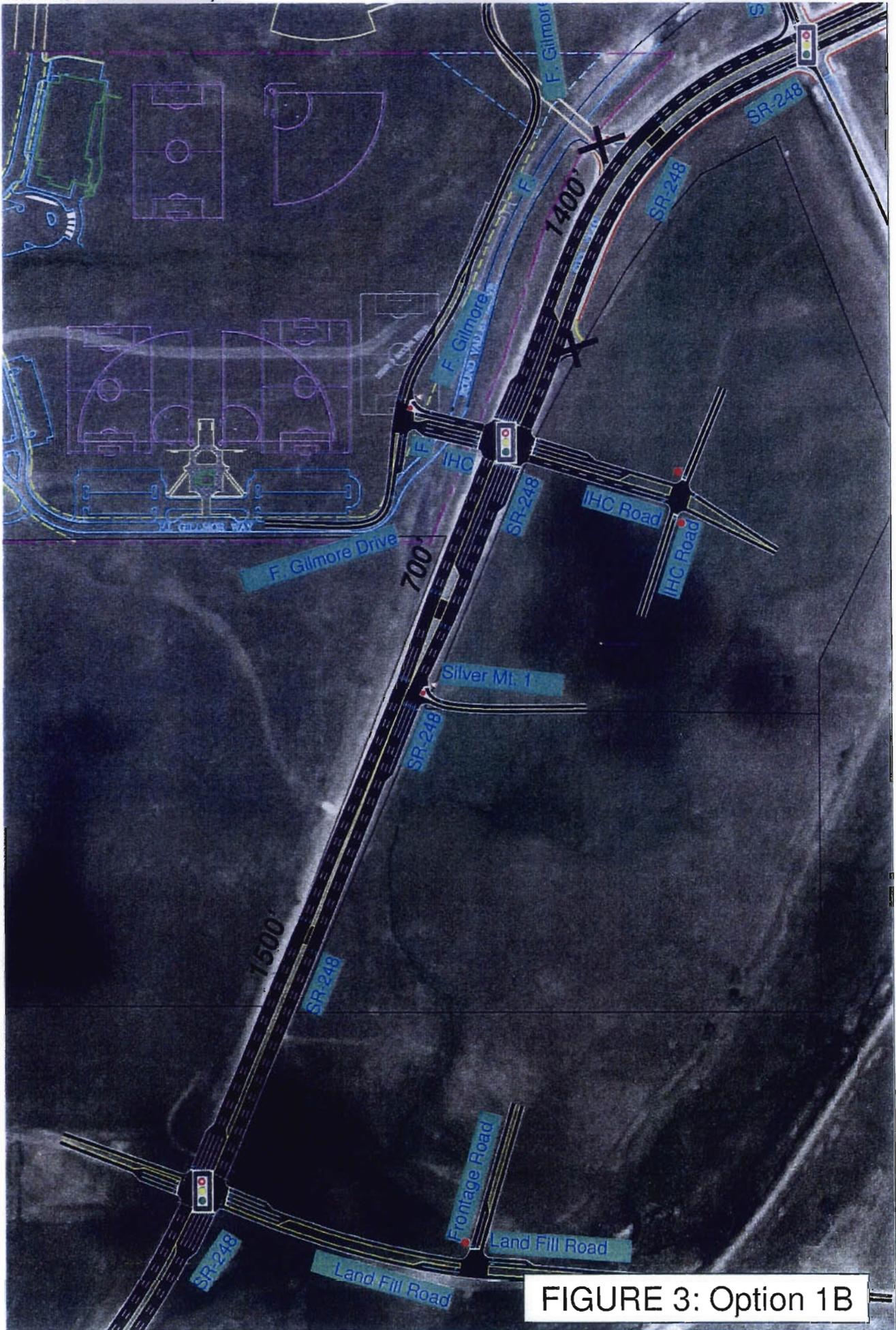


FIGURE 3: Option 1B



**FIGURE 4: Option 2 & 2A**  
 (SR-248 has 2 through lanes at IHC Rd in Option 2 and 3 through lanes in Option 2A.)

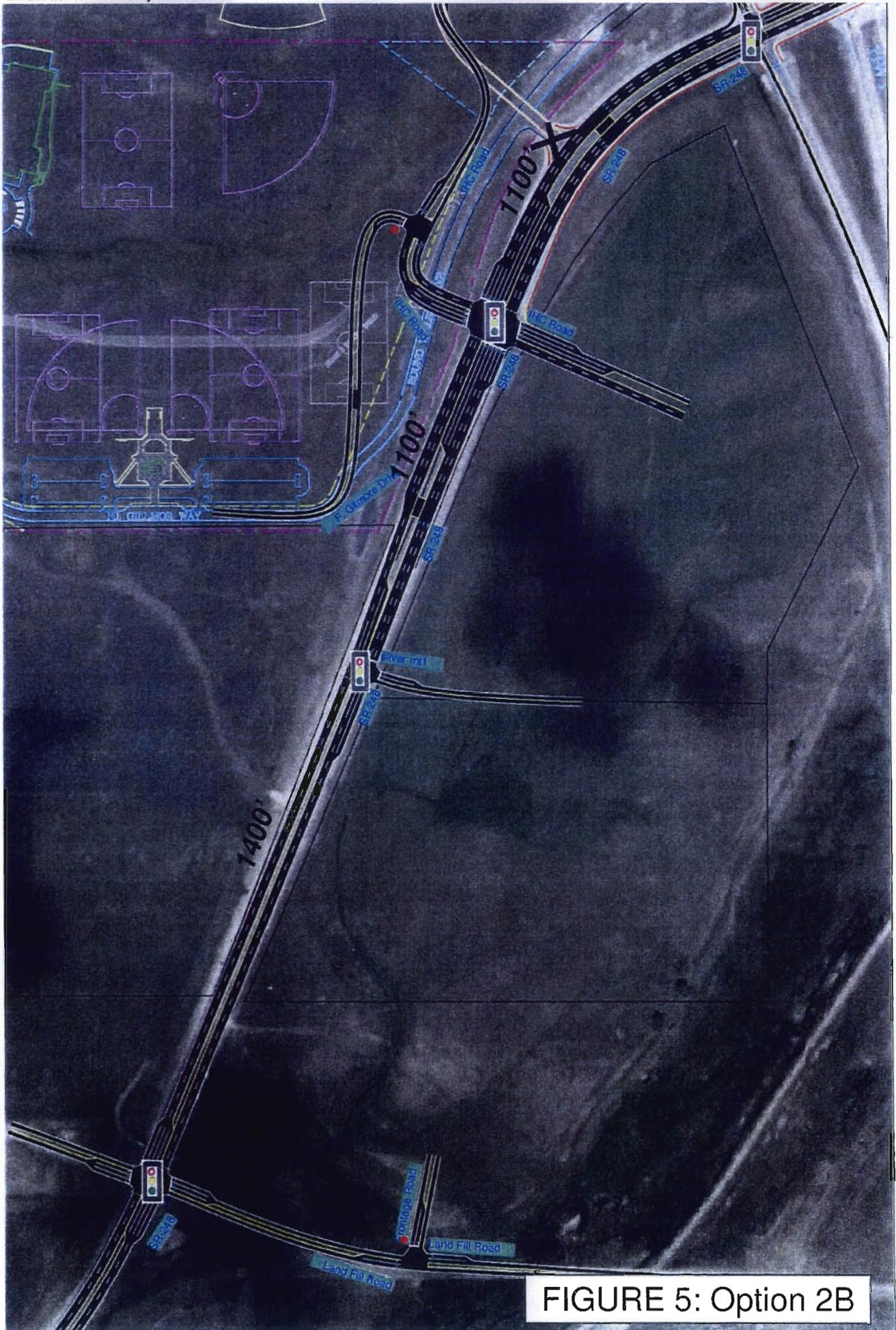


FIGURE 5: Option 2B

## PROJECTED TRAFFIC

### Site Traffic Forecasts

*Trip Generation.* The Institute of Transportations Engineers' (ITE) Trip Generation manual, 7<sup>th</sup> Edition was used to calculate new trip volumes. Table 2 details the expected trip generation for the Silver Mountain Resort. Table 3 details the expected trip generation for phase I of the hospital in addition to the recreation center. Table 4 details the expected trip generation for full build-out of the hospital and the development of the Barnes Banking and Quinn's Junction Partnership parcels.

**Table 2: Trip Generation - Silver Mountain Resort**

Land Use	Land Use	ITE Code	Variable	Quantity	Daily Trips	Weekday AM Peak Hour of Adjacent Street					Weekday PM Peak Hour of Adjacent Street				
						Total	In		Out		Total	In		Out	
Residential Lots	Townhouses/Condominiums	230	Dwelling Unit	600	2,944	216	17%	37	83%	180	261	67%	175	33%	86
Hotel	Rooms & Convention Center	310	Room	1,800	15,737	1,472	61%	898	39%	574	1,062	53%	563	47%	499
Retail	Shopping Center	820	1,000 Sq. Ft. GLA	48	4,214	101	61%	61	39%	39	386	48%	185	52%	201
Live Theatre	Live Theatre	441	Seats	2,000	80	40	50%	20	50%	20	40	50%	20	50%	20
Subtotal (Total Trips)					22,975	1,829	-	1,016	-	813	1,749	-	943	-	806
Internal Capture of Retail Lots Only (Use 50%)					2,107	50	-	31	-	20	193	-	93	-	100
Total New Trips					20,868	1,779		986		793	1,556		850		706

**Table 3: Trip Generation – IHC Phase I and Quinn's Junction Rec Center**

Land Use	Land Use Code	Variable	Quantity	Weekday Daily Trips	Weekday AM Peak Hour of Adjacent Street					Weekday PM Peak Hour of Adjacent Street				
					Total	In		Out		Total	In		Out	
Hospital	610	1000 sq. ft GLA	118	2,073	142	33%	47	67%	95	139	33%	46	67%	93
Medical Office Building	720	1000 sq. ft GLA	30	1,084	74	79%	59	21%	16	109	66%	72	34%	37
USSA Training Facility	495	1000 sq. ft GLA	83	2,262	221	50%	110	50%	110	203	27%	55	73%	148
Rec Center	Park City Specific	-	-	2,065	84	50%	42	50%	42	413	29%	120	71%	293
Total New Trips				7,484	520	49%	258	51%	263	863	36%	293	64%	571

**Table 4: Trip Generation – Full Build-Out of the Various Parcels**

Land Use	Land Use Code	Variable	Quantity	Weekday Daily Trips	Weekday AM Peak Hour of Adjacent Street				Weekday PM Peak Hour of Adjacent Street					
					Total	In	Out	Total	In	Out				
Specialty Retail Center	814	1000 sq. ft GLA	500	22,160	308	61%	188	39%	120	1,221	44%	537	56%	684
Pass-By Traffic (30% of Sub-Total)				6,648	92	-	56	-	36	366	-	161	-	205
Total Commercial Development New Trips				15,512	216	61%	132	39%	84	855	44%	376	56%	479
Hospital	610	1000 sq. ft GLA	400	7,028	480	33%	158	67%	322	472	33%	156	67%	316
Medical Office Building	720	1000 sq. ft GLA	50	1,807	124	79%	98	21%	26	181	66%	119	34%	62
Rec Center	Park City Specific	-	-	2,065	84	50%	42	50%	42	413	29%	120	71%	293
USSA Training Facility	495	1000 sq. ft GLA	83	2,262	221	50%	110	50%	110	203	27%	55	73%	148
Internal Capture (5%)				1,230	39	43%	17	57%	22	87	37%	33	63%	54
Total New Trips				27,443	1,085	48%	523	52%	562	2,037	39%	793	61%	1,244

As shown above, the Silver Mountain Resort is expected to generate 20,868 daily trips with 1,779 and 1,556 of these occurring during the AM and PM peak hours respectively. Phase I of the IHC hospital is expected to generate 3,157 daily trips with 216 and 248 of these occurring during the AM and PM peak hours respectively. Full build-out of the various parcels would generate up to 26,171 new daily trips with 798 and 1,710 of these occurring during the AM and PM peak hours respectively.

**Trip Distribution.** New trips generated by the various parcels were assigned to turning movements at the study intersections using the software program Traffix (version 7.5). The trip generation, trip distribution and travel routes (with percentages) are entered into the program. Traffix then calculates the new turning movements at each intersection and adds them to the existing traffic. The travel route percentages were calculated based on existing traffic. Figure 6 details the trip distribution used for the project traffic.



Figure 6: Trip Distribution

## TRAFFIC AND IMPROVEMENT ANALYSIS

### Study Intersection Level of Service

Level of Service (LOS) is a term used by the *Highway Capacity Manual* (HCM) to describe the traffic operations of an intersection, based on congestion and delay. It ranges from LOS A (almost no congestion or delay) to LOS F (traffic demand is above capacity and the intersection experiences long queues and delay). LOS C is generally considered acceptable for rural

intersections. LOS D is acceptable for urbanized intersections. LOS E is the threshold when the intersection reaches capacity. The following tables summarize LOS delay criteria for unsignalized and signalized intersections.

**Table 5: Unsignalized Intersection LOS Criteria**

LOS	Stop Delay per Vehicle (s)
A	10
B	> 10 and 15
C	> 15 and 25
D	> 25 and 35
E	> 35 and 50
F	> 50

Source: Highway Capacity Manual, Transportation Research Board, 2000.

**Table 6: Signalized Intersection LOS Criteria**

LOS	Stop Delay per Vehicle (s)
A	10
B	> 10 and 20
C	> 20 and 35
D	> 35 and 55
E	> 55 and 80
F	> 80

Source: Highway Capacity Manual, Transportation Research Board, 2000.

For this report, the LOS was calculated using the Synchro/SimTraffic 7 software package. The 2005 PM conditions were analyzed with traffic added from the recreation center and phase I of the IHC Hospital. One shared unsignalized access was modeled on SR-248 that services the recreation center and phase I of the hospital. It should be noted that traffic from the resort was not added to the existing conditions analysis; it was considered in the analysis of 2025 conditions presented later in this report. The following table shows the results of the 2005 analysis.

**Table 7: PM 2005 Conditions Plus Project Unsignalized Traffic Analysis Summary**

Intersection	2005 PM	
	Delay (sec)	LOS
Northbound U.S. 40 On/Off Ramp & SR-248	12.7	B
Southbound U.S. 40 On/Off Ramp & SR-248	8.9	A
IHC/Rec Center Access & SR-248*	>100	F

\*Stop controlled intersection, only the approach with the highest delay is shown

As shown in the table with the shared access being unsignalized the intersection is expected to operate at LOS F. The traffic simulation model shows eastbound left turns having a difficult time finding large enough gaps to turn onto SR-248. The 2005 PM conditions were analyzed with traffic added from the recreation center and phase I of the IHC Hospital with a shared signalized access. The following table shows the results of the analysis.

**Table 8: PM 2005 Conditions Plus Project Signalized Traffic Analysis Summary**

Intersection	2005 PM	
	Delay (sec)	LOS
Northbound U.S. 40 On/Off Ramp & SR-248	13.4	B
Southbound U.S. 40 On/Off Ramp & SR-248	9.1	A
IHC/Rec Center Access & SR-248	17.8	B

As shown in the table with the shared access being signalized the intersection is expected to operate at LOS B.

The 2025 conditions were analyzed with full build-out of the various parcels and the resort under the six proposed options. The following table shows the results of the analysis. The results of the analysis of Option 2B were omitted from the report because changing the IHC access road had little effect on the traffic at the study intersections.

**Table 9: PM 2025 Conditions Plus Build-Out Traffic Analysis Summary**

Intersection	Option # 1		Option # 1A		Option # 1B		Option # 2		Option #2A	
	Delay (sec)	LOS								
Northbound U.S. 40 On/Off Ramp & SR-248	32.0	C	35.2	D	36.8	D	39.8	D	26.9	C
Southbound U.S. 40 On/Off Ramp & SR-248	25.1	C	22.1	C	37.6	D	23.9	C	21.2	C
IHC/Rec Center Road & SR-248	64.1	E	32.7	C	32.1	C	45.0	D	29.4	C
Silver Mountain 1 & SR-248	-	-	-	-	2.4*	A*	35.1	D	19.4	B
Landfill Road & SR-248	36.4	D	36.6	D	20.3	C	53.4	E	55.8	E

\*Stop-controlled in this option, only the approach with the highest delay is shown.

As shown in the table, in the one access options (1 and 1A), adding an additional through lane in each direction on SR-248 at IHC Road minimally affects most of the study intersections but greatly improves the LOS at the IHC Road intersection. Similarly, a comparison of Options 2 and 2A shows that adding an additional through lane in each direction on SR-248 minimally affects the Southbound Ramp and Landfill Road intersections, but improves the LOS at the other three study intersections. Therefore, it is recommended that these additional lanes be installed on SR-248 before 2025.

In discussion between the city and the developers, it was decided that Option 1B is the preferred option because it allows for a second access while maintaining the minimum required signal spacing of ¼ mile. Consequently, a comparison of Options 1B and 2A is necessary in order to determine whether making Silver Mountain 1 Option be stop controlled and restricted to right turns only is acceptable. As shown in Table 7, the levels of service at the Northbound and Southbound Ramps and at IHC Road are worse in Option 1B but are still at acceptable levels. The level of service at IHC Road is the same in the two scenarios, with a slightly better average delay in Option 1A. The levels of service at Silver Mountain 1 and at Landfill Road are significantly better in Option 1B. Therefore, Option 1B produces satisfactory levels of service and is an acceptable option.

## **CONCLUSIONS AND RECOMMENDATIONS**

It is recommended that the joint access to SR-248 for the proposed IHC hospital and Quinn's Recreation Center be signalized upon completion of the developments. It is also recommended that an additional through lane in each direction on SR-248 be added at this intersection prior to 2025. Lastly, the conclusion of this report is that the second access, Silver Mountain 1, can be unsignalized and restricted to right turns only (Option 1B); this will not adversely affect traffic flow in the area.

# MIDA Development

## Traffic Impact Study



## Park City, Utah

September 2009

UT09-186

## EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed Military Installation Development Authority (MIDA) development located at Quinn's Junction in Summit County, Utah. The proposed development is located east of Park City in the triangular portion of land between SR-248 and US-40, and north of Old Landfill Road.

Included within the analyses for this study are the traffic operations and recommended mitigations for existing conditions and plus project conditions (conditions after development of the proposed project) at key intersections and roadways in the vicinity of the site. Future (2020) conditions were also analyzed.

### TRAFFIC ANALYSIS

The following is an outline of the traffic analysis performed by Hales Engineering for the traffic conditions of this project.

#### Existing (2009) Background Conditions Analysis

Hales Engineering obtained weekday p.m. peak period traffic counts at the following intersection(s):

- Old Landfill Road / SR-248
- Round Valley Drive (IHC Access) / SR-248
- SB US-40 Ramps / SR-248
- NB US-40 Ramps / SR-248

These counts were performed on Wednesday, August 12, 2009. The p.m. peak hour was determined to be between 4:45 and 5:45 p.m.

As shown in Table ES-1, all of the study intersections have acceptable levels of delay in during the p.m. peak hour.

#### Project Conditions Analysis

The proposed land use for the project has been identified as follows:

- |                              |                     |
|------------------------------|---------------------|
| • Condominiums               | 160 Units           |
| • Military Resort Hotel      | 400 Rooms           |
| • Motion Picture Studios     | 150,000 square feet |
| • Office Space (for Studios) | 80,000 square feet  |
| • Amphitheater               | 1,500 seats         |

- Hotel 100 Rooms
- Retail Shops 30,000 square feet
- Executive 9-hole Golf Course

The projected net trip generation for the development during the a.m. and p.m. peak hours is as follows:

- a.m. peak hour trips: 488 vehicles per hour (vph)
- p.m. peak hour trips: 802 vph

#### **Existing (2009) Plus Project Conditions Analysis**

As shown in Table ES-1, all of the study intersections experience acceptable levels of delay.

#### **Future (2020) Background Conditions Analysis**

As shown in Table ES-1, all of the study intersections experience acceptable levels of delay.

#### **Future (2020) Plus Project Conditions Analysis**

As shown in Table ES-1, several of the study intersections experience unacceptable levels of delay. Most of the failing intersections can be mitigated as will be discussed in the body of the report.

### **RECOMMENDATIONS**

The following mitigations are recommended:

#### **Existing (2009) Background Conditions Analysis**

No mitigations are recommended.

#### **Existing (2009) Plus Project Conditions Analysis**

No mitigations are recommended.

#### **Future (2020) Background Conditions Analysis**

No mitigations are recommended beyond those improvements assumed to have occurred to the roadway network by 2020. See the body of the report for details.

**Future (2020) Plus Project Conditions Analysis**

The following mitigations are recommended:

**Round Valley Drive / SR-248:**

- Lengthen the westbound left turn lane to 250 feet (southwest-bound SR-248 to southeast-bound Project Access)
- Provide protected/permitted phasing for the east- and westbound left turn movements (left turn movements from SR-248 to side streets)

**US-40 SB Ramps / SR-248:**

- Provide dual southbound left turn lanes

**US-40 NB Ramps / SR-248:**

- Provide dual northbound left turn lanes

**Table ES-1 Summary p.m. Peak Hour Level of Service**

Intersection	Existing 2009 Background	Existing 2009 Plus Project	Future 2020 Background	Future 2020 Plus Project	Future 2020 Plus Project – Mitigated
Description	LOS (Sec/Veh) <sup>1</sup>				
Old Landfill Road / SR-248	NB / B (10.4)	NB / C (16.0)	C (23.0)	D (39.1)	D (37.7)
RIRO Access / SR-248 <sup>2</sup>	-	NB / A (7.0)	-	NB / F (>50.0)	NB / F (>50.0)
Round Valley Drive / SR-248	A (4.1)	B (18.9)	C (33.9)	E (67.0)	D (46.1)
US-40 SB Ramps / SR-248	B (11.0)	B (10.2)	C (31.1)	E (69.7)	C (23.8)
US-40 NB Ramps / SR-248	B (10.3)	B (13.4)	C (29.3)	E (55.4)	C (26.7)

1. Intersection LOS and delay (seconds/vehicle) values represent the overall intersection average for signalized and all-way stop-controlled intersections and the worst approach for all other unsignalized intersections.

2. This is a project access and was only analyzed in "plus project" scenarios.

Source: Hales Engineering, August 2009

**TABLE OF CONTENTS**

**EXECUTIVE SUMMARY ..... 1**

TRAFFIC ANALYSIS ..... 1

RECOMMENDATIONS ..... 2

**TABLE OF CONTENTS ..... i**

**LIST OF TABLES ..... iii**

**I. INTRODUCTION..... 1**

A. PURPOSE ..... 1

B. SCOPE ..... 1

B. ANALYSIS METHODOLOGY ..... 1

C. LEVEL OF SERVICE STANDARDS ..... 2

**II. EXISTING (2009) BACKGROUND CONDITIONS ..... 3**

A. PURPOSE ..... 3

B. ROADWAY SYSTEM ..... 3

C. TRAFFIC VOLUMES ..... 3

D. LEVEL OF SERVICE ANALYSIS ..... 4

E. MITIGATION MEASURES ..... 5

**III. PROJECT CONDITIONS..... 6**

A. PURPOSE ..... 6

B. PROJECT DESCRIPTION..... 6

C. TRIP GENERATION ..... 6

D. TRIP DISTRIBUTION AND ASSIGNMENT ..... 7

E. ACCESS ..... 7

**IV. EXISTING (2009) PLUS PROJECT CONDITIONS ..... 10**

A. PURPOSE ..... 10

B. TRAFFIC VOLUMES..... 10

C. LEVEL OF SERVICE ANALYSIS ..... 10

D. MITIGATION MEASURES ..... 10

**V. FUTURE (2020) BACKGROUND CONDITIONS ..... 12**

A. PURPOSE ..... 12

B. TRAFFIC VOLUMES..... 12

C. BACKGROUND GEOMETRIC CHANGES..... 13

D. LEVEL OF SERVICE ANALYSIS..... 14

E. MITIGATION MEASURES ..... 14

**VI. FUTURE (2020) PLUS PROJECT CONDITIONS ..... 16**

A. PURPOSE ..... 16

B. TRAFFIC VOLUMES..... 16

C. LEVEL OF SERVICE ANALYSIS ..... 16

D. MITIGATION MEASURES ..... 17

**Appendix A: Turning Movement Counts**  
**Appendix B: LOS Results**  
**Appendix C: Project Site Plan**  
**Appendix D: Figures**

**LIST OF TABLES**

Table ES-1 Summary p.m. Peak Hour Level of Service..... ES-3  
Table 1 Level of Service Descriptions ..... 2  
Table 2 Existing (2009) Background p.m. Peak Hour Level of Service ..... 4  
Table 3 Trip Generation ..... 9  
Table 4 Existing (2009) Plus Project p.m. Peak Hour Level of Service ..... 11  
Table 5 Future (2020) Background p.m. Peak Hour Level of Service ..... 15  
Table 6 Future (2020) Plus Project p.m. Peak Hour Level of Service ..... 17  
Table 7 Future (2020) Plus Project – Mitigated p.m. Peak Hour Level of Service..... 18

## I. INTRODUCTION

### A. Purpose

This study addresses the traffic impacts associated with the proposed Military Installation Development Authority (MIDA) development located at Quinn's Junction in Summit County, Utah. The proposed development is located east of Park City in the triangular portion of land between SR-248 and US-40, and north of Old Landfill Road.

Included within the analyses for this study are the traffic operations and recommended mitigations for existing conditions and plus project conditions (conditions after development of the proposed project) at key intersections and roadways in the vicinity of the site. Future (2020) conditions were also analyzed.

### B. Scope

The study area was defined based on conversations with the development team. This study was scoped to evaluate the traffic operational performance impacts of the project on the following intersections:

- Old Landfill Road / SR-248
- Round Valley Drive (IHC Access) / SR-248
- SB US-40 Ramps / SR-248
- NB US-40 Ramps / SR-248

### B. Analysis Methodology

Level of service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Table 1 provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for both signalized and unsignalized intersections.

The Highway Capacity Manual 2000 (HCM 2000) methodology was used in this study to remain consistent with "state-of-the-practice" professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized and all-way stop intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For all other unsignalized intersections LOS is reported based on the worst approach. Hales Engineering has also calculated overall delay values for unsignalized intersections, which provides additional information and represents the overall intersection conditions rather than just the worst approach.

**Table 1 Level of Service Descriptions**

Level of Service	Description of Traffic Conditions	Average Delay (seconds/vehicle)
<b>Signalized Intersections</b>		
A	Extremely favorable progression and a very low level of control delay. Individual users are virtually unaffected by others in the traffic stream.	$0 \leq 10.0$
B	Good progression and a low level of control delay. The presence of other users in the traffic stream becomes noticeable.	$> 10.0$ and $\leq 20.0$
C	Fair progression and a moderate level of control delay. The operation of individual users becomes somewhat affected by interactions with others in the traffic stream.	$>20.0$ and $\leq 35.0$
D	Marginal progression with relatively high levels of control delay. Operating conditions are noticeably more constrained.	$> 35.0$ and $\leq 55.0$
E	Poor progression with unacceptably high levels of control delay. Operating conditions are at or near capacity.	$> 55.0$ and $\leq 80.0$
F	Unacceptable progression with forced or breakdown operating conditions.	$> 80.0$
<b>Unsignalized Intersections</b>		
A	Free Flow / Insignificant Delay	$0 \leq 10.0$
B	Stable Operations / Minimum Delays	$>10.0$ and $\leq 15.0$
C	Stable Operations / Acceptable Delays	$>15.0$ and $\leq 25.0$
D	Approaching Unstable Flows / Tolerable Delays	$>25.0$ and $\leq 35.0$
E	Unstable Operations / Significant Delays Can Occur	$>35.0$ and $\leq 50.0$
F	Forced Flows / Unpredictable Flows / Excessive Delays Occur	$> 50.0$

Source: Hales Engineering Descriptions, based on Highway Capacity Manual, 2000 Methodology (Transportation Research Board, 2000)

**C. Level of Service Standards**

For the purposes of this study, a minimum overall intersection performance for each of the study intersections was set at LOS D. However, if LOS E or F conditions exist, an explanation and/or mitigation measures will be presented. An LOS D threshold is consistent with “state-of-the-practice” traffic engineering principles.

## II. EXISTING (2009) BACKGROUND CONDITIONS

### A. Purpose

The purpose of the existing (2009) background analysis is to study the intersections and roadways during the peak travel periods of the day with background traffic and geometric conditions. Through this analysis, background traffic operational deficiencies can be identified and potential mitigation measures can be recommended. This analysis will provide a baseline condition that may be compared to the build conditions to identify the impacts of the development.

### B. Roadway System

The primary roadways that will provide access to the project site are described below:

SR-248 – is a state-operated roadway (classified by UDOT access management standards as a “Regional Rural” facility, or access category 4 roadway, for most of the portion of SR-248 that is fronted by the proposed development) that provides direct access to the proposed site. This roadway is currently composed of a three-lane cross section with one through travel lane in each direction and a center two-way left turn lane (TWLTL). As identified and controlled by UDOT, a “Regional Rural” access classification identifies minimum signalized intersection spacing of one half-mile (2,640 feet), minimum street spacing of 660 feet, and minimum unsignalized access spacing of 500 feet. Northeast of Round Valley Drive, SR-248 is composed of a five-lane cross section and is classified as a System Priority Urban roadway (access category 3) with minimum signalized spacing of one half-mile (2,640 feet), and no unsignalized access permitted. The posted speed limit on SR-248 is 50 mph.

### C. Traffic Volumes

Hales Engineering performed weekday p.m. (4:00 to 6:00) peak period traffic counts at the following intersection(s):

- Old Landfill Road / SR-248
- Round Valley Drive (IHC Access) / SR-248
- US-40 SB Ramps / SR-248
- US-40 NB Ramps / SR-248

These counts were performed on Wednesday, August 12, 2009. The p.m. peak hour was determined to be between 4:45 and 5:45 p.m. The traffic counts were seasonally adjusted based on data obtained from an automatic traffic recorder (ATR) controlled by

UDOT on SR-248 adjacent to the proposed project. Based on the combination of current (2009) intersection volumes and traffic generated by the site, the weekday p.m. peak hour was the critical time period identified for analysis. ATR data on SR-248 confirmed that the p.m. peak hour represents the critical period of the day. Detailed count data is included in Appendix A.

According to UDOT data, approximately 2 percent of traffic on SR-248 in the vicinity of the site is composed of combination truck traffic.

#### D. Level of Service Analysis

Using Synchro/SimTraffic, which follow the Highway Capacity Manual (HCM) 2000 methodology introduced in Chapter I, the p.m. peak hour LOS was computed for each study intersection. The results of this analysis are reported in Table 2 (see Appendix B for the detailed LOS reports). Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. These results serve as a baseline condition for the impact analysis of the proposed development during existing (2009) conditions. As shown in Table 2, all study intersections have acceptable levels of delay during the p.m. peak period.

**Table 2 Existing (2009) Background p.m. Peak Hour Level of Service**

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach <sup>1,3</sup>	Aver. Delay (Sec/Veh) <sup>1</sup>	LOS <sup>1</sup>	Aver. Delay (Sec/Veh) <sup>2</sup>	LOS <sup>2</sup>
Old Landfill Road / SR-248	NB/SB Stop	NB	10.4	B	2.0	A
Round Valley Drive / SR-248	Signal	-	-	-	4.1	A
US-40 SB Ramps / SR-248	Signal	-	-	-	11.0	B
US-40 NB Ramps / SR-248	Signal	-	-	-	10.3	B

1. This represents the worst approach LOS and delay (seconds / vehicle) and is only reported for non-all-way-stop unsignalized intersections.

2. This represents the overall intersection LOS and delay (seconds / vehicle).

3. SB = Southbound approach, etc.

Source: Hales Engineering, August 2009

## **E. Mitigation Measures**

No mitigations are recommended based on operational needs.

According to UDOT Administrative Rule R930-6 (UDOT, 2006), SR-248 (Access Category 4 roadway) is required to have left- and right turn acceleration and deceleration lanes based on anticipated peak hour turning volumes. Currently, left turn deceleration lanes exist at Old Landfill Road. The following are the requirements for the other acceleration and deceleration lanes:

- Right turn deceleration lane
  - Required when projected peak-hour right turning volume greater than 25 vph.
- Right turn acceleration lane
  - Required when projected peak-hour right turning volume greater than 50 vph if posted speed limit is greater than 40 mph (SR-248 is currently posted at 50 mph).
- Left turn acceleration lane
  - Required if it will benefit the safety and operations of the roadway

Based on these requirements and the data collected for the Old Landfill Road intersection (see Figure 1a in Appendix D), no additional acceleration or deceleration lanes are required.

### III. PROJECT CONDITIONS

#### A. Purpose

The project conditions analysis explains the type and intensity of development. This provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in the Introduction.

#### B. Project Description

This study addresses the traffic impacts associated with the proposed MIDA development located at Quinn's Junction in Summit County, Utah. The proposed development is located east of Park City in the triangular portion of land between SR-248 and US-40, and north of Old Landfill Road.

A concept plan for the proposed development has been included in Appendix C.

The proposed land use for the project has been identified as follows:

- Condominiums 160 Units
- Military Resort Hotel 400 Rooms
- Motion Picture Studios 150,000 square feet
- Office Space (for Studios) 30,000 square feet
- Amphitheater 1,500 seats
- Hotel 100 Rooms
- Retail Shops 30,000 square feet
- Executive 9-hole Golf Course

#### C. Trip Generation

Trip generation for most of the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE) *Trip Generation, 8th Edition, 2008*. Trip Generation for the film studio is not available from ITE; therefore, Hales Engineering conducted a local trip generation study at the LDS Motion Picture Studio in Provo, Utah. The LDS Motion Picture Studio is approximately 30 acres in size, has approximately 100,000 square feet of buildings, and has a non-production-period staff of approximately 75 employees. During production of a film, the number of people on-site can increase to several hundred including staff, cast members, and extras. The LDS Motion Picture Studio was not producing a film during the data collection period for this study, however, the trip generation estimates were considered sufficiently high for typical operations. Trip Generation for the proposed project is included in Table 4.

The ITE trip generation rates identify gross trips to and from a facility as if it were a stand-alone activity. Gross ITE trip generation rates do not account for trips already on adjacent roadways or for internal capture. Hales Engineering adjusted the gross trip generation to account for internal capture trips between the residential, office, studio, retail, amphitheater, and golf course land uses. For these land uses, the overall internal capture rate was approximately 13 percent. No internal capture reductions were taken for the hotel land uses as no data currently exists from ITE. This assumption was made to be conservative as it is likely that significant internal capture will occur between the 100-room hotel (non-military) and the motion picture studios because the intent of the hotel is to serve clientele of the motion picture studio. No pass-by trip reductions were taken because the specific nature of the retail land use is not yet known and residential and office land uses do not typically have significant pass-by reductions. A five percent transit reduction was taken for the office and motion picture studio land uses. No pedestrian reductions were taken because of the proximity of the development to Park City, however, it is likely that trips will be reduced due to walking and biking as these modes of transportation are common in the Park City area.

#### **D. Trip Distribution and Assignment**

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provide helpful guidance to establishing these distribution percentages, especially in close proximity to the site. The resulting overall distribution of project generated trips is as follows:

##### To/from the Development:

- 50% West on SR-248
- 30% North on US-40
- 15% South on US-40
- 5% East on SR-248

These trip distribution assumptions were used to assign the p.m. peak hour generated traffic at the study intersections to create a trip assignment for the proposed development. Trip assignment is shown in Appendix D.

#### **E. Access**

The proposed access for the site will be gained at the following locations (see also concept plan in Appendix C):

- Main access across from IHC complex (Round Valley Drive)

- Right-in/right-out (RIRO) access approximately 1,000 feet south of Round Valley Drive (half-way between Round Valley Drive and Old Landfill Road).

Access from the site directly to Old Landfill Road has been discussed as a possibility, but was not considered likely at the time this report was prepared.

As was discussed in Chapter II above, SR-248 is classified by UDOT as an Access Category 4 roadway, which permits minimum signalized intersection spacing of one half-mile (2,640 feet), minimum street spacing of 660 feet, and minimum unsignalized access spacing of 500 feet. The proposed RIRO access meets these criteria as it is spaced approximately 1,000 feet north and south of the nearest intersections.

**Table 3**  
**Park City - MIDA TIS**  
**Trip Generation**

Land Use <sup>1</sup>	Number of Units	Unit Type	Daily Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total Daily Trips
Residential Condominium/Townhouse (230)	160	Dwelling Units	968	50%	50%	484	484	968
Resort Hotel (330) <sup>2</sup>	400	Rooms	2,048	50%	50%	1,024	1,024	2,048
Motion Picture Studio	150	1,000 Sq. Ft. GFA						
General Office Building (710)	30	1,000 Sq. Ft. GFA	528	50%	50%	264	264	528
Movie Theater with Matinee (444) <sup>3</sup>	1500	Seats	2,640	50%	50%	1,320	1,320	2,640
Hotel (310)	100	Rooms	522	50%	50%	261	261	522
Shopping Center (820)	30	1,000 Sq. Ft. GLA	3,105	50%	50%	1,553	1,553	3,105
Golf Course (430)	9	Holes	322	50%	50%	161	161	322
<b>Project Total Daily Trips</b>						<b>5,066</b>	<b>5,066</b>	<b>10,133</b>
Land Use <sup>1</sup>	Number of Units	Unit Type	a.m. Peak Hour Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total a.m. Trips
Residential Condominium/Townhouse (230)	160	Dwelling Units	75	17%	83%	13	62	75
Resort Hotel (330)	400	Rooms	124	72%	28%	89	35	124
Motion Picture Studio <sup>4</sup>	150	1,000 Sq. Ft. GFA	66	86%	14%	57	9	66
General Office Building (710)	30	1,000 Sq. Ft. GFA	72	88%	12%	63	9	72
Movie Theater with Matinee (444) <sup>3</sup>	1500	Seats	15	80%	20%	12	3	15
Hotel (310)	100	Rooms	41	61%	39%	25	16	41
Shopping Center (820)	30	1,000 Sq. Ft. GLA	76	61%	39%	46	30	76
Golf Course (430)	9	Holes	20	79%	21%	16	4	20
<b>Project Total a.m. Peak Hour Trips</b>						<b>321</b>	<b>168</b>	<b>488</b>
Land Use <sup>1</sup>	Number of Units	Unit Type	p.m. Peak Hour Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total p.m. Trips
Residential Condominium/Townhouse (230)	160	Dwelling Units	88	67%	33%	59	29	88
Resort Hotel (330)	400	Rooms	150	43%	57%	64	85	150
Motion Picture Studio <sup>4</sup>	150	1,000 Sq. Ft. GFA	78	37%	63%	29	49	78
General Office Building (710)	30	1,000 Sq. Ft. GFA	112	17%	83%	19	93	112
Movie Theater with Matinee (444)	1500	Seats	105	39%	61%	41	64	105
Hotel (310)	100	Rooms	59	53%	47%	31	28	59
Shopping Center (820)	30	1,000 Sq. Ft. GLA	284	49%	51%	139	145	284
Golf Course (430)	9	Holes	25	45%	55%	11	14	25
Internal Capture						-45	-45	-90
Transit Reduction (Office, Studio - 5%)						-2	-7	-10
<b>Project Total p.m. Peak Hour Trips</b>						<b>347</b>	<b>455</b>	<b>802</b>
Land Use <sup>1</sup>	Number of Units	Unit Type	Saturday Daily Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total Sat. Daily Trips
Residential Condominium/Townhouse (230)	160	Dwelling Units	1,007	50%	50%	504	504	1,007
Resort Hotel (330) <sup>2</sup>	400	Rooms	4,456	50%	50%	2,228	2,228	4,456
Motion Picture Studio	150	1,000 Sq. Ft. GFA						
General Office Building (710)	30	1,000 Sq. Ft. GFA	83	50%	50%	41	41	83
Movie Theater with Matinee (444)	1500	Seats	3,360	50%	50%	1,680	1,680	3,360
Hotel (310)	100	Rooms	667	50%	50%	334	334	667
Shopping Center (820)	30	1,000 Sq. Ft. GLA	4,328	50%	50%	2,164	2,164	4,328
Golf Course (430)	9	Holes	366	50%	50%	183	183	366
<b>Project Total Saturday Trips</b>						<b>7,133</b>	<b>7,133</b>	<b>14,266</b>
Land Use <sup>1</sup>	Number of Units	Unit Type	Sat Peak Hour Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total Sat Pk Hr Trips
Residential Condominium/Townhouse (230)	160	Dwelling Units	89	54%	46%	48	41	89
Resort Hotel (330) <sup>2</sup>	400	Rooms	412	56%	44%	231	181	412
Motion Picture Studio	150	1,000 Sq. Ft. GFA						
General Office Building (710)	30	1,000 Sq. Ft. GFA	12	54%	46%	7	6	12
Movie Theater with Matinee (444)	1500	Seats	690	56%	44%	386	304	690
Hotel (310)	100	Rooms	73	56%	44%	41	32	73
Shopping Center (820)	30	1,000 Sq. Ft. GLA	392	52%	48%	204	188	392
Golf Course (430)	9	Holes	41	49%	51%	20	21	41
<b>Project Total Saturday Peak Hour Trips</b>						<b>937</b>	<b>773</b>	<b>1,710</b>

1. Land Use Code from the Institute of Transportation Engineers - 8th Edition Trip Generation Manual (ITE Manual)  
 2. Not available for this time period, therefore, was estimated from Land Use Code 310 - Hotel and assuming an 82 percent occupancy rate.  
 3. Not available for this time period, therefore, was estimated from Land Use Code 443 - Movie Theater without Matinee.  
 4. Based on a local trip generations study completed by Hales Engineering

SOURCE: Hales Engineering, August 2009

## IV. EXISTING (2009) PLUS PROJECT CONDITIONS

### A. Purpose

This section of the report examines the traffic impacts of the proposed project at each of the study intersections. The net trips generated by the proposed development were combined with the existing background traffic volumes to create the existing plus project conditions. This scenario provides valuable insight into the potential impacts of the proposed project on background traffic conditions.

### B. Traffic Volumes

Project trips were assigned to the study intersections based on the trip distribution percentages discussed in Chapter III and permitted intersection turning movements.

The existing (2009) plus project p.m. peak hour volumes were generated for the study intersections and are shown in Appendix D.

### C. Level of Service Analysis

Using Synchro/SimTraffic, which follow the Highway Capacity Manual (HCM) 2000 methodology introduced in Chapter I, the p.m. peak hour LOS was computed for each study intersection. The results of this analysis are reported in Table 3 (see Appendix B for the detailed LOS reports). Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. As shown in Table 3, all of study intersections experience acceptable levels of delay during the p.m. peak hour.

### D. Mitigation Measures

No mitigations are recommended.

**Table 4 Existing (2009) Plus Project p.m. Peak Hour Level of Service**

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach <sup>1,3</sup>	Aver. Delay (Sec/Veh) <sup>1</sup>	LOS <sup>1</sup>	Aver. Delay (Sec/Veh) <sup>2</sup>	LOS <sup>2</sup>
Old Landfill Road / SR-248	NB/SB Stop	NB	16.0	C	2.7	A
RIRO Access / SR-248	NB Stop	NB	7.0	A	2.1	A
Round Valley Drive / SR-248	Signal	-	-	-	18.9	B
US-40 SB Ramps / SR-248	Signal	-	-	-	10.2	B
US-40 NB Ramps / SR-248	Signal	-	-	-	13.4	B

1. This represents the worst approach LOS and delay (seconds / vehicle) and is only reported for non-all-way-stop unsignalized intersections.
2. This represents the overall intersection LOS and delay (seconds / vehicle).
3. SB = Southbound approach, etc.

Source: Hales Engineering, August 2009

## V. FUTURE (2020) BACKGROUND CONDITIONS

### A. Purpose

The purpose of the future (2020) background analysis is to study the intersections and roadways during the peak travel periods of the day for future background traffic and geometric conditions. Through this analysis, future background traffic operational deficiencies can be identified and potential mitigation measures recommended.

### B. Traffic Volumes

Traffic volumes for the future year 2020 were projected by analyzing historical trends in traffic on SR-248 obtained from UDOT as well as projections from previous traffic studies. According to historical traffic data, the ADT on SR-248 has grown by approximately 3.6 percent per year over the last 13 years. Assuming a 4 percent growth rate, the ADT on SR-248 would be approximately 20,000 to 21,000 vehicles per day by 2020.

In addition to the assumed background growth on SR-248, Hales Engineering also obtained traffic estimates for other proposed developments in the vicinity of SR-248 / US-40 interchange. Those developments and their associated peak hour trip generation are as follows:

- IHC Campus (West of SR-248) including hospital, medical offices, USSA facilities, and recreation facilities:
  - Entering trips: 450 vehicles per hour (vph)
  - Exiting trips: 819 vph
  - Total trips: 1,269
- Park City Heights (East of SR-248 and south of Old Landfill Road) including 73 attached and 75 detached units:
  - Entering trips: 82 vph
  - Exiting trips: 45 vph
  - Total trips: 127
- Park City Heights attainable housing (East of SR-248 and south of Old Landfill Road) – 14 units:
  - Entering trips: 8 vph
  - Exiting trips: 4 vph
  - Total trips: 12
- IHC attainable housing (East of SR-248 and south of Old Landfill Road) – 26 units:
  - Entering trips: 13 vph

- Exiting trips: 7 vph
- Total trips: 20
- Park City Mines attainable housing (East of SR-248 and south of Old Landfill Road) – 57 units:
  - Entering trips: 25 vph
  - Exiting trips: 13 vph
  - Total trips: 38
- Richardson Flats (East of US-40 and south of Old Landfill Road) – 750 parking stalls
  - Entering passenger car trips: 0 vph
  - Exiting passenger car trips: 270 vph
  - Total passenger car trips: 270
  - Entering bus trips: 8 vph
  - Exiting bus trips: 8 vph
  - Total bus trips: 16

Traffic data for these developments were obtained from previous traffic engineering work completed by Hales Engineering and Horrocks Engineers between 2005 and 2008.

In addition to the added development, Hales Engineering also assumed that some traffic heading between the Browns Park area (along SR-248 east of US-40) and Park City will utilize Old Landfill Road as a “cut-through” route. This traffic was quantified by Hales Engineering in a previous report and is as follows:

- Westbound: 218 vph
- Eastbound: 327 vph
- Total: 545 vph

The resulting future 2020 p.m. peak hour traffic volumes are shown in Appendix D.

### **C. Background Geometric Changes**

Some background changes were assumed to have occurred along SR-248 by the year 2020. These changes include the following:

#### SR-248:

- According to the Draft SR-248 Corridor Plan (H. W. Lochner, January 2009), the preferred alternative for SR-248 between Park City and Old Landfill Road is a four-lane cross section with one general purpose lane and one high occupancy vehicle (HOV) lane in each direction of travel as well as a bike lanes in both directions. Hales Engineering assumed that the HOV lanes on SR-248 would end to the south and west of the SR-248 / Old Landfill Road intersection. Between

Old Landfill Road and US-40, SR-248 would be a five-lane cross section with two general purpose lanes in each direction of travel and a center TWLTL.

Old Landfill Road / SR-248:

- Signalize intersection of SR-248 and Old Landfill Road and coordinate with traffic signals to the northeast.
- Add a 250-foot northbound right turn lane (northbound/eastbound SR-248 to eastbound Old Landfill Road)
- Add a 250-foot westbound left turn lane (westbound Old Landfill Road to southbound/westbound SR-248)

All of these improvements have been previously identified in other traffic studies completed for the Quinn's Junction area.

**D. Level of Service Analysis**

Using Synchro/SimTraffic, which follows the Highway Capacity Manual (HCM) 2000 methodology introduced in Chapter I, the p.m. peak hour LOS was computed for each study intersection. The results of this analysis are reported in Table 5 (see Appendix B for the detailed LOS reports). Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. These results serve as a baseline condition for the impact analysis of the proposed development during future (2020) conditions. As shown in Table 5, all of the study intersections have acceptable levels of service.

**E. Mitigation Measures**

No mitigations are recommended.

**Table 5 Future (2020) Background p.m. Peak Hour Level of Service**

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach <sup>1,3</sup>	Aver. Delay (Sec/Veh) <sup>1</sup>	LOS <sup>1</sup>	Aver. Delay (Sec/Veh) <sup>2</sup>	LOS <sup>2</sup>
Old Landfill Road / SR-248	Signal	-	-	-	23.0	C
Round Valley Drive / SR-248	Signal	-	-	-	33.9	C
US-40 SB Ramps / SR-248	Signal	-	-	-	31.1	C
US-40 NB Ramps / SR-248	Signal	-	-	-	29.3	C

- 1. This represents the worst approach LOS and delay (seconds / vehicle) and is only reported for non-all-way-stop unsignalized intersections.
- 2. This represents the overall intersection LOS and delay (seconds / vehicle).
- 3. SB = Southbound approach, etc.

Source: Hales Engineering, August 2009

## VI. FUTURE (2020) PLUS PROJECT CONDITIONS

### A. Purpose

This section of the report examines the traffic impacts of the proposed project at each of the study intersections during future 2020 conditions. The trips generated by the proposed development were combined with the future 2020 background traffic volumes to create the future plus project conditions. The future plus project scenario evaluates the impacts of the project traffic on the surrounding roadway network assuming full build out of the project. This scenario provides valuable insight into the potential impacts of the proposed project on future background traffic conditions.

### B. Traffic Volumes

Trips were assigned to the study intersections based on the trip distribution percentages discussed in Chapter III and permitted intersection turning movements.

The future (2020) plus project p.m. peak hour volumes were generated for the study intersections and are shown in Appendix D.

### C. Level of Service Analysis

Using the Synchro/SimTraffic Software which follow the Highway Capacity Manual (HCM) 2000 methodology introduced in Chapter I, the future 2020 plus project p.m. peak hour LOS was computed for each study intersection. The results of this analysis are reported in Table 6 (see Appendix B for the detailed LOS reports). Multiple runs of SimTraffic were used for the analysis to provide a statistical evaluation of the interaction between the intersections. As shown in Table 6, all of the study intersections experience acceptable levels of delay.

**Table 6 Future (2020) Plus Project p.m. Peak Hour Level of Service**

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach <sup>1,3</sup>	Aver. Delay (Sec/Veh) <sup>1</sup>	LOS <sup>1</sup>	Aver. Delay (Sec/Veh) <sup>2</sup>	LOS <sup>2</sup>
Old Landfill Road / SR-248	Signal	-	-	-	39.1	D
RIRO Access / SR-248	NB Stop	NB	>50.0	F	9.1	A
Round Valley Drive / SR-248	Signal	-	-	-	67.0	E
US-40 SB Ramps / SR-248	Signal	-	-	-	69.7	E
US-40 NB Ramps / SR-248	Signal	-	-	-	55.4	E

1. This represents the worst approach LOS and delay (seconds / vehicle) and is only reported for non-all-way-stop unsignalized intersections.

2. This represents the overall intersection LOS and delay (seconds / vehicle).

3. SB = Southbound approach, etc.

Source: Hales Engineering, August 2009

## D. Mitigation Measures

The following mitigations are recommended:

### Round Valley Drive / SR-248:

- Lengthen the westbound left turn lane to 250 feet (southwest-bound SR-248 to southeast-bound Project Access)
- Provide protected/permitted phasing for the east- and westbound left turn movements (left turn movements from SR-248 to side streets)

### US-40 SB Ramps / SR-248:

- Provide dual southbound left turn lanes

### US-40 NB Ramps / SR-248:

- Provide dual northbound left turn lanes

Table 7 shows the SimTraffic analysis results after implementing the above mitigations. As is shown in Table 7, delay is decreased at all of the signalized intersections to acceptable levels. However, high levels of delay still exist for vehicles exiting the RIRO Project Access due to lack of sufficient gaps in the northeast-bound traffic stream on SR-248 as well as queuing from Round Valley Drive signalized intersection.

Since the demand to make this right turn egress movement is less than 50 vehicles per hour (the threshold for right turn egress volume which requires a right turn acceleration lane by UDOT for an Access Category 4 roadway), and because mitigation of this delay would require significant capacity enhancing improvements (such as adding an additional northeast-bound through travel lane), no additional mitigations are recommended. Drivers should be able to utilize courtesy gaps in the traffic stream to exit the site from vehicles queued at the Round Valley Drive traffic signal.

**Table 7 Future (2020) Plus Project – Mitigated p.m. Peak Hour Level of Service**

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach <sup>1,3</sup>	Aver. Delay (Sec/Veh) <sup>1</sup>	LOS <sup>1</sup>	Aver. Delay (Sec/Veh) <sup>2</sup>	LOS <sup>2</sup>
Old Landfill Road / SR-248	Signal	-	-	-	37.7	D
RIRO Access / SR-248	NB Stop	NB	>50.0	F	6.5	A
Round Valley Drive / SR-248	Signal	-	-	-	46.1	D
US-40 SB Ramps / SR-248	Signal	-	-	-	23.8	C
US-40 NB Ramps / SR-248	Signal	-	-	-	26.7	C

1. This represents the worst approach LOS and delay (seconds / vehicle) and is only reported for non-all-way-stop unsignalized intersections.  
 2. This represents the overall intersection LOS and delay (seconds / vehicle).  
 3. SB = Southbound approach, etc.

Source: Hales Engineering, August 2009

# APPENDIX D

## Figures



















