

**PARK CITY MUNICIPAL CORPORATION
 PLANNING COMMISSION
 CITY HALL, COUNCIL CHAMBERS
 APRIL 25, 2012**



AGENDA

MEETING CALLED TO ORDER - 5:30 PM

ROLL CALL

WORK SESSION – Discussion only, no actions taken

200 Ridge Avenue – Plat Amendment

PL-10-00977 5

ADOPTION OF MINUTES OF MARCH 14, 2012

33

ADOPTION OF MINUTES OF APRIL 11, 2012

59

PUBLIC COMMUNICATIONS – Items not scheduled on the regular agenda

STAFF AND BOARD COMMUNICATIONS/DISCLOSURES

CONTINUATION(S) – Public hearing and continuation as outlined below

200 Ridge Avenue – Plat Amendment

PL-10-00977

Public hearing and continuation to May 23, 2012

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

573 Main Street & 564/572 Park Avenue – Plat Amendment

PL-10-01105 75

Public hearing and possible recommendation to City Council

7700 Marsac Avenue – Subdivision

PL-10-01070 89

Public hearing and possible recommendation to City Council

7700 Marsac Avenue – Condominium Conversion

PL-10-01071 103

Public hearing and possible recommendation to City Council

Quinn’s Junction Partnership – Annexation

PL-12-01473 119

Public hearing and possible recommendation to City Council

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.

WORK SESSION

Planning Commission Work Session



Subject: Ridge Overlook Subdivision – 200
Ridge Avenue
Project #: PL-10-00977
Author: Mathew W. Evans, Senior Planner
Date: April 25, 2012
Type of Item: Work Session – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission discuss the Ridge Overlook subdivision plat amendment and provide direction to staff and the applicant. This is a work session item and no final action is requested at this meeting.

Topic

Applicant: Market Consortium, LC. Represented by Jason Gyllenskog
Location: 200 Ridge Avenue
Zoning: Historic Residential Low Density (HRL)
Adjacent Land Uses: Residential
Reason for Review: Plat amendments require Planning Commission review and City Council approval

Proposal

This application proposes six smaller lots instead of the three larger lots that were previously approved but whose approval was voided because they were never recorded. The applicant has indicated market conditions for smaller homes and changes to the Land Management Code in the steep slope CUP criteria (limiting story and height) have helped generate the current proposed layout. Minimum lot size in the HRL zoning district is 3,750 square feet.

Ridge Avenue is a substandard street in that it does not exist within its originally platted right of way in this location. The lots terrace away from the existing roadway to a lower, relatively level site where the previously vacated Anchor Avenue used to be. Historically, several small homes were located on this flatter site. From the old Anchor Avenue site, the property then terraces downward towards Daly Avenue.

Background

On May 26, 2010 the City received an application for the Ridge Overlook Subdivision. The application was deemed complete on June 2, 2010. The property is located at 200 Ridge Avenue (between Daly Avenue and the Ridge Avenue switchback) in the Historic Residential Low Density (HRL) zoning district. The proposed plat combines all or portions of lots 75-89 and 27-32, Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots, into six lots of record.

A previous application, which went through considerable Planning Commission review, a positive recommendation to City Council and City Council approval in 2007, consisted of a three lot subdivision. As part of that approval, the Planning Commission agreed that the proposed density of three lots was appropriate for the site due to some physical constraints associated with the site including a narrow street and steep slopes. That plat, which had a different owner, was never recorded and has expired.

Based on previous discussions at Planning Commission in 2006 and 2007 under the old application and interdepartmental Development Review, the applicant provided additional information including utility plans, geotechnical report, field staked lot locations and story poles to identify height of retaining walls for past site visit. Previously the applicant agreed to work with the adjacent property owners, including the developer of 255 Ridge, to provide further refinements to the plan. The other applications have since been put on hold, are currently inactive and/or are subject to new ownership. The June 2010 application came before the Planning Commission on September 22 as a work session item. The Planning Commission made several comments and observations regarding the proposals which are listed below:

- Each individual home will be subject to a Steep Slope CUP review and HDDR Review, and home design will be subject to the 2009 Historic District Design Review standards.
- In 2007 a proposal was submitted for a three lot subdivision on this same site. At the same time, there was another proposal for a project in close proximity at 255 Ridge Avenue. That was a separate proposal and the current applicant (Mr. Gyllenskog) was not involved in that project.
- Applicant is proposing to build smaller houses on smaller lots. Land Management Code may further restrict the size of the houses.
- The Planning Commission visited the site on three previous occasions during the 2007 approval process. It was noted that the Commissioners at that time liked the “substandard street” because it maintained the fabric and character of Old Town.
- Current proposal limits lot density from 9 full Old Town lots and 21 partial lots to a total of six (6) lots.
- The proposal would create an average lot size of 4109 square feet, which is compatible with the area per a previous Ridge Avenue study that was done by the Planning Department.
- A traffic study was completed for the nearby King Ridge Estates. The study concluded that six single family houses could create 29 new trips daily.
- There was concern that the lots might be unbuildable, and the City did not want to create a situation where an owner could come back for a variance. It was suggested that the applicant provide a block drawing for every lot to demonstrate that a house could fit on each lot under the new Code restrictions.
- There was also concern regarding the geotechnical aspects of burdening the hillside with construction and that the steepness of the terrain could have many complications.

After the lengthy discussion regarding the issues as summarized on the previous page, the Planning Commission recommended that the Staff work with Mr. Gyllenskog and provide clear direction on what could be built on a proposed lot size based on the new ordinance. The Staff could provide that information at a future meeting. Mr. Gyllenskog stated that he would be prepared to address their concerns at the next meeting.

On July 1, 2011, a letter was sent to the applicant informing him that the application file was being closed due to in-action. Soon thereafter the applicant appealed that decision to the Planning Director. The application was allowed to stay open due to the fact that no action could be taken to move it forward because the Temporary Zoning Ordinance that prohibited lot combinations was in place at that time.

On July 20, 2011, the application met with Staff to consider the possibility of creating a Transferable Development Rights Sending District for the creation of TDR's. The applicant decided against the idea after determining that there was no immediate market available for the TDR's, and that their sale would not off-set the costs associated with the original purchase of the land.

On February 14, 2012, the applicant met with Staff formally to discuss moving the project forward. The applicant indicated that he wanted the Planning Commission to review the proposal they had last seen to consider a positive recommendation to the City Council.

Staff has spoken to the applicant a few times since the last meeting, and agreed to take the request back to the Planning Commission for a second work session meeting. Staff anticipates having this item back before the Planning Commission as a public hearing for final action in May.

Analysis

The subject property is located in the HRL zoning district. Per LMC Section 15-2.1-1, the purpose of the Historic Residential Low-Density (HRL) District is to:

- (A) Reduce Density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- (B) Provide an Area of lower Density residential Use within the old portion of Park City,
- (C) Preserve the character of Historic residential Development in Park City,
- (D) Encourage the preservation of Historic Structures,
- (E) Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
- (F) Establish Development review criteria for new Development on Steep Slopes,
- (G) Define Development parameters that are consistent with the General Plan policies for the Historic core.

The Land Management Code, 15-15-1.52. Compatible or Compatibility, defines Compatibility as:

“Characteristics of different Uses or designs that integrate with and relate to one another to maintain and/or enhance the context of a surrounding Area or neighborhood. Elements affecting Compatibility include, but are not limited to, Height, scale, mass and bulk of Buildings, pedestrian and vehicular circulation, parking, landscaping and architecture, topography, environmentally sensitive Areas, and Building patterns.”

HRL Requirements:	
Height	27' (maximum 3 stories with 10' step in third story)
Front setback	15'
Rear setback	15'
Side setbacks	5' min, 10' total
Lot size	3,750 square feet minimum
Footprint	Zone Minimum is 1,519 square feet on a 3,750 square foot lot
Parking	Two required per lot

In 2010 the applicant and staff prepared an exhibit of the surrounding properties in the HRL zone and the HR-1 properties within the 300 foot noticing radius. The following is a summary of the results:

200 Ridge Ave Study	Lot Size	Lot Sq Ft	Footprint Sq Ft	House Size Sq Ft
HRL Average	0.13 acres	5,677	1,917	2,748
Daly Ave Averages*	0.09 acres	4,001	1,535	2,131
Combined Average	0.11	4,839	1,726	2,439
Current Proposed Lot sizes/Footprints	Lot 1 0.14 acres	6,172	2,182	
	Lot 2 0.09 acres	3,775	1527	
	Lot 3 0.09 acres	3,800	1535	
	Lot 4 0.09 acres	3,758	1521	
	Lot 5 0.09 acres	3,808	1537	
	Lot 6 0.09 acres	3,846	1549	

*Based on Previous 2008 Study

The 2010 study which was presented at the July 14, 2010 work session meeting also examined the relationships of the HRL and HR-1 lots, footprints and built house sizes. The HRL zone encourages lot combinations and has a minimum lot size equivalent to two Old Town lots (3,750 sq ft). What is shown is that the HRL averages lot sizes 42%

larger than the neighboring HR-1 lots, a 25% larger footprint and a 29% larger house size. Even though the houses and footprints are bigger, there is also greater open space around the houses.

In the sample of HRL and HR-1 lots, there is a correlation between footprint and house size that is similar in both zoning districts. In the HR-1, on average the house size is 39% greater than the maximum allowed footprint and the HRL on average houses are 43% larger than the maximum allowed footprints. House size information is from the County Assessor's Office and does not include basements or garages.

Access

The July 2010 Planning Commission direction on access was to provide individual driveways from Ridge Avenue, which this current application utilizes. The previous application included approximately 6,242 square feet dedicated to the City for Ridge Avenue right-of-way. The current application would propose dedicating a smaller area to the City but would include the Ridge Avenue right-of-way. The applicant will be required to work with Engineering to determine what the ultimate right-of-way width will be.

Discussion

Staff requests that the Planning Commission focus the discussion on the previous items that were of a concern. It is Staff's understanding that the Planning Commission is most concerned with the following items:

- *Reduce impacts of substandard street of Ridge by reducing density*
- *6 lots too many; The sentiment of the Planning Commission seemed to be that they were more comfortable with a 3 lot proposal*
- *Take advantage of flat portion on lots*
- *Potentially limit house sizes and house footprints with 3 lots*
- *Show potential buildability that could occur on proposed sites with the 2009 Code which has a 3 story limit, steps in façade, and restrictions on final grade versus existing grade.*

The Planning Commission should give clear instruction to the applicant regarding his proposal. Since the 6-Lot proposal was brought forward, there have been no substantive changes proposed by the applicant. The applicant has made it clear that he wishes to move forward with the project as proposed.

Department Review

This project has gone through an interdepartmental review. Issues that were brought up at that time are continuing to be addressed with the City Engineer and Chief Building Official. Issues include driveway locations and the general sub-standard condition of Ridge Avenue. A final utility plan will be required to be reviewed prior to plat recordation. Each proposed home will be required to have fire protection in the form of modified 3D sprinklers.

Notice

Work session items do not require public notice. However, a notice was placed in the Park Record as Staff originally planned to bring this project forward as a public hearing.

Public Input

Other than a few inquiries regarding the project, Staff has not received any public input at the time this report was written.

Significant Impacts

There are no significant fiscal impacts to the City from this application. Construction on the site will require a detailed Construction Mitigation Plan in order to protect the houses on Daly Avenue below the site. A geotechnical report has been previously submitted and reviewed. Each of the lots will require a Steep Slope Conditional Use Permit and Historic District Design Review prior to home design and construction.

Recommendation

Staff recommends the Planning Commission be reacquainted with the site and ask questions regarding applicant's current proposed layout of 6 lots. Staff noticed this item as a public hearing, although there was no requirement to do so. The Planning Commission should allow the public to weigh in on the proposal if they so choose.

Exhibits

Exhibit A – September 22, 2010 Work Session Minutes and Exhibits

EXHIBIT A – Park City Survey (project location)

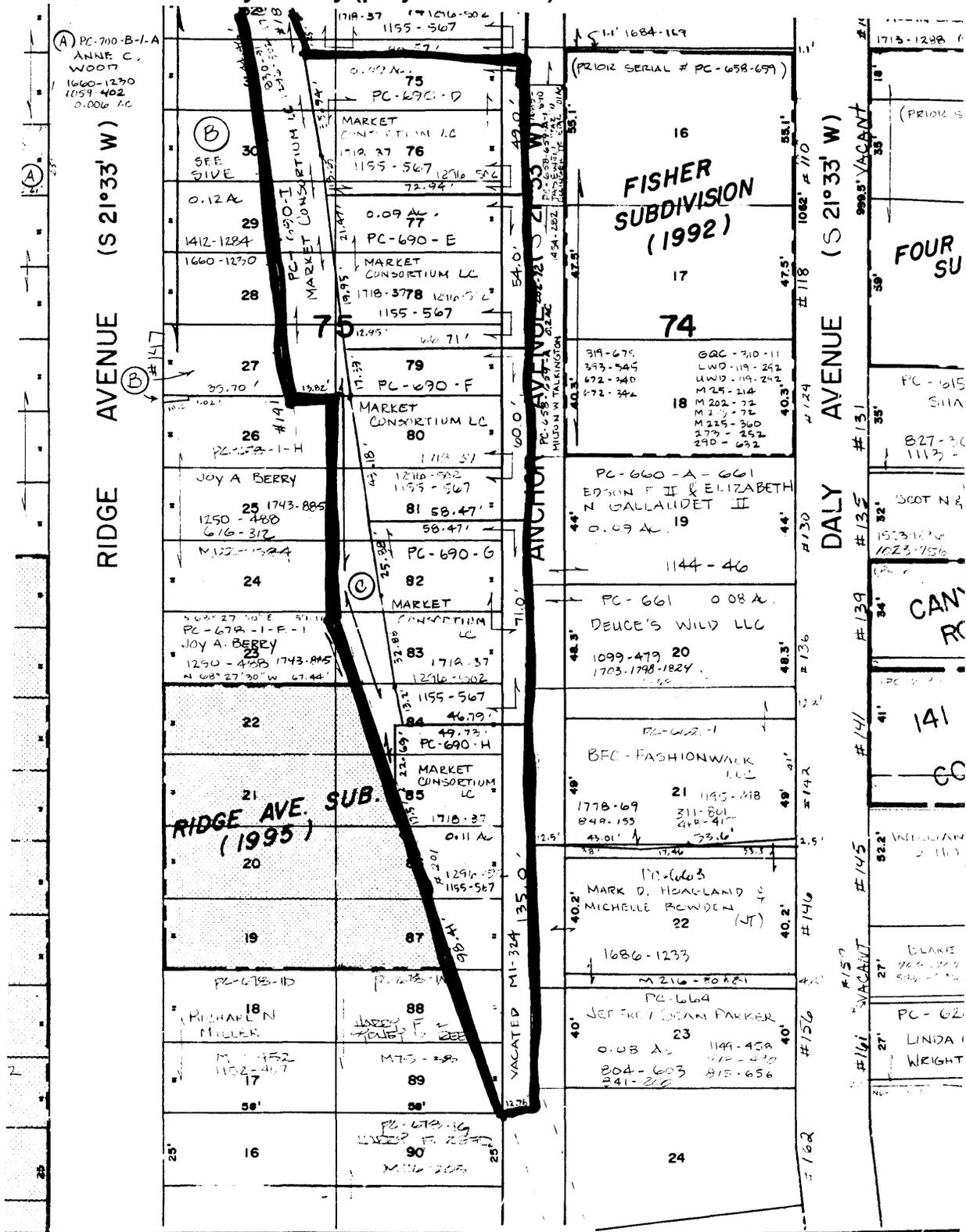
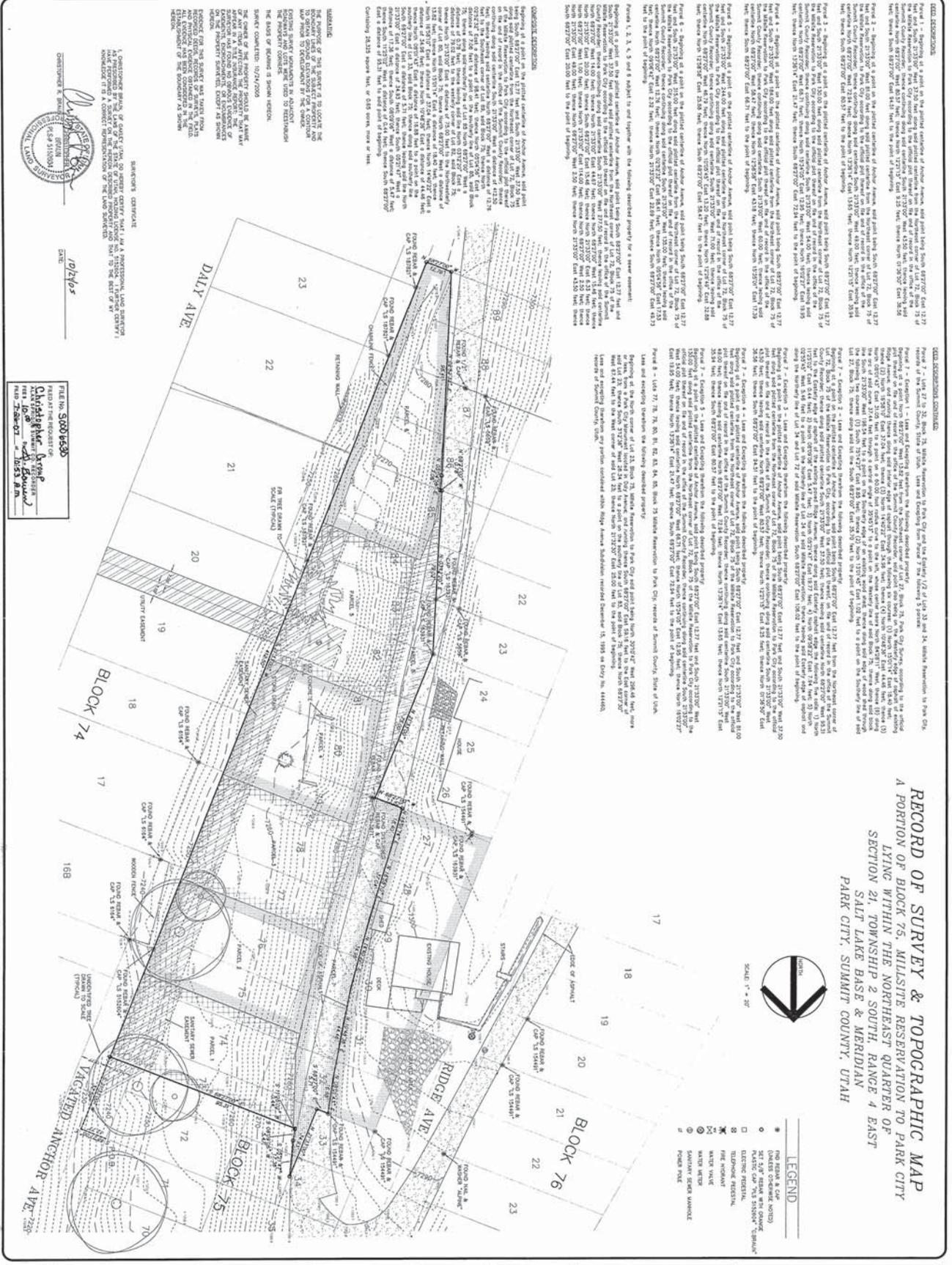


Exhibit B continued - Survey



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

LEGEND

- IRON BARS & CAP
- SET 1/4" BARS WITH CONCRETE
- PLASTIC CAP "T" SHAPED "CORNER"
- ELECTRIC FENCE
- FENCE
- FENCE
- FENCE
- SANDWICH SIGN
- FENCE POST

 P&S PARK CITY SURVEYING 910 BOX 3003 PARK CITY, UTAH 84302 (435) 640-2918	RECORD OF SURVEY & TOPOGRAPHIC MAP A PORTION OF BLOCK 75, MILLSITE RESERVATION TO PARK CITY RIDGE AVE TOPO.DWG TOP FLIGHT BUILDERS	DATE: _____ BY: _____ COMMENTS: _____	SURVEYED BY: DATE: DRAWN BY: DATE:	SHEET 1 OF 1 5-LS-53A
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**PARK CITY PLANNING COMMISSION
WORK SESSION NOTES
October 24, 2007**

PRESENT: Jim Barth, Evan Russack, Julia Pettit, Jack Thomas, Charlie Wintzer, Brooks Robinson, Ray Milliner, Polly Samuels McLean

Commissioner O'Hara was excused. Commissioner Thomas was Chair Pro Tem in his absence.

WORK SESSION ITEMS

200 Ridge Avenue - Plat Amendment

Planner Robinson noted that the Planning Commission has previously discussed this item. The applicant, Jason Gyllenskog, had set out lot corners; as well as story poles to show the height of the retaining wall on the proposed driveway location on the east side of each of these properties.

Planner Robinson presented a slide showing the total property. He indicated the number of lots along Ridge Avenue and noted that Ridge is in a right of way. Anchor Avenue was previously vacated to the property owners on either side. Planner Robinson stated that the proposal for all the lots is to have three lots of record, with dedication of the right-of-way for the road on the properties that the applicant owns, in order to meet the master plan of streets on this side. If they receive subsequent proposals from the property owners on the other side, they would also get additional right-of-way.

Planner Robinson presented a slide showing the ridge, the existing grade, and scaled model of a house with the maximum building height. The proposed driveway would be on the east side with a retaining wall dropping down. He stated that the applicant was prepared to present larger prints that show the grade going all the way down to Daly Avenue.

In looking at a number of other properties in the area, the Staff prepared an analysis on 255 Ridge Avenue, some of the Daly Avenue properties, and everything on the Ridge/King/Sampson area in the HRL zone. That analysis resulted in interesting numbers regarding footprints and lot sizes. In addition, they found plat restrictions on the Anchor development sites at 83,55, and 57 King Road.

Planner Robinson indicated a sewer easement to the right of Lot 1 which makes the effective footprint of Lot 1 smaller than the potential footprint size. He noted that Lots 2 and 3 are close to what the footprint would allow. These footprints are within the range of what is typical in the area. Also, in looking at house size limitation, the floor area is defined by the Land Management Code. The basement areas that are totally buried would not count towards the floor area. Planner Robinson stated that they are looking at a restriction of approximately 43% over the footprint.

Planner Robinson stated that another issue for discussion is the access and the retaining wall. He noted that Commissioner Pettit asked the question at the last meeting about whether approving this plat amendment would tie in the driveway. He stated that an approval would not tie in the driveway. However, it would not preclude having it in that location because it is an access easement; unless during the steep slope CUP process, they find that the impacts of the driveway cannot be mitigated at that particular access.

Planner Robinson referred to a previous proposal on this site from ten years ago. Commissioner Pettit wanted to know what the square footage would have been for the structures in the previous

proposal. Planner Robinson replied that the files are being archived and he was not able to pull up that information. He understood that the proposal was approved by the Planning Commission and forwarded to the City Council. After significant discussion at the City Council level, the applicant withdrew his application.

Jason Gyllenskog, the applicant, presented information regarding the elevation change between Daly Avenue and the proposed private driveway; as well as from the proposed driveway and Ridge Avenue. He stated that the elevation between as-built Ridge and the private driveway down at the flat area is approximately 28 feet. From the private driveway down to Daly Avenue is 58 feet in elevation change. Mr. Gyllenskog believed this would give the Planning Commission some perspective of the topography.

The Planning Commission left the dias to review the drawings provided by Mr. Gyllenskog. Commissioner Wintzer was comfortable with the three lots, but he was concerned with the access. He did not have a problem with Lot 1 accessing from the side; however, his concern was with the other two lots creating a 400' driveway and the suggestion of it being a heated driveway. Commissioner Wintzer was also bothered by a 400 foot retaining wall that ranged in height from 3 feet to 12 feet. In looking at the Land Management Code, he referred to Item (e) that addresses roads on both sides of lots. He also believes the neighbors on the downhill side envisioned their backyard being against another backyard. Commissioner Wintzer did not think a 400 foot long key stone wall is compatible with what they have been doing in Old Town. Commissioner Wintzer would not have a problem approving the subdivision if the easement was taken out of the proposal. Leaving in the easement leaves the door open for future conversations.

Commissioner Pettit agreed with Commissioner Wintzer regarding the easement. She stated that leaving the easement in the plat amendment does not necessarily mean that access would be approved during the CUP application process. Commissioner Pettit stated that from her perspective she preferred that the access not be for all three units and create a 400 driveway. She commented on issues of setting precedent and compatibility with mass, size, and scale in terms of other projects in Old Town. Commissioner Pettit referred to the Staff analysis and the recommendations regarding the footprint reduction for Lot 1. She was definitely in favor of reducing the footprint in the range of 2000 square feet. She would also support a reduction of the building size to be consistent with the patterns of development in the HRL District. Commissioner Pettit wanted to know why they would not place the same square footage limitations on the other two lots. She understood that Lot 1 was smaller, but she was concerned about the ability to yield a home incompatible in size with the pattern seen in that area.

Planner Robinson stated that he would look at the other two lots and take a cue from what the City Council does on 255 Ridge Avenue in terms of square footage and house size.

Commissioner Pettit stated that compatibility is her biggest hot button issue with respect to the Code and the guidance they are provided in the objectives and goals. One is compatibility of creating a private driveway with the length and retaining walls as proposed. The Planning Commission had this same issue with the 255 Ridge Avenue project and it is something that is not seen in Old Town. In her opinion, it creates an incompatible type pattern of development. The second compatibility issue relates to the size of the homes and making sure the Planning

Commission facilitates a pattern of development consistent with the HRL District and the surrounding HR1 District.

Mr. Gyllenskog stated that he spoke with Planner Robinson regarding these issues. When he originally presented this proposal he was made aware that there would be some issue with size and compatibility. At that time he suggested limiting the footprint. In lieu of new information compiled from the analysis, Mr. Gyllenskog understood that the current mind set is to take a buildable footprint and multiply it by this 1.43 factor to determine the floor square footage. Mr. Gyllenskog did not have a problem going with something along those lines, but he had already talked about voluntarily restricting the buildable footprint on the smaller lots. He did not have a problem restricting the footprint on the larger lot beyond what the LMC allows and still use the .43 factor. Mr. Gyllenskog stated that he had asked Planner Robinson to allow him to go off the LMC footprint. In that case, Lot 2 would be 1768 square feet and Lot 3 would be 1640 square feet, multiplied by the factor. The result would be a floor area of 2528 square feet for Lot 2 and 2345 for Lot 3. Using the 2200 square foot limitation on the footprint for Lot 1 results in 3136 square feet. That would give an average of 2673 square feet on all three houses, which is below the average in the area.

Mr. Gyllenskog stated that there are multiple contemporary subdivisions in the area that have access off of a private driveway and front on to a City street. He used the Ridge Avenue subdivision directly across the street as an example. He did not believe his proposal sets this precedent and he offered additional examples throughout Old Town. Mr. Gyllenskog remarked that after working with the Staff, they felt the disadvantage of the previous submittal was the number of garages off the streetscape. Putting in a private driveway costs a lot of money and it physically restricts the size of the houses. The reason for proposing the private driveway is to clean up the streetscape and make it more compatible. In addition, accessing off of as-built Ridge would require a variance from the Board of Adjustment for the garage height. Mr. Gyllenskog preferred to get through the plat amendment process first and determine the most compatible design through the steep slope CUP.

Commissioner Pettit clarified that the Ridge Avenue subdivision Mr. Gyllenskog referred to does not have retaining walls anywhere near the size being proposed with this proposal. She asked if the Staff has done any studies to support the Planning Commission's thoughts about the incompatible size of the retaining wall and the length of private driveways. Planner Robinson stated that the Staff reviewed the Park City Survey and the Snyder's Addition to the Park City survey and found that the City has vacated a lot of pieces of roads and whole sections of roads in a number of places. There are also structures that were built in the rights-of-ways, which include City stairs, a number of different walls, dumpster enclosures, driveways, and other structures. In this case, because the applicant is proposing a private driveway and a retaining wall that is not within the right-of-way, it would be similar to the end of Upper Norfolk going into the Sweeney properties where there is a larger keystone wall. Planner Robinson noted that there are other walls that basically hold up public streets such as Sampson Avenue and King Road. However, in general and as far as providing a private driveway across lots and having a wall, the Staff could not find anything similar.

Commissioner Barth referred to Section 15-2.1.1 of the Land Management Code which talks about encouraging construction of historically compatible structures. He could not find the retaining wall to be historically compatible. Commissioner Barth asked if the retaining wall would be processed

separately through a conditional use permit. Planner Robinson replied that if this retaining wall comes in under a steep slope CUP, they would also need a CUP for a wall in a setback area over 6 feet in height. This retaining wall would be in the rear setback. Commissioner Barth anticipated interesting challenges from a design perspective due to a 400 foot long cul-de-sac. He could not support the size of the retaining wall in that location based on historic compatibility.

Mr. Gyllenskog provided additional examples of retaining walls in the Old Town area. Commissioner Wintzer was familiar with the retaining wall Mr. Gyllenskog used in his example; however, that retaining wall is not as tall and it is not on the property line.

Commissioner Russack stated that previous comments echoed his sentiments on this matter. He struggled with the same issues as stated by Commissioner Barth. Commissioner Russack was comfortable with the density and he believes the Staff is going in the right direction in looking at square footage reductions for the footprints. He struggled with the access off Ridge Avenue down that road as a private driveway, supported by a very long and tall retaining wall. He also struggled with the potential for widening Ridge Avenue to handle more traffic. If they reach the point of discussing bringing the access in from the front, he would suggest a reduction of the front setback to bring the garage closer to the road and to eliminate the need for widening Ridge Avenue. Commissioner Russack had a hard time finding historic compatibility for the private driveway.

Commissioner Wintzer noted that the Land Management Code section related to setbacks allows a driveway or walk. He believes they eliminated the setback on the east lot line by having a road the entire length of it. Planner Robinson explained that the Code allows a driveway leading to an approved garage in both the side and rear setbacks. Whether or not that is appropriate or compatible is an issue for discussion. He believed the consensus from the Planning Commission is that it is not compatible.

Planner Robinson noted that the road dedication is dictated by the master plan of streets. Anytime there is a substandard width road in the right-of-way or, in this case, not in the right-of-way, the master plan of streets looks at whether additional right-of-way is needed and how much. The City may look to that dedication of right-of-way, but that does not mean the road will be widened.

Chair Pro Tem Thomas agreed with his fellow Commissioners and shared the same concerns. He was comfortable with the number of lots and their size. Chair Pro Tem Thomas thought that ingress from the street versus the back might be resolved in the conditional use permit process. Chair Pro Tem Thomas believed there was commonality in the hesitation for a rear access. He asked the Commissioners if they were willing to move forward with stipulations on the plat amendment with regards to accepting the three lots, and address some of the other issues during the CUP process. Planner Robinson noted that this item was scheduled for public hearing this evening but no action was being requested. The Planning Commission could provide specific direction for conditions on the plat for any CUP's that come forward. Commissioner Pettit asked about the process if they choose to take that direction. If they wait until the CUP process to determine the access, would they need to go through another plat amendment to add the access. Planner Robinson stated that another plat amendment is one possibility. They could also have a deeded access easement that gets recorded with the CUP but does not show up on the plat. Chair Pro Tem Thomas clarified that if the lots were created without the easement, there would still be

access from Ridge Avenue. Planner Robinson replied that this was correct.

Commissioner Wintzer remarked that the access to Lot 1 made sense. The issue relates to two houses on the road.

Mr. Gyllenskog stated that he was open to alternatives. His objective is to get through the plat amendment process so they can begin designing the project.

Planner Robinson commented on issues with 255 Ridge Avenue that are similar to the issues in this proposal. Commissioner Russack felt the pending application for 255 Ridge Avenue, currently in front of the City Council, has definitive impacts on this proposal. From the comments heard this evening, he felt it was prudent to wait for the decisions on 255 Ridge Avenue before moving forward.

Commissioner Wintzer was more comfortable approving the three lots without the easement in the back. Mr. Gyllenskog was not opposed to an approval without the easement. He just wanted to know that he could proceed with designing three units and the parameters to work with.

Chair Pro Tem Thomas liked the idea of allowing the design professionals to study the access based on the design of the structures and come back with a resolution. Commissioner Wintzer asked if it was possible to move forward with a finding of fact that says the Planning Commission approved the subdivision without the easement. Planner Robinson stated that the Planning Commission would ask the applicant to modify the drawing to show the plat without the easement.

Planner Robinson summarized that the three lot subdivision is acceptable to the Planning Commission; without the access until the CUP process. He understood that the Planning Commission favored a reduction in the footprint and a maximum floor area based on 43%. He reviewed the footprint formula and the square footage for each lot that Mr. Gyllenskog had outlined earlier.

Planning Commission Meeting
November 14, 2007
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PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
NOVEMBER 14, 2007

COMMISSIONERS IN ATTENDANCE:

Chair Michael O'Hara, Jack Thomas, Jim Barth, Julia Pettit, Evan Russack, Jack Thomas, Charlie Wintzer

EX OFFICIO:

Planning Director, Patrick Putt; Principle Planner, Brooks Robinson; Ray Milliner, Planner; Kirsten Whetstone, Planner; Katie Cattan, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING - 6:30 p.m.

6. 200 Ridge Avenue - Plat Amendment

Planner Robinson announced that the public hearing that was opened in September 26 would be continued this evening.

Planner Robinson reviewed the proposal to combine a number of Old Town lots, some bisected by Ridge Avenue, into three lots of record. During a previous discussion, the Planning Commission requested that the public utility and driveway easement on the east side of each of these three lots be shown on the plat. Each lot would be accessed from that private driveway. Planner Robinson noted that the driveway would necessitate a retaining wall up to 13 feet high on the east property line. The Planning Commission concurred that it was better to have the access come directly off of Ridge Avenue, not precluding the possibility for Lot 1 to have the access proposed.

Planner Robinson remarked that in earlier discussions, the Planning Commission discussed lot sizes and footprints and limiting the size of the footprint for Lot 1. That footprint restriction was a maximum of 2,000 square feet, based on the Staff analysis of the HR-L District within the noticing area.

Planner Robinson stated that another discussion point was limiting the total square footage on the above ground floor area to 143% of the footprint for each of the three lots. Planner Robinson noted that a condition of approval was added which sets the minimum setback for a garage coming off of Ridge Avenue. The only height exception would be for that garage. Due to the steepness from Ridge Avenue, the height would undoubtedly be above the 27 feet

requirement of the HRL zone.

The Staff report included an ordinance with findings of fact, conclusions of law, and conditions of approval for a positive recommendation to the City Council, following a public hearing and any further discussion.

Commissioner Wintzer wanted to know at what point they would calculate the existing grade. Planner Robinson explained that Anchor Avenue, which used to be the access to the smaller historic houses, is at the eastern property line. He believed that would be within the setback and the utility easement that runs across the eastern side. Planner Robinson stated that they would look at the current existing grade.

Chair O'Hara opened the public hearing.

There was no comment.

Chair O'Hara closed the public hearing.

Jason Gyllenskog, representing the applicant, addressed the limitations for Lot 1, as outlined in the Staff report. Mr. Gyllenskog felt that 2,000 square feet was significantly more restrictive than what was imposed on anyone else in this area with an equivalent lot size. When he originally met with Staff they had talked about 2200 square feet and at the time he felt that size was restrictive. Mr. Gyllenskog stated that the closest parcel is 55 King, which is 11,963 feet, and that footprint is 3,000 square feet. He requested that the size be increased to a moderate 2200 square feet.

Planner Robinson stated that on the 255 Ridge Avenue plat amendment, those three lots were smaller than the largest lot proposed for 200 Ridge Avenue, and the City Council looked at having a restriction of 2120 square feet on an 11,000 square foot lot.

Commissioner Pettit remarked that the Ridge Avenue study shows the average footprint at 1917 square feet. The median was 1830 square feet. Commissioner Pettit stated that she was personally comfortable with keeping the 2,000 square feet footprint because it fits with the average.

Commissioner Wintzer recalled that preserving the trees was one reason for eliminating the retaining wall. He requested that the applicant show where those trees are and how they worked around them when they come back for the steep slope analysis.

Commissioner Russack asked for clarification on what the City Council applied to 255 Ridge Avenue and the ratios. Planner Robinson explained that there were three lots at 255 Ridge. Lot 1 was a larger lot and in looking at the study, the City Council felt the potential footprint was not compatible with what was found in the study area. Lots 2 and 3 were within the range as far as size and the footprint for those lots were 2117 and 2118 square feet. Planner Robinson remarked that those footprints were similar to the Anchor Development subdivision immediately to the north. The City Council restricted the footprint on Lot 1 to be the same size as Lots 2

and 3. He noted that there are fairly large houses to the north that come in off of King Road and then the houses step back down in scale with 200 Ridge Avenue.

Commissioner Pettit noted that the Daly study had the average footprint at 1535 square feet and the median at 1433 square feet. She reiterated her comfort level with 200 square feet.

Commissioner Thomas noted that the Planning Commission would have the opportunity to look at the plan and how it all fits on the lot during the Steep Slope CUP review. He preferred to give a larger footprint to work with to allow a more site specific design. Commissioner Thomas felt that 2200 square feet could lend itself to a better solution.

Planner Robinson stated that the Planning Commission has always been diligent in looking at the steep slope conditional use applications and how the building mass and form work for the individual project, as well as in context with the neighborhood.

Commissioner Wintzer stated that if the footprint is restricted, he would agree with Commissioner Thomas because the biggest mass would be at the bottom of the building. Less mass at the top could result in less impact on the overall site.

MOTION: Commissioner Barth moved to forward a POSITIVE recommendation to the City Council for the Subdivision No. 1 Millsite Reservation, aka Ridge Overlook, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval contained in the Staff report, with the modification to Condition of Approval #8, to read, "A plat note will be added to restrict Lot 1 to a maximum footprint of 2200 square feet." The remainder of the condition would remain the same. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - No. 1 Millsite Reservation

1. The property is located at 200 Ridge Avenue.
2. The zoning is Historic Residential Low density (HRL).
3. The proposed plat combines all or portions of Lots 75-89 and 27-32, Block 75 of the Millsite Reservation to Park city, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. The three lots will be 13,413 square feet, 4,570 square feet, and 4,140 square feet in size. The lot sizes are consistent with lot sizes in the neighboring HRL zone.
5. Existing Ridge Avenue crosses the property and will be dedicated as a public right-of-way to the City in the subdivision as Parcel A. Parcel A will be 6,242 square feet, and 1,640 square feet based on proposed lot sizes.
6. Code maximum footprints for the proposed lots are 3,156 square feet, 1,768 square feet, and 1,640 square feet based on proposed lot sizes.
7. The average lot size in the HRL zone in the area is 5,677 square feet. The average footprint in the HRL and HR-1 zones around the property is 1,917 square feet with an aver house size, excluding basements and garages, 2,748 square feet.
8. The lot 1 footprint at 3,156 square feet is not compatible with neighboring properties

- because the footprint is 65% larger than the average for the area.
9. Built house sizes in the HRL zoning district around the subject property have an average A.
 10. The lots have slopes greater than 30% and a Steep Slope Conditional Use Permit will be required for each of the proposed homes.
 11. All homes within the HRL zoning district require Historic District Design Review.
 12. A 25-foot public utilities easement is proposed on the eastern property line of the three lots. No house construction can encroach into the easement.
 13. The applicant stipulates to the Findings, Conclusions, and Conditions.

Conclusions of Law - No.1 Millsite Reservation

1. There is good cause for this plat amendment because, as conditioned, all or portions of 22 lots will be combined to create three lots of record and a parcel consisting of a portion of Ridge Avenue will be dedicated to the public.
2. The plat amendment, as conditioned, is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public interest nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval - No. 1 Millsite Reservation

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.
3. A final utility plan is required to be approved by the City Engineer prior to plat recordation.
4. A financial security for public improvements, in an amount approved by the City Engineer and in a form approved by the City Attorney, is required prior to plat recordation.
5. A snow shed easement or roof design acceptable to the Chief Building Official will be required at the time of a Steep Slope CUP.
6. A note will be added to the plat that requires the installation of Modified 13-D sprinklers in each house.
7. Construction mitigation plan, which will include controlling loose rocks, must be approved prior to granting building permits.
8. A plat note will be added to restrict the Lot 1 to a maximum footprint of 2200 square feet. Lots 2 and 3 maximum footprints are to be limited to 1,768 and 1,640 square feet.
9. A plat note will limit the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area. The

maximum floor area will be as follows: Lot 1: 3,146 square feet; Lot 2: 2,528 square feet; Lot 3: 2,345 square feet.

10. The garage element must be at the front setback, cannot exceed the minimum depth as allowed by Code, and must have an appropriate pitched roof (8:12 or greater). A height exception for the garage only may be granted if it meets the preceding criteria.
11. No other portion of the house is eligible for a height exception.
12. Except for condition of Approval #10, nothing herein limits the scope of review by the Planning Commission during their review of a Steep Slope Conditional Use Permit.
13. Driveways into the garages whose elevation is above the Ridge Avenue grade cannot exceed 1/4 inch per foot, the minimum slope necessary for drainage away from the garages.
14. The Public Utility Easement shall not be used as driveway access to the lots unless specifically approved by the Planning Commission during Steep Slope Conditional Use Permit review. Otherwise, driveways shall access Ridge Avenue from the western property lines of each lot.

The Park City Planning Commission meeting adjourned at 7:30 p.m.

Approved by Planning Commission _____

Page 5
City Council Meeting
November 29, 2007

7. Consideration of an Ordinance approving the Subdivision No. 1 Millsite Reservation Plat Amendment located at 200 Ridge Avenue, Park City, Utah – Planner Brooks Robinson explained that the plat amendment contemplates combining all or portions of 22 lots plus the vacated area of Anchor Avenue into three lots of record and plat notes are recommended limiting a footprint on Lot 1 to 2,200 square feet and limiting the floor area to 143% of the footprint. There can be no request for a height except as a part of the steep slope conditional use approval process. Garages will be accessed off Ridge Avenue and a number of conditions mirror those for 255 Ridge Avenue. In response to a question from Mayor Williams regarding the remnant piece, Mr. Robinson explained that it is not part of this subdivision, and is owned by the seller who has no development plans. The Mayor opened the public hearing.

Steve Deckert, Daly Avenue resident, stated that the backyard driveway is his major concern and the conditions still provide the opportunity at the steep slope conditional use permit process to reconsider this location, acknowledging the Ridge Avenue access note. He feared that a retaining wall would be required in order to accommodate the 25 foot wide utility easement and drainage on the plat. Mr. Deckert also hoped the old cottonwood trees could be preserved to some extent.

With no further comments, the public hearing was closed. There was discussion on whether the garages would be attached to the residences or built as separate structures and limiting the height of the garage. Mr. Robinson explained that there was no limit on garage height because the topography is different than 255 Ridge Avenue and this condition is really not applicable. In response to a comment from Jim Hier about conditioning access to the residences, Mr. Robinson explained that the Planning Commission did not want too much design criteria created as plat notes and decided to have these details memorialized in the steep slope CUP deliberations or other decisions by the Planning Commission. Marianne Cone asked if the project can be engineered without the retaining wall structure. The applicant indicated that it would be *ridiculous* to design a 15 foot wall for storm drainage; there is a sewer easement on the east side of the property. It was never his intention to build a retaining wall for drainage purposes and the whole idea of rear access originated from the planning staff because of a provision the LMC discouraging front garages on the street.

Brooks Robinson suggested amending Condition No. 14 to clarify the retaining wall element. It could be amended to read that *the public utility easement shall not have a retaining wall and shall not be used as driveway access to the lots unless for Lot 1 only as specifically approved by the Planning Commission during steep slope review*. Joe Kernan, "I move we approve the Ordinance, approving the Subdivision No. 1 Millsite Reservation Plat Amendment located at 200 Ridge Avenue with the amendment Brooks (Robinson) just made to Condition No. 14". Jim Hier seconded. Motion approved.

Marianne Cone	Aye
Candace Erickson	Nay
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye

8. Consideration of an Ordinance approving the Empire Park Subdivision, located at 1215 Norfolk Avenue, Park City, Utah – The Mayor opened the public hearing and with no comments from the audience, closed the hearing. He asked for a motion to continue to a date uncertain. Marianne Cone, “I so move”. Joe Kernan seconded. Motion unanimously carried.

VI ADDITIONAL DISCUSSION – AGENDA ITEMS

VII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 1 p.m. Members in attendance were Mayor Dana Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; and Mark Harrington, City Attorney; Myles Rademan, Public Affairs Coordinator; Alison Butz, Environmental Specialist; Brooks Robinson, Planner; Matt Twombly, Project Manager; Jon Weidenhamer, Project Manager; Jerry Gibbs, Public Works Director; and Kathy Lundborg, Water Manager. Jim Hier, “I move to close the meeting to discuss property, litigation and personnel”. Marianne Cone seconded. Motion carried unanimously. The meeting opened at approximately 4 p.m. Roger Harlan, “I move to open the meeting”. Marianne Cone seconded. Motion unanimously carried.

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott, City Recorder



EXHIBIT F continued Aerial from 2007 approval

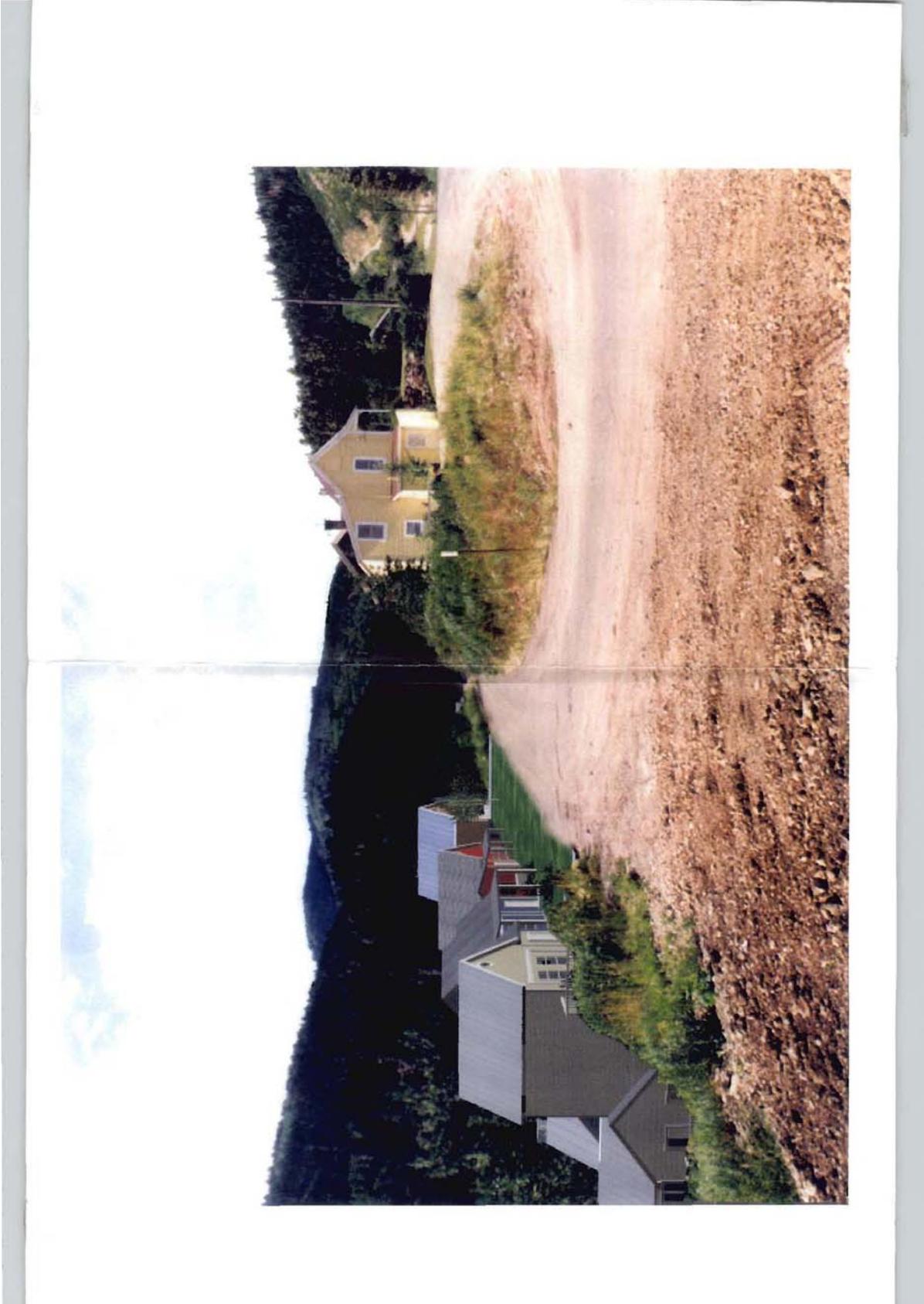


RECEIVED
MAY 15 2006
PARK CITY
PLANNING DEPT.

Exhibit F continued – Previous Ridge Avenue Plan (circa 1997)



Exhibit F continued – Previous Ridge Avenue Plan (circa 1997)



MINUTES – MARCH 14, 2012

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MARCH 14, 2012

COMMISSIONERS IN ATTENDANCE:

Chair Charlie Wintzer, Brooke Hontz, Julia Pettit, Adam Strachan, Jack Thomas, Nann Worel

EX OFFICIO:

Thomas Eddington, Planning Director; Kirsten Whetstone Planner; Matt Evans, Planner; Francisco Astorga, Planner; Polly Samuels McLean, Assistant City Attorney; Mark Harrington, City Attorney

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The Planning Commission held a site visit at the Quinn's Junction Partnership Annexation area prior to the meeting.

REGULAR MEETING

ROLL CALL

Chair Wintzer called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioner Savage who was excused. Commissioner Pettit arrived later in the meeting.

ADOPTION OF MINUTES

February 8, 2012

MOTION: Commissioner Hontz moved to APPROVE the minutes of February 8, 2012. Commissioner Worel seconded the motion.

VOTE: The motion passed unanimously by all who attended the February 8th meeting. Commissioner Strachan abstained since he was absent from that meeting.

February 22, 2012

MOTION: Commissioner Hontz moved to APPROVE the minutes of February 22, 2012. Commissioner Worel seconded the motion.

VOTE: The motion passed unanimously by all who attended the February 22nd meeting. Commissioner Thomas abstained since he was absent from that meeting.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Eddington reported that work on the General Plan was going well. The Staff would update the Planning Commission in April or May and begin to schedule additional work sessions.

Chair Wintzer stated that a site visit to Daly Avenue was the first time he had driven past the house on the west side of Daly that appears to be half in the street. Director Eddington believed the address was 118 Daly Avenue. Chair Wintzer asked the Staff to verify the address, take pictures and return to the Planning Commission with an explanation of why the house was allowed in its current scale, mass, etc.

Chair Wintzer requested that the public hearing and discussion on the Quinn's Junction Annexation be moved to the last item on the agenda.

MOTION: Commissioner Hontz moved to relocate the Quinn's Junction Partnership Annexation item to the last item on the agenda. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 543 Woodside Avenue – Plat Amendment (Application #PL-11-01417)

Planner Matt Evans reviewed the request for a plat amendment at 543 Woodside Avenue. The request was to combine two parcels into one lot. The Staff report contained the Staff's analysis. The analysis also included an existing historic home and historic shed. The purpose of the plat amendment is to allow for an addition to the home, which would come back as a separate application.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council for this plat amendment.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Thomas moved to forward a POSITIVE recommendation to the City Council for the plat amendment at 543 Woodside Avenue based on the Findings of Fact, Conclusions of Law, and Conditions of Approval contained in the draft ordinance. Commissioner Strachan seconded the motion.

Findings of Fact – 543 Woodside Avenue

1. The property is located at 543 Woodside Avenue within the Historic Residential (HR-) Zoning District.
2. The HR-1 Zoning District allows for detached single-family dwelling units as a permitted use.
3. The property is shown on the Historic Sites inventory as a “Landmark Site” and includes a 971 square foot mining era home constructed in 1894. The property also contains a 277 square foot detached accessory structure that was built between 1900 and 1927, and is also on the inventory as a historic structure.
4. The applicants are requesting to adjoin two lots of record into one Lot for the purpose of a future additional development and improvement of the home.
5. The plat amendment is necessary in order for the applicant to obtain a building permit for the proposed addition, which includes the addition of a garage under the existing main level, and a small addition the rear of the home.
6. The amended plat will create one new 3,750 square foot lot.
7. The existing historic home and accessory building meet all current setback requirements. The existing home meets current height requirements, and the existing accessory structure exceeds the maximum height requirement by one-foot (1).
8. The applicant has a concurrent Historic Design Review application for a significant remodel of the home, including the addition of a third level for a new garage and additional living space to the rear of the existing home. Compliance with adopted Design Guidelines for Historic Districts and Historic Sites shall be required.

Conclusions of Law – 543 Woodside Avenue

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

Conditions of Approval – 543 Woodside

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. No building permits for the expansion of the existing home will be granted until the plat amendment is recorded with the Summit County Recorder's office.
 4. Modified 13-D sprinklers will be required for renovation of the existing structure.
 5. A 10-foot wide public snow storage easement will be provided along the frontage of the property.
- 2. 920 Norfolk Avenue – Plat Amendment
(Application #PL-11-01231)**

Planner Evans reviewed the application for a plat amendment at 920 Norfolk Avenue. The request was to combine seven existing Snyder Addition lots into three new lots. An existing historic home is located on what would become Lot 1. Lots 2 and 3 are vacant and would be future buildable lots. The acreage for Lot 3 would remain the same. Lot 2 would be a combination of one full parcel and one half parcel. Lot 1 would be the combination of one full parcel and two half parcels. If the proposed plat amendment occurred, Lot 1, with the existing home, would have a wider side yard to the south. The Staff report contained an analysis of the maximum building footprint for each lot. The applicants propose to submit future applications to build on Lots 2 and 3.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council for this plat amendment.

Commissioner Hontz asked about the shaded areas shown on Lots 2 and 3. Planner Evans replied that the shaded area was an existing sewer easement.

Commissioner Thomas requested larger drawings for future Staff reports. Chair Wintzer liked the color wheel drawing because it was easy to understand. He referred to another page and requested that the applicant "dot in" the new property lines. Commissioner Thomas understood that the existing fence would be approximately 20 feet to the north of the new lot line.

Commissioner Hontz asked if there was any discussion as to why the applicant did not split Lots 2 and 3 down the middle. As proposed, the structures on Lot 2 and Lot 3 would be smaller structures than the existing structure on Lot 1.

Commissioner Hontz referred to the conditions of approval and standard City language that requires a ten-foot wide public snow storage easement to be provided along the frontage of the

property. She wanted to know if that meant the City could dump snow on these private lots. Chair Wintzer stated that the former City Engineer, Eric DeHaan, drafted that standard language many years ago. Director Eddington explained that the City uses the front of most properties in Old Town for snow storage unless the property has a driveway. In those cases, snow is pushed off to the side. Commissioner Pettit clarified that the front setback was not setback from the snow storage.

In driving the roads, Commissioner Hontz thought it was important to think about where snow would go as lots get built out. Commissioner Pettit concurred. She wanted it clear that as they continue to see the build out in Old Town, they continue to see pressure for snow storage options and opportunities. Commissioner Pettit thought the City should look at increasing the setbacks to allow for snow storage on the owner's lot instead of in the street or on their neighbor's property. It was not a conversation for this application, but they need to address the issue and relook at setbacks.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Thomas moved to forward a POSITIVE recommendation to the City Council for the plat amendment at 920 Norfolk Avenue, based on the Findings of Fact, Conclusions of Law a Conditions of Approval found in the draft ordinance. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 920 Daly Avenue

1. The property is located at 920 Norfolk Avenue within the Historic Residential (HR-1) Zoning District.
2. The HR-1 Zone District allows for detached single-family dwellings as a permitted use.
3. The existing 1,840 square foot home known as the "Fred Larson House" was built in 1892 and is shown on the Historic Sites inventory as a "Landmark Site".
4. The proposed amended plat will solve existing non-conformities associated with the existing home, including the fact that the home currently straddles two (2) property lines and has a one-foot (1) side-yard setback between it and the existing lot line. The new amended plat will erase the lot lines the home now straddles, and will create a new thirty-eight foot (38') side-yard setback.
5. The existing home will continue to have a legal-nonconforming 4.5 side-yard setback to the north property line of proposed Lot 1. Five feet is the current setback requirement in the HR-1 Zone.

6. The proposed amended plat combines existing Lot 27 through 31 of Block 10 of the Snyder's Addition (five existing lots) into three new lots.
7. There are existing street improvements currently existing in front of the property along Norfolk Avenue, including asphalt, gutter and a sidewalk.
8. Any new construction on any of the Lots will require approval through the Historic Design Review (HDDR) process, as well as any future additions to the existing historic home.
9. Conformity with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009 will be required for any new construction or additions and exterior remodeling of the existing historic home.
10. The existing historic home has no available off-street parking, however, none are required due to the fact that the home is historic, and historic homes are exempt from off-street parking requirements.

Conclusions of Law- 920 Norfolk

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

Conditions of Approval – 920 Norfolk

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. No building permits shall be issued for additions to the existing home, or for new homes on the adjoining lots, until the subdivision is recorded.

4. A 10-foot wide public snow storage easement will be provided along the frontage of the property.

3. 269 Daly Avenue – Plat Amendment

Planner Evans reviewed the application for a plat amendment at 269 Daly Avenue. The applicant proposes to combine two metes and bounds parcels located within the original Millsite Reservation to Park City, into one lot of record. The property has an existing historic home located five feet off the right-of-way, as well as an existing historic shed/garage. The applicant would like to do a small addition to the rear of the home.

Planner Evans stated that the area with the existing Parcel 2 exceeds 30% slope; therefore, anything over a 1,000 square feet would require a steep slope conditional use permit. Because the existing home is historic there are no opportunities for it to be moved anywhere else on the lot. Any additions would be to the rear and into the 30% slope area.

Planner Evans remarked that other plat amendments have been done on Daly Avenue, and the Staff looked at restrictions on footprints and home size. In many cases two lots were combined side by side. The plat amendment request for 269 Daly was different because there would be no development in the front of the house. The Historic District Design Guidelines addressed the issues related to the front of the house and the inability to move the house forward. The Staff was not recommending a footprint maximum because that issue would be addressed if and when an application was submitted for an addition over 1,000 square feet.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

Commissioner Hontz noted that the parcels were not side by side, so there is no street access for the lot behind. The lot behind is extremely steep and very wooded. She believed this was a different situation from previous plat amendments. Commissioner Hontz noted that the Analysis on page 172 of the Staff report states that the rear parcel alone is not buildable. It also states that the existing historic structure cannot be moved. She pointed out that unless the area is expanded and combined into one lot, nothing could be done on the rear lot under those assumptions. The analysis further states that there is little or no economic viability for the rear parcel to remain unadjoined to the primary parcel. She believed that statement was inaccurate based on the new TDR ordinance. Per the ordinance, the lot qualifies to be calculated for at least one TDR credit. Based on the assumption of selling the TDR, there would be some economic return from doing nothing on the lot. Commissioner Hontz questioned whether the applicant had been informed of the TDR option.

Commissioner Pettit noted that the Staff report from the Henry home was attached to the Staff report for 269 Daly because it was a similar situation. She believed the Henry home was different because it was a historic structure that had been panelized and there was the ability to move the

structure forward. Commissioner Pettit had concerns about creating a lot of this size in this neighborhood. The checks and balances in place today may not be there in the future. She was concerned about creating a future opportunity to build something that unravels the historic character of a very unique part of town. Commissioner Pettit questioned why they had not come forward with a proposal that was similar to what was done with the Henry property to be consistent and fair.

Planner Evans explained that since the time of the Henry home approval, the Steep Slope CUP process was amended, which gave the Planning Commission much more latitude in considering Steep Slope CUPs.

Commissioner Pettit remarked that one of the problems with the CUP process is that the use is allowed if the impacts can be mitigated. She disagreed that the Planning Commission has latitude and control when the applicant has the ability to come in and demonstrate mitigated impacts. Commissioner Pettit believed the Planning Commission has more power to meet the guidelines and purpose statements of the Code through the plat amendment process, because it is a different standard of review and analysis. She was not comfortable trusting that the Steep Slope CUP process would protect the property from action taken this evening. Steps are taken at this level of the process to implement the purpose statements and the objective to preserve the historic character of the neighborhood. Commissioner Pettit was inclined to allow the applicant latitude to do what needs to be done at the rear of the property to preserve the historic home; however, she did not want to create a situation that might enable an unintended consequence in the future. Commissioner Pettit suggested that the Planning Commission discuss whether there could be an appropriate limitation that would be fair to the applicant.

Commissioner Hontz understood that when the application was submitted the applicant was unaware that the TDR existed. She suggested that the applicant weigh the HDDR review and the Steep Slope CUP process versus the TDR process. Commissioner Hontz thought it was important to provide the applicant with information regarding the TDR option.

Commissioner Pettit disclosed that she lives on Daly Avenue in a home that is situated similar to the home at 269 Daly Avenue. It sits back from the road the same distance and there is a parcel behind. She understood the dilemma, which was why she was trying to find a fair solution for the applicant. At the same time, she also wanted to be fair and consistent with the way previous applications were handled on the street.

Commissioner Hontz disclosed that she lives on Daly Avenue, however, she did not live close enough to receive the 300 foot notice.

Commissioner Worel asked about the TDR notification process. Director Eddington replied that the TDR process was started last March. There is no formal noticing process, but applicants are informed when there is the opportunity for a TDR. He acknowledged that sometimes the Staff may forget to mention that option. The TDR is addressed on a case by case issue. If an applicant is interested, they can request a determination of development credit opportunity on the site. The Staff conducts the analysis based on square footage and what the sending zone allows. The Staff then sends a letter to the applicant outlining their capacity for development credits.

Chair Wintzer concurred with the concerns expressed by Commissioners Pettit and Hontz. He suggested that the Planning Commission direct Staff to look at ways to potentially mitigate those concerns. It would also allow the applicant the opportunity to make a decision based on options and come back with their request. The Commissioners concurred.

MOTION: Commissioner Pettit moved to CONTINUE the 269 Daly Avenue Plat Amendment application to April 11, 2012. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

**4. 1790 Bonanza Drive – CUP for a communications facility
(Application #PL-11-01406)**

Director Eddington disclosed that at the request of the Planning Commission, the Staff worked with Jack Thomas and met with the applicant to come up with design opportunities. Planner Francisco Astorga reviewed the application for a conditional use permit for 1790 Bonanza Drive. At the last meeting the Planning Commission held a public hearing and provided input and direction to the Staff and the applicant regarding specific components of the application. The concern mainly addressed the addition towards the east end of Building One on the elevator shaft tower.

Planner Astorga stated that the Land Management Code indicates that an architectural feature similar to a clock tower, etc., may qualify for a building height exception. He noted that the applicant was requesting a height exception.

The Staff recommended that the Planning Commission consider approving the conditional use permit based on the findings of fact, conclusions of law and conditions of approval outlined in the Staff report.

Commissioner Worel noted that page 136 of the Staff report stated that AT&T subscribers suffer as a result of the topography from a distant cellular site. She asked if other carriers have a similar problem with the topography. Don Shively, representing AT&T, explained that the location of other sites on Kearns Boulevard and around bends does not carry the signal as well. Service is controlled by the radio frequency, which is a line of sight as opposed to making bends around corners or over topography.

Chair Wintzer opened the public hearing.

Mary Cook, a resident in the Homestake Condo Complex, stated that after the last meeting she contacted Verizon and complained about the interruption of service for residents who use Verizon. She asked if Verizon wanted to look at AT&T's plan for the area and whether the residents should consider changing to AT&T. She had not heard back from Verizon. However, the person she spoke with had passed on her suggestion to one of his interns who would be doing some research.

Ms. Cook pointed out that there may be further development coming out of this situation. Ms. Cook reiterated the health concerns she expressed at the last public hearing. She agreed that AT&T needed to provide better service. She asked if anyone had considered putting towers on top near

the water tank because it would put the signal up higher and provide better service down the whole of Kearns Boulevard.

Chair Wintzer closed the public hearing.

Commissioner Thomas reported that he had met with the applicant regarding the element on top of the tower. He initially raised the issue of the faux stone, and believed the applicant had come a long ways in creating something much better. Commissioner Thomas wanted to make sure the red color would not be as bright as the image shown on the rendering. It should match the existing red of the structure. Commissioner Thomas stated that his concerns had been addressed and he was comfortable with the design.

Commissioner Pettit appreciated the letter that was included in the Staff report regarding compliance with the FCC requirements. For her personally, it alleviated some of the concerns that were raised at the last meeting.

Assistant City Attorney McLean noted that Commissioner Pettit had requested that the Staff look at whether or not Federal law preempted localities from regulating certain aspects. She reported that the Federal Code states, "No local government may regulate the placement, construction, or modification of personal wireless services facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such a mission". Ms. McLean clarified that the language was only to that specific point. The Planning Commission has the right to regulate other aspects of the application.

MOTION: Commissioner Thomas moved to APPROVE the conditional use permit for the telecommunications facility at Rail Central consistent with the findings of fact, conclusions of law and conditions of approval contained in the Staff report. Commissioner Pettit seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1790 Bonanza Drive

1. The site is located at 1790 Bonanza Drive.
2. The site is with the General Commercial (GC) District.
3. The current use of the property is a two (2) story mixed use office and retail building.
4. A telecommunication Antenna is a conditional use in the GC District.
5. The applicant requests to build an enclosed antenna and also an addition on the front façade, west side, of Building One to locate the necessary equipment associated with the requested use.
6. Telecommunication antennas require a Conditional Use Permit (CUP) to be reviewed by the Planning Commission.

7. The proposal includes twelve (12) antennas to be placed on the elevator shaft tower located towards the east side of Building One.
8. The applicant faces unique challenges with the topography surrounding Park City.
9. Operation of the site will run twenty-four (24) hours a day, seven (7) days a week, 365 days a year.
10. 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/expansion and due to the fact that the primary use of the property remains the same.
11. The applicants choose to pursue an enclosed antenna addition to mitigate the impacts of exposed antennas.
12. The proposed location of the enclosed antennas meets all standard setbacks.
13. The size and location of the addition to the west end of the building to house the associated equipment meets all development standards found in the LMC.
14. There are no traffic impacts associated with the project.
15. No significant utility capacity is required for this project.
16. There are no emergency vehicle access impacts associated with the project.
17. The addition is proposed to be placed over two (2) parking spaces.
18. 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. No physical improvements other than re-striping the parking layout will be necessary.
19. The rail trail parking spaces are not being affected in any way, shape or form.
20. The proposed parking layout and circulation plan has been reviewed and approved by the City Engineer, Chief Building Official, and Fire Marshall.
21. The internal circulation will remain the same.
22. Fencing is not proposed at this time.
23. The applicants choose to pursue an enclosed antenna addition to mitigate the impacts of exposed antennas.

24. The proposed improvements do not encroach onto the existing open space found through the development.
25. No signs are proposed at this time.
26. The applicant has indicated that no noise, vibration, odors, steam or mechanical factors are anticipated that are not normally associated within the General Commercial District.
27. The applicant submitted a letter which indicates that the letter will be constructed in compliance with the radio frequency (RF) exposure regulations mandated by the FCC with regard to the general public.
28. The FCC and AT&T guidelines regarding maximum permissible exposure will not be exceeded as a result of the activation of the site.
29. No deliveries are anticipated.
30. When repair service is required, it is AT&T's plan to perform the service during off peak hours.
31. The building is owned and managed by 1790 Bonanza Drive, LLC, Mark Fisher.
32. The proposal is not located within the Sensitive Lands Ordinance Overlay zone.
33. 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.
34. 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').
35. Antennas, chimney's, flues, vents and similar structures may extend up to five feet (5') above the highest point of the building.
36. During the February 22, 2012 meeting, the Planning Commission and Planning Director clarified that the height exception related to the maximum height in the GC District relates to the existing highest point of the roof and that a height exception could not be granted from another height exception.
37. The height of the main ridge is thirty-four feet five inches (34'-5") above existing grade.
38. The existing elevation shaft tower is thirty-eight feet five inches (38'-5") above existing grade.
39. The proposed elevator shaft tower with the expansion will be forty-three feet nine inches (43'-9") above existing grade.

40. The Planning Director approved the proposed concept to be in compliance with LMC 15-2.18-4.
41. 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 and is an equipment shelter.
42. The proposed antennas are stealth and will not be viewed.

Conclusions of Law – 1790 Bonanza Drive

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

Conditions of Approval – 1790 Bonanza Drive

1. All standard conditions of approval shall continue to apply.
2. All conditions of approval of the rail Central MPD shall continue to apply.
3. The applicant will work with the Planning Director to make sure that the approved preliminary concept is finalized to the satisfaction of the Planning Director prior to building permit sign off by the Planning Department.
4. 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.
5. If soils are disturbed as part of the construction of the addition, the applicant shall comply with the ordinance requirements for soil disturbance. Prior to construction, the applicant shall submit a soils handling plan that describes how soils will be handled during construction and how any soils will be disposed/handled of excess soils are generated as part of construction.

6. The proposed routing for the underground writing will cross the sewer lateral from the building that comes out on the south side of the building. The applicant shall contact the contractor to make sure they are aware that the lateral is there and will need to be protected.
7. 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 be moved.
8. Applicant must comply with the use of only approved materials pursuant to the Land Management Code.
5. **Quinn's Junction Partnership - Annexation**
(Application #PL-12-01473)

The Planning Commission visited the annexation site prior to this meeting.

Planner Kirsten Whetstone reviewed the request for an annexation of 30 acres of property located at the southwest quadrant of Quinn's Junction near the intersection of US40 and State Road 248. A public hearing was scheduled this evening.

Planner Whetstone requested that the discussion this evening focus on MPD site planning review and items raised during the applicant's presentation, as well as the questions for discussion identified in the Staff report.

Planner Whetstone provided a brief overview of the site and surrounding properties. Planner Whetstone noted that the Staff report included the elements from the matrix the Planning Commission had requested at the last meeting. She pointed out additional pieces of requested information that was also included in the Staff report.

Commissioner Worel referred to the Matrix on page 54 of the Staff report which indicated that the current open space provided is 42% within the property boundary and 60% perceived. Mr. Pilman, representing the applicant, stated that he had a slide that would answer her question during his presentation.

Director Eddington reported that the Staff met with the applicant on several occasions regarding design issues and tried to assist with the presentation this evening. Jack Thomas was involved in one of the discussions and Director Eddington thanked him for his time and assistance.

Peter Pilman, with the IBI Group, stated that he and his colleagues tried to organize the presentation to address the concerns and issues raised during the meeting on February 22nd. The presentation would include the project context and where it fits into the community. They had done a visual analysis and 3-D modeling to address the issues of visual impacts. The presentation would identify the site plan requirements, open space, setbacks and parking. They had prepared diagrams and images to address connectivity and how the project connects into the community through access, circulation, transit and trails. Precedent images were also presented. Another

challenge was community benefits. It was not required by the settlement agreement, but the Planning Commission had requested that the IBI Group show how this project fits within the vision for Park City.

Mr. Pilman presented a site map showing the major road networks in the area. Yellow dots identified anticipated signalized intersections. In looking at the connectivity of the trails network, they reviewed their proposal with the City Trails Department. Red dots on the back corner of the studio site identified where the trail would enter the site. It was anticipated as a trailhead site with parking spaces set aside for trailhead parking. Signage and wayfinding information would be posted for the trails network.

Commissioner Strachan asked if the applicant would build the trail connection since it currently does not exist. Mr. Pilman understood that the City has requested that the applicant build it with the project. Commissioner Strachan agreed that it was a request by the City, but he wanted to know if the applicant would actually follow through and built it. Mr. Pilman replied that if it was part of the agreement it would be built. The idea was to provide connectivity. Another benefit is that the project provides public washrooms off the trails system within the site itself. Mr. Pilman intended to outline additional benefits for a trailhead at that location later in the presentation.

Mr. Pilman reviewed a massing study looking to the southwest, showing Park City Heights in the background and the City open space parcel in between the two pieces. A rectangle in the dead center of the image represented the massing of the large studio building. A two-line entry road indicated a split drive entrance. An office building would be located on the left, a hotel on the right, and the studio in the center of the site with parking around it. Mr. Pilman noted that the parking fields had been placed towards Highway 40 to mitigate the impact along SR248. The majority of parking was screened behind the buildings and facing the highway frontage.

Mr. Pilman presented a series of images. The first slide showed the existing condition. The following slides superimposed the 3D-massing of the buildings. A third slide showed a white area with a red boundary. They had looked at berming the front edge of the site along SR 248. The slides showed the effect of the berm and how it reduces the visibility of the lower portion of the buildings. From the vantage point of the off-ramp, the buildings were visible but did not break any ridge lines.

Mr. Pilman reviewed distance measurements from the site to any given building in the immediate area. He pointed out that the visual impact was further away and the detail on site was further reduced. Mr. Pilman presented visuals taken from various vantage points.

Mr. Pilman remarked that the principles applied on site planning were a clustered village approach, a layering effect of buildings, trail network connections, and native landscape strategies.

Regarding open space, Mr. Pilman stated that the definition would be to measure to the property line. The yield was 42.3% open space. He indicated the 150 foot setback line from SR248. Mr. Pilman presented an image of perceived open space, which was done to show that the cut line for the roads was further than the property line. The top of the cut bank generates the perceived open space for the project as 56% open space. He stated that the site was originally 50 acres. However,

20 acres was taken by the BLM and UDOT for road construction without any compensation to the property owner. The owner was told that the 20 acres would be used as their buffer for open space and green corridor, which was the reason for the perceived open space. Adding the area from the site bounded by the hard road, the total calculation was 69.3% open space.

Mr. Pilman stated that they looked at different parking uses and zones within the project. The hotel parking would be underneath the hotel structure. Public parking was shown in purple and located at the back of the site. Secured lots were identified in green. If certain events required additional parking, the secured lots could be open to public parking.

Commissioner Worel asked if the secured parking was intended for employees. Mr. Pilman replied that it was for employees or studio related uses. Commissioner Pettit clarified that all the parking was above-ground except for the hotel.

Mr. Pilman reviewed access and circulation through the site. The idea is to eventually connect to public transit. Mr. Pilman presented images showing studio retail environments that would exist, which included food service and eating areas for employees and visitors, and small retail frontage for selling studio ware. He also presented images from studio sites in other cities.

Mr. Pilman commented on roof treatments and whether green roofs would be considered. He noted that green roofs had benefits, as well as negative issues. They could look at mitigating the most visible roofs with the green roof strategy to see if it makes sense, or whether berms and roof slopes were a better approach.

Mr. Pilman commented on the community visioning filter used to determine how projects work for Park City. He outlined what this project offers and requested discussion on whether or not it meets the individual elements of the Park City vision.

Chair Wintzer opened the public hearing.

John Stafsholt, a resident at 633 Woodside, thought it would be beneficial if the Planning Commission could look at Deer Valley or PCMR for samples of what 920 above ground parking stalls look like to get an idea of how large that is. With that significant of traffic impacts he suggested looking at access to and from US40 versus everything going on to SR248. Mr. Stafsholt noted that there were two campuses on 29 acres. One was a highly secure campus with no evidence of any security. He encouraged the applicant to explore the green roof idea because a low sloping green roof could work well in that location.

Sally Warren a resident on Silver Cloud Drive, right behind Round Valley, noted that her area was not shown in the visuals presented. Ms. Warren stated that she has a direct view of the project, similar to the National Ability Center or the stadium where the lights are on periodically. This project would be permanently lighted. This is her retirement home and she thought she would have a view and that the area would be protected. Ms. Warren was not opposed to development, but she believed that lighting should be a major consideration for the residents in the area. She also had concerns with the signals. Ms. Warren stated that the amphitheatre in the open space was not mentioned, which is supposedly a multi-complex for multi-use. That was another possibility of a

negative because of sound and lighting. Ms. Warren stated that regardless of the amphitheater the open space was still 45% and she wanted to know if there was a minimum requirement.

Chair Wintzer closed the public hearing.

Chair Wintzer stated that the discussion this evening would focus on the MPD. The annexation and General Plan issues would be discussed at the next meeting. Chair Wintzer asked Commissioner Thomas to provide an update on his conversations with the applicant.

Commissioner Thomas stated that when he met with IBI Group and Director Eddington, he was not bothered by the spacing of the buildings and the location of the vertical massing. However, he was concerned with the way the edges transition to SR248. He remarked that architectural planning is about softening the edges and minimizing the visual impacts. Commissioner Thomas had suggested increasing the berming along the edge of SR248, which was included in the diagrams presented. He also advocated green roofs that slope from the south to the north. The low edge would be the north edge adjacent to SR248, thereby minimizing the visual impact. Commissioner Thomas stated that if the buildings along that edge could be green roofs, it would dramatically soften the visual impacts. In addition, the berms in between the buildings could create a softer rhythm. With regard to the primary 50 foot building, Commissioner Thomas asked if the building could be reduced in height and accessed from the south side by modifying the grade of the parking on the south side of the building. He also suggested stepping the building up from the north side, again minimizing the visual impact and softening that edge. Commissioner Thomas believed those changes would make a difference in how the project is perceived from that side.

Commissioner Thomas thought the location of the amphitheatre was a softening impact because it creates more green space and a softer look as it transitions to the edge closer to Park City.

Commissioner Thomas understood that green roofs require more maintenance, but they seem to work well and he believed it could make a difference. Commissioner Thomas asked if the applicant would be willing to look at green roofs. Mr. Pilman stated that the current point in the design process was mostly master planning of the site. They had done very little with the architecture. Mr. Pilman pointed out that five people are involved and it has been difficult to get everyone together because one person had been out of the Country. He was certain that they would be able to get together before the next meeting.

Commissioner Thomas remarked that the design should not follow the landscaping or the building massing. In his opinion, the design should take the lead because it is important to have a philosophical concept built into the concept of the project. Mr. Pilman agreed with Commissioner Thomas that mitigating impacts along the SR248 Corridor was critical. Mr. Pilman and Commissioner Thomas discussed mitigation solutions.

Commissioner Thomas had seen the images of the design vernaculars being considered and he favored all of them. Commissioner Hontz asked if the Planning Commission would have the opportunity to see those at some point. Mr. Pilman stated that they need time to work with the client group before presenting it to the Planning Commission.

Commissioner Worel asked if the sound stage needed to look like a big box. Mr. Pilman replied that it needs to function as a big box with clear open spaces that provide flexibility. He pointed out that the smaller rectangle on the front starts to work towards layering other pieces of architecture to break down the massing. They were also looking at that approach for the piece that faces towards the intersection of Highway 40 and coming off the off ramp. The concept is to use additive architecture to breakdown the size of the walls and the massing and to create visual interest as opposed to a big box.

Commissioner Thomas asked if the number of parking stalls could be reduced. He commented on other projects that were able to successfully reduce the amount of parking. Commissioner Thomas questioned the need for 920 parking spaces.

Commissioner Hontz asked if the number was based on Code requirements. Planner Whetstone was unsure how the applicants determined the number of parking spaces. The Staff had not yet done a parking calculation because she had only received the square footage for the building the day before.

Planner Whetstone thought it was important to address the questions raised during the public hearing related to transportation and security fencing. Commissioner Thomas remarked that security could be handled electronically through cameras, control gates and guards. He agreed that lighting was an issue that needed to be addressed.

Chair Wintzer asked if the project would be bound by the City lighting ordinance. Director Eddington answered yes. Chair Wintzer requested additional information on the proposed lighting.

Commissioner Thomas asked for a legal opinion on the buffer space and whether it could be factored into the open space calculation. City Attorney Mark Harrington stated that technically it could not be counted, but it did play into part of the County settlement, which was why there were limited setbacks requirements. In terms of technical calculations, Mr. Harrington believed 42.1% was the accurate number. The rest was more perspective and generalized compliance from factoring in property that was previously owned.

Commissioner Hontz noted that people would not walk from the hotel rolling their bag out to the casita. There needs to be access to those places. She pointed out that the road would detract from the visual of open space and a field behind it, as well as the sidewalk and any other impervious surface for access. Commissioner Hontz remarked that it would be a different feel from the cute buildings leading up to a big building as shown in the presentation.

Mr. Pilman stated that casitas are small facilities that could be used for various purposes. Commissioner Worel asked whether they were intended as hotel rooms. Mr. Pilman stated that there would be space for a bathroom, a bed and a desk area so it could be used for overnight sleeping. He noted that they were taken out of the hotel key count. The casita was counted as one of the keys.

Commissioner Hontz understood the merit from a user perspective and from the standpoint of building or operating a hotel. However, from a community and Planning Commission perspective

she thought it was important to think about whether they wanted the feel of landscape coming on SR248 leading up to the hotel, or whether they liked the feel of numerous small buildings and access.

Commissioner Thomas thought smaller scale buildings with green roofs and residential elements would soften the impact of the hotel on approach. He asked if the casita was an essential component of the building program. The suggestion was made to look at incorporating those structures into the hotel as an option to save open space and setbacks.

Commissioner Hontz stated that her concern was access and how it expands to the west of the Stage Venue 1D, where there is another access to the site. To the far east, one of the slides showed three or four accesses coming off of the site on SR248, and she had major concerns with that. Commissioner Hontz understood that nothing could come out on that far west side because of the proximity to the Federal highway on-ramp/off-ramp. In addition, it would require cutting through the berm to access building 9.

Chair Wintzer concurred. He noted that the proposed main access was pushed from where the road was shown on the north end of the property all the way down by UDOT. UDOT was not part of the annexation agreement and Chair Wintzer was unsure that UDOT would approve their plan.

Doug Rosecranz, with IBI Group, stated that he spoke with UDOT and it would be a right turn, exit only point for the semi-trucks. It would take pressure off the main road from truck traffic that comes and goes from the studio site. Chair Wintzer asked of the access on the far south end of the project was also a right only exit. He was told that it was a right in/right out access point. Chair Wintzer asked if the road was off the project property. Mr. Pilman stated that it was shown split with a portion on City property based on conversations that the City may want access to that property. The road location would benefit the City by providing access to that parcel. Planner Whetstone explained that the parcel was open space that was part of the Park City Heights MPD, and currently there is no access to that parcel. Chair Wintzer asked if it was necessary to have access. Planner Whetstone believed it may be necessary in the future because it was not a conservation easement open space.

Commissioner Hontz asked if the exits made this a better project for the community. Mr. Rosecranz stated that it provides an extra fire entrance to the project. They would be happy to move the exit entirely on to their site, but from a fire perspective, the split seemed better for Park City. City Attorney Mark Harrington clarified that the exit had not been reviewed by the City Engineer. It was not requested by the City, and it was only mentioned in conjunction with a conversation on trails. Mr. Harrington remarked that there was no reason why the access could not be entirely on the project property. He pointed out that the City Council would have to grant an easement, but that request had not been made. Planner Whetstone remarked that the applicants met with the Transportation Department to discuss the two access points. It helps with site circulation but the access points had not been granted by UDOT. An agreement between Park City, Summit County and UDOT governs that highway corridor.

Commissioner Pettit had concerns with the amount of parking. She thought it was important to see the parking analysis to really understand how they might be able to reduce the amount of parking

on the site and minimize the visual impact. She believed a reduction in parking would make a big difference. Mr. Pilman stated that underground parking would help reduce the parking impacts, and the City has indicated a willingness to help make that happen. Creating parking structures would open up additional open space and minimize the visibility of surface parking. He noted that parking studies were currently being done and they would continue to work with the City.

Commissioner Pettit stated that if the applicant could find a way to reduce parking and encourage the use of public transportation and the trails system, it would reduce traffic and everyone would benefit. Commissioner Pettit supported Commissioner Thomas' comments regarding the benefits of green roofs to minimize the visual impacts. She also thought the berming made a difference in the various viewpoints that were shown.

Understanding that questions regarding the General Plan and Annexation were outside the purview of IBI Group, Commissioner Hontz asked if a representative for the applicant was present to address those questions. She was told that no other representative was present.

Commissioner Hontz concurred with the benefits of berming and green roofs. In terms of trails and the internal loop system, Commissioner Hontz was concerned about crossing through parking lots and too many road crossings. She thought the loop was important and suggested that they relook at the configuration. Commissioner Hontz would not support the City paying for trails through the project. Commissioner Hontz stated that she used Google Earth to visit a number of studios similar to this proposal. Many of the larger studios were in urban environments and when she counted surface parking the maximum was 200 spaces, and less in most cases. She remarked that the proposed studio appears to have more buildings and activity than some of the largest studios she found on Google Earth. Commissioner Hontz commented on the urban environment, where people either need to take public transit or get there in other ways because of limited surface parking. She also found structured or underground parking solutions in areas that lacked space for surface parking. Commissioner Hontz was concerned about the enormous fields of parking proposed for this site.

Commissioner Hontz had concerns with keeping the site secure. In her opinion, a field of parking surrounded by a high metal fence would be worse than just a field of parking. In addition to gating and fencing, security also requires enhanced lighting. Commissioner Hontz reiterated that the City missed the mark on what they allowed for the hospital and other facilities because the lighting is too much and too bright. She understood that the applicants needed to follow the City ordinance, but as they move forward they need to understand that lighting solutions need to be sensitive.

Commissioner Hontz was unsure where removed soils would be deposited. She encouraged using most of the soil on site and for berming to avoid or limit the amount of trucking. Commissioner Hontz asked about drainage. Regardless of the settlement agreement, State and Federal regulations require adequate drainage.

Commissioner Hontz commented on her personal distaste for the color of the Grand Summit hotel viewed from SR224. She requested that the Planning Commission and the applicant keep color in mind when they consider the visual appearance of structures from the highway. Commissioner

Hontz requested a materials board showing building materials and colors to bring more reality to the project.

Commissioner Pettit noted that there was an exception to the 374 gross commercial square feet, which excludes roads, parking lots, parking structures, porches, balconies, patios, decks, and courts. She asked for an estimate of the additional square footage. Mr. Pilman replied that the calculation had not yet been done.

Chair Wintzer recalled an exemption for an Atrium. Mr. Rosecranz stated that the Atrium was not shown on the plans because it had not been defined. City Attorney Harrington asked if the Atrium was not shown because it was not proposed or because it was not defined. Mr. Rosecranz stated replied they were still uncertain about the Atrium. Mr. Harrington clarified that everything proposed must be shown on the plan.

Commissioner Strachan stated that if anything besides the Atrium was proposed but not shown, he strongly suggested that it be included in the drawings.

Commissioner Thomas referred to the overlay of the existing topography contained in the Staff report, and indicated a high point that runs through the center of the property. He stated that if the rise could be retained instead of graded flat, it would dramatically buffer the parking on the south side of the property.

Commissioner Worel concurred with the comments of her fellow Commissioners, particularly with the request for more visuals of how the project might look overall. She appreciated the work the IBI Group had done since the last meeting because it provided a better idea of the project. She suggested that additional visuals would be help even more. Commissioner Worel asked if the studios operate and film 24/7 and whether there would be sound issues. Mr. Pilman replied that the sound stages are soundproofed from outdoor sound coming in. He assumed that being quiet from the inside would produce the same result for sound going out. Some filming occurs outside, but lighting restrictions and other factors limit the impacts. The intent is for the studio to be able to film anywhere on site. Some studios have back lots and others have facades. Mr. Rosecranz stated that 95% of the filming would occur inside. Outside filming would occur when appropriate. Diversity of environment was the main reason the applicant chose Utah.

Chair Wintzer asked if outdoor filming would require a special event license. City Attorney Harrington replied that additional permitting for special events would be required, particularly for lighting. An existing film permit process is required throughout the City and it would be regulated through that process. Mr. Harrington remarked that noise issues could be addressed in a condition of approval and it would be appropriate to restrict hours for music at the amphitheatre. Due to the limited time frame, Chair Wintzer preferred to address noise and lighting issues through the City ordinances, and any exceptions would require a conditional use. Mr. Harrington offered to look at options for addressing noise and lights.

Commissioner Strachan stated that everything presented this evening confirmed the opinion he expressed at the last meeting. He applauded Commissioner Thomas' effort and ideas, but he had

very little confidence that any of his suggestions would be implemented. Even if they were implemented, he did not believe it would make a substantial difference on the project.

Director Eddington asked for discussion on the questions outlined on page 61 of the Staff report. He understood that the Planning Commission was comfortable with the transportation issue regarding buses and working with the applicant to provide a bus ingress/egress to the site. He assumed the Commissioners supported the trailhead parking and incorporating the trails system. Director Eddington remarked that the Staff would work with the applicants to reduce the amount of parking and to tie in drainage retention/detention. He asked if the Planning Commission supported using the park and ride for employee parking or special events.

Chair Wintzer was opposed to using the park and ride for this project because it was built by another developer to lessen the impact of traffic coming into Park City. The developer of this project has not added any amenities or benefits to the City and he should not be able to use the park and ride. Chair Wintzer hoped that eventually they could encourage the employees from Deer Valley and Park City to use the park and ride to reduce traffic in town. Allowing another development to use the park and ride could compromise that goal. Commissioners Hontz and Thomas concurred.

The Commissioners were asked about using the park and ride for special events. Chair Wintzer thought 900 parking spaces on the studio site was sufficient. Commissioner Hontz thought it could be a potential discussion if the amount of surface parking was reduced. City Attorney Harrington understood from the last meeting that the concept was to reduce Code required parking if employees could be shuttled from the under-utilized park and ride.

Commissioner Pettit agreed that if they allowed this project to utilize the park and ride and lose the opportunity to capture traffic and bus people into Park City, it would defeat the original intent for the park and ride. Currently the park and ride is under-utilized because they do not have the right system. Chair Wintzer was not opposed to using the park and ride for special events if it was not being used. However, if they allow it to be used for employee parking rather than building parking structures, they would never get those spaces back.

Commissioner Strachan pointed out that parking lots were not included in the 374,000 gross square footage. If a special event exceeds the parking, then the event should probably not happen. Commissioner Strachan did not believe it was the City's obligation to provide parking for a special event that exceeds the project. Chair Wintzer agreed.

Director Eddington asked about design elements and whether the Staff should work with IBI Group to provide material types and photographic images. Chair Wintzer pointed out that the Planning Commission could make recommendations; however, due to the limited time frame, he questioned whether they had enough time to follow through with a written document and agreement from the applicant. Director Eddington stated that it would be beneficial to the Planning Department to hear direction or ideas from the Planning Commission on at least the basic materials.

Commissioner Thomas suggested that the applicant provide the photographic images for review. If the CUP process occurs, their comments would be helpful to the Planning Department.

Director Eddington remarked that the remaining questions were not design related and could be addressed at the next meeting. Chair Wintzer suggested that Director Eddington define a berm height he could work with. They also needed a commitment on whether or not to have green roofs. Chair Wintzer referred to Commissioner Strachan's question of who would build the trails and stressed the importance of finding answers that could become part of a document. Commissioner Thomas stated that in addition to a description of the berm, he would like to see the cross sections.

Commissioner Hontz remarked that there were no examples of casitas in Park City, other than the Hotel Park City, where larger units outside of the hotel are accessed via golf court or road. In her opinion, if those units had been included in the design of the hotel, it would have created the appearance of more open space without changing the mass of the building. Commissioner Hontz asked the applicant to consider incorporating the casitas into the hotel structure so they could see the difference. She believed the image driving along SR248 would be very different if you could see landscaping and berming, but no studio and no casitas.

Chair Wintzer suggested that the applicant come back with views coming out of Park City with and without the casitas so the Planning Commission would have something to compare. Director Eddington remarked that the initial preliminary recommendation from Staff was not to utilize the casitas and to somehow incorporate them into the building.

Commissioner Thomas commented on Building 6 and the berm and landscaping between the buildings. He asked about the height of the building. Mr. Pilman stated that the back point of the building was at 28 feet, but the zone allows as high as 40 feet. Chair Wintzer thought the Planning Commission should consider that the applicant would try to achieve the maximum height wherever possible.

Mr. Rosecranz stated that language in the agreement limited the percentage of buildings that could be built to the maximum height. Per the agreement, the studios could be 50 feet tall, 70% of the other buildings could be up to 40 feet, and the remaining 30% could not be more than 28 feet. Anything within 150 feet of the center line of SR248 could not exceed 28 feet. Mr. Harrington suggested including the height proposals for the next meeting. Mr. Rosecranz stated that the Planning Commission could count on compliance with the agreement.

Commissioner Thomas stated that the Planning Commission went through this process for IHC, USSA and Park City Heights. In each case it was a series of meetings and processes where they had an opportunity to understand the massing, the height and various issues. It was important for the applicant to answer their questions because the Planning Commission needs to understand the impacts and effects of this project. Answers of "could be" or "up to" was not enough information. The Planning Commission needed to see the site plan delineated with actual heights.

City Attorney Harrington emphasized that the applicant needed to understand that the City was approving a master planned development. It was not a work in progress and it was not changing. Even if they get an approval in 90 days, the applicant would come back to the Planning Commission under the current Land Management Code. Therefore, it is important to have all the details. Mr.

Pilman understood that everything needed to be defined before there could be an approval and they intended to provide those details.

Chair Wintzer referred to the slide regarding the Vision of Park City and believed that the interpretation presented was something for Los Angeles. He noted that the City spent two years on visioning and he could not find any connection between the vision and the proposal. Chair Wintzer was unsure how they expected the Planning Commission to take their interpretation seriously when it was completely opposite from what the City has tried to do.

Commissioner Pettit reiterated her comment from the last meeting that it would be a struggle to find that this project fits within the parameters of their vision for the community. The progress made since the last meeting and the design changes were positive, but it still did not fit for a variety of reasons.

The Park City Planning Commission meeting adjourned at 8:00 p.m.

Approved by Planning Commission: _____

MINUTES – APRIL 11, 2012

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
APRIL 11, 2012

COMMISSIONERS IN ATTENDANCE:

Chair Charlie Wintzer, Brooke Hontz, Mick Savage, Adam Strachan, Jack Thomas, Nann Worel

EX OFFICIO:

Planning Director, Thomas Eddington; Matt Evans Planner; Francisco Astorga, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

Chair Wintzer called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioners Pettit who was excused.

ADOPTION OF MINUTES

March 28, 2012

Commissioner Savage stated that as reflected in the minutes, he had said he would not be able to attend the Planning Commission meetings on May 9th and May 23rd. He had made a mistake and the actual dates were May 9th and June 27th.

Commissioner Strachan noted that the underlined date of the minutes being approved this evening should be changed from March 14th to correctly read March 28th.

Commissioner Hontz stated that approval of the March 14th minutes was continued to this meeting pending verification with the recording. She had received that verification and requested that the following statement be added to page 20, "**Understanding that questions regarding the General Plan and annexation were outside the purview of IBI Group, Commissioner Hontz asked if a representative for the applicant was present to address those questions. She was told that no other representative was present**". Commissioner Hontz noted that the March 14th minutes were not included in the Staff report or on the agenda.

Director Eddington stated that the minutes of March 14th would be included in the next Staff report, at which time Commissioner Hontz could add her statement and the minutes could be approved.

MOTION: Commissioner Strachan moved to APPROVE the minutes of March 28, 2012 with the amendment to change the underlined date on page 5 from March 14th to correctly read March 28th, 2012. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Eddington thanked the Commissioners who were able to attend the form base code discussion last week. They were able to meet with a variety of stakeholders and it was a good turnout with good input. Director Eddington stated that additional follow-up workshops were scheduled for April 30th and May 1st, to further develop the character zones.

Director Eddington reported that a joint meeting with the Snyderville Basin Planning Commission was scheduled for Wednesday, May 30th, 2012, 6:00 p.m. at the Richins Building. Since it was the fifth Wednesday in May, no regular meetings were scheduled that week. Chair Wintzer stated that he would be out-of-town. Director Eddington would re-confirm the date with the County and notify the Commissioners.

Director Eddington stated that a joint meeting with the City Council was tentatively scheduled for May 31st, 2012. Charles Buki would present his findings and his growth study. Director Eddington believed the meeting would begin at 6:00 p.m., but he would confirm the time and notify the Commissioners.

Chair Wintzer understood that on April 14th, the University of Utah was doing a design studio. Some people in Park City were on the jury and the students were bringing people up from Salt Lake. The design studio would take place from 1:00-5:00 p.m. and an open house would follow. Chair Wintzer clarified that it was an academic exercise. The students are given a problem to solve and the design studio reflects the result. In this particular case, the students were asked to look at ways to put affordable housing on top of existing buildings.

Director Eddington noted that weeks earlier the Planning Commission had denied the request for nightly rental at 60 Sampson Avenue due to unmitigated impacts. He reported that their decision was appealed by a neighbor. The City Council heard the appeal de novo and upheld the appeal. Therefore, 60 Sampson was being approved for nightly rental.

Director Eddington reported that the recommendation to extend the condition use permit for North Silver Lake was also appealed to the City Council and the appeal was denied. Therefore the extension stands.

Assistant City Attorney McLean clarified that the findings for 60 Sampson had not yet been ratified. Director Eddington stated that the City Council took into account the concerns expressed by the Planning Commission and requested additional mitigating endeavors. Those findings would come back for ratification.

Commissioner Strachan asked if the City Council found that parking at the Sandridge lot was a viable mitigation factor. Ms. McLean answered no. She explained that the applicant had proposed two on-site parking spaces for renters, which would be part of the rental agreement. The City Council restricted the parking to those two spaces. Director Eddington clarified that two cars could park on the site given the scale of the driveway, and the applicant agreed to limit the rental units to two spaces.

Commissioner Strachan asked if there was any discussion among the City Council regarding enforcement. Director Eddington replied that enforcement was not a primary discussion; however, the City Council recognizes that any enforcement is a challenge with regard to parking. Assistant City Attorney McLean stated that the vote was split 3-2. Council members Simpson and Peek supported the Planning Commission.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

1. 80 Daly Avenue – Plat Amendment (Application #PL-12-01488)

Planner Francisco Astorga reviewed the application for a plat amendment at 80 Daly Avenue. The request was to combine part of Lot 9, all of Lot 10, and part of Lot 11 and the vacated right-of-way to the rear, into two lots of record in the HR-1 zone.

Planner Astorga identified several improvements on the existing structure at 68 Daly Avenue that encroaches on to the property at 80 Daly Avenue. He noted that the owner of 68 Daly Avenue could either work with the adjacent property owner to obtain an encroachment agreement, or remove the improvements from the lot.

Planner Astorga stated that a temporary construction easement exists over what was identified as Lot B for the benefit of the King Ridge Estates at 158, 162 and 166 Ridge Avenue. If approved, the drafted findings of fact acknowledge that a temporary easement exists, but that it would not be affected or changed by this plat amendment.

The Staff recommended that the Planning Commission forward a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval.

Chair Wintzer noted that the size of the lot would be considerably larger than other lots in the area. He asked if there were any restrictions on the house size that would be allowed on this property. Planner Astorga replied that there were no restrictions in the HR-1 District, other than the maximum footprint allowed by Code, which is based on the footprint formula. Chair Wintzer understood that the Planning Commission could restrict the size as a condition of the plat amendment. Assistant City Attorney McLean stated that they would have that ability based what they have done with previous applications and the analysis of house sizes on Daly.

Commissioner Hontz stated that one of her multiple concerns was that the square footage for the lot includes vacated Anchor Avenue. She asked what her fellow Commissioners thought about being

able to include that vacated portion to allow for a bigger footprint. She personally did not support it. Commissioner Hontz noted that in this particular situation that portion of the lot was very steep.

Commissioner Worel asked about the historic structure referenced in Conclusion of Law #1. Planner Astorga replied that it was not a historic structure and he had used the word 'historic' in error.

Commissioner Thomas thought it would be helpful to see the plat before and after side by side. He noted that the plat as revised was shown but there was no clear picture of what it looks like now. It was difficult for the Planning Commission to understand what they would be changing. Planner Astorga noted that the plat amendment shown on the screen and in the Staff report identified all the lot lines that would be removed, as well as the proposed lot lines. Commissioner Strachan suggested that the plat map on page 46 of the Staff report might help address Commissioner Thomas' concern. Planner Astorga stated that in the future the Staff could include the County plat map, like the one shown on page 46, and compare it next to the proposed plat.

Assistant City Attorney explained that the County plats are for taxation purposes and they are not always accurate. She agreed that it could be a helpful document, but they need to be aware that if there is a conflict between the plat map and the survey, the survey would control.

Commissioner Thomas clarified that he was only asking for a before and after comparison to see the difference. Chair Wintzer requested a better map that clearly defines property lines, encroachments, and other elements they need to understand.

Chair Wintzer opened the public hearing.

Carleen Riley, a resident at 84 Daly stated that she lives next door to the property line at 80 Daly Avenue. Ms. Riley wanted to know more about the plat amendment and what would be built.

Planner Astorga remarked that at this point the Planning Department had not received any plans. The area is zoned HR-1, which allows single family dwellings. The applicant was requesting a plat amendment to combine the lot into two lots of record.

Ms. Riley asked if that would allow two dwellings.

Planner Astorga replied that it could be duplexes under a conditional use permit reviewed by the Planning Commission. When the applicant is ready to move forward with a design, it would be subject to a Historic Design Review, which would trigger a notice to property owners within 100 feet.

Ms. Riley stated that her lot also encroaches on that property by approximately 60 inches. She did not build her house, but she was informed of that when it was surveyed years ago. When the owners decide to build, she would like some space between their structure and hers. She has 100 year old, 20-foot lilac bush that would be split in two. Ms. Riley was interested in knowing the details of whatever structure is built. She was opposed to steep slope construction and wanted guarantees that it would not occur.

Commissioner Thomas informed Ms. Riley that the design would not come before the Planning Commission unless a steep slope CUP is required. Otherwise, the use is reviewed administratively by Staff. Planner Astorga reiterated that a request for a duplex would require CUP approval. Director Eddington noted that an administrative review is still noticed to the public.

Director Eddington asked if there were any easements along the property adjacent to Ms. Riley. Jonathan DeGray, representing the applicant, believed it was a 6-foot utility easement. Ms. Riley stated that at one time the plan was to put all the power lines and sewer lines next to her house. However, she understood from looking at the drawings that the water and sewer lines would be on the other side. Mr. DeGray stated that there were no sewer lines. The sewer is serviced from above. A storm sewer would go through the Daly lot, but not sanitary sewer lines. He noted that Planner Astorga had that documentation from the Sewer District.

Commissioner Strachan asked if any portion of the lot could be built on that would not trigger a CUP. Mr. DeGray answered no. Commissioner Strachan clarified that regardless of what they build, the owners would have to submit their plans to the Planning Commission. At that point, Ms. Riley would be able to see the specifics details related to her questions this evening.

Chair Wintzer closed the public hearing.

Jonathan DeGray noted that the Staff report shows one large single parcel comprised of Lots 9 and 10, portions of 11 and the fragment right-of-way to the rear. He stated that currently Lots 9 and 10 are buildable without a plat amendment. The intent of the plat amendment is to clean up property lines and take care of the encroachments through easement agreements.

Commissioner Thomas remarked that there was an unusual situation of creating a flag lot out of the house behind Lot A, and nothing in the Code restricts that from occurring. Commissioner Thomas thought that should be considered in the future because it is an unusual condition. There is no way to for a vehicle to access the property, which creates a problematic situation for fire access and fire fighting. In addition, there is no parking and it lends itself to an eyesore condition. In this particular instance, if you drive in front of this property there would be three houses in a row off the street. Commissioner Thomas found it peculiar but totally within the law. Unfortunately it was a consequence of the Code. He would support the approval but he did not like it.

Chair Wintzer could not understand how that was parceled off that way in the first place. However, it was done a long time ago and it was out of the hands of this Planning Commission. Planner Astorga explained that he found a building permit issued in 1982 for the house showing that it had to be exact in configuration. He could not find the permit for the stairs. He also found record of a variance that was approved by the Board of Adjustment in 1982 to allow the owner to rebuild the house due to an incident with a water tank falling from King Road. The variance that did not necessitate parking areas on site. Carleen Riley provided the history of what happened that caused the water tank to fall.

Planner Astorga stated that planning and planning practices have changed since 1982, but he found the configuring of such lot, which was approved by the City, and then moved forward with a variance and the building permit.

Chair Wintzer was not concerned with the small lot. In terms of the big lot, he suggested doing a comparison of other structures on the street to make sure they would not be creating an oversized lot and structure for that area. Commissioner Strachan concurred. He noted that the large house above was an exception and it is not on Daly Avenue. Commissioner Strachan remarked that Daly Avenue has more historic heart than anywhere else in town and they need to make sure the compatibility requirement of the Code is met. The Commissioners concurred. Commissioner Hontz felt they had to do that to remain consistent with what they have asked of other applicants on Daly Avenue.

Commissioner Hontz remarked that in many cases when a plat amendment is requested to clean up one issue, the applicant identifies many others. It is not uncommon to have portions of roofs or landscaping or small portions of stairwells across property lines. In this case she found the significant amount of structures from 68 Daly that extends into these other properties to be concerning and problematic. If this plat amendment is approved it would further impact parking issues that are created off-site. She felt it was unfortunate that there was not better foresight in 1982 to see what problems they were creating for the neighborhood when they allowed 68 Daly to be built without parking. Chair Wintzer was unsure how that issue could be rectified, but they definitely need to look at the size of houses on the lots.

Commissioner Thomas suggested using the same study criteria that was used for 191 Woodside and 313 Daly Avenue.

MOTION: Commissioner Thomas moved to CONTINUE 80 Daly Avenue to May 9, 2012. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

**2. 12 Oak Court – Plat Amendment
(Application #PL-11-01-1491)**

Planner Matt Evans reviewed the application for a plat amendment to remove the lot line between Lots 35 and 36 of the Amended Plat of the Evergreen Subdivision to create one lot of record. The request is to combine two lots to create one new parcel. Planner Evans indicated a 30-foot wide ski easement for the benefit of Lot 36 to the Last Chance ski trail, which would be vacated as part of this subdivision.

Planner Evans reported that the applicant owns both parcels and the purpose for combining the two lots is to expand the existing home over the lot line. The existing lot line with a public utility easement would also be vacated.

Planner Evans stated that the actual square footage of the proposed addition was unknown; however the combined lots would allow the applicant to build an 11,250 square foot home. Under the existing conditions the existing house is 7,343 square feet, with a maximum of 7500 square feet. Planner Evans noted that combining the lots would reduce the density in the subdivision.

The Staff recommended that the Planning Commission forward a positive recommendation to the City Council for the plat amendment at 12 Oak Court, based on the findings of fact, conclusions of law and conditions of approval.

Rick Otto, representing the owner, stated that the addition would bring the total square footage to just over 11,000. He assumed the Staff report contained a letter from Bob Wells. Mr. Otto remarked that the pad is set up to provide enough room to build the addition.

Commissioner Thomas asked if the LODs of the Evergreen Subdivision were platted on the plat. Mr. Otto answered yes. Commissioner Thomas asked if the plat needed to be modified in order to modify the LODs. Mr. Otto believed they would; however, if the Planning Commission was comfortable with the configuration of the pad, they would make that part of the plat amendment. Commissioner Thomas recalled that the Evergreen Subdivision had area requirements for each building pad. Mr. Otto stated that he had counted the square footage for the two different pads, which was approximately 11,168 total. Each pad is 5500 square feet each.

Chair Wintzer asked if the Evergreen Subdivision has an active homeowners association. Mr. Otto was unsure about an HOA; but Brad Wilson reviews the plans. Chair Wintzer referred to the LODs and stated that it was not the job of the Planning Commission to make sure it complies with the Homeowners Association. Since the plat amendment would be changing their anticipated footprints, he requested a condition requiring approval by the HOA. Commissioner Thomas remarked that if Evergreen Subdivision was registered with the City as an active HOA that review would be required. If they are not registered with the City, the Planning Commission has no responsibility. He did not believe a condition of approval was necessary to stipulate HOA approval. Mr. Otto stated that if it was necessary, the applicant would obtain a letter from Brad Wilson indicating approval.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Hontz moved to forward a POSITIVE recommendation to the City Council for the Plat Amendment at 12 Oak Court, in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 12 Oak Court

1. The property is located in the Residential Development (RD) zone and is subject to Section 15-2.13 of the Land Management Code, the amended Evergreen subdivision plat, and the Deer Valley Master Planned Development.

2. The RD zone is characterized by mainly single family homes and resort development condominiums and hotels.
3. The property is located at 12 Oak Court in the North Silver Lake neighborhood of the Deer Valley MPD. The property is located next to the "Last Chance" ski run of the Deer Valley Resort.
4. There is an existing ski easement across Lot 35 to provide ski access for Lot 36 to Last Chance ski run. The ski easement does not connect any other lot or common area to this ski run. The applicant is pursuing a vacation of this easement as it would no longer be necessary if the lots are combined. If vacated, the recording information regarding the vacation should be noted on this amended plat.
5. The property consists of Lots 36 and 36 of the Amended Plat of Evergreen Subdivision. The amended plat was recorded at Summit County on May 17, 1988. A plat amendment to combine the two (2) lots into one (1) lot of record is required before final building permits for any new construction can be issued if that construction increases the size of the house on Lot 35 beyond the 7,500 square foot maximum, crossing onto Lot 36, or is not in compliance with required setbacks to the common lot line.
6. Building footprint and limits of disturbance areas are indicated on the Amended Plat of Evergreen Subdivision. The proposed plat amendment identifies a revised building footprint and limits of disturbance area for the combined lot.
7. Maximum house size is 11,250 sf for a combination of 2 lots. The existing house contains 7,343 sf of floor area, excluding 600 sf for the garage. A revised building pad is identified on the plat amendment.
8. There is no minimum or maximum lot size associated with the Amended Plat of Evergreen subdivision. The combined lot resulting from this plat amendment is 40,248.39 square feet in area.
9. Lots in the Amended Plat of Evergreen range in area from 10,124 sf to 54,394 sf.
10. The proposed plat amendment does not increase the density allowed by the Deer Valley Master Planned Development.
11. The applicant stipulates to the conditions of approval.
12. The discussion in the Analysis section is incorporated herein.

Conclusions of Law – 12 Oaks Court

1. There is good cause for this plat amendment.

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

Conditions of Approval – 12 Oaks Court

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law; the Land Management Code; requirements for utility, snow storage, ski easement vacation, and any encroachment agreements; as well as any conditions of approval that apply to this property, 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 request for an extension is granted by the City Council.
3. A note shall be included on the plat prior to plat recordation stating that the maximum house size and building setbacks for new construction on a combined lot shall be determined by the LMC Section 15-2.13-6(B).
4. A note shall be included on the plat prior to recordation stating that the conditions of approval and plat notes of the Deer Valley MPD and Amended Plat of Evergreen subdivision continue to apply to this lot.
5. A 10' (ten foot) snow storage easement shall be dedicated to Park City across the property's frontage on Oak Court.
6. The property owner shall comply with the requirements of the Snyderville Basin water Reclamation District (SBWRD).
7. Modified 13-D residential fire sprinklers are required in all modifications or new construction.
8. If the applicant pursues a vacation of the ski easement, the recording information of the easement vacation shall be noted on the amended plat prior to recordation. Otherwise the dedicated ski easement shall be shown on the amended plat.

**3. 269 Daly Avenue – Plat Amendment
(Application #PL-11-01232)**

Planner Evans reported that the Planning Commission reviewed this application on March 14th and continued the item with a request that the applicant consider a reduction in the footprint and total

floor area, as well as a maximum building line to ensure that building encroachment on the Daly Canyon side was limited. Another option was for the applicant to sell the development rights of the rear parcel as a TDR.

Planner Evans stated that the applicant has proposed a smaller addition and to limit the total size of the structure to 2,000 square feet maximum and delineate a maximum building line of approximately 20 feet on the plat. Planner Evans noted that the crosshatch shown on the site plan was the area that exceeds 30% slope. Planner Evans noted that combining the two lots was necessary for any type of addition because it would have to occur at the rear of the home. The existing structure is a historic home on the Historic Sites Inventory. Moving the home or relocating it elsewhere on the site is prohibited by Code.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

Commissioner Hontz referred to finding of fact #11, and noted that the word "feet" needed to be added after 20, to read, "...a maximum building line approximately 20 feet to the rear of the existing lot lines that separate the two parcels."

The applicant's representative stated that he had calculated 17 feet. Commissioner Hontz preferred that number, and changed to finding to read 17 feet. It was suggested that the sentence could read, "17 feet to the east of the existing property line."

Commissioner Thomas asked if the first part of the finding, "...limiting the maximum structure size not to exceed 2,000 square feet", was footprint. He was told that it was the total square footage. Director Eddington suggested that it be clarified as 2,000 square feet gross floor area.

Chair Wintzer suggested that they go off the front property line 76 feet plus 17 feet, rather than go off the lot line. He was told that the actual calculation would be 93.5 feet. Commissioner Hontz was comfortable with that calculation. She was concerned about the vegetation and large trees and asked if they would be affected. She was told that they would be affected as part of the process of working on the addition. The trees would be protected as much as possible. Planner Evans stated that during the HDDR process the Staff would note any vegetation that the applicant would propose to disturb and they would be required to replace in kind by either moving it or replacing it with a similar size.

Finding of Fact #11 was revised to read, "The applicant has proposed a plat note limiting the maximum structure size not to exceed 2,000 square feet of gross floor area, and is also proposing a maximum building line approximately 93.5 feet from the front property line."

Based on the revision to Finding #11, Planner Evans suggested that the Planning Commission address conditions of approval 7 and 8. Commissioner Strachan thought the language read by Commissioner Hontz should be a condition of approval rather than a finding of fact. He suggested

that they leave Finding #11 as originally written, and put the revised language as Condition #7. The Commissioners concurred.

MOTION: Commissioner Thomas moved to forward a POSITIVE recommendation to the City Council for the plat amendment at 268 Daly Avenue, based on the Findings of Fact, Conclusions of Law and Condition of Approval as modified. Commissioner Hontz seconded the motion.

Chair Wintzer thanked the applicant for revising the plan to meet the concerns raised by the Planning Commission. He appreciated that the applicant understood the sensitivity of the neighborhood.

VOTE: The motion passed unanimously.

Findings of Fact – 269 Daly Avenue

1. The property is located at 269 Daly Avenue within the Historic Residential (HR-1) Zoning District.
2. The property is shown on the Historic Sites Inventory as a “Landmark Site” and includes a 720 square foot mining era home constructed in 1901.
3. The applicants are requesting to adjoin two metes and bounds parcels into one Lot for the purpose of a future expansion of the home.
4. The plat amendment is necessary in order for the applicant to obtain a building permit for the proposed addition to the rear yard due to the location of an existing lot line.
5. The amended plat will create one new 7,283 square foot lot.
6. Currently the property is two separate parcels. The front parcel is where the existing home is located, and has frontage onto Daly Avenue, and all of the rear lots exceeds 30% slope and has no street frontage, and thus no separate development potential without the lot combination.
7. The existing garage is also listed on the historic sites inventory and does not count against the maximum building footprint square footage.
8. A majority of the lot exceeds 30% slope and any addition beyond 1,000 square feet will require a Steep Slope Conditional Use Permit to be reviewed and approved by the Planning Commission.
9. The existing historic home and garage cannot be moved or relocated to another site on the lot.

10. Any addition to the existing historic home would require review by the Design Review Team and any exterior remodels or additions would reviewed under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
11. The applicant has proposed a plat note limiting the maximum structure size not to exceed 2,000 square feet gross floor area and is also proposing a maximum building line approximately 20 feet to the rear of the existing lot lines that separate the two parcels.

Conclusions of Law – 269 Daly Avenue

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

Conditions of Approval – 269 Daly Avenue

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. No building permits for the rear expansion of the existing home will granted until the plat amendment is recorded with the Summit County Recorder's office.
4. More than half of the new lot will exceed 30% slope and future development may be subject to a Steep Slope Conditional Use Permit.
5. Modified 13-D sprinklers will be required for renovation of the existing structure.
6. A 10-foot wide public snow storage easement will be provided along the frontage of the property.
7. The applicant has proposed a plat note limiting the maximum structure size not to exceed 2,000 square feet of gross floor area, and is also proposing a maximum building line approximately 93.5 feet from the front property line.

8. The maximum building line (no building zone) shall be established as shown on the current plat date stamped April 5, 2012.

The Planning Commission Meeting adjourned the regular meeting and moved into work session to discuss the Quinn's Junction Partnership Annexation. That discussion can be found in the Work Session Minutes dated April 11, 2012.

The Park City Planning Commission meeting adjourned at 9:00 p.m.

Approved by Planning Commission: _____

DRAFT

REGULAR AGENDA

Planning Commission Staff Report



Application no: PL-10-01105
Subject: 573 Main Street - A Three Lot
Subdivision
Subject: Francisco Astorga
Date: April 25, 2012
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for 573 Main Street - A Three Lot Subdivision Plat Amendment, 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.

Description

Applicant: CSA10-573 Main, LLC represented by Andrew Moran, Evergreen Engineering, Inc.
Location: 573 Main Street and 564 & 572 Park Avenue
Zoning: Historic Commercial Business (HCB) & Historic Residential (HR-2)
Adjacent Land Uses: Commercial / Residential
Reason for Review: Plat amendments require Planning Commission review and City Council approval

Proposal

This is a request to combine seven (7) lots of record and a portion of a lot into three (3) lots of record. The site also contains a historic building which was constructed across existing lot lines. This is a revised application to the original one-lot subdivision application submitted in 2010. The applicant is currently proposing to combine the area they own on Park Avenue with the lots on Main Street to create a three (3) lot subdivision. Lot 1 located off Main Street consists of the site of the Claimjumper building. Lots 2 and 3 are located on 564 and 572 Park Avenue.

Background

On December 3, 2010, the City received a complete plat amendment application for 573 Main Street - A Single Lot Subdivision. The property is located at 573 Main Street in the Historic Commercial Business (HCB) District. The applicant, CSA10-573 Main, LLC was identified as the owner of Lots 16, 17, 18 and a portion of Lot 19 of Block 9 of the Park City Survey.

The applicant proposed to combine the three (3) lots into one (1) lot of record for the existing building. In the future the owner hopes to remodel the interior walls to create a

night club/bar/restaurant on the basement level, a restaurant with a lobby for access to the living units above on the main level, and the two (2) upper levels will be residential units, one living unit on each floor.

In February 2011, the applicant requested to place the application on hold due to issues involving the amount of area the historic structure encroaches in the rear over the lots fronting Park Avenue. In April 2011, the applicant requested to move forward as proposed. Later that month, when Staff learned that the rear Park Avenue lots where the historic building encroachment occurs is also owned by the same property owner, the applicant was required to bring all of their contiguous land into their plat amendment application pursuant to Land Management Code (LMC) § 15-7.1-6(A)(2). The applicant, CSA10-573 Main, LLC is the owner of Lots 16, 17, 18, 29, 30, 31 and a portion of Lot 19 and Lot 28 of Block 9 of the Park City Survey.

In December 2011, the applicant amended their application by submitting the revised 573 Main Street – A Three Lot Subdivision plat amendment. This revised plat amendment includes the same lots fronting Main Street where the Claimjumper Building is mostly located as well as the rear Park Avenue lots. The Main Street lots are currently within the HCB District while the Park Avenue lots are within the HR-2 District. This revised plat amendment application was deemed complete on January 12, 2012.

The Claimjumper Hotel building is located on the property and was constructed across existing property lines. The property is also known as the New Park Hotel. The Historic Site Inventory (HSI) identifies the site as a landmark site. The site is also listed in the National Register of Historic Places. The property fronts on, and receives legal access from Main Street. The other lots currently exist without any structures.

Additional background

In March 2007 the Historic Preservation Board (HPB) reviewed and approved a Determination of Historical Significance request. The HPB determined that the structure contained additions that were added in 1987 that are not historically significant. At the time, this determination guided the proposed renovation of the historic structure.

In April 2007 the City Council approved the similar request being reviewed today which consisted of a single lot subdivision over the historic structure only. The Park Avenue lots were not included in this plat amendment request. The applicant did not meet the condition of approval of removing the non-historic additions and therefore the plat was not recorded within a year's time from the approval date. The Plat Amendment approval from April 2007 was voided because the approval expired.

In June 2007 the Planning Department reviewed and approved a Historic District Design Review (HDDR) application. The approval was to remove the non-historic additions and replace them with new additions including a roof addition of two (2) penthouse units. The applicant did not meet the condition of approval of obtaining a building permit within a year's time from the approval date. The HDDR approval was also voided because the approval expired.

In September 2007 the Planning Department reviewed and approved an administrative Conditional Use Permit (CUP) for a Private Residence Club and Conversion, a form of fractional or interval ownership for ten (10) residential club units. The applicant did not meet the condition of approval of obtaining a building permit within a year's time from the approval date. The administrative CUP approval expired.

Analysis

The site is located in the Historic Commercial Business (HCB) District and the Historic Residential (HR-2) District. Staff has reviewed the proposed plat amendment request and found compliance with the following Land Management Code (LMC) requirements:

HCB Lot

HCB District	LMC Requirement	Proposed Lot 1, Main Street
Minimum lot area	1,250 square feet	8,999.8 square feet, <u>complies</u>
Minimum lot width	25 feet	94.97 feet, <u>complies</u>
Minimum lot depth	50 feet	75 feet, <u>complies</u>

There is no minimum required front, rear, or side yard dimensions in the HCB District. The maximum height envelope for the zone is thirty feet (30') at property line traversing at a forty-five degree (45°) angle back to a maximum of forty-five feet (45') above existing grade. The existing historic building does not comply with the height envelope and therefore the building is a legal non-complying structure.

The existing (rear) additions to the historic building currently encroach onto the adjacent rear lots which front onto Park Avenue and are located within the HR-2 zoning district. These additions were at one time identified by the City as non-historic additions but such determination has expired. As explained in the additional background section of this staff report there was an approval in 2007 to remove the non-historic additions and replace them with new additions including a roof addition of two (2) penthouse units. Also the Design Guidelines for Historic Districts and Historic Sites and the HDDR process was updated in 2009.

These Park Avenue lots are also under the same ownership, CSA10-573 Main, LLC, and have been included in this plat amendment request. The proposed lots are reconfigured so that there are no improvements encroaching over the rear lot line. All commercial access to the Claimjumper Building, 573 Main Street, will be off Main Street.

HR-2 Lots

HR-2 District	LMC Requirement	Proposed Lot 2 & 3, Park Avenue
Minimum lot area	1,875 square feet	2,060.97 square feet, <u>complies</u>
Minimum lot width	25 feet	37.47 feet, <u>complies</u>
Minimum lot depth	none	55 feet,

These lots currently exist without any structures. The minimum front/rear yard setbacks

of proposed lot 2 & 3 are ten feet (10'). The minimum side yard setbacks are three feet (3'). The maximum height is twenty-seven feet (27') with a total of three (3) stories. The building footprint is limited to 917.8 square feet. Each lot will require two (2) off-street parking spaces for their residential use.

Parking

The Claimjumper Building site is current in Main Street Parking Special Improvement District and therefore is exempt from the parking requirement.

The parking easement proposed to be dedicated with this plat amendment is for the benefit of the residential units in the 573 Main Street building. The owner feels it will be important to create parking to ensure residential occupants in the Claimjumper Building have an off street parking space. The parking easement consists of two (2) parking spaces and a six foot (6') access straddling the shared common property line of the two (2) Park Avenue lots towards the Main Street lot.

Good Cause

Staff finds good cause for this plat amendment as the historic structure will no longer encroach on the rear lots and the Park Avenue lots will be combined to meet the minimum lot area. The proposed plat amendment will also eliminate two (2) remnant parcels, portion of Lot 19 and a portion of Lot 28. There are no remnant parcels created with this plat amendment request. Additionally, the proposed use and renovation of the building will provide an adaptive reuse to one of Park City's most historically significant buildings ensuring its use into the future and a parking easement is provided for the residential uses within the historic building.

Special HR-2A requirements

Sub-Zone A (HR-2A) consists of Lots in the HR-2 Districts that are west of Main Street, excluding those lots within Block 13. The LMC outlines special requirements to Lots in the HR-2A zone are part of a Master Planned Development, a Conditional Use Permit, or a Plat Amendment that combines a Main Street, HCB zoned, Lot with an adjacent Park Avenue, HR-2 zoned, Lot or portion of a Lot, for the purpose of restoring an Historic Structure, constructing an approved addition to an Historic Structure, constructing a residential dwelling or Garage on Park Avenue, or expanding a Main Street Business into the HR-2 zoned Lot.

The requested plat amendment does not fall under these categories above as the plat amendment is not for the purpose outlined above. While the special HR-2A requirements are not applicable, Staff recommends applying the following two (2) HR-2A special requirements as conditions of approval to further maintain the residential character found on Park Avenue:

- All entrances and Access, including service and delivery, for the Commercial Use must be off of a Street or easement within the HCB District. The Commercial Structure must be designed to preclude any traffic generation on residential Streets, such as Park Avenue. Any emergency Access, as required by the

Uniform Building Code (UBC), onto the HR-2 portion of the Property must be designed in such a manner as to absolutely prohibit non-emergency Use. Alarms shall be installed on all emergency doors that provide access to Park Avenue.

- No loading docks, service yards, exterior mechanical equipment, exterior trash compounds, outdoor storage, ADA Access, or other similar Uses associated with the HCB Uses are allowed within the HR-2 portion of the Property, and all such Uses shall be screened for visual and noise impacts.

Process

The applicant will have to submit a Historic District Design Review application for new construction on Lots 2 and 3, and any improvements on the three (3) lots. HDDR applications are reviewed administratively by the Planning Department. The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review

This project has gone through an interdepartmental review. 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 published in the Park Record according to requirements of the Land Management Code.

Public Input

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

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the 573 Main Street - A Three Lot Subdivision Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for 573 Main Street - A Three Lot Subdivision Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on 573 Main Street - A Three Lot Subdivision Plat Amendment to a date certain and request specific information be provided in order to make a recommendation.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The historic building would remain as is and no additional construction could take place across the existing lot lines. Construction includes interior remodeling of the historic building including adaptive reuse.

Recommendation

Staff recommends the Planning Commission hold a public hearing for 573 Main Street - A Three Lot Subdivision Plat Amendment, 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

Exhibit A – Draft ordinance with Proposed Plat Amendment

Exhibit B – Site Survey

Exhibit C – Vicinity Map

Exhibit D – County Plat Map

Exhibit A – Draft Ordinance No. 12-

AN ORDINANCE APPROVING THE 573 MAIN STREET A THREE LOT SUBDIVISION PLAT AMENDMENT LOCATED AT 573 MAIN STREET, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 573 Main Street, Lots 16, 17, 18, 29, 30, 31 and a portion of Lot 19 and Lot 28 of Block 9 of the Park City Survey, have petitioned the City Council for approval of the 573 Main Street - A Three Lot Subdivision Plat Amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 25, 2012, to receive input;

WHEREAS, the Planning Commission, on April 25, 2012, forwarded a recommendation to the City Council; and,

WHEREAS, on May 17, 2012, the City Council conducted a public hearing on the 573 Main Street - A Three Lot Subdivision Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The plat amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 573 Main Street and 564 & 572 Park Avenue
2. The Main Street lot (Lot 1) is within the Historic Commercial Business (HCB) District.
3. The Claimjumper building, or New Park Hotel building, is located on 573 Main Street and was constructed across existing property lines.
4. The Historic Site Inventory (HSI) identifies the site as a landmark site.
5. The Park Avenue lots (Lots 2 and 3) are within the Historic Residential (HR-2) District.
6. The Park Avenue lots currently exist without any structures.
7. The Main Street lot is 8,997.8 square feet.

8. The minimum lot area of a lot within the HCB District is 1,250 square feet.
9. The width of Lot 1 is 94.97 feet.
10. The minimum lot width of a lot within the HCB District is 25 feet.
11. The depth of Lot 1 is 95 feet.
12. The minimum lot depth of a lot within the HCB District is 50 feet.
13. The existing historic building does not comply with the height envelope but is a legal non-conforming structure.
14. All commercial access to the Claimjumper Building, 573 Main Street, shall be off Main Street.
15. The Park Avenue lots are 2,060.97 square feet, each.
16. The minimum lot area of a lot within the HR-2 is 1,875 square feet.
17. The width of the Park Avenue lots is 37.47 feet.
18. The minimum lot width of a lot within the HR-2 is 25 feet.
19. The depth of the Park Avenue lots is 55 feet.
20. The Claimjumper (New Park Hotel) Building site is current in Main Street Parking Special Improvement District and is exempt from the parking requirement.
21. The parking easement is for the benefit of the residential units in the 573 Main Street building.
22. The parking easement consists of two (2) parking spaces and a six foot (6') access straddling the shared common property line of the two (2) Park Avenue lots towards the Main Street lot.
23. This Plat is specifically subject to the following special requirements:
 - All entrances and Access, including service and delivery, for the Commercial Use must be off of a Street or easement within the HCB District. The Commercial Structure must be designed to preclude any traffic generation on residential Streets, such as Park Avenue. Any emergency Access, as required by the Uniform Building Code (UBC), onto the HR-2 portion of the Property must be designed in such a manner as to absolutely prohibit non-emergency Use. Alarms shall be installed on all emergency doors that provide access to Park Avenue.
 - No loading docks, service yards, exterior mechanical equipment, exterior trash compounds, outdoor storage, ADA Access, or other similar Uses associated with the HCB Uses are allowed within the HR-2 portion of the Property, and all such Uses shall be screened for visual and noise impacts.

Conclusions of Law:

1. There is good cause for this plat amendment as the historic structure will no longer encroach on the rear lots and the Park Avenue lots will be combined to meet the minimum lot area. The proposed plat amendment will also eliminate a remnant parcel, portion of Lot 19 and Lot 29.
2. The proposed use and renovation of the building will provide an adaptive reuse to one of Park City's most historically significant buildings ensuring its use into the future.
3. As conditioned, the plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, 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 request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Modified 3-d sprinklers will be required for new construction along Park Avenue,
4. A 10 foot wide public snow storage easement shall be provided along Park Avenue.
5. The parking easement on Lots 2 and 3 for the benefit of Lot 1 is only permitted to be used for the residential units. The parking easement shall not be used for commercial purposes.
6. All entrances and Access, including service and delivery, for the Commercial Use must be off of a Street or easement within the HCB District. The Commercial Structure must be designed to preclude any traffic generation on residential Streets, such as Park Avenue. Any emergency Access, as required by the Uniform Building Code (UBC), onto the HR-2 portion of the Property must be designed in such a manner as to absolutely prohibit non-emergency Use. Alarms shall be installed on all emergency doors that provide access to Park Avenue.
7. No loading docks, service yards, exterior mechanical equipment, exterior trash compounds, outdoor storage, ADA Access, or other similar Uses associated with the HCB Uses are allowed within the HR-2 portion of the Property, and all such Uses shall be screened for visual and noise impacts.

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

PASSED AND ADOPTED this 17th day of May, 2012.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

ATTEST:

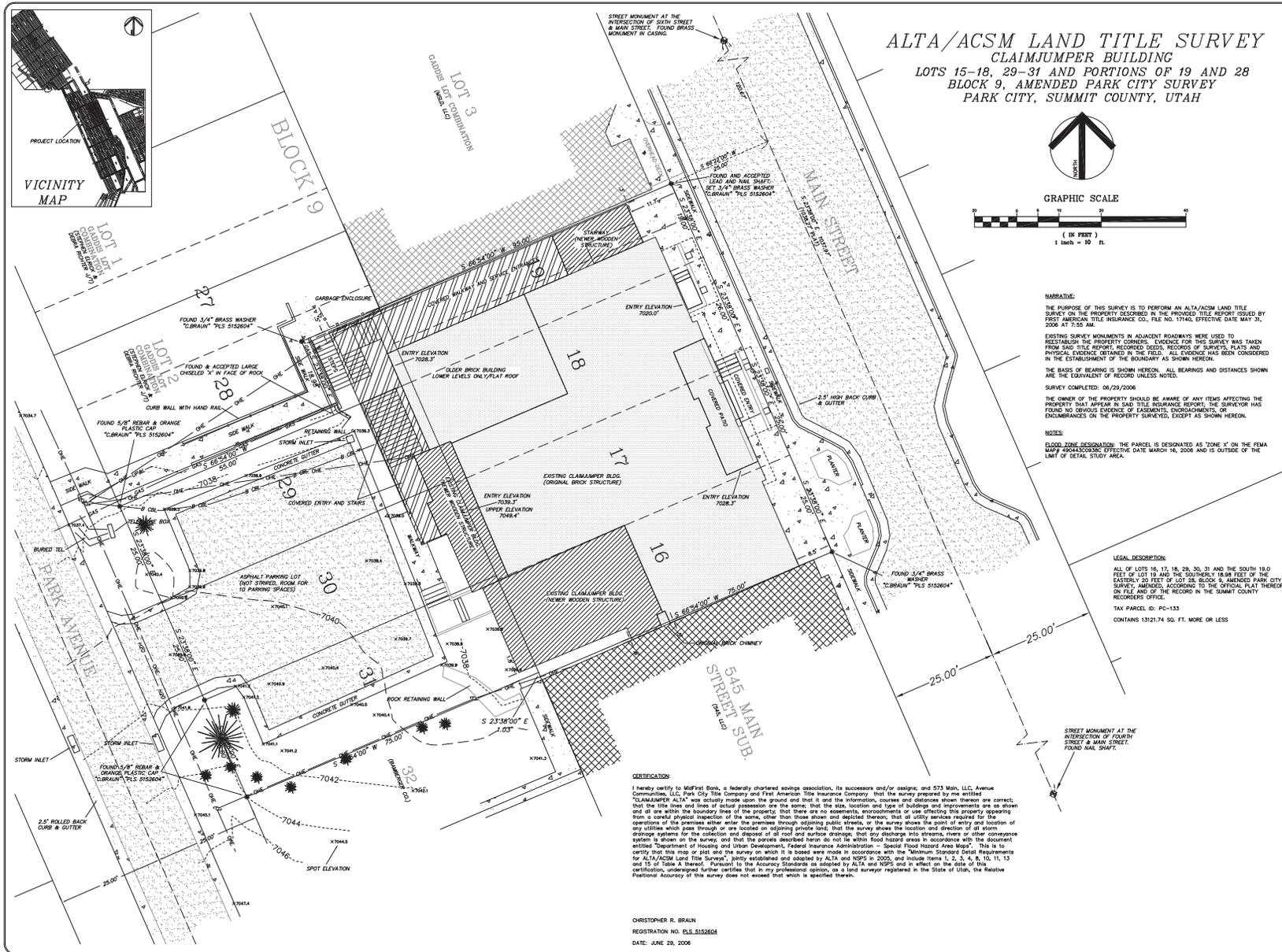
Jan Scott, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment A – Proposed Plat Amendment

Exhibit B – Site Survey



PARK CITY SURVEYING
 PARK CITY, UTAH 84040
 (435) 646-2918

DATE: _____
 REVISION: _____

SURVEYED BY:
 TM/CG
 DRAWN BY:
 PENTERS/BRAUN
 DATE:
 JUNE 2006

SOUTHWEST BERTHLE GROUP
 CLAIMJUMPER ALTA

ALTA/ACSM LAND TITLE SURVEY
CLAIMJUMPER BUILDING
LOTS 15-18, 29-31 AND PORTIONS OF 19 AND 28
BLOCK 9, AMENDED PARK CITY SURVEY

SHEET 1 OF 1

573 Main Street - A Three Lot Subdivision Vicinity Map



Legend

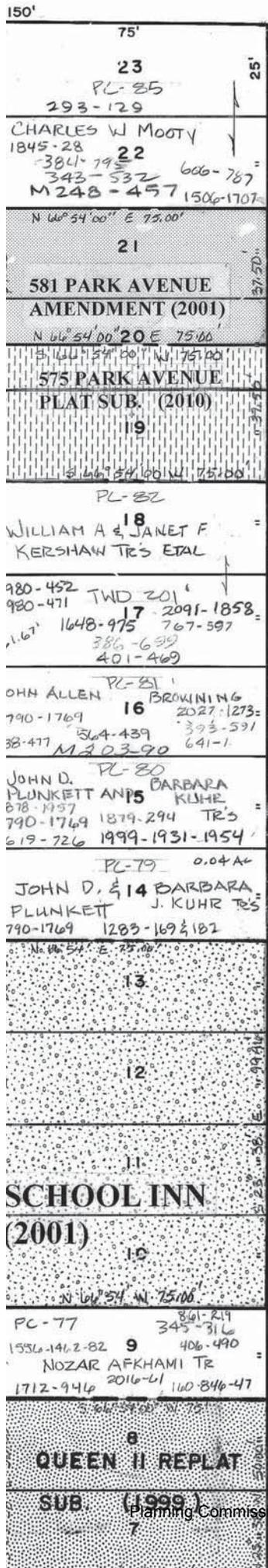
-  Parcels
-  Streets



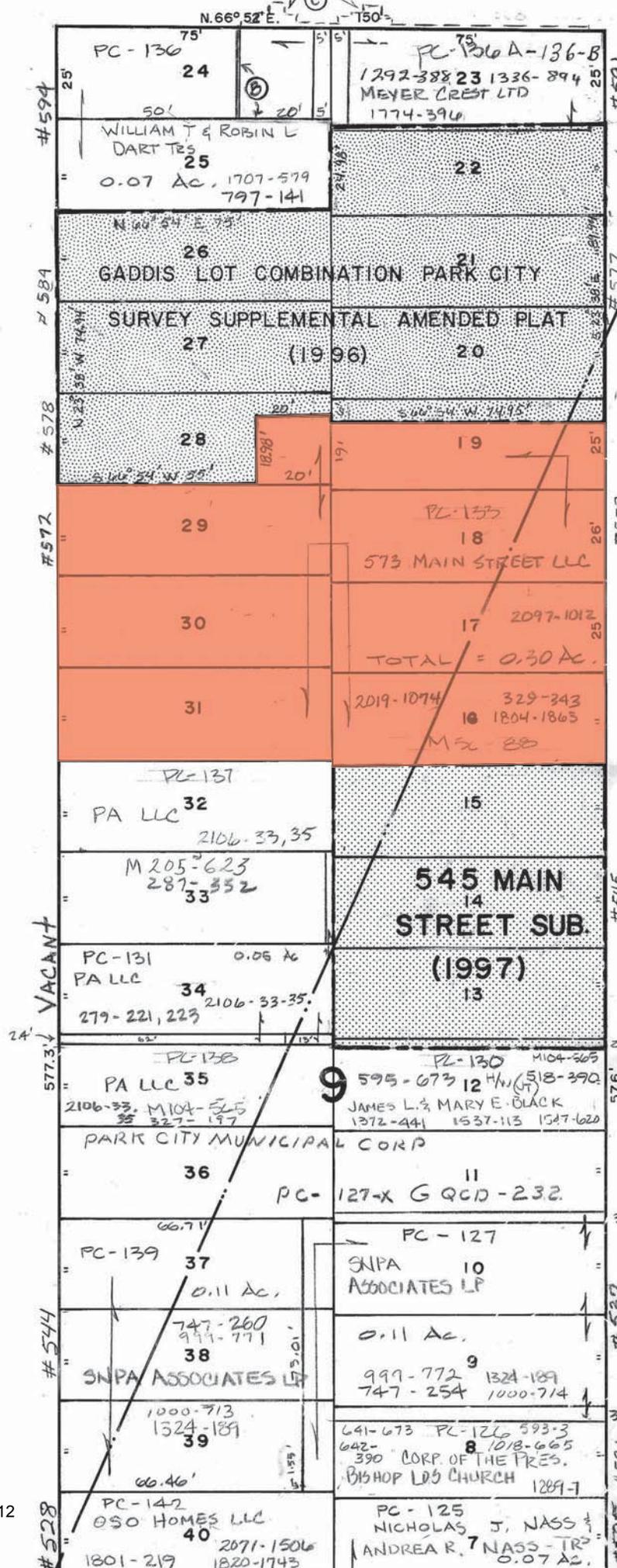
STREET

60TH STREET

Exhibit D - County Plat Map



PARK AVENUE (N 23°38' W)



SEE 1336-894
PURPORTS TO
PART OF 60TH
STREET

MAIN STREET (N 23°38' W)

Planning Commission Staff Report



Subject: Ontario Mine Bench Subdivision
Author: Mathew W. Evans, Senior Planner
Date: April 25, 2012
Type of Item: Administrative – Subdivision
Project Number: PL-10-01070

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing for the Ontario Mine Bench Subdivision 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: Christie Babalis and Patrick Putt on behalf of United Park City Mines/Talisker and Jordanelle Special Services District (JSSD)
Location: 7700 Marsac Avenue
Zoning: Recreation Open Space (ROS)
Adjacent Land Uses: Open Space and Residential/Resort
Reason for Review: Subdivision plats require Planning Commission review and City Council approval

Proposal:

The applicant is proposing to subdivide an existing 30.56 acre parcel into two lots, Lot 1 is 2.01 acres, and Lot 2 which is the remaining portion of the property at 28.55 acres. Both new lots have existing structures and buildings which are associated with each of the two different property owners. The applicants are not proposing any new development on the properties at this time, and there are no known proposals for future development.

The subdivision application is proposed in order to officially establish the separate ownership of the two lots. Lot 1 encompasses an existing structure, a portion of which is owned and operated by the Jordanelle Special Services District (JSSD which is the Number 3 shaft site of the Ontario Mine) and the other portion owned by the United Park City Mines. Lot 2 encompasses the balance of the Mine Bench property owned by the United Park City Mines Company which is used for offices, equipment and salt storage.

Proposed Lot 1 has no direct street frontage and is completely surrounded by Lot 2 and has no direct street frontage onto Marsac Avenue. The only access to Lot 1 is through an existing access easement and common use driveway. There is no requirement in the ROS zone that lots have street frontage, a certain width or depth, or any other

typical lot requirements other than a 25 foot setback from between buildings and property lines. The access to Lot one remains the existing driveway from Marsac Avenue, which is also a recorded access and utility easement to the Mine Bench Building which Lot 1 basically encompasses.

Snyderville Basin Water Reclamation District (SBWRD) raised concern regarding the proposal to create a lot completely surrounded by another lot because SBWRD usually does not allow for a private sewer line to extend over a lot line. However, a letter from Bryan Atwood, District Engineer for SBWRD (exhibit "D") states that this will not be an issue due to the fact that a private sewer line current services all of the buildings on the property, and that a new lateral for the Mine Bench building (number 3 shaft site) will be required. This will be a condition of approval as SBWRD will require the lateral before they will sign the subdivision plat which is required for recordation.

A condominium plat is also proposed as a separate application (PL-10-01071). The purpose of the condo-plat is to memorialize JSDD's and United Park City Mines existing ownership of the land and improvements on proposed Lot 1 which includes the original Mine Bench building which is split by ownership.

The applicants are proposing to grant Park City Municipal Corporation a twenty-foot wide access easement atop of an existing Snyderville Basin Reclamation District access easement, for the purpose of gaining access to the Judge Tunnel water facility. The common driveway off of Marsac Avenue is currently used by the City to gain access to the water source, and is inspected monthly. The City has no current alternate means of access to the Judge Tunnel water source, and has used the existing driveway since the source was established. The recording of the plat will record the access easement to make official the right to use the driveway for access to the source as needed by the Water Department.

Background

On June 24, 1999, the City Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the 1,655 acre Flagstaff Mountain area. Resolution 20-99 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use, maximum densities, timing, development approval process, as well as development conditions and amenities for each parcel. The Mine Bench property was included in the annexation, and was given the Zone Designation of Recreation Open Space (ROS).

The property, which has three permanent buildings and one temporary structure (yurt for salt storage) currently houses two buildings that are used by United Park City Mines/Talisker, and the old Ontario Mine Building, which is currently used as a bakery for the Talisker Resorts. Prior to these uses, the old mine building was used for the "Silver Mine Adventure Tour" which included a gift shop and a kitchen for the preparation of food associated with the now closed Mine Adventure.

In August of 2002, a portion of the Mine Bench property was sold to JSSD and conveyed to them by deed. The City did not recognize the transfer of a portion of property without the recording of an approved subdivision. The proposed subdivision and subsequent condo-plat (a separate application) will remedy the split and memorialize it as such.

The original application for the proposed subdivision was received on September 27, 2010. Since that time the applicants and Staff have had several conversations about moving the project forward and the necessary steps to do so. Staff also made two site visits to the property to better understand all of the issues related to the proposed subdivision and condo-plat. On March 13, 2013, the application was deemed "complete" and a date was set for a Public Hearing before the Planning Commission. Staff deemed the application complete with requirement that Codes, Covenants and Restrictions (CC&R's) for the condo-plat be received two weeks prior to the meeting date. In drafting the CC&R's the applicants ran into an issue that required they amend the drawings and the plat one additional time. This delayed the Public Hearing to the April 25th meeting date.

Analysis

Planning Staff finds there is good cause for the application to the existing parcel into two separate lots. The ROS Zone does not establish a minimum lot size, and both proposed lots are more than adequately sized for the buildings and uses currently on the property. Proposed Lot 1, which is 2.01 acres, contains the existing Mine Bench building (Number 3 shaft site) which is currently used by JDSS (Main building and Hoist Building) and the balance of such is a portion of the old Silver Mine Adventure Building. Lot 2, which is 19.22 acres, includes a maintenance building, and office building, a salt storage yurt, and a parking lot. The remaining lands remain undeveloped and there are no immediate or future plans to develop them.

The general property, which has frontage onto Marsac Avenue on two sides, has two access points. The first is the primary access for both proposed Lots 1 and 2, who currently share and will continue to share a common driveway, and the second access is for a separate parking lot. The existing driveway is also the location of several easements, including a right-of-way easement for Mountain Fuel and Snyderville Basin Water Reclamation District, JSSD, and once the subdivision is recorded, Park City Municipal Corp for access Judge Tunnel water source.

ROS Zone:

According to Section 15-2.7-1 of the LMC, the purpose of the Recreation and Open Space (ROS) District is to:

- (A) Establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,

- (B) Permit recreational Uses and preserve recreational Open Space land,
- (C) Encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
- (D) Preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests.
- (E) Encourage sustainability, conservation, and renewable energy.

The ROS Zone limits allowed uses to “Conservation Activity” and lists several Conditional Uses. Among the Conditional Uses listed are “Essential Municipal Public Utility Use, Facility, Service, and Structure, greater than 600 sq. ft. and “Resort Support Commercial” which is what a majority of the property is used for. The buildings used by JSSD would fall under “Public Utility uses” and the existing Talisker Bakery falls under the “Resort Support” category as previously determined by the Planning Director, Thomas Eddington.

The ROS Zone designation does not establish a minimum lot size or require that a Lot has frontage onto a public right-of-way, but does establish a setback requirement between property lines and buildings. The minimum setback between the property line and a building is twenty-five feet (25’). All existing buildings are currently setback 25’ away from any existing property line. The new proposed two-lot subdivision will not create nonconformity with respect to setbacks. The new lot line is approximately 60 feet to the nearest building.

Process

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 project has gone through an interdepartmental review. All of the issues raised by the Development Review Committee (DRC) have been addressed, and the original proposal was altered to reflect the changes requested by the DRC. The Snyderville Basin Water Reclamation District (SBWRD) will require a new sewer lateral for the Mine Bench building as the existing sewer line follows the driveway into the property, which will cross over the new lot line. The DRC determined that there were no public trails on the property, and thus there would be no requirement to show existing trails or trail easements since none exist.

Notice

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

Public Input

No public input was received at the time of writing this report. Public input may be taken at the regularly scheduled Planning Commission public hearing and at the Council meeting May 14, 2012.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the Ontario Mine Bench Subdivision as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Ontario Mine Bench Subdivision and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on Ontario Mine Bench Subdivision to a date-certain.

Significant Impacts

There are no significant fiscal or environmental impacts from this application. Potential environmental impacts will be mitigated by the fact that there is no new construction proposed on the property.

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and the proposed two lot subdivision would not be recorded. The applicant will not be able to proceed with their proposed condominium plat, and thus the nonconformance of both parcels would continue until such time that a Subdivision plat to resolve the issue is approved and recorded.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the Ontario Mine Subdivision 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 – Vicinity map

Exhibit B – Proposed Plat

Exhibit C – Record of Survey

Exhibit D – Snyderville Basin Water Reclamation District Letter

Draft Ordinance

Ordinance No. 12-

**AN ORDINANCE APPROVING THE ONTARIO MINE BENCH SUBDIVISION
LOCATED AT 7700 MARSAC AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of property located at 7700 Marsac Avenue have petitioned the City Council for approval of the Ontario Mine Bench Subdivision; and,

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

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

WHEREAS, the Planning Commission held a public hearing on April 25, 2012, to receive input on the proposed two-lot subdivision located at the aforementioned address; and,

WHEREAS, the Planning Commission, on the aforementioned date, forwarded a recommendation to the City Council; and,

WHEREAS; the City Council, held a public hearing on May 14, 2012; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Ontario Mine Bench Subdivision as proposed.

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 Ontario Mine Bench Subdivision as shown in Exhibit B 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 7700 Marsac Avenue within the Recreation Open Space (ROS) Zoning District.
2. The property was annexed into the City in 1999 under the June 24, 1999 Flagstaff Mountain area annexation.
3. The applicants are proposing to create two new lots which were previously split through the recording of a deed, but not formally recognized until officially subdivided. The subdivision will allow the applicant to proceed with a condominium plat that will memorialize the sale of property to the Jordanelle Special Services District.

4. The subdivision is necessary to correct the noncompliant issue with the previous deed.
5. The subdivision will split the existing 30.56 acre parcel into two-lots, Lot 1 being 2.01 acres, and Lot 2 being the balance of the property at 28.55 acres.
6. There are three (3) existing structures on the property including the original mine-shaft building which is now the Jordanelle Special Services District Hoist and Office Building, a maintenance building and additional offices. The hoist building will be located on Lot 1, the other two buildings on Lot 2.
7. Both proposed lots have frontage onto Marsac Avenue, but share a common driveway to access each. Said driveway is also the location of several existing utility and access and cross access easements.
8. The proposed plat will grant a twenty-foot (20') wide access easement to Park City Municipal Corporation for the purpose of memorializing the access road used by the Water Department to gain access to our existing water source located on an adjacent parcel of property, but not otherwise accessible through other means.
9. The property is not proposed for future or further development at this time. Any future development will be subject to the allowed or conditional uses listed in the ROS zone under Section 15-2.7 of the LMC.
10. The applicants are also proposing a Condominium Plat to split the ownership of the existing mine bench building, which will be a separate application.
11. The proposed subdivision will not cause any nonconformity with respect to lot size or setbacks.
12. Current uses of the property are consistent with the allowed and conditional uses section of the ROS zone designation, and such uses were acknowledged during the original annexation of the property in 1999, with the exception of the bakery that was determine by the Planning Director to be a legal non-conforming use as it is currently used for.
13. The Planning Director has previously determined that the bakery use is in compliance with the previous use of the building as a kitchen with a commercial license as an accessory to the previous use as the "Silver Mine Adventure" tour and continues today as a resort support use to the Empire Pass resort.
14. There is good cause for the approval of this subdivision plat in that the proposed Subdivision will meet the lot requirements as outlined in the ROS Zone designation, the subdivision will correct a previous deed transfer that was not recognized by the City, and that the subdivision will not cause nonconformity with respect to existing setbacks, etc.
15. The proposal does not result in new development and thus requires no removal of vegetation or grading of the site. There is no anticipated increased level of intensity of uses on the site, and thus there is no additional mitigation measures necessary at this time. Any future development of the property will require property permits and compliance with the ROS Zone.
16. Existing and proposed trails, identified in the Trails Master Plan shall be identified on the plat, in an approximate location. The Development Review Committee (DRC), including Heinrich Deters, Sustainability-Trails, noted that there were no public trails located on the site.

- 17. Drainage easements as required by the City Engineer shall be included on the plat prior to recordation.
- 18. Any known physical mine hazards and geologic hazards that exist on the property need to be identified and noted on the final plat prior to plat recordation.

Conclusions of Law:

- 1. There is good cause for this subdivision amendment.
- 2. The plat is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
- 3. Neither the public nor any person will be materially injured by the proposed subdivision plat.
- 4. Approval of the subdivision 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. Modified 13-D sprinklers will be required for any future renovation of the existing structures located on the property.
- 4. A new sewer lateral and line will be required for Lot 1 of the Subdivision to connect to the Ontario Mine building because the existing sewer line will not be allowed to cross the proposed new property line. Satisfaction of the Snyderville Basin Reclamation District requirement for bonding will be required prior to the recordation of the plat.
- 5. Physical mine hazards, limits of disturbance, areas of significant existing vegetation, natural drainage areas, existing geologic hazards, and all required easements for access, utilities, storm water, and trails shall be indicated on the plat prior to recordation.

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

PASSED AND ADOPTED this 14th day of May, 2012.

PARK CITY MUNICIPAL CORPORATION

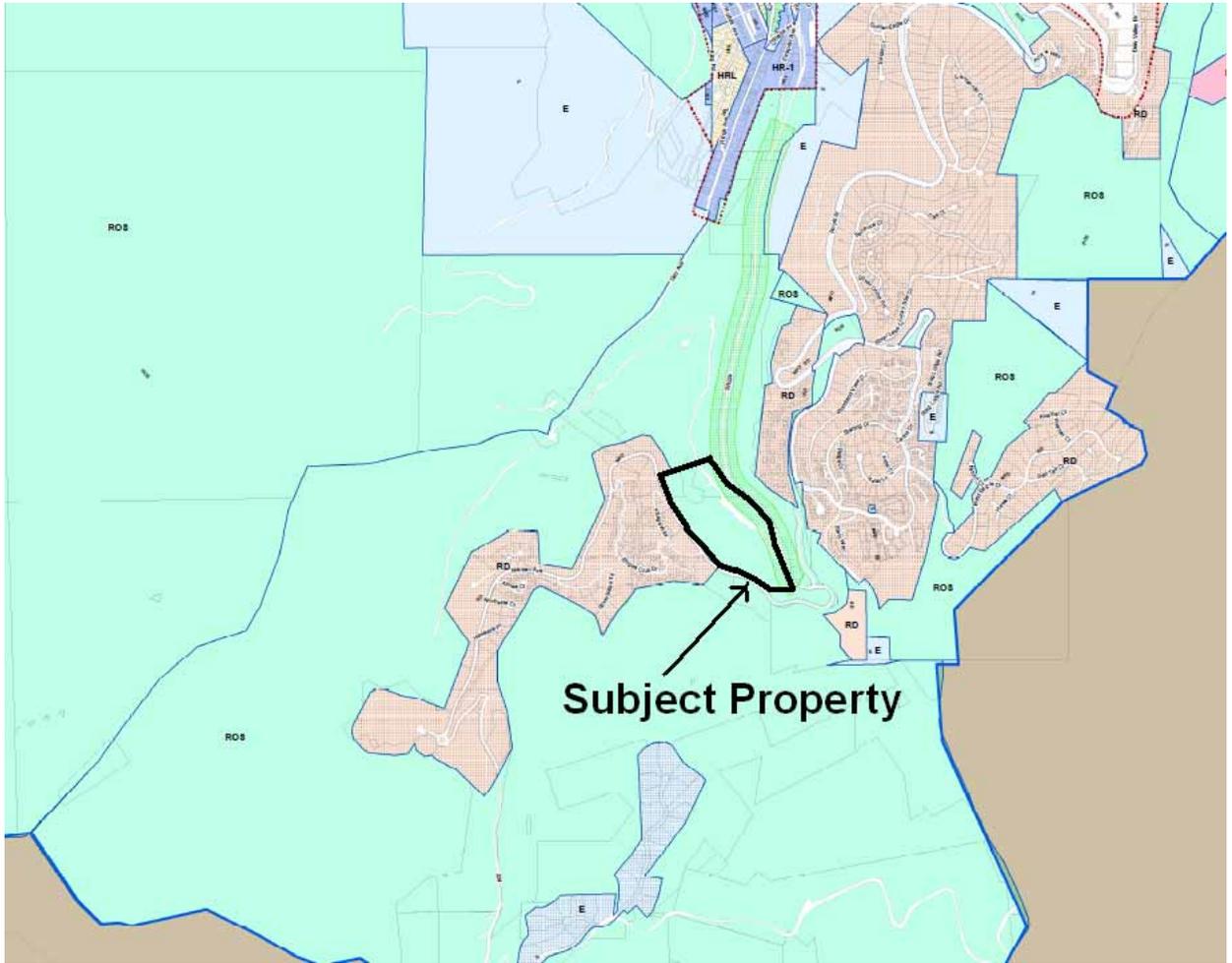
Dana Williams, MAYOR

ATTEST:

Jan Scott, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney



SURVEYOR'S CERTIFICATE



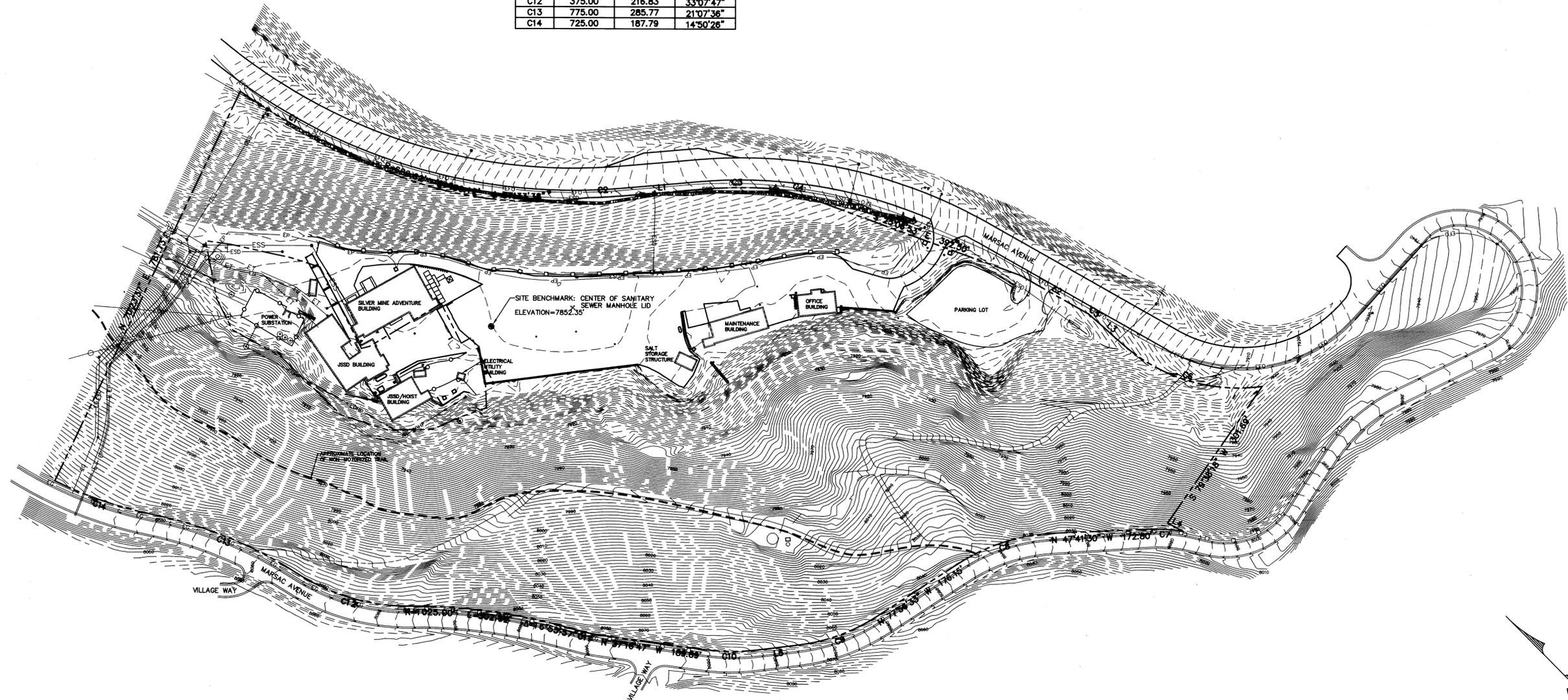
I, John Demkowicz, do hereby certify that I am a registered land surveyor and that I hold certification no. 154491 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	1050.77	221.81	12°05'40"
C2	1050.77	68.58	03°44'21"
C3	860.00	136.47	08°05'32"
C4	586.62	78.91	07°42'28"
C5	408.37	16.42	02°18'15"
C6	320.00	276.53	49°30'45"
C7	275.00	62.75	13°04'22"
C8	351.56	185.62	30°15'03"
C9	340.00	152.67	25°43'36"
C10	375.00	97.76	14°56'10"
C11	325.00	48.46	08°32'36"
C12	375.00	216.83	33°07'47"
C13	775.00	285.77	21°07'36"
C14	725.00	187.79	14°50'26"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 50°02'39" E	142.82
L2	S 15°46'27" E	141.56
L3	S 03°30'00" E	63.08
L4	S 17°09'46" E	32.98
L5	N 52°12'57" W	74.75

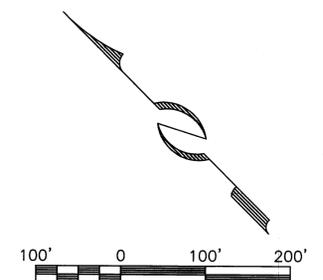
NOTES

1. Site Benchmark: Center of sanitary sewer manhole lid
Elevation=7852.35'
2. This topographic map is based on a field survey performed in November, 2006, May 22, 2008, and aerial topography.



LEGEND

—	ESS	EXISTING SANITARY SEWER
—	ESD	EXISTING STORM DRAIN
—	EW	EXISTING WATER
—	EP	EXISTING POWER
—	EOHP	EXISTING OVERHEAD POWER
—	ET	EXISTING TELECOMMUNICATIONS
—	EG	EXISTING GAS
—	EFO	EXISTING FIBER OPTICS



 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: JOHN DEMKOWICZ MARSHALL KING BLAKE MYERS MICHAEL DEMKOWICZ	EXISTING CONDITIONS MAP ONTARIO MINE BENCH 7700 MARSAC AVENUE	SHEET 1 OF 1
	DATE: 9/23/10	FOR: TALISKER JOB NO.: 1-5-10 FILE: X:\Empire\dwg\sn\topo2010\010510.dwg	



SNYDERVILLE BASIN

WATER RECLAMATION DISTRICT

2800 HOMESTEAD RD, PARK CITY, UT 84098 WWW.SBWRD.ORG T 435-649-7993 F 435-649-8040

April 17, 2012

Canyons
Christie Babalis
VP and General Counsel
4000 Canyons Resort Dr.
Park City, UT 84098

Subject: Ontario Mine Bench Subdivision Plat
Ontario Mine Bench Condominiums Plat

Dear Ms. Babilis,

The Snyderville Basin Water Reclamation District (SBWRD) has reviewed the revised plats submitted April 13, 2012. Please add the following notes to the plats:

Subdivision Plat

1. The structures located on Lot 2 at the time of this plat recording are connected to a Common Private Lateral Wastewater Line that serves both Lots 1 and 2. At the time Lot 2 is redeveloped or new structures are constructed on the lot a reconfiguration of the private sewer lateral or an extension of the Public Wastewater System to allow any new structures to be connected separately and directly to the Public Wastewater System shall be required.

Condominium Plat

1. The units of the Ontario Mine Bench Condominiums are served by a Common Private Lateral Wastewater Line. The Ontario Mine Bench Condominium Association shall be responsible for ownership, operation and maintenance of the Common Private Lateral Wastewater Line.

With these modifications we can sign the plat. Please contact me for a time for plat signing.

Sincerely,

Bryan D. Atwood, P.E.
District Engineer

Cc: Alliance Engineering
Park City Planning Dept.
Plat Review File

Planning Commission Staff Report



Subject: Ontario Mine Bench Condominium
Author: Mathew W. Evans, Senior Planner
Date: March 28, 2012
Type of Item: Administrative – Condominium
Project Number: PL-10-01071

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing for the Ontario Mine Bench Condominium 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: Christie Babalis and Patrick Putt on behalf of United Park City Mines/Talisker and Jordanelle Special Services District (JSSD)
Location: 7700 Marsac Avenue
Zoning: Recreation Open Space (ROS)
Adjacent Land Uses: Open Space and Residential/Resort
Reason for Review: Condominium plats require Planning Commission review and City Council approval

Proposal:

The applicant is proposing to a three (3) unit condominium conversion of an existing building located on Lot 1 of the Ontario Mine Bench Subdivision. The purpose of the condominium plat is to memorialize Jordanelle Special Services District (JSSD) and United Park City Mines existing ownership of the land and improvements on proposed Lot 1.

The propose condominium plat would split ownership of the Mine Bench building, also known as the number 3 shaft site and the Silver Mine Adventure Tour building, into three units. Unit 1, which encompasses a majority of the building, Unit 2A, and Unit 2B which are connected by internal infrastructure, but not attached to one-another via a common wall. Only Units 1 and 2A are attached

Aside from any work required by the Building Department to make sure that the structures are separated by a fire-rated wall that meets current code requirements, there is no other proposed development, either internally or externally. Any future expansion of the building would require a condominium plat amendment to show the additional private ownership areas proposed.

The applicant is proposing Covenants, Codes and Restrictions (CC&R's) related to the

building and the open space surrounding it, and how the condominium will be operated. CC&R's will be reviewed by the Legal Department prior to the recording of the plat.

Background

The Mine Bench building ceased operations in 1982 and eventually the building became a tourist attraction with the "Silver Mine Adventure Tour". In 1999, the property and building were annexed into Park City as part of the Flagstaff Mountain Annexation. In 2001 the owners of the Mine Adventure Tour ceased its operation, and in August of 2002, a portion of the Silver Mine Bench property was sold to JSSD and conveyed to them by deed.



On September 27, 2010, an application for a two-lot subdivision and the Condominium Plat of the existing Mine Bench building was received by the Planning Department. Substantial changes to the proposed plat have taken place between the first submittal and the current submittal. On March 13, 2012, the applicant was deemed "complete". Under the current proposal, since JSSD is a minority owner, it was decided by United Park City Mines to create a much smaller lot in order to maintain separate ownership and to reflect accurately the current ownership interests.

Analysis

Planning Staff finds there is good cause for the Condominium plat. Lot 1 of the Ontario Mine Bench Subdivision is which is 2.01 acres, contains the existing Mine Bench building (Number 3 shaft site) which is currently used by JDSS (Main building and Hoist Building) and the balance of such is the old Silver Mine Adventure Building. Lot 2, which is 19.22 acres, includes a maintenance building, and office building, a salt storage yurt, and a parking lot. The remaining lands remain undeveloped.

The existing Mine Bench building has access to Marsac Avenue through a recorded access easement through Lot 2 of the Mine Bench Subdivision. The access easement currently exists in the form of a driveway that begins towards the southern end of Lot 2. The driveway is also easement for several utilities (water, sewer, etc.) as well as an access easement for the City to gain access to the Judge Tunnel Water source, which sites on an adjacent property to the north.

Allowed uses within the building are subject to those as outlined in Section 15-2.7-1 of the LMC. The ROS Zone has only one "permitted" use which is "Conservation Activity". The Code also lists several Conditional Uses. Among the Conditional Uses listed are "Essential Municipal Public Utility Use, Facility, Service, and Structure, greater than 600 sq. ft. and "Resort Support Commercial" which is what a majority of the property is used for. The portion of the building used by JSSD would fall under "Public Utility uses" and the existing "Mine Bench Bakery" falls under the "Resort Support" category as previously determined by the Planning Director, Thomas Eddington. No Conditional Use Permits will be required for any of the existing uses due to the fact that they were considered either conforming to the ROS zone, or legal-nonconforming when the property was annexed in 1999.

In February 2008, the City received a code violation complaint about a bakery in operation inside of the Mine Bench Building. Soon after the complaint was filed an application for a business license for the "Mine Bench Bakery" was received by the Finance Department. Ultimately the business license was denied due to the fact that there was no Conditional Use Permit on file for business. The owners of the bakery, Talisker, argued that the bakery had been in place since the closure of the "Silver Mine Adventure Tour" and that it simply utilized the existing kitchen that had previously been permitted when the property was still in the unincorporated county. In researching the Bakery, the City discovered that a portion of the Mine Bench building had been sold to JSSD. The owners were ultimately informed that a Subdivision and Condo-Plat were necessary to mitigate all of the issues. Once the Condo-Plat is approved, a business license for the bakery will be issued due to the fact that the use is not in question, but the nonconformities due to the sale of the property without a subdivision, are.

Current uses of each unit is consistent with the allowed and conditional uses section of the ROS zone designation, and such uses were acknowledged during the original annexation of the property in 1999, with the exception of the bakery that was determine by the Planning Director to be a legal non-conforming use. Furthermore, the bakery is within compliance with the previous use of the building as a kitchen with a commercial license as an accessory to the previous use as the "Silver Mine Adventure" tour and continues today as a resort support use to the Empire Pass, and other resorts.

Any proposed changes to the uses within the building that fall under the uses specified within the ROS zone will likely be subject to a "Conditional Use Permit", uses not listed as "permitted" or "conditional" would not be allowed.

Process

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 project has gone through an interdepartmental review. All of the issues raised by the Development Review Committee (DRC) have been addressed in the previous subdivision plat request.

Notice

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

Public Input

No public input was received at the time of writing this report. Public input may be taken at the regularly scheduled Planning Commission public hearing and at the Council meeting May 14, 2012.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the Ontario Mine Bench Condominiums as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Ontario Mine Bench Condominiums and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on Ontario Mine Bench Condominiums to a date-certain.

Significant Impacts

There are no significant fiscal or environmental impacts from this application. Potential environmental impacts will be mitigated by the fact that there is no new construction proposed on the property.

Consequences of not taking the Suggested Recommendation

The proposed condominium plat would not be recorded and the ownership of the building would still be split by deed as previously recorded.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the Ontario Mine 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 – Proposed Condominium Plat
Exhibit B – Mine Bench Building information

Draft Ordinance

Ordinance No. 12-

**AN ORDINANCE APPROVING THE ONTARIO MINE BENCH CONDOMINIUMS
LOCATED AT 7700 MARSAC AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of property located at 7700 Marsac Avenue have petitioned the City Council for approval of the Ontario Mine Bench Condominiums; and,

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

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

WHEREAS, the Planning Commission held a public hearing on April 25, 2012, to receive input on the proposed three-unit condominium plat located at the aforementioned address; and,

WHEREAS, the Planning Commission, on the aforementioned date, forwarded a recommendation to the City Council; and,

WHEREAS; the City Council, held a public hearing on May 14, 2012; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Ontario Mine Bench Condominium plat as proposed.

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 Ontario Mine Bench Condominium plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 7700 Marsac Avenue within the Recreation Open Space (ROS) Zoning District.
2. The property was annexed into the City in 1999 under the June 24, 1999 Flagstaff Mountain area annexation.
3. The applicants are proposing to create a three-unit condominium plat that will separate the ownership of the existing Mine Bench (number 3 shaft) building.
4. The condominium plat is necessary to correct the noncompliant issue with the previous deed to split the ownership of the building.

5. The condominium plat consists of one parcel of 2.01 acres which has one building connected by common walls and infrastructure and surrounding open space that will be held in common for the use of all property owners.
6. Any expansion of the existing building will require an amendment to the condominium plat.
7. The building is accessed through an existing recorded access easement and common use driveway that traverses Lot 2 of the Ontario Mine Bench Subdivision which leads to Marsac Avenue.
8. The condominium plat consists of one building with 3 units, one of which is attached by infrastructure, and there is no further development proposed at this time. Any future development will be subject to the allowed or conditional uses listed in the ROS zone under Section 15-2.7 of the LMC.
9. The proposed condominium plat will not create any nonconformity with respect to unit size or setbacks permitted by the ROS zone.
10. Current uses of each unit is consistent with the allowed and conditional uses section of the ROS zone designation, and such uses were acknowledged during the original annexation of the property in 1999.
11. There is good-cause for the approval of this condominium plat in that the proposed plat will meet the requirements as outlined in the ROS Zone designation, the plat will memorialize a previous deed transfer that was not recognized by the City, and that the condominiums will not cause nonconformity with respect to existing setbacks, etc.
12. The proposal does not result in new development and thus requires no removal of vegetation or grading of the site. There is no anticipated increased level of intensity of uses within the building, and thus there is no additional mitigation measures necessary at this time.

Conclusions of Law:

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

Conditions of Approval:

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 condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. Modified 13-D sprinklers will be required for any future renovation of the existing structures located on the property.
4. The applicant will need obtain a building permit from the Park City Building Department to make necessary improvements to the existing building required to separate the ownership of each unit, prior to the recordation of the condominium plat.
5. Final CC&R's must be reviewed and approved by the City Attorney prior to the recordation of the plat and the subsequent CC&R's.
6. Compliance with applicable conditions of approval for the Ontario Mine Bench Subdivision shall also apply.

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

PASSED AND ADOPTED this 14th day of May, 2012.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

ATTEST:

Jan Scott, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491 as prescribed by the laws of the State of Utah. I have personally surveyed and laid out the plat of the ONTARIO MINE BENCH CONDOMINIUMS, a Utah Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

JOHN DEMKOWICZ, L.S. #154491
DATE _____

BOUNDARY DESCRIPTION

Lot 1 of the Ontario Mine Bench Subdivision, according to the official plat thereof on file and of record in the office of the Summit County Recorder, said parcel being more particularly described as follows:

A parcel of land located in the southeast quarter of Section 21 and the northeast quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.
Beginning at a point that is North 88°09'24" East 786.35 feet along section line and North 253.12 feet from the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 72°09'01" East 140.87 feet; thence South 17°44'51" West 87.94 feet; thence South 74°16'45" East 76.24 feet; thence South 15°43'15" West 20.66 feet; thence South 74°16'45" East 85.41 feet; thence South 15°43'15" West 138.48 feet; thence North 74°16'45" West 95.41 feet; thence South 15°26'59" West 137.02 feet; thence North 74°33'01" West 134.74 feet; thence North 15°26'59" East 77.13 feet; thence North 09°52'00" East 70.89 feet; thence North 80°08'00" West 43.59 feet; thence North 09°52'00" East 70.89 feet; thence North 14°44'25" West 205.98 feet; thence North 72°09'10" East 104.14 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, the undersigned, is the owner of The Ontario Mine Bench Condominiums and as owner of the Common Area described herein does hereby certify that it has caused this survey to be made and this Condominium Plat of Ontario Mine Bench to be prepared and recorded in accordance with the provisions of the Utah Condominium Ownership Act.

In witness whereof the undersigned has executed this certificate and dedication this _____ day of _____ 2012.

UNITED PARK CITY MINES
A Delaware Limited Liability Company
By: _____
Title: _____

ACKNOWLEDGMENT

This instrument was acknowledged before me this _____ day of _____ 2012, by _____ the _____ of UNITED PARK CITY MINES, a Delaware Limited Liability Company.

Notary Public: _____
Printed Name: _____
Residing in: _____
My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: that the undersigned is the Owner of the herein described tract of land, and hereby causes the same to be divided into lots together with easements and public rights-of-way as set forth on the plat, hereafter to be known as LOT 1 ONTARIO MINE BENCH CONDOMINIUMS.

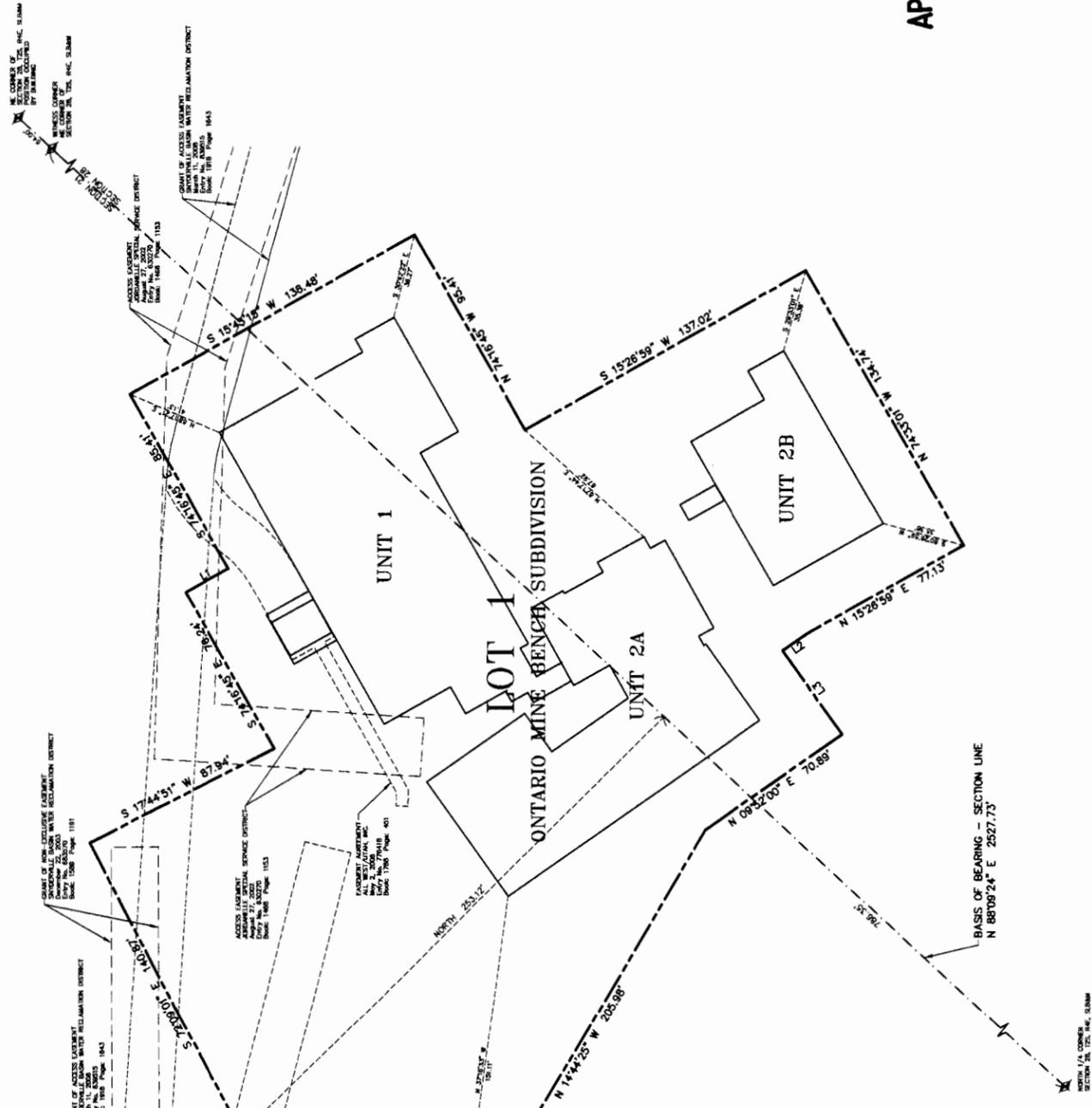
In witness whereof the undersigned has executed this certificate and dedication this _____ day of _____ 2012.

JORDANELLE SPECIAL SERVICE DISTRICT
By: _____

ACKNOWLEDGMENT

This instrument was acknowledged before me this _____ day of _____ 2012 by _____ of _____, a Notary Public commissioned in Utah, that he signed the foregoing Owner's Consent to Record on behalf of the corporation with full authority of its bylaws.

A Notary Public commissioned in Utah
Reading in: _____
Printed Name: _____
My commission expires: _____



LINE	BEARING	DISTANCE
L1	S 15°43'15" W	20.66
L2	N 09°48'17" E	11.65
L3	N 80°08'00" W	43.59

NOTE
See the plat of ONTARIO MINE BENCH SUBDIVISION for easements and other information.

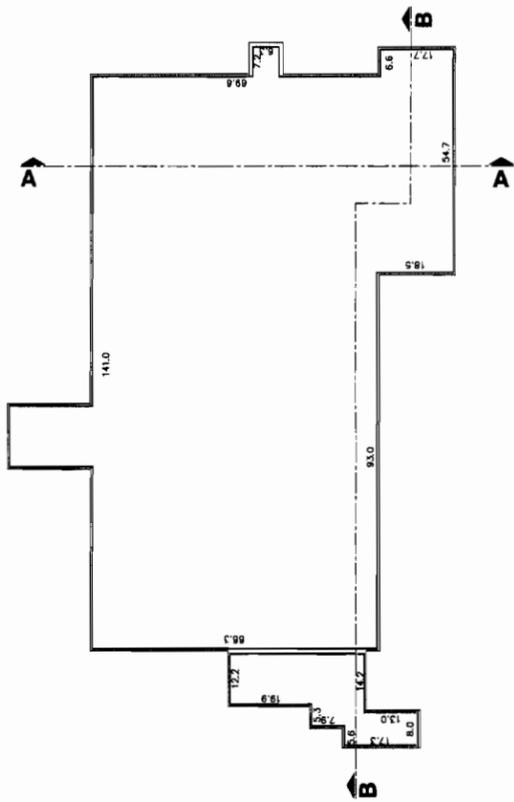
APR 13 2012

ONTARIO MINE BENCH CONDOMINIUMS

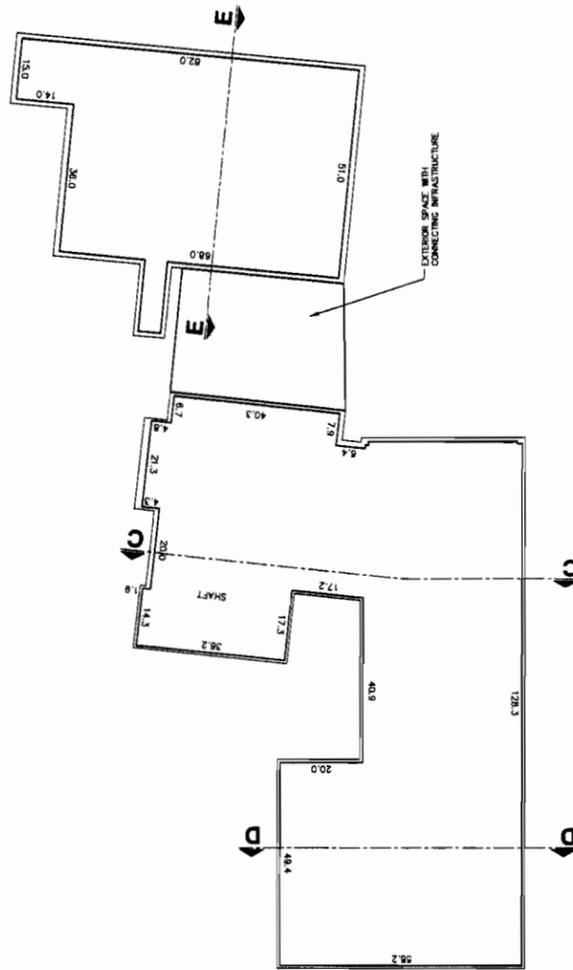
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21 AND THE NORTHEAST QUARTER OF SECTION 28 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 2

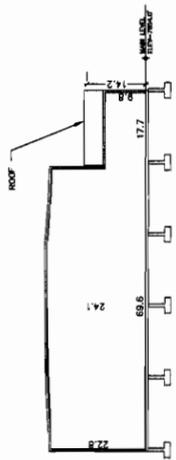
<p>(435) 646-4467 Alorac Engineering Inc. CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 303 Main Street P.O. Box 2864 Park City, Utah 84002-2864</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2012 A.D. BY _____ S.B.W.R.D.</p>	<p>PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2012 A.D. BY _____ CHAIRMAN</p>	<p>ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2012 A.D. BY _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____ 2012 A.D. BY _____ PARK CITY ATTORNEY</p>	<p>CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 2012 A.D. BY _____ PARK CITY RECORDER</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2012 A.D. BY _____ MAYOR</p>	<p>RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER _____</p>
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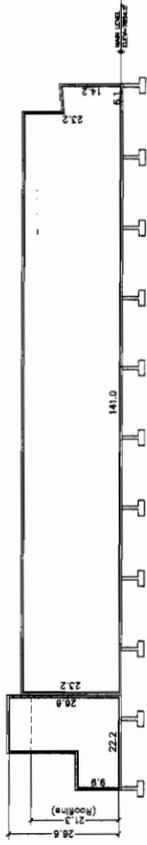
UNIT 1 PLAN VIEW



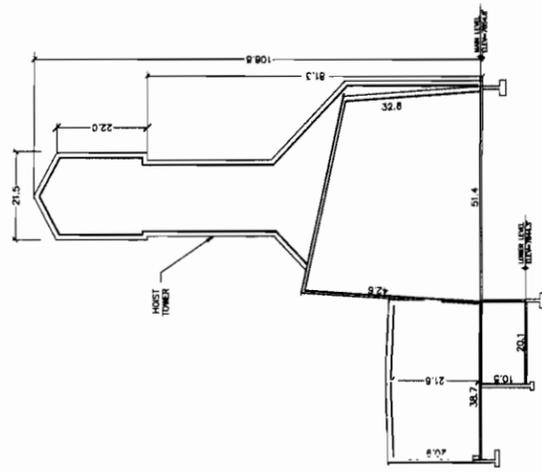
UNITS 2A & 2B PLAN VIEW



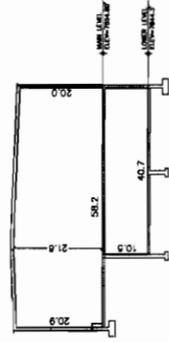
SECTION A



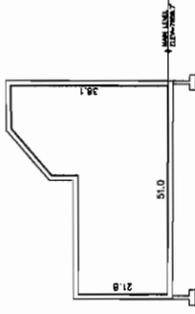
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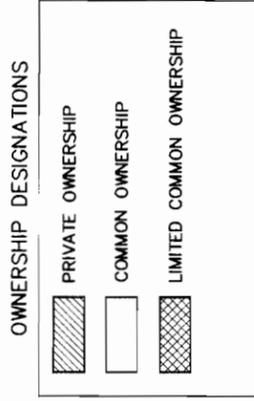
SECTION C



SECTION D



SECTION E



APR 13 2012



ONTARIO MINE BENCH CONDOMINIUMS



JOB NO.: 1-5-10 FILE: X:\Empire\dwg\src\plot2010\010510-condo_4-11-12.dwg
4/13/12
RECORDED

SHEET 2 OF 2

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

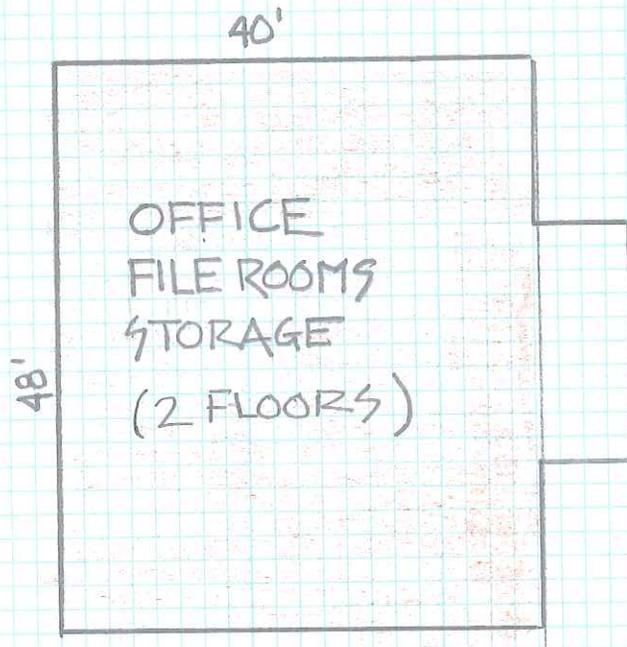
DATE _____ TIME _____ BOOK _____ PAGE _____

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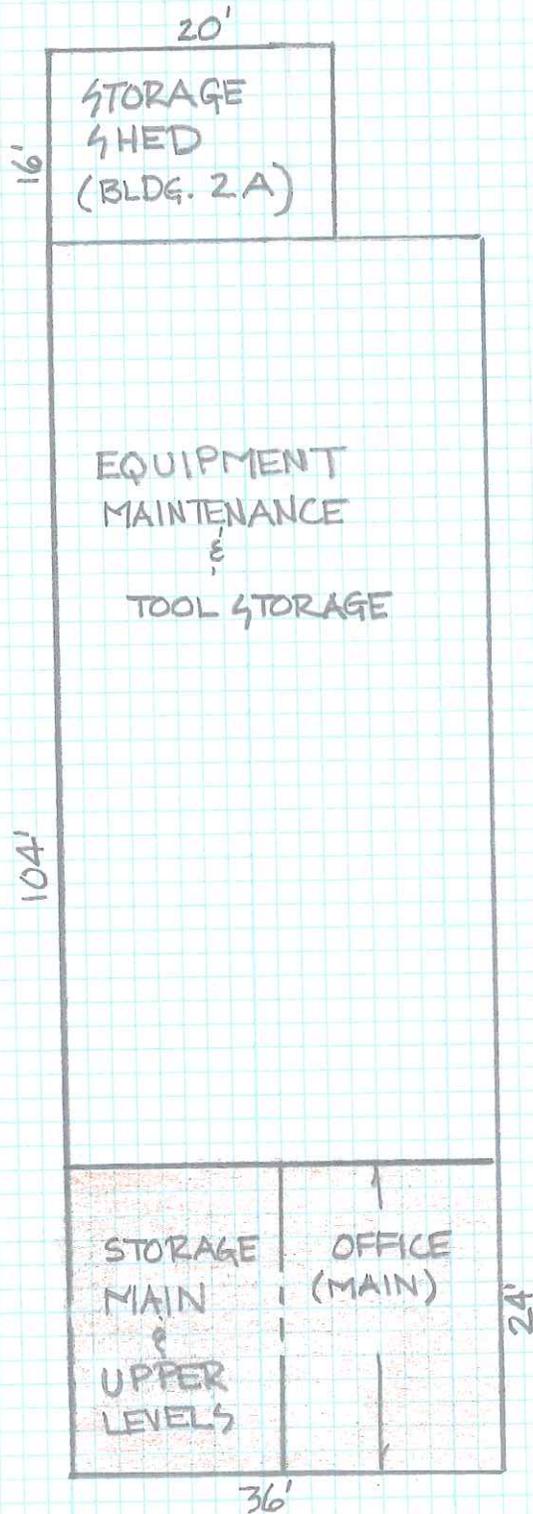
United Park City Mines – Mine Bench Facilities

<u>Building</u>	<u>Description</u>	<u>Square Feet</u>
1	<ul style="list-style-type: none"> Offices, File Rooms and Storage (including administrative, property management, archives) 	4,000
<hr/>		
2	<ul style="list-style-type: none"> Equipment Maintenance and Tool Storage 	2,880
	<ul style="list-style-type: none"> Office 	430
	<ul style="list-style-type: none"> Storage 	1,300
2a.	<ul style="list-style-type: none"> Attached Storage Shed 	320
2b.	<ul style="list-style-type: none"> Detached Storage Structure 	900
<hr/>		
3	<ul style="list-style-type: none"> Storage (exhibits, materials, records, and miscellaneous) 	10,140
	<ul style="list-style-type: none"> Office 	1,000
	<ul style="list-style-type: none"> Maintenance / Workshop 	2,100
	<ul style="list-style-type: none"> Kitchen / Bakery (including employee meals, company food, desk area, food prep area, special events) 	1,875
	<ul style="list-style-type: none"> Restrooms 	720
	<ul style="list-style-type: none"> Communications Room 	300

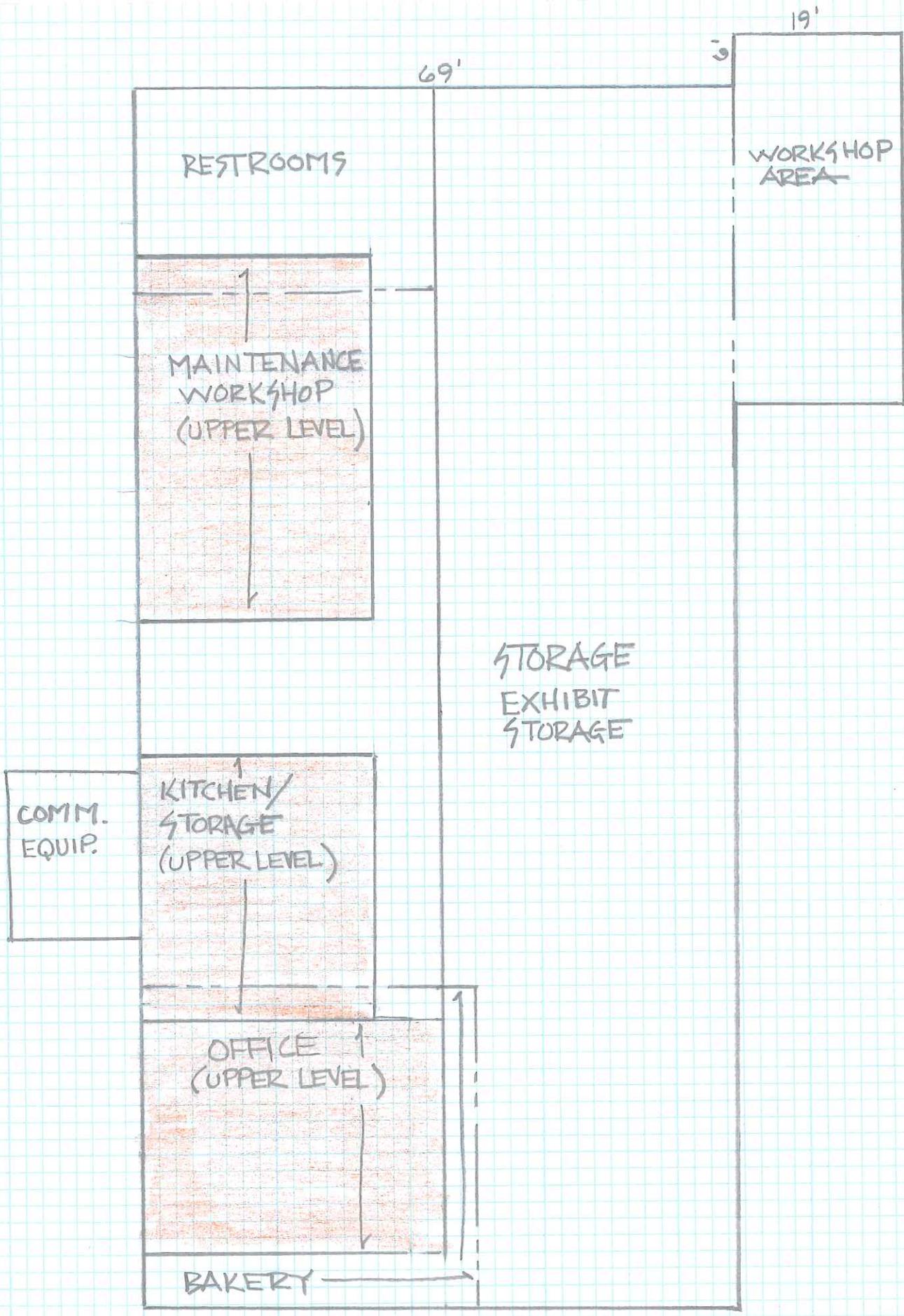


BUILDING #1

NOTE: BLDG. 2B LOCATED TO THE NORTH IS A 30'x30' DETACHED STORAGE STRUCTURE



BUILDING #2



BUILDING #3



Planning Commission Staff Report

Subject: QUINN'S JUNCTION PARTNERSHIP
ANNEXATION AND ZONING
Date: April 25, 2012
Project Number: PL-12-01473
Type of Item: Annexation and Amendment to Zoning Map

Summary Recommendations

Staff recommends that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council on the Quinn's Junction Partnership Annexation and Zoning with the findings and conditions in the Draft Ordinance.

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, offices/retail, hotel, and associated uses

Proposal

The applicant is requesting annexation into Park City of a 29.55 acre parcel of undeveloped land, for the purpose of constructing and operating a movie studio, a hotel, and associated uses. 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 with access to SR 248. Proposed zoning is Community Transition-Regional Commercial Overlay (CT-RCO) for the entire parcel (Exhibit A).

The property is subject to a County Settlement Agreement and a City Annexation Agreement. **(Refer to previous staff reports regarding the proposal and agreements. All previous staff reports, exhibits, and minutes are available on the City's web site www.parkcity.org or from the Planning Department).**

Background

At the April 11th meeting the Planning Commission conducted a public hearing and discussed additional design and MPD elements as well as compliance with the General Plan (Exhibit D). Specifically, the following items were discussed:

- Revisions to the site plan, building placement and massing, height and sizes, elevations and the typical wall sections as requested at the March 28th meeting, showing heights of all of the different roof elements.
- The building overlay to compare the size of the hospital and other buildings across the road to the Studio site.
- Additional site plan exhibits, open space calculations and utility drawings.
- Fencing images, updated to include the lineal length of fencing proposed.
- Revised architectural, zoning and precedent image exhibits (materials, colors, etc) modified to eliminate images the Planning Commission was not interested in pursuing. Focusing more on the sound stage and surrounding buildings than the hotel or public mixed use area.
- A visual analysis view from the south, from the public ROW of US 40 in the Park City Heights area looking north, however not from the private land of PC Heights. (The applicant will provide at the meeting visual from the entrance to the PC Heights subdivision.)
- Additional information regarding the movie studio uses, in terms of what occurs, when it occurs, and how the site will likely be used, typical activities, etc. The Commission expressed a desire to hear from the operator (Raleigh Studios) of the proposed studio to understand the facts as they pertain to this proposed studio (the applicant will provide a letter).
- Parking, in terms of number of spaces, requirements of the code, landscaping requirements for parking lots, lighting, and required snow storage areas based on code requirements (additional information will be provided).
- Parking, in terms of pursuing state funding for placing parking in a structure or underground, as well as phasing parking by not constructing it all, but phase it as needed.
- Traffic and access to SR 248 (the applicant will provide additional information from UDOT and the revised traffic study was sent to the Commission electronically).
- General Plan compliance with identified goals (as further described in this report and documented in the Minutes).

Discussion

The Planning Commission is tasked with a difficult balancing act with this decision. The Commission must decide whether local authority over site planning and design and limiting commercial uses consistent with and hopefully in partnership with the Sundance Film Festival, are worth waiving certain conditions in exchange for others. As a legislative act, qualified by the express conditions of the County Settlement Agreement, this decision is a unique tool for the City to use to protect its entry corridor and the City's fundamental planning and sustainability principles. The important decision is whether or not to bring

into the City a gateway parcel that is identified on the City's Annexation Declaration Boundary map as a parcel that should be within the City limits.

The General Plan (1997/2005) designates the QJP parcel as a potential "Commercial Receiving Zone" as part of the Park City Land Use Plan. The Annexation Agreement (as part of the broader County Settlement Agreement) waives several conditions typically applied to annexations and MPDs by local code. The Council made a determination that these provisions were not applicable due to the vested rights of prior County applications. This 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 be warranted when "unusual or unique circumstances may emerge from time to time where special conditions may apply."

Due to the unique circumstances, existing agreements between the property owner and the City Council, and the opportunity to bring this important gateway parcel into the City limits for this development as well as any future development or for any changes to this development, Staff recommends the Planning Commission consider forwarding a positive recommendation to City Council with conditions as outlined in the attached draft Ordinance.

That said, and given the Planning Commission discussions at the public hearings on March 14th, March 28th, and April 11th regarding compliance with the General Plan, Staff understands that the Planning Commission gave direction that they will forward a negative recommendation to City Council. The Planning Commission requested findings that support a negative recommendation because the Commission believes that they do not have the tools to forward a positive recommendation on an annexation/MPD that does not strictly comply with the General Plan. Planning Staff has provided such findings below.

The Planning Commission also indicated that they would like to forward conditions of approval along with the negative recommendation, in the event that City Council approves the Annexation. Staff has included these conditions in the attached draft Ordinance.

Findings for a Negative Recommendation

1. The proposed Annexation and Zoning does not comply with the Park City General Plan in that the proposed Raleigh Studios MPD development is specifically attached by Agreement to this Annexation and creates the following compliance issues :
 - a. The proposed development is primarily an independent studio/warehouse use and as such is not a neighborhood or resort commercial use. The hotel and other support uses have the primary purpose of supporting the studio activity as opposed to resort economy and general plan principles.

- b. The proposed development is primarily commercial and will substantially increase traffic on Highway 248 and the traffic impacts have not been sufficiently mitigated.
 - c. The proposed development does not meet the CT zone requirements for open space, parking, and setbacks due to the Settlement Agreement. These elements were alluded to in the goals for this planning area that became the CT zone.
 - d. The development does not enhance the visual experience for visitors and residents using this entrance to the City because the massing, density and setbacks are not compatible with adjacent properties due to the waiver of zone requirements.
 - e. The development does not improve vehicular access to this planning area with signalized intersections and grade separated trail crossings. Proposed additional access points without signalization will compound conflicting traffic movements and create additional traffic volume and back-ups.
 - f. The development proposes 3 entrances and does not limit driveways and intersections on Highway 248.
 - g. The development does not provide a diversity of housing opportunities.
 - h. The development does not retain the community amenity, enhance the open space buffer around the City, or preserve the gateways to the City.
 - i. The development does not preserve the mountain resort and historic character of Park City.
 - j. The development is not a case of working effectively with other government agencies to achieve goals of the General Plan.
 - k. The development does not maintain the unique identity and character of an historic community.
 - l. The development does not manage the amount, rate, form and location of growth.
2. The unique circumstances due to the County Settlement Agreement and visioning “gets” (design control of county vested rights/density on the City’s entry corridor, political jurisdiction over the property long term, economic impacts/fees/taxes, and protection of adverse impacts on the Sundance Film Festival) are beyond the Planning Commission’s authority to support the waiver of specific General Plan elements and goals and CT zone as outlined above.
 3. However, should the City Council determine to annex the property based upon #2 above, the Planning Commission recommends the Conditions of Approval as included in the attached draft Ordinance.

Conclusions of Law

1. The proposed annexation is not consistent with the Annexation Policy Plan, Quinn’s Junction Study Area, and the Park City General Plan (2005).
2. The annexation would harm the health, safety and welfare of the residents

of Park City.

Department Review

This item has been reviewed by the Development Review Committee and issues raised by the Committee and by the Planning Staff have been provided to the applicant and incorporated into the plans.

Notice and Public Input

The property was posted and notices were mailed and published in the Park Record according to requirements for annexations in the Land Management Code and Utah Code.

At the April 11th meeting the Planning Commission conducted a public hearing and received input regarding 1) the need for sufficient controls to keep the ambience of Park City in this area that guests and residents enjoy, 2) the importance of understanding traffic impacts, and 3) holding the development to high standards to ensure that the development is an amenity that contributes to the community.

Future Process

The applicants agreed to a 30 day extension of the deadline to May 25th (Day 120) from January 26th (Day 1). Staff outlines the possible timeline as follows:

- The City Council is the final decision maker regarding annexation of land into Park City. A site visit with Council will be scheduled for May 3rd. Staff will notice public hearings for May 17th and 24th (**Day 112 and 119**).
- Final action by the City Council on the Annexation, including the zoning and MPD review is anticipated on May 24th (**Day 119**).
- If the Annexation is approved then other items are required prior to issuing a building permit for the development. These items include a final subdivision plat, an administrative conditional use permit with CUP criteria and architectural design review (and compliance with any conditions of approval identified in the Ordinance and/or Development Agreement), utility plans and site work approval, and building permit review by Planning, Building, Engineering, etc.

Recommendation

Staff recommends that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council on the Quinn's Junction Partnership Annexation and Zoning with the findings and conditions in the Draft Ordinance.

Alternatives

- The Planning Commission may forward a positive recommendation to City

Council on the proposed Annexation and zoning per findings and conditions as identified in the draft Ordinance (with any further amendments by the Commission at the meeting).

- The Planning Commission may forward a negative recommendation per findings outlined in this report and also forward conditions of approval as outlined in the draft Ordinance, in the event that the City Council votes to approve the Annexation (with any further amendments by the Commission at the meeting).
- If the Planning Commission fails to vote on the annexation, the matter will move on to the City Council with a negative recommendation.

Exhibits

Draft Ordinance

Exhibit A- Vicinity Map showing the zoning, city limits, and Annexation

Declaration Boundary

Exhibit B- MPD Concept Plans from April 11th meeting (Final revised plans will be provided under separate cover)

Exhibit C- Amended Traffic Study Summary by Hales Engineering dated March 2012 (full study provided electronically and also available at the Planning Department)

Exhibit D- Minutes of the April 11, 2012 meeting (attached to this PC packet)

Ordinance 12- DRAFT

AN ORDINANCE ANNEXING APPROXIMATELY 29 ACRES OF PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE SR248 AND US40 INTERCHANGE IN THE QUINN'S JUNCTION AREA, KNOWN AS THE QUINN'S PARTNERSHIP ANNEXATION, INTO THE CORPORATE LIMITS OF PARK CITY, UTAH, AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY TO ZONE THE PROPERTY COMMUNITY TRANSITION (CT) WITH A REGIONAL COMMERCIAL OVERLAY (RCO) DESIGNATION

WHEREAS, on January 24, 2005, the property owner, Quinn's Junction Partnership, of the property shown on the attached Annexation Plat "Exhibit A", the "Property"), first petitioned the City Council for approval of an annexation into the Park City limits; and

WHEREAS, the Property is approximately 29 acres in area and is located southwest of the intersection of State Road 248 and US-40 as described in the attached Legal Description "Exhibit B"; and

WHEREAS, the Property is included within the Park City Annexation Expansion Area, and is not included within any other municipal jurisdiction; and

WHEREAS, on January 17, 2012, an Annexation Agreement "Exhibit E" was entered into by and among the Quinn's Junction Partnership and Park City Municipal Corporation; and

WHEREAS, on January 18, 2012, Summit County and the Quinn's Junction Partnership executed a Settlement Agreement "Exhibit D" regarding vested development rights for this parcel; and

WHEREAS, on January 20, 2012, a revised annexation petition, including a zoning map amendment request to zone the property Community Transition (CT) with a Regional Commercial Overlay (RCO) was submitted. Additional information related to the annexation petition and the Master Planned Development for a 374,000 sf (Gross Floor area as described in the January 17, 2012 Annexation Agreement) movie studio campus, with associated uses and a 100 room hotel, was submitted to the City, and the submittal was deemed complete; and

WHEREAS, the Park City Council accepted the Quinn's Junction Partnership Annexation petition on January 26, 2012; and

WHEREAS, the City reviewed the petition against the criteria stated in Sections 10-2-403 (2), (3), and (4) of the Utah Code, annotated 1953 as amended, and found the petition complied with all applicable criteria of the Utah Code; and

WHEREAS, On February 2, 2012, the City Recorder certified the annexation petition and delivered notice letters to the "affected entities" required by Utah Code,

Section 10-2-405, giving notice that the petition had been certified and the required 30-day protest period had begun; and

WHEREAS, no protests were filed by any “affected entities” or other jurisdictions within the 30-day protest period and the petition was considered accepted on March 5, 2012; and

WHEREAS, the Planning Commission, after proper notice, conducted public hearings regarding the Annexation petition application on March 14 and 28, and April 11 and 25, 2012; and

WHEREAS, on April 25, 2012, the Planning Commission voted to forward City Council a _____ recommendation on the proposed annexation and zoning of Community Transition (CT) with a Regional Commercial Overlay (RCO) as described in the Annexation Agreement; and

WHEREAS, on May ___ and May ___, 2012, the City Council conducted public hearings and discussed the annexation, MPD, and zoning map amendment and took public testimony on the matter, as required by law; and

WHEREAS, the January 17, 2012, Annexation Agreement outlines parameters, conditions, and restrictions regarding the Master Planned Development (the “Proposed MPD”) on the 29 acres for a film and media campus, with associated uses; and

WHEREAS, the MPD Plans dated _____ as “Exhibit F” submitted by the Applicant, set forth further conditions, design objectives and standards, building massing and articulation, site plan requirements, landscaping and buffering, materials, and other specific items that have a goal of enhancing rather than detracting from the aesthetic quality of the entry corridor; and

WHEREAS, a Development Agreement, between the City and Petitioner pursuant to the Land Management Code, Section 15-8-5 (C), setting forth further terms and conditions of the Annexation and Master Planned Development is herein included as Exhibit G.

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

SECTION 1. ANNEXATION APPROVAL. The Property is hereby annexed into the corporate limits of Park City, Utah according to the Annexation Plat executed in substantially the same form as is attached hereto as “Exhibit A” and according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated below.

The Property so annexed shall enjoy the privileges of being in Park City as described in the Annexation Development Agreement attached as “Exhibit G” and shall be subject to all City levies and assessments as described in the terms of said Annexation Development Agreement.

The Property shall be subject to all City laws, rules and regulations upon the effective date of this Ordinance.

SECTION 2. ANNEXATION DEVELOPMENT AGREEMENT. Council hereby authorizes the Mayor to execute the Annexation Development Agreement in substantially the same form as is attached hereto as “Exhibit G” and as approved by the City Attorney.

SECTION 3. COMPLIANCE WITH STATE LAW, GENERAL PLAN, AND ANNEXATION POLICY PLAN. This annexation meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code, the Park City General Plan, and The Annexation Policy Plan - Land Management Code Chapter 8, Annexation. The CT zoning designation with Recreation Commercial Overlay (RCO) is consistent with the Annexation Agreement approved by the City Council and executed on January 17, 2012.

SECTION 4. OFFICIAL PARK CITY ZONING MAP AMENDMENT. The Official Park City Zoning Map is hereby amended to include said Property in the CT zoning district, with an RCO overlay as shown in “Exhibit C”.

SECTION 5. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND CONDITIONS OF APPROVAL.

Findings of Fact

1. The property is subject to the January 17, 2012 Annexation Agreement between Park City and Quinn’s Junction Partnership which sets forth certain requirements and waivers for the MPD development. These waivers are due to pre-existing vesting in Summit County and the terms of the January 18, 2012 County Settlement Agreement.
2. Land Uses proposed in the MPD Plans include a 100 room/key hotel and associated lodging uses, a film studio campus with sound stages, and associated uses, including support commercial, recording studio, outdoor stage amphitheater, enclosed atrium area between the hotel and ballroom/meeting space, screening rooms and theater, mixed use office/retail/entertainment, sound stages and associated offices, workshops, and production support and offices. The Gross Floor Area allowed per the Annexation Agreement is 374,000 square feet. Exceptions to the Floor Area, including porches, balconies, patios and decks, vent shafts, courts, and one atrium subject to further restrictions, are spelled out in the Annexation Agreement.
3. Proposed uses as identified in the MPD Plans (Exhibit F) are consistent with the January 17, 2012 Annexation Agreement.
4. The Planning Commission may decrease the number of Off-Street Parking Spaces within the MPD based upon a parking analysis and recommendation from the Planning Department per Section 15-6-5 (E).

Conclusions of Law

1. Due to the unique circumstances of the terms and conditions of the County Settlement Agreement, the Annexation and Zoning Map amendment are consistent with the Annexation Agreement (Exhibit D), Annexation Policy Plan, Quinn’s Junction Study Area, and the Park City General Plan (2005).
2. Approval of the Annexation and Zoning Map amendment does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The Official Zoning Map shall be amended to designate the Quinn’s Junction Partnership Annexation property with Community Transition (CT) zoning, with a

Recreation Commercial Overlay (RCO) limited to the commercial uses of the MPD approved herein.

2. The attached Exhibits, including the Annexation Development Agreement, shall be fully executed and recorded at Summit County, along with the Annexation Plat.
3. The Master Planned Development Plans hereby approved and all final design, CUP and building permits shall comply with all applicable Land Management Code "LMC" provisions that are not contrary to the Annexation Agreement.
4. The required administrative Conditional Use Permit application for final design shall be reviewed for consistency with the MPD Plans package, these conditions of approval including site design, building massing and height, setbacks, architectural design and vernacular, materials, colors, landscaping, lighting, fencing, grading, berming, trails, circulation for buses and emergency vehicles, parking and phasing, etc. and conditions of the Annexation Development Agreement. Rendered elevations, material and color samples, shall be provided for Planning Department review prior to approval of the Conditional Use permit. Maximum building height of Building 8 (formerly Pad 7) is limited to 50 feet unless a production contract is entered into in compliance with Paragraph 2.5(e) of the Annexation Agreement. Final Architectural Review pursuant to 15-2.23-6 shall be concurrent with the CUP. Commissioner Jack Thomas shall participate in the CUP as a liaison for purposed of further input on final design and architectural elements.
5. A landscape plan, provided by a licensed landscape architect, and including landscape site design and materials consistent with those identified in the MPD Plan package is required to be submitted with the Conditional Use Permit application. The landscape plan shall identify grading, heights, and undulation of the perimeter berming to soften the view of the commercial structures. The landscape plan shall include a planting plan and an irrigation plan. Ground cover for green roofs shall also be included in the landscape plan. Perimeter landscaping should be of a substantial size and shall be reviewed and approved by the City Arborist and Landscape Architect.
6. Parking lot and all other exterior lighting shall meet requirements of the LMC with additional restrictions on the overall wattage, automatic timers, and lighting designed in zones to comply with best lighting practices as recommended by the Dark Skies organization. A lighting plan, provided by a qualified lighting professional, shall be submitted with the Conditional Use Permit application.
7. Security fencing on the property perimeter shall not exceed 7' in height and shall generally be 5' to 6' in height and shall not include razor wire or other details that read as "high security" fencing. Use of electronic monitoring is allowed. Fencing details shall be provided with the Administrative Conditional Use Permit application and shall be consistent with the Final MPD Plan Package (page ____) in terms of location, design, materials, colors, and extent. Taller security walls interior to the site may be allowed as an integrated part of the security gates, buildings, landscaping, and are consistent with the architectural design.
8. All vehicular access points to the development from SR-248 shall comply with any and all existing Corridor Preservation Agreements. Changes to these Agreements must be approved by the Utah Department of Transportation working cooperatively with Park City Municipal Corporation Transportation Department. The Applicant will be responsible for filing application for required access approvals with the Utah Department of Transportation. Without additional approvals, there will be a single public access to the property at the signalized intersection of Round Valley Drive and SR 248, and emergency access as approved by UDOT, and the Fire and Building

departments.

9. In the event that the western secondary access point is approved, this access shall be located in such a way as to not preclude access to the adjacent City open space parcel. Necessary cross access easements shall be provided, preferably on the subdivision plat, through the public area of the MPD to provide access to the signalized intersection for the City parcel.
10. Traffic Management Plans for special events shall be approved by the City's Special Events staff as well as by the City's Police Departments of Transportation and Public Safety. All necessary special event permits and conditional use permits shall be obtained prior to commencing the Special Event or Master Festival. No overcrowding permits may be granted by the Building Department.
11. Outdoor activities and noise shall be limited to 7AM to 10 PM and shall not exceed the City's noise ordinance, unless otherwise allowed through a Special Event/Master Festival permit in accordance with the Municipal Code.
12. Applicant shall coordinate with UDOT and adjacent property owners to pursue alternative access to the Park and Ride facility from SR 248 east of US 40. This access would provide a true community benefit and would mitigate traffic on SR 248 from US 40 to Richardson's Flat Road. Contributions to this access road could be acknowledged by allowing the development to utilize the Park and Ride lot to further reduce both traffic and parking impacts of the development.
13. The applicant should work with the City and State in good faith to find funding for additional underground parking to mitigate the impact of the large amount of surface parking.
14. At the time of the Administrative Conditional Use Permit application, the applicant shall identify the square footage of all parking areas and all hard surfaced areas. Interior and perimeter parking lot landscaping shall meet requirements of the LMC Chapter 3. Snow storage areas shall be provided in accordance with the LMC Sections 15-3-3(E) and 15-3-4.8(E).
15. At the time of the Administrative Conditional Use Permit application, the applicant shall provide a detailed parking analysis to identify specific uses, square footage, employee, hours of operation, shared parking ratios, and other items that will allow the Planning Staff to understand the parking demands. The parking analysis shall look at the extent to which alternative modes of travel (bus, shuttle, carpool, bike, etc.) can reduce the demand for parking at the site, on a day to day basis. The parking analysis shall also provide information about special events and parking demand. The Planning Commission hereby approves the Staff's initial parking analysis including reductions for shared parking as well as support uses from the number of 957 to 668, based on the information provided with the MPD, 150 of those spaces are proposed underground. Based upon the CUP submittal, the Planning Director may approve a change in the parking up to 20% either way. Any request beyond 20 % for additional parking or further reductions would have to return to the Planning Commission.
16. A phased parking plan shall be provided with the Conditional Use Permit for approval by the Planning Department. The plan shall identify only essential paving with each phase of development, strive to reduce parking demand with various programs and incentives, and strive to find funding for additional underground parking. Prior to building phase 2 parking, the applicant shall provide a professional parking analysis of existing conditions and needs, including established and proposed traffic mitigation.
17. Construction of public trail connections to the Park City Heights Rail Trail connector and trail head amenities as shown on the MPD Plans shall be completed by the applicant and at the expense of the applicant prior to issuance of a certificate of

- occupancy for any building.
18. Bike racks shall be provided for the various uses, as required by LMC Section 15-6, Master Planned Developments (hotel, mixed use, trail head area, sound stage, etc.).
 19. Construction of a bus loop/bus shelter shall be provided prior to issuance of a certificate of occupancy for the hotel or mixed use buildings.
 20. A grading plan shall be submitted with the conditional use permit application. Excavated materials shall remain on site to the greatest extent possible.
 21. Grading of the site, including the undulating berms and swales along SR 248 shall be consistent with the grading proposed in the MPD Plans.
 22. All landscaping, parking lots, driveways, roads, plazas, sidewalks, trails on the property, and other common areas shall be maintained by the property owner, or an Owner's Association, as the City will not maintain such areas.
 23. Recycling centers shall be installed in the hotel, mixed use, and sound stage areas prior to issuance of a certificate of occupancy for the building.
 24. The hotel shall provide shuttle service for guests within Park City and encourage guests to utilize shuttles from the airport as well as around town. The shuttle service shall be in place prior to issuance of a final certificate of occupancy for the hotel.
 25. In accordance with Paragraph 2.5(h) of the Annexation Agreement, the applicant shall pay all applicable fees, including development, Building and Planning, Business licensing, and all other legally imposed fees and taxes collected by City Departments for services, utilities, etc.
 26. A storm water management plan, prepared by a licensed professional, shall be submitted with the Conditional Use Permit application. The plan shall be consistent with best management practices for storm water management, including pre versus post run-off, water oil separators for parking facilities, and 100 year storm event detention on site.
 27. Roof top mechanical equipment shall be architecturally screened from public view.
 28. Trash and recycling enclosures shall be screened with landscaping, fencing, buildings, berms, etc. per the LMC.
 29. Shadow LEED Silver construction per the Annexation Agreement is required; however no third party certification is required.
 30. Area of plazas, pedestrian walk ways, patios, etc. that are heat melted shall utilize PV solar panels to generate the power for such systems if technically and economically reasonably feasible. Solar panels and skylights are allowed on rooftops per the LMC Chapter 5.
 31. Hours of operation shall be proposed and approved by the Planning Director as part of the administrative CUP to mitigate traffic of employee loading and unloading. Support commercial uses, such as food service, deli, café, etc. shall be open during filming hours and office hours to mitigate vehicular trips off site for breaks and lunch.
 32. Additional Building articulation as required by LMC Chapter 5 shall be demonstrated on the final building plans prior to issuance of a building permit.
 33. Permanent power shall be provided for the trailer parking area and the applicant shall use solar PVs if technically and economically reasonably feasible.
 34. A sign plan must be filed with the CUP in compliance with LMC Title 12. No icon, water tower, or billboards are allowed.
 35. Final Subdivision approval shall contain covenants and restrictions (CCRS) in compliance with Paragraph 2.6 of the Annexation Agreement.
 36. Water service is provided by Summit Water, with an emergency connection to the City system. Should City service be necessary in the future, applicant shall pay applicable impact and user fees in effect at such time and make such dedications as required by

LMC 15-8-5(C) (1-3).

37. This MPD approval and zoning approved herein are limited to the terms of the Annexation Agreement and due to the unique circumstances regarding a legal settlement of historic claims in the Summit County Settlement Agreement, such approval shall not be considered precedent for future zoning amendments to this or neighboring properties in the Quinn's/CT zone area. All future development applications, changes in commercial use, or rezone requests shall be processed in accordance with the General Plan, zoning and LMC in effect at the time of application. The densities approved herein shall not be considered in terms of neighborhood compatibility in the event of a rezone or CT amendment request by other properties within the CT zone.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon publication of this Ordinance, recordation of the Annexation Plat and Annexation Agreement, and compliance with state annexation filing requirements, pursuant to the Utah Code Annotated Section 10-2-425.

PASSED AND ADOPTED this ___ day of _____, 2012.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

ATTEST:

Janet M. Scott, CITY RECORDER

APPROVED AS TO FORM:

Mark D. Harrington, CITY ATTORNEY

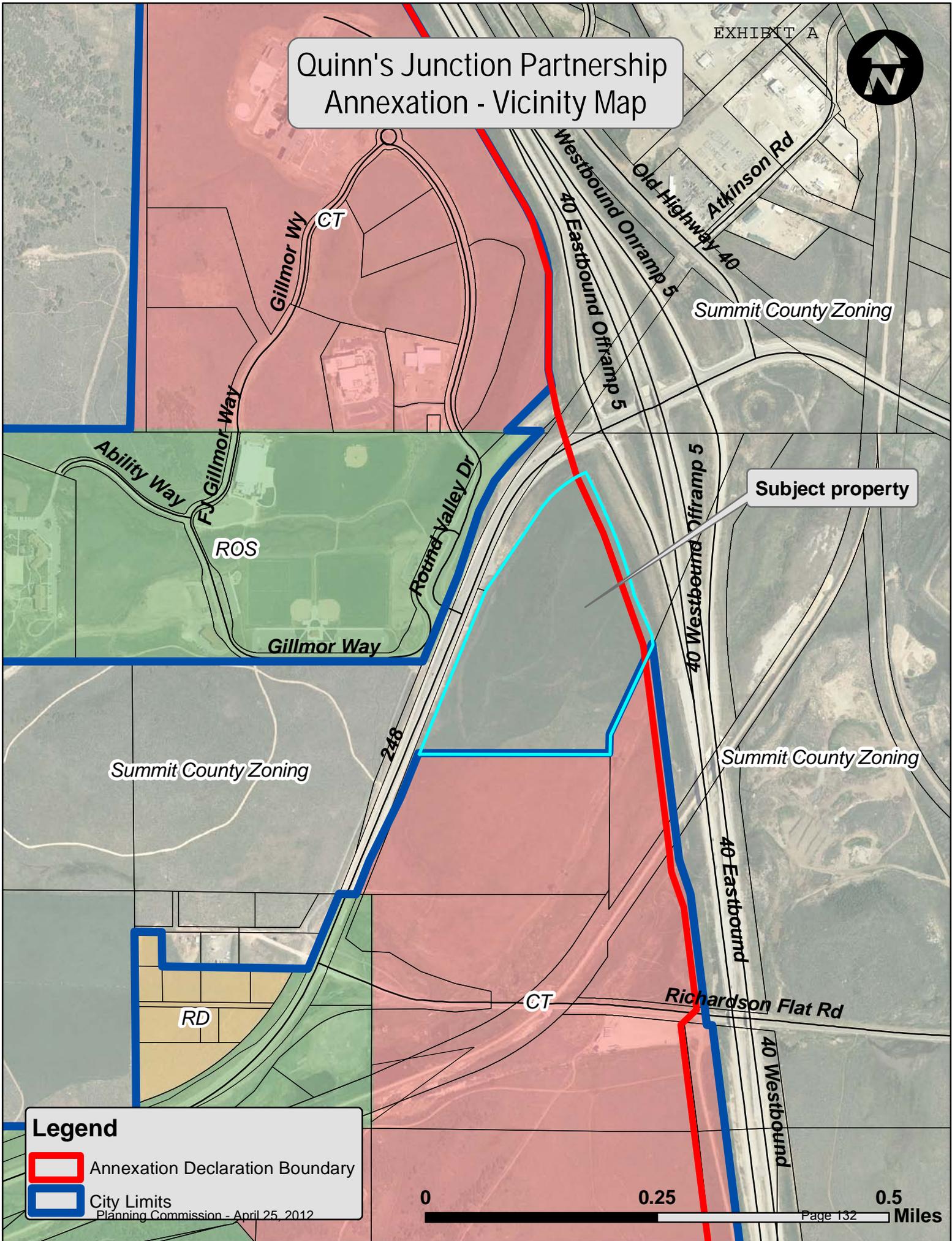
Exhibits to the Ordinance (to be attached prior to recordation)

- Exhibit A- Annexation plat
- Exhibit B- Legal Description
- Exhibit C- Amended Zoning Map
- Exhibit D- County Settlement Agreement executed January 18, 2012
- Exhibit E- Annexation Agreement and Exhibits executed January 17, 2012
- Exhibit F- MPD Plans packet
- Exhibit G- Annexation Development Agreement and Exhibits (being drafted)

Other than Exhibits being drafted, these Exhibits are available at the Planning Department and have been previously been provided to the Planning Commission.



Quinn's Junction Partnership Annexation - Vicinity Map



Subject property

Legend

-  Annexation Declaration Boundary
-  City Limits

Planning Commission - April 25, 2012



Raleigh Studios – Presentation Agenda

- 1 Project Modifications/Revisions
- 2 Building Massing – Heights, Sizes, Elevation and Typical Wall Section
- 3 Existing Building Overlay
- 4 Site Plan Exhibits
- 5 Fencing – Fencing Plan/Precedent Images
- 6 Architecture – Architectural Zones/Precedent Images
- 7 Traffic Study
- 8 Studio Operator Q and A



Raleigh Studios – Conceptual Site Plan

Conceptual Site Plan
03/14/2012 Planning Commission



Raleigh Studios
Park City, UT

Conceptual Site Plan
April 11, 2012

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Conceptual Site Plan
03/28/2012 Planning Commission



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Raleigh Studios – Conceptual Site Plan Revisions



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Raleigh Studios – Conceptual Site Plan

Building Legend

- 1A Hotel Lodging
- 1B Recording Studio
- 1C Stage Venue
- 1D Residence - omitted
- 1E Grand Ball Room
- 1F Atrium
- 2 Screening Rooms/Theater
- 3 Entertainment Venue
- 4 Mixed Use
- 5 Mixed Use
- 6 Sound Effects Stage
- 6A Office, Effects Stage
- 7 Sound Stages
- 7A Workshop
- 7B Production Support/Offices
- 8 Workshop Office



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Raleigh Studios – Building Heights/Sizes

Bldg #	Bldg Use	Sqft (Gross)	Building Hts (Ft)
1A	Hotel Lodging (100 Keys)	112,000	40'
1B	Recording studio	2,500	16'
1C	Stage Venue	700	28'
1D	Residence (Omitted)	0	
1E	Grand Ballroom	16,000	28'
1F	Atrium	0	28'
2	Screening Rooms / Theater	15,000	40'
3	Entertainment Venue	14,500	40'
4	Mixed Use	33,350	28'
5	Mixed Use	25,625	28'
6	Sound Effects Stage	15,700	40'
6A	Office	37,200	38'
7	Sound Stages	47,375	60'
7A	Workshop	20,000	28'
7B	Production Support/ Offices	24,000	34'
8	Workshop Office	10000	18'
9	Guard House	50	10'
Total		374,000	



- Building heights and percentages comply with requirements of the Annexation Agreement
- See 3D massing for building heights

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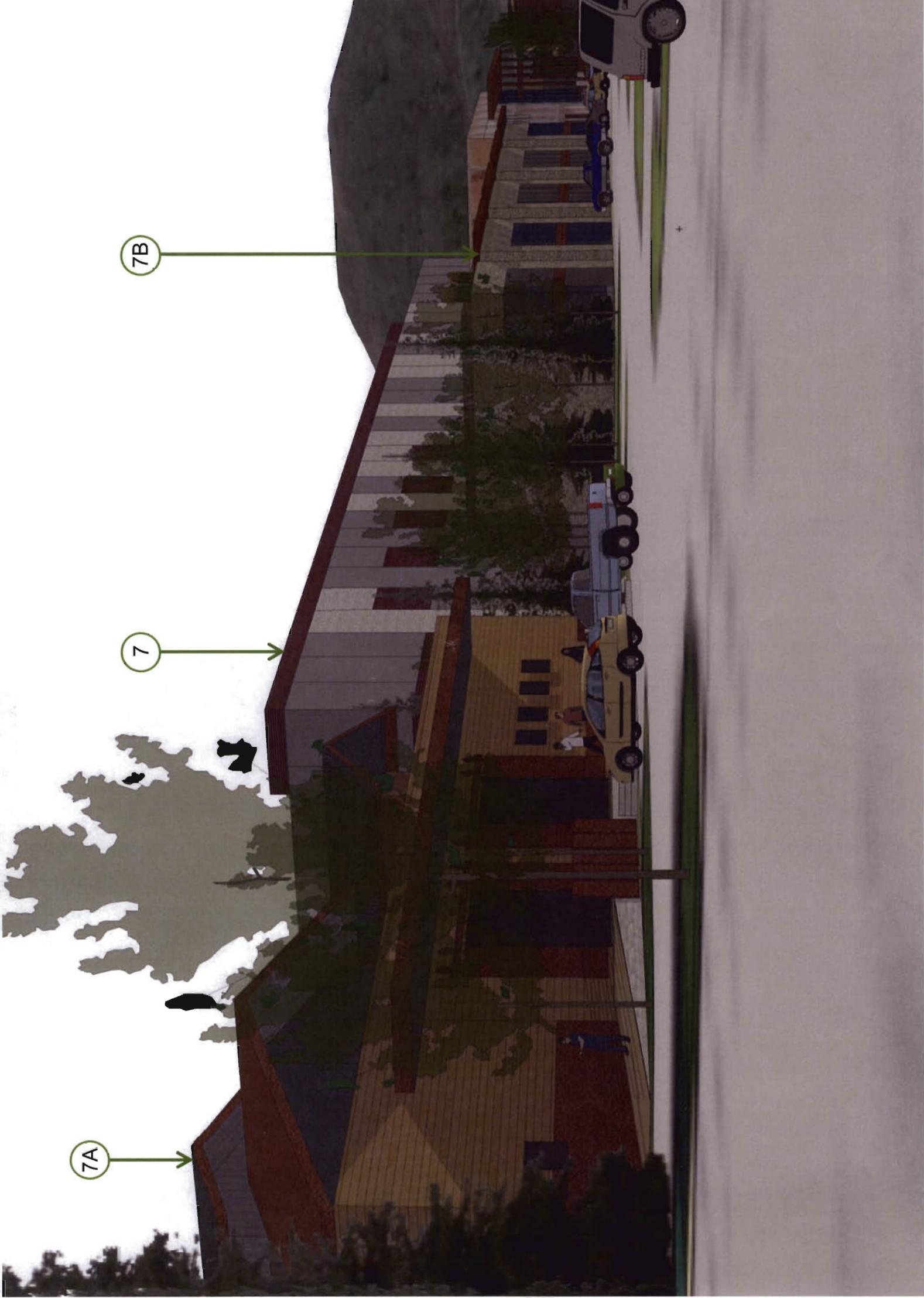
Massing Study Looking South

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Massing Study Looking SE

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Buildings 7, 7A and 7B Massing Study Looking S

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Building 7B and Entry Gate Massing Study Looking NE



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Buildings 5 and 7 Massing Study Looking NW



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View from US40 Northbound

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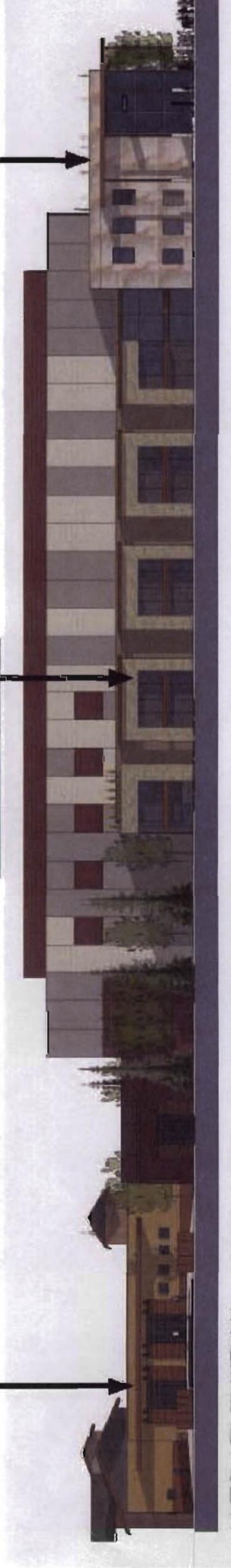
Raleigh Studios – Building 7 Wall Section



CONCEPT MATERIALS

1. PRECAST CONCRETE
2. CORTEN STEEL
3. CORRUGATED STEEL
4. WOOD
5. NATURAL STONE
6. ALUMINIUM CLAD
WOOD WINDOWS
7. GLASS CURTIAN WALL
8. METAL PANEL
9. TRANSLUCENT PANELS
10. STUCCO - EFIS

SOUTH ELEVATION - NOT TO SCALE



WEST ELEVATION - NOT TO SCALE

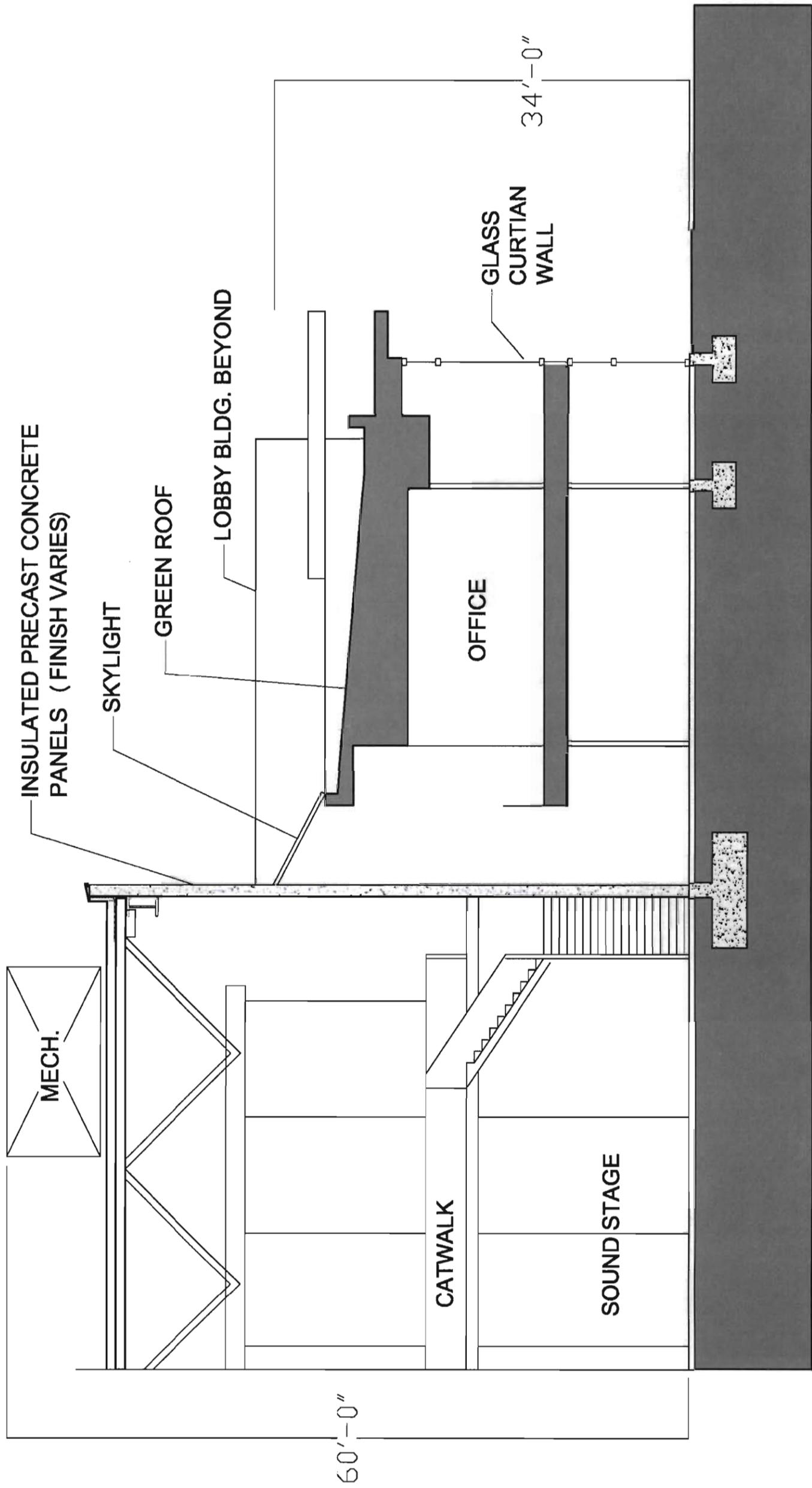


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Raleigh Studios – Building 7 Wall Section



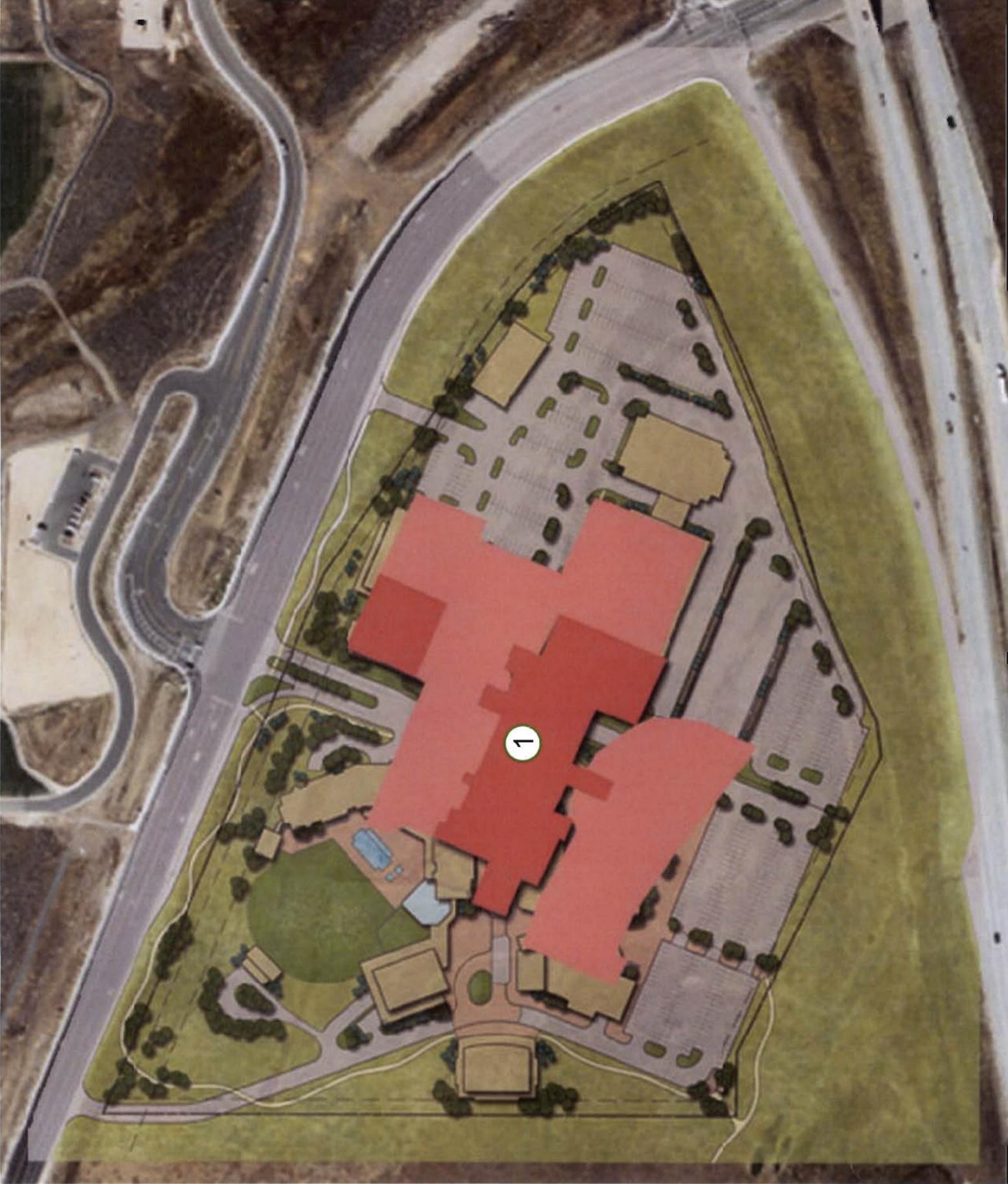
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IBI GROUP
 Raleigh Studios
 Park City, UT

Existing Buildings

- ① Hospital with Surrounding Parking



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Raleigh Studios – Existing Building Overlay



Existing Buildings

- ① Hospital
- ② Ice Rink
- ③ Hotel Park City
- ④ Summit County Health
- ⑤ USSSA

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Raleigh Studios – Dry Utilities

- Proposed Power
- Existing Power
- Proposed Fiber Optic
- Proposed Gas



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Raleigh Studios – Detention/Bioswales/Drainage



Detention Area

- 100 year flood storage = 46,000 c.f.



Bioswale



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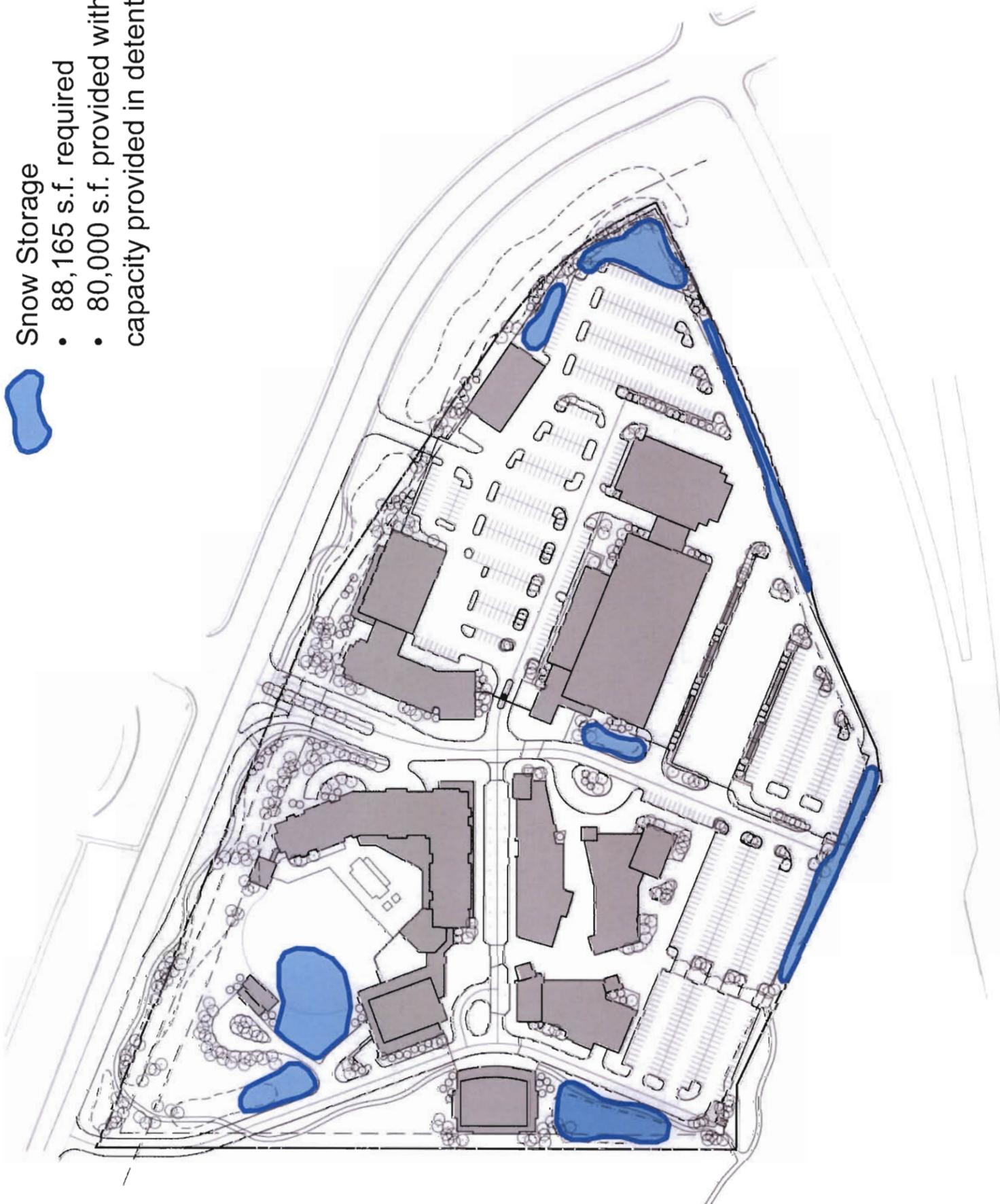
Raleigh Studios – Snow Storage Plan



Snow Storage

- 88,165 s.f. required
- 80,000 s.f. provided with additional capacity provided in detention ponds

Hand-subjected



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Raleigh Studios – Parking Plan w/Counts

-  Hotel Parking – 150 stalls
(underground)
-  Public Parking – 287 stalls
(Includes on-street parking)
-  Secured Parking – 606 previous stalls
-109 for staging
-48 for additional landscaping
= 449 stalls
886 total stalls



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Raleigh Studios – Parking Phasing

-  Hotel Parking – 150 stalls
(underground)
-  Phase 1 Public Parking – 207 stalls
(Includes on-street parking)
-  Phase 2 Public Parking – 80 stalls
-  Phase 1 Secured Parking – 340 stalls
-  Phase 2 Secured Parking – 109 stalls



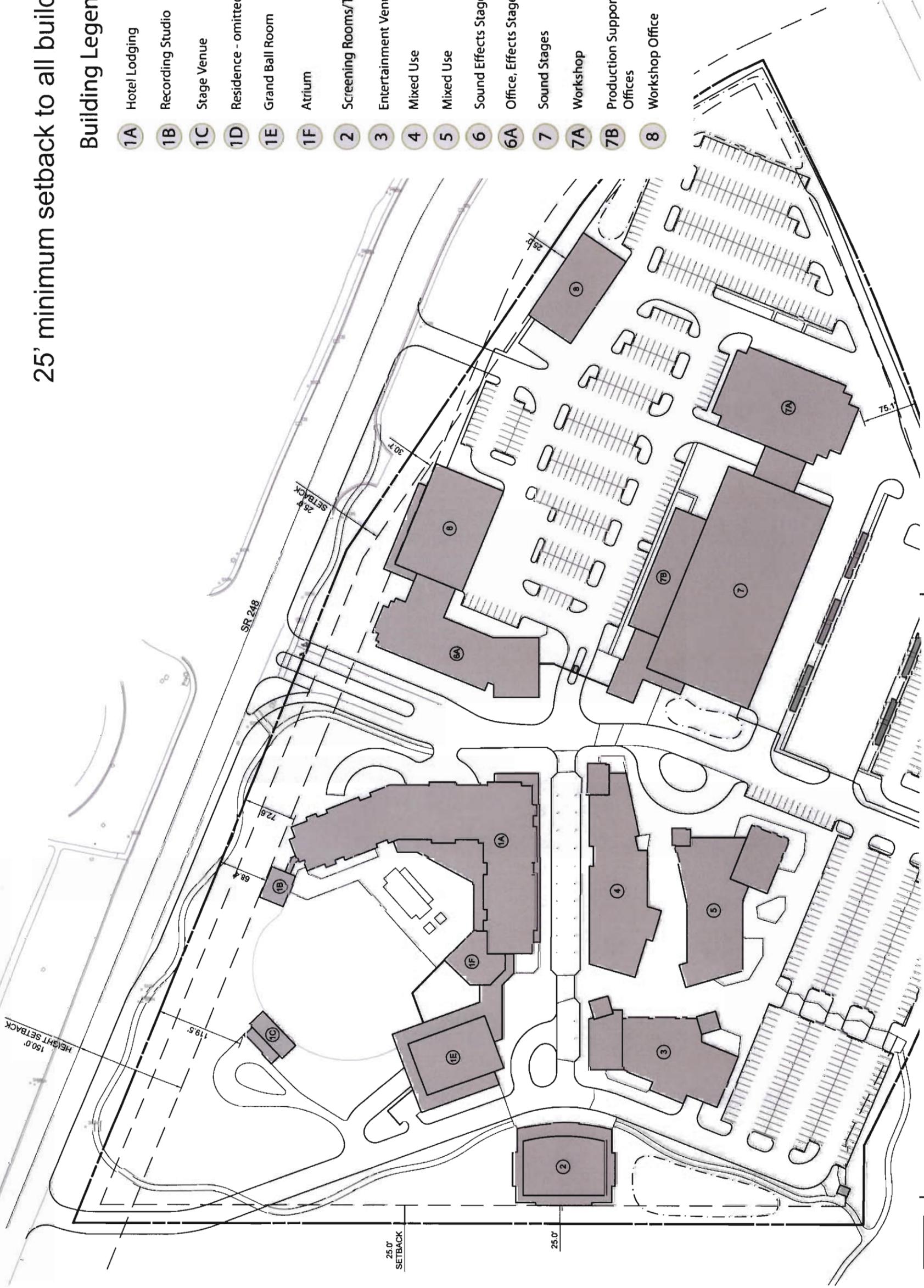
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Raleigh Studios – Setback Distances

25' minimum setback to all buildings

Building Legend

- 1A Hotel/Lodging
- 1B Recording Studio
- 1C Stage Venue
- 1D Residence - omitted
- 1E Grand Ball Room
- 1F Atrium
- 2 Screening Rooms/Theater
- 3 Entertainment Venue
- 4 Mixed Use
- 5 Mixed Use
- 6 Sound Effects Stage
- 6A Office, Effects Stage
- 7 Sound Stages
- 7A Workshop
- 7B Production Support/Offices
- 8 Workshop Office



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Raleigh Studios
Park City, UT

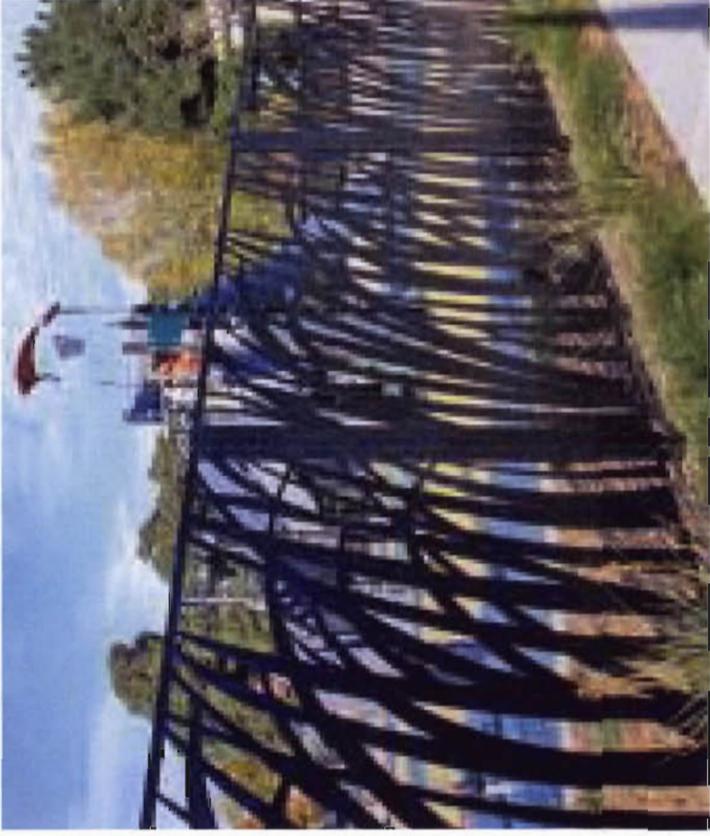




- See fencing images page for examples
- 2,340 L.F. of Perimeter Security Fence
- Primary purpose of security fence is to act as a physical barrier. If in the future it becomes necessary to prevent unauthorized filming or photography, a visual barrier may be added to the fence.

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Raleigh Studios – Fencing Images

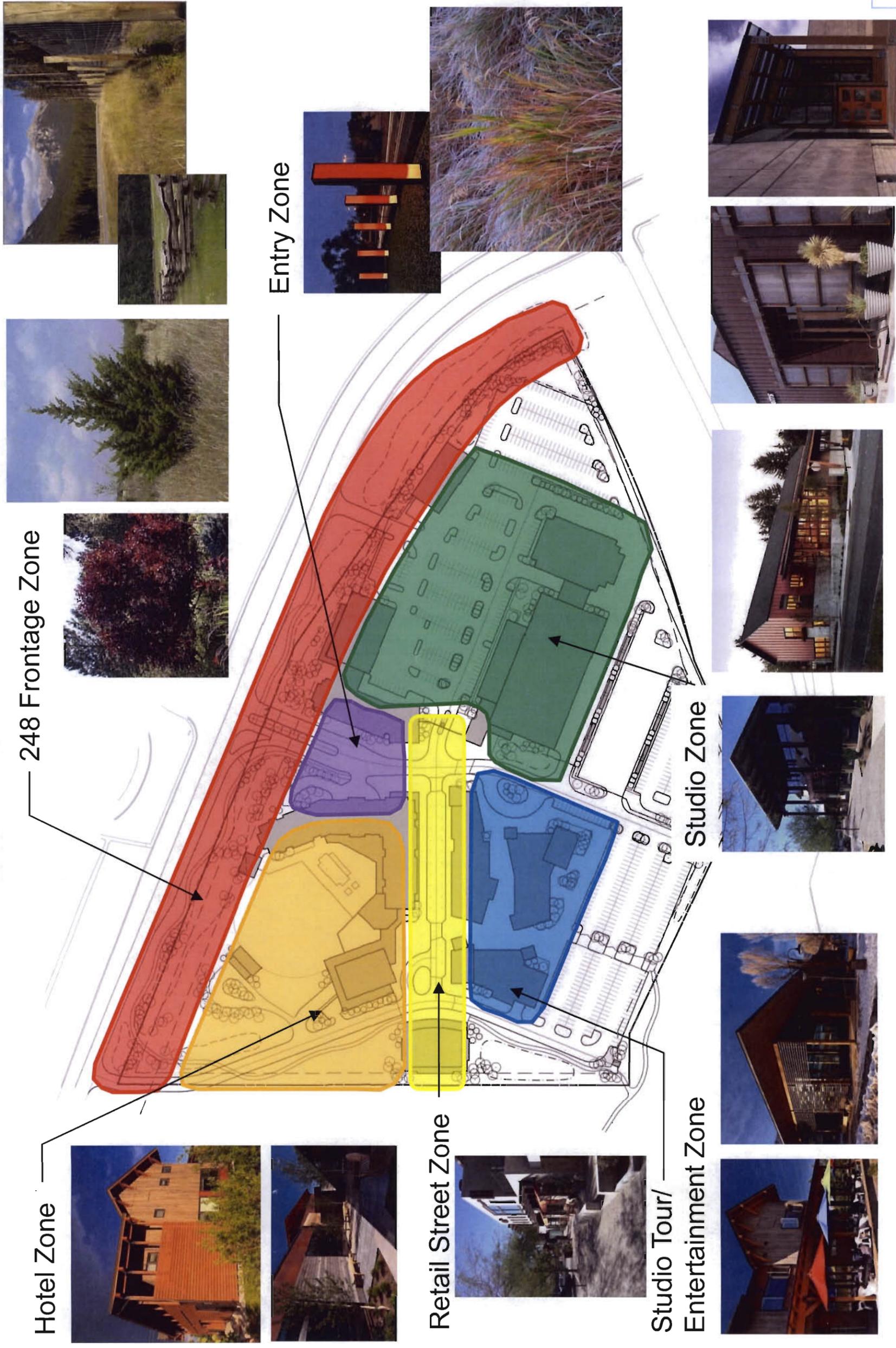


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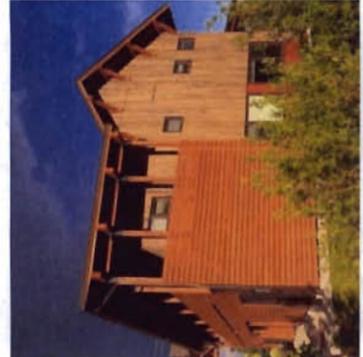
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Raleigh Studios – Architectural Zones



Hotel Zone



248 Frontage Zone



Entry Zone



Retail Street Zone

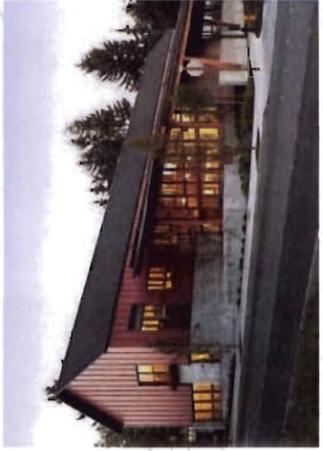


Studio Tour/

Entertainment Zone



Studio Zone



Raleigh Studios
Park City, UT

Conceptual Site Plan
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Raleigh Studios – Precedent Image Boards



SURROUNDING AREA BUILDINGS / ARCHITECTURE
PRECEDENT IMAGES

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March, 2012

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Park City, UT

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Raleigh Studios – Precedent Image Boards



Project # 31889

RALIEGH STUDIOS
March, 2012

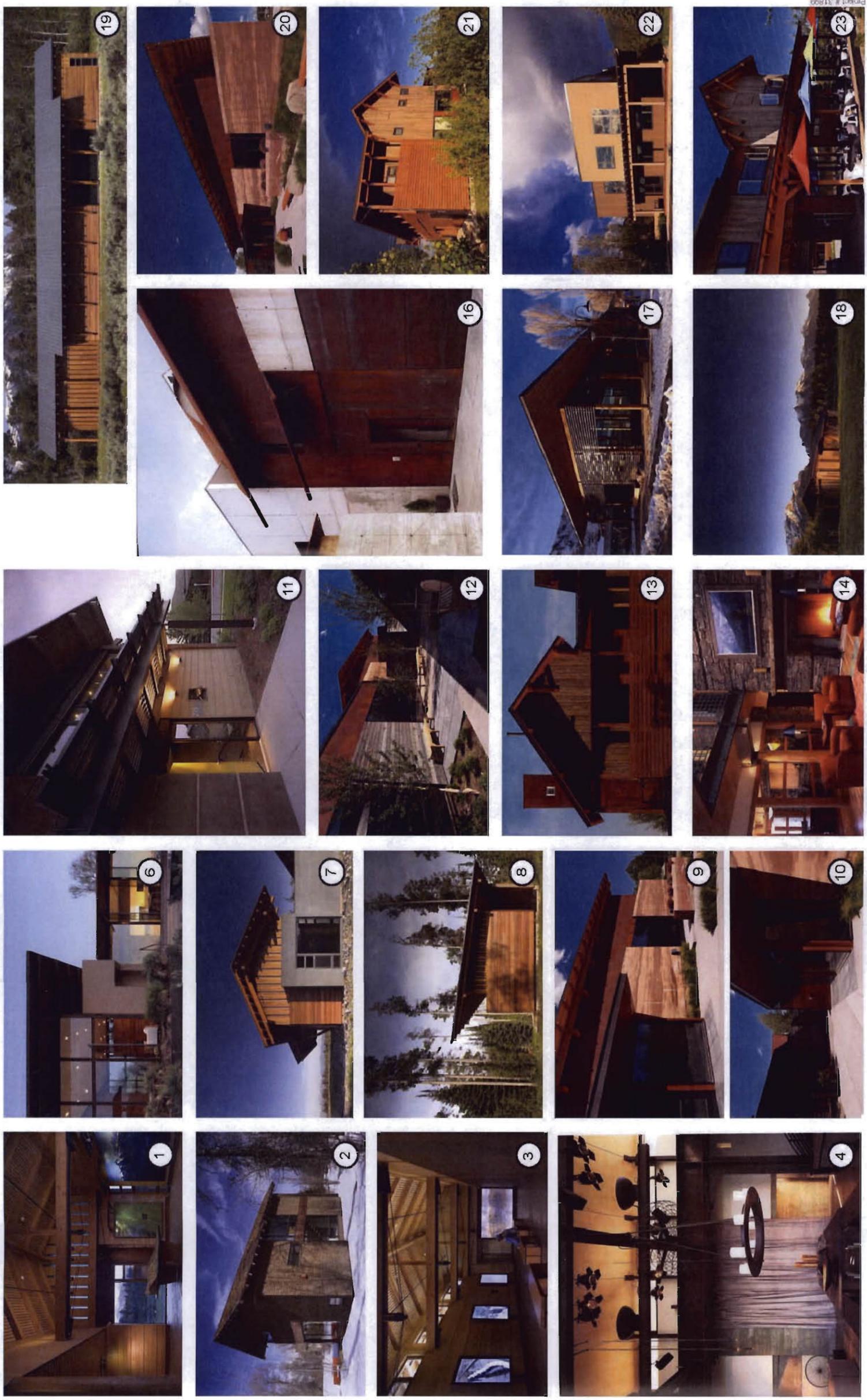
ENTRY / ARCHWAY CONCEPTS
PRECEDENT IMAGES

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Park City, UT

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Raleigh Studios – Precedent Image Boards



ARCHITECTURAL CONCEPTS / MATERIALS
PRECEDENT IMAGES

RALIEGH STUDIOS
March, 2012

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Raleigh Studios – Precedent Image Boards



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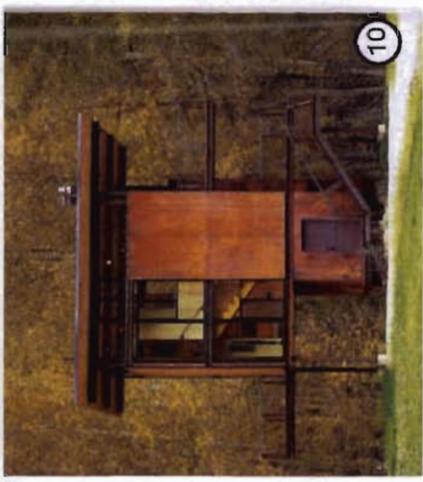
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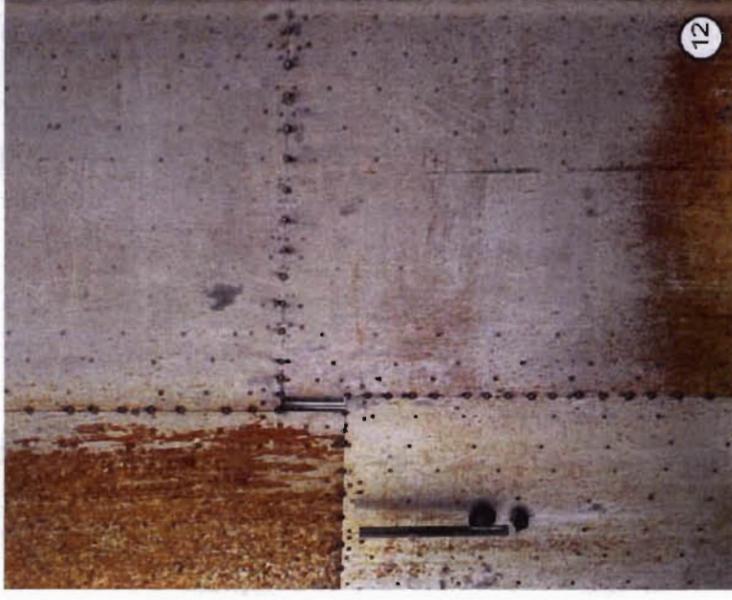
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10



11



12



13



Raleigh Studios
Park City, UT

ARCHITECTURAL CONCEPTS / MATERIALS
PRECEDENT IMAGES

RALIEGH STUDIOS
March, 2012



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 April 11, 2012

Raleigh Studios

Traffic Impact Study



Park City, Utah

March 2012

UT12-336

EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed Raleigh Studios development in Park City, Utah. The 29-acre project site is located east of Kearns Blvd (SR-248) and west of US-40.

Included within the analyses for this study are the traffic operations and recommended mitigation measures 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 are 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 (2012) Background Conditions Analysis

Hales Engineering performed afternoon (4:00 to 6:00 p.m.) peak period traffic counts at the following intersections:

- Richardson Flat Road / Kearns Blvd (SR-248)
- Round Valley Drive / SR-248
- SB US-40 Ramps / SR-248
- NB US-40 Ramps / SR-248
- Project Accesses / SR-248

The counts were performed for a previous TIS in August 2009. The Richardson Flat Road and Round Valley Drive intersections were recounted on Thursday, March 1, 2012, and the remaining intersections were factored. Detailed count data are included in Appendix A.

As shown in Table ES-1, all study intersections have acceptable levels of service during the p.m. peak period. No significant queuing issues exist.

Project Conditions Analysis

The proposed land use for the development has been identified as follows:

- Entertainment / Studios:
 - 281,000 square feet building area
 - 614 employees
- Hotel:
 - 100 Rooms

The projected gross trip generation for the development is as follows:

- Daily Trips: 4,286
- a.m. peak Hour Trips: 434
- p.m. Peak Hour Trips: 449

Existing (2012) Plus Project Conditions Analysis

As shown in Table ES-1, the LOS does not change at any of the study intersections after completion of the proposed development. No significant queuing issues are anticipated.

Future (2020) Background Conditions Analysis

As shown in Table ES-1, all study intersections are anticipated to have acceptable levels of service in year 2020. However, significant eastbound queuing exists near the US-40 interchange. Mitigation measures are discussed below.

Future (2020) Plus Project Conditions Analysis

As shown in Table ES-1, the LOS is not anticipated to change significantly at any of the study intersections after completion of the proposed development with the exception of the North Truck Access. No significant queuing issues are anticipated.

TABLE ES-1 P.M. Peak Hour Park City - Raleigh Studios TIS					
Intersection	Existing 2012 Background	Existing 2012 Plus Project	Future 2020 Background	Future 2020 Background - Mitigated	Future 2020 Plus Project
Description	LOS (Sec/Veh ¹)	LOS (Sec/Veh ¹)	LOS (Sec/Veh ¹)	LOS (Sec/Veh ¹)	LOS (Sec/Veh ¹)
Richardson Flat Road / SR-248	WB / C (18.3)	WB / D (26.7)	C (23.0)	C (22.4)	C (26.4)
South Access / SR-248 ²	-	WB / A (9.6)	-	-	WB / D (26.2)
Round Valley Drive / SR-248	A (7.5)	B (13.6)	B (13.3)	B (14.5)	D (42.6)
North Truck Access / SR-248 ²	-	WB / B (14.2)	-	-	WB / E (42.3)
SB US-40 Ramps / SR-248	B (14.6)	B (15.6)	C (23.8)	B (17.4)	B (17.5)
NB US-40 Ramps / SR-248	B (14.0)	B (15.0)	C (29.8)	C (22.5)	C (23.3)

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 intersection is a project access and was only analyzed in "plus project" scenarios.

Source: Hales Engineering, March 2012

RECOMMENDATIONS

The following mitigation measures are recommended:

Existing (2012) Background Conditions Analysis

No mitigation measures are recommended.

Existing (2012) Plus Project Conditions Analysis

No mitigation measures are recommended.

A northbound to eastbound right-turn deceleration lane and turn pocket as well as a southbound to eastbound left-turn deceleration lane and turn pocket will be required at the Main Access. No other auxiliary lanes are required per UDOT standards.

Future (2020) Background Conditions Analysis

The Future 2020 Conditions analysis includes SR-248 being widened to a five lane cross section south and west of the existing five-lane cross section. A signal is also assumed at Richardson Flat Road as well as other minor intersection improvements discussed in the main body of the report.

Hales Engineering also recommends the following:

SR-248 / US-40 NB Ramps:

- Provide dual eastbound to northbound left-turn lanes
- Change phasing for this movement to protected only phasing.

Future (2020) Plus Project Conditions Analysis

Due to the nature of the North Truck Access being used on a limited basis and being controlled by a guard house and a gate, it will be easy to restrict movements out of this access. It is anticipated that the access will be used in the early morning hours as filming vehicles leave the site at between 5:00 and 6:00 am for the majority of these trips. Due to the limited nature of the vehicles using this access, Hales Engineering recommends that no acceleration lane be provided and that vehicles exiting this site be required to stop and find a gap in the traffic stream created by the upstream traffic signal at Round Valley Drive or wait for a gap in the traffic stream.

Queuing Data

There are no significant queuing issues for either the existing or existing plus project conditions analyses; however, the future year 2020 projections show significant eastbound queuing near the US-40 interchange due to the heavy left-turn movement from eastbound SR-248 to northbound US-40. The queuing extends back several hundred feet past the southbound ramps. This can be mitigated by adding dual left-turn lanes and adjusting the traffic signal timing; these improvements lower the 95th percentile queuing to 325-feet, well within the queuing area between the NB and SB ramps. The queuing data can be found in Appendix D.

SUMMARY OF KEY FINDINGS/RECOMMENDATIONS

The following is a summary of key findings and recommendations:

- Traffic currently flows well and at acceptable levels of service within the study area during the p.m. peak hour.
- The project will add approximately 450 p.m. peak hour trips to the roadway network.
- All study intersections are anticipated to operate within acceptable levels of service with the addition of the proposed project traffic.
- Right-turn and left-turn ingress auxiliary lanes are required at the Main Access. No other auxiliary lanes are required per UDOT standards.
- Future travel demand for the corridor was calculated based on historical growth as well as anticipated growth from several nearby developments.
- Future roadway improvements for the corridor were obtained from the *SR-248 Corridor Plan* (H. W. Lochner, March 2009). These improvements include a five-lane section southwest of Round Valley Drive as well as a traffic signal at Richardson Flat Road.
- Dual left-turn lanes and signal phasing changes will be required for the eastbound to northbound US-40 on-ramp by year 2020 even without the proposed project.
- All project access will operate well to year 2020 with the exception of the North Truck Access which will operate at LOS E.
- Parking for this site has been reviewed based on a mixed use and time of day basis for this project and it is recommended that 1,100 stalls be available on-site and that overflow parking for filming days can be completed from the Richardson Flats Park and Ride lot.

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I. INTRODUCTION

A. Purpose

This study addresses the traffic impacts associated with the proposed Raleigh Studios development in Park City, Utah. The 29-acre project site is located east of Kearns Blvd (SR-248) and west of US-40. Figure 1 shows a vicinity map of the proposed development.

Included within the analyses for this study are the traffic operations and recommended mitigation measures 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 are also analyzed.

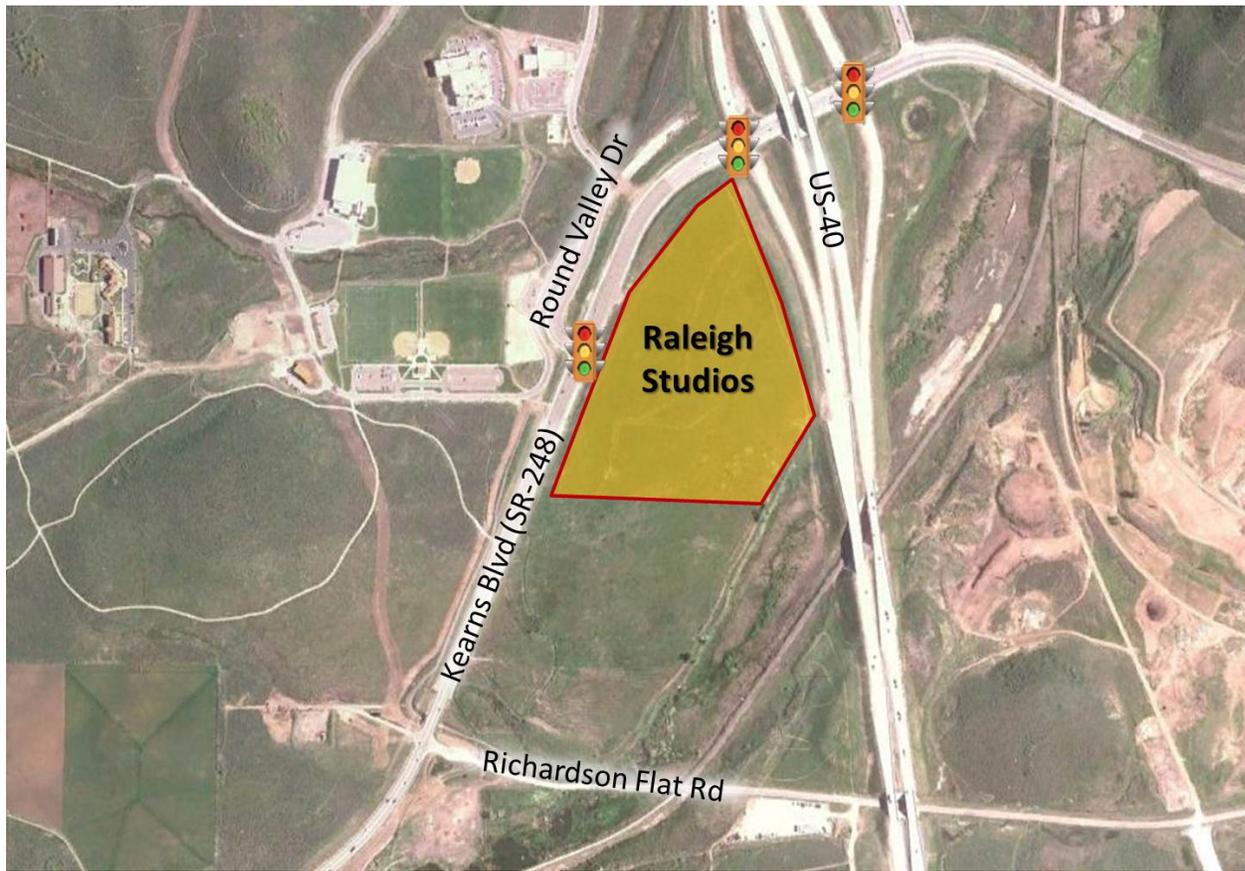


Figure 1 Vicinity map showing the project location in Park City, Utah.

B. Scope

The study area was defined based on conversations with UDOT. This study was scoped to evaluate the traffic operational performance impacts of the project on the following intersections:

- Richardson Flat Road / Kearns Blvd (SR-248)
- Round Valley Drive / SR-248
- SB US-40 Ramps / SR-248
- NB US-40 Ramps / SR-248
- Project Accesses / SR-248

C. 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 2010) 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.

D. 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 for urbanized areas.

Table 1 Level of Service Descriptions

Level of Service	Description of Traffic Conditions	Average Delay (seconds/vehicle)
Signalized Intersections		Overall Intersection
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 ≤ 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 ≤ 35.0
D	Marginal progression with relatively high levels of control delay. Operating conditions are noticeably more constrained.	> 35.0 and ≤ 55.0
E	Poor progression with unacceptably high levels of control delay. Operating conditions are at or near capacity.	> 55.0 and ≤ 80.0
F	Unacceptable progression with forced or breakdown operating conditions.	> 80.0
Unsignalized Intersections		Worst Approach
A	Free Flow / Insignificant Delay	$0 \leq 10.0$
B	Stable Operations / Minimum Delays	>10.0 and ≤ 15.0
C	Stable Operations / Acceptable Delays	>15.0 and ≤ 25.0
D	Approaching Unstable Flows / Tolerable Delays	>25.0 and ≤ 35.0
E	Unstable Operations / Significant Delays Can Occur	>35.0 and ≤ 50.0
F	Forced Flows / Unpredictable Flows / Excessive Delays Occur	> 50.0

Source: Hales Engineering Descriptions, based on Highway Capacity Manual, 2010 Methodology (Transportation Research Board, 2010)

II. EXISTING (2012) BACKGROUND CONDITIONS

A. Purpose

The purpose of the existing (2012) 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 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 roadway that will provide access to the project site is described below:

Kearns Blvd. (SR-248) – is a state-maintained roadway (classified by UDOT access management standards as a “Regional Rural” facility, or access category 4 roadway) that would provide direct access to the proposed site. SR-248 is composed of a three-lane cross section (one lane in each direction of travel and a center two-way left-turn lane (TWLTL) median) adjacent to the southern portion of the project and a five-lane cross section (two lanes in each direction of travel, and a TWLTL median) adjacent to the northern portion of the project. 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 access spacing of 500 feet. To the northeast of Round Valley Drive and through the interchange area, SR-248 is classified as a “System Priority Urban” roadway (access category 3) with minimum signalized intersection spacing of one-half mile and no unsignalized access permitted. The posted speed limit on SR-248 south of Round valley Drive is 50 mph while the posted speed limit northeast of Round Valley Drive is 45 mph.

The Round Valley Drive / SR-248 intersection is currently signalized as are both the north- and southbound ramp intersections. The three signals use SCATS® software which automatically adjusts the cycle length and splits throughout the day. Based on recent data obtained from the UDOT TOC, Hales Engineering estimated the typical weekday p.m. peak hour cycle length to vary between 75 and 95 seconds. Typical splits were also obtained from historical data. Minimum green times, change interval, and clearance times were obtained from UDOT.

The Richardson Flat Road / SR-248 intersection has been identified as a future signalized intersection. In the future (2020) portion of this analysis, Hales Engineering assumed this signal would also be part of the SCATS® system.

C. Traffic Volumes

For a previous traffic impact study in this area, Hales Engineering performed afternoon (4:00 to 6:00 p.m.) peak period traffic counts at the following intersections:

- Richardson Flat Road / Kearns Blvd (SR-248)
- Round Valley Drive / SR-248
- SB US-40 Ramps / SR-248
- NB US-40 Ramps / SR-248

The counts were performed on Wednesday, August 12, 2009. The afternoon peak hour was determined to be between the hours of 4:45 and 5:45 p.m. Detailed count data are included in Appendix A. The counts were seasonally adjusted based on data from a UDOT automatic traffic recorder (ATR) adjacent to the project site.

Hales Engineering also conducted two additional counts in order to determine what adjustments, if any, are required for the older turning movement count data. Additional counts were conducted at:

- Richardson Flat Road / Kearns Blvd (SR-248)
- Round Valley Drive / SR-248

The counts were performed on Thursday, March 1, 2012. The afternoon peak hour was again determined to be between the hours of 4:45 and 5:45 p.m. Although daily traffic levels have remained fairly steady state-wide over the last three years, the Round Valley Drive / SR-248 intersection saw a 33 percent increase in traffic levels, even after accounting for seasonal variation. The USSA facility on Round Valley Drive is likely a strong factor for the increase in traffic as the recent counts were conducted in March while the 2009 counts were conducted in August.

Figure 2 shows the existing p.m. peak hour volume as well as intersection geometry at the study intersections based on the 33 percent increase in traffic between August 2009 and March 2012.

D. Level of Service Analysis

Using Synchro/SimTraffic, which follow the Highway Capacity Manual (HCM) 2010 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 (2012) conditions. As shown in Table 2, all intersections have acceptable levels of service during the p.m. peak hour.

Table 2 Existing (2012) Background p.m. Peak Hour Level of Service

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach ^{1,3}	Aver. Delay (Sec/Veh) ¹	LOS ¹	Aver. Delay (Sec/Veh) ²	LOS ²
Richardson Flat Road / SR-248	EB/WB Stop	WB	18.3	C	-	-
Round Valley Drive / SR-248	Signal	-	-	-	7.5	A
SB US-40 Ramps / SR-248	Signal	-	-	-	14.6	B
NB US-40 Ramps / SR-248	Signal	-	-	-	14.0	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) and is reported for all-way stop and signal controlled intersections.
3. SB = Southbound approach, etc.

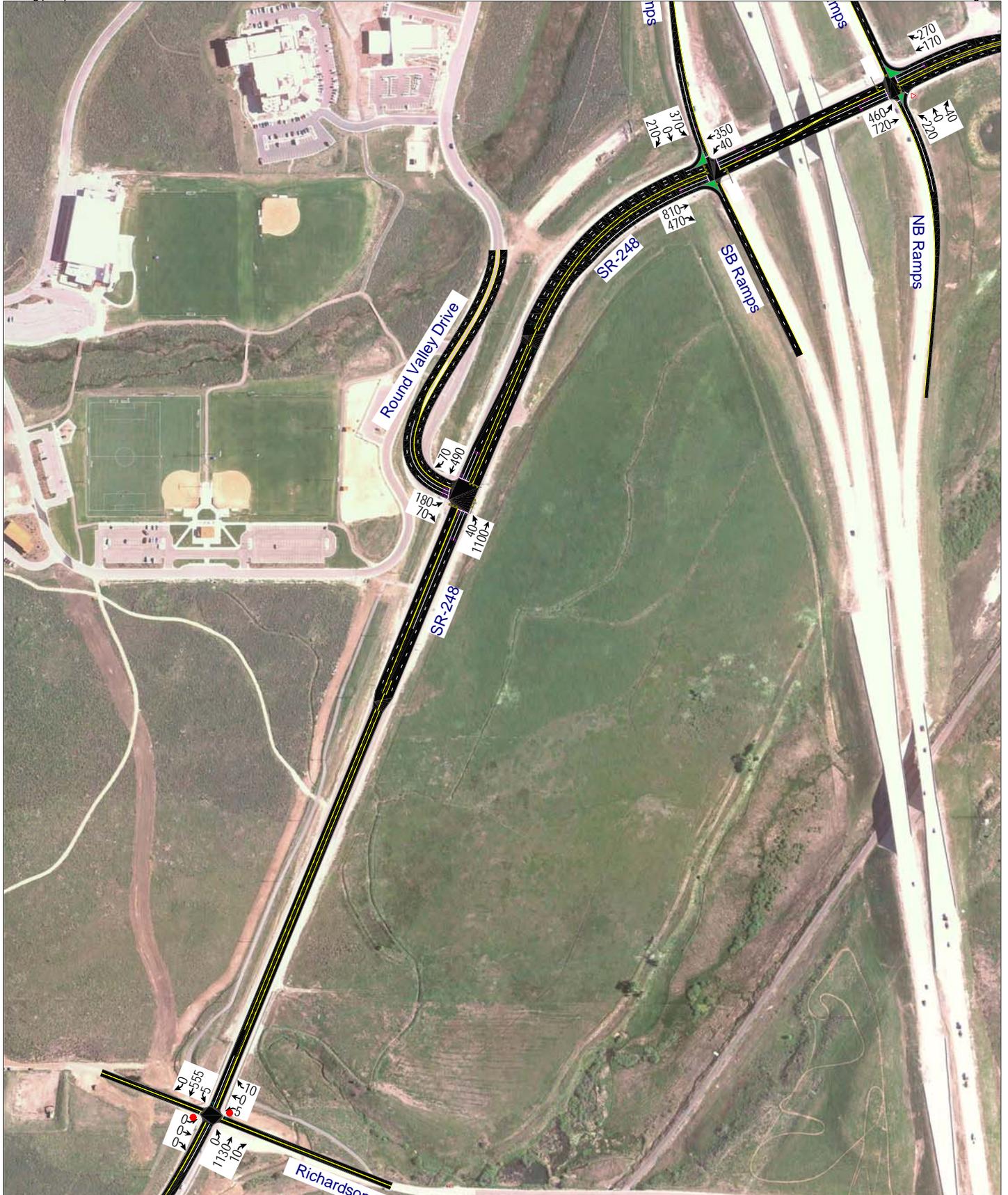
Source: Hales Engineering, March 2012

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. The queue reports can be found in Appendix D. No significant queuing was observed at any of the study intersections.

F. Mitigation Measures

No mitigation measures 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 Raleigh Studios development in Park City, Utah. The 29-acre project site is located east of Kearns Blvd (SR-248) and west of US-40. A site plan for the proposed development has been included in Appendix C.

The proposed land use for the development has been identified as follows:

- Entertainment / Studios:
 - 281,000 square feet building area
 - 614 employees
- Hotel:
 - 100 Rooms

C. Trip Generation

Trip generation for the development was calculated using rates published in the ITE *Trip Generation (8th Edition, 2008)*. Trip Generation for the proposed project is included in Table 3. While there are a lot of data for hotel sites, there is no published data specifically for film studios. The studios/entertainment portion of the land use is a mix of office space, small-scale retail and restaurants, studio space, storage space, screening rooms, and other support uses. Several land use categories in *ITE Trip Generation* have similar rates as a function of employees. Most office and industrial uses range between 0.38 and 0.59 p.m. peak hour trips per employee. On a square foot basis, p.m. peak hour rates tend to be less than one trip per hour per 1,000 square feet for less intense uses such as manufacturing and industrial, and closer to 1.5 trips per hour per 1,000 square feet of more intense uses such as office. Hales Engineering chose the Business Park land use (ITE Land Use Code 770) as it encompasses a mix of office, industrial, and support uses.

Some internal capture will occur between the hotel uses and the entertainment and studio uses. However, to remain conservative, and because of the fairly low trip generation rate for the hotel,

no internal capture reduction was taken. The Business Park land use in *ITE Trip Generation* already accounts for internal capture within those uses.

Table 3									
Park City - Raleigh Studios TIS									
Trip Generation									
Daily									
Land Use ¹	Number of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total Daily Trips	
Hotel (310)	100	Rooms	522	50%	50%	261	261	522	
Business Park (770)	280.659	1,000 Sq. Ft. GFA	3,764	50%	50%	1,882	1,882	3,764	
Project Total Daily Trips						2,143	2,143	4,286	
a.m. Peak Hour									
Land Use ¹	Number of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total a.m. Trips	
Hotel (310)	100	Rooms	41	61%	39%	25	16	41	
Business Park (770)	280.659	1,000 Sq. Ft. GFA	393	84%	16%	330	63	393	
Project Total a.m. Peak Hour Trips						355	79	434	
p.m. Peak Hour									
Land Use ¹	Number of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total p.m. Trips	
Hotel (310)	100	Rooms	59	53%	47%	31	28	59	
Business Park (770)	280.659	1,000 Sq. Ft. GFA	390	23%	77%	90	300	390	
Project Total p.m. Peak Hour Trips						121	328	449	
Saturday Daily									
Land Use ¹	Number of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total Sat. Daily Trips	
Hotel (310)	100	Rooms	667	50%	50%	334	334	667	
Business Park (770)	280.659	1,000 Sq. Ft. GFA	749	50%	50%	375	375	749	
Project Total Saturday Trips						708	708	1,417	

1. Land Use Code from the Institute of Transportation Engineers - 8th Edition Trip Generation Manual (ITE Manual)

SOURCE: Hales Engineering, March 2012

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 distribution of project generated trips is as follows:

To/From Project Site:

- 50% West (SR-248)
- 30% North (US-40)
- 15% South (US-40)
- 5% East (SR-248)

These trip distribution assumptions were used to assign the p.m. peak hour generated traffic at the study intersections to create trip assignment for the proposed development. Trip assignment is shown in Figure 3 for the p.m. peak hour.

E. Access

The proposed access for the site will be gained at the following locations (see also site plan in Appendix C):

SR-248:

- South Access: Proposed full access located approximately 700 feet south of Round Valley Drive and 1,400 feet north of Richardson Flat Road.
- Main Access: Full, signalized access located directly across from Round Valley Drive.
- North Truck Access: Egress, right-turn only access located approximately 550 feet north of Round Valley Drive and approximately 800 feet south of the southbound US-40 ramps.

No cross access is proposed to the south. Cross access to the east is not feasible due to US-40. The South Access and Main Access appear to meet UDOT access spacing guidelines. The North Truck Access does not meet access spacing guidelines and is located within a “No Access (NA) Line.”

F. Auxiliary Lane Requirements

Based on Administrative Rule R930-6, the following auxiliary lanes are required for access onto an Access Category 4 roadway:

Right-turn Deceleration Lane:

- Required when the projected peak hour right-turn ingress volume is greater than 25 vph. As shown in Figure 3, this peak hour volume is not met for the South Access but is met for the Main Access. Therefore, a right-turn deceleration lane is recommended at the Main Access.

Left-turn Deceleration Lane:

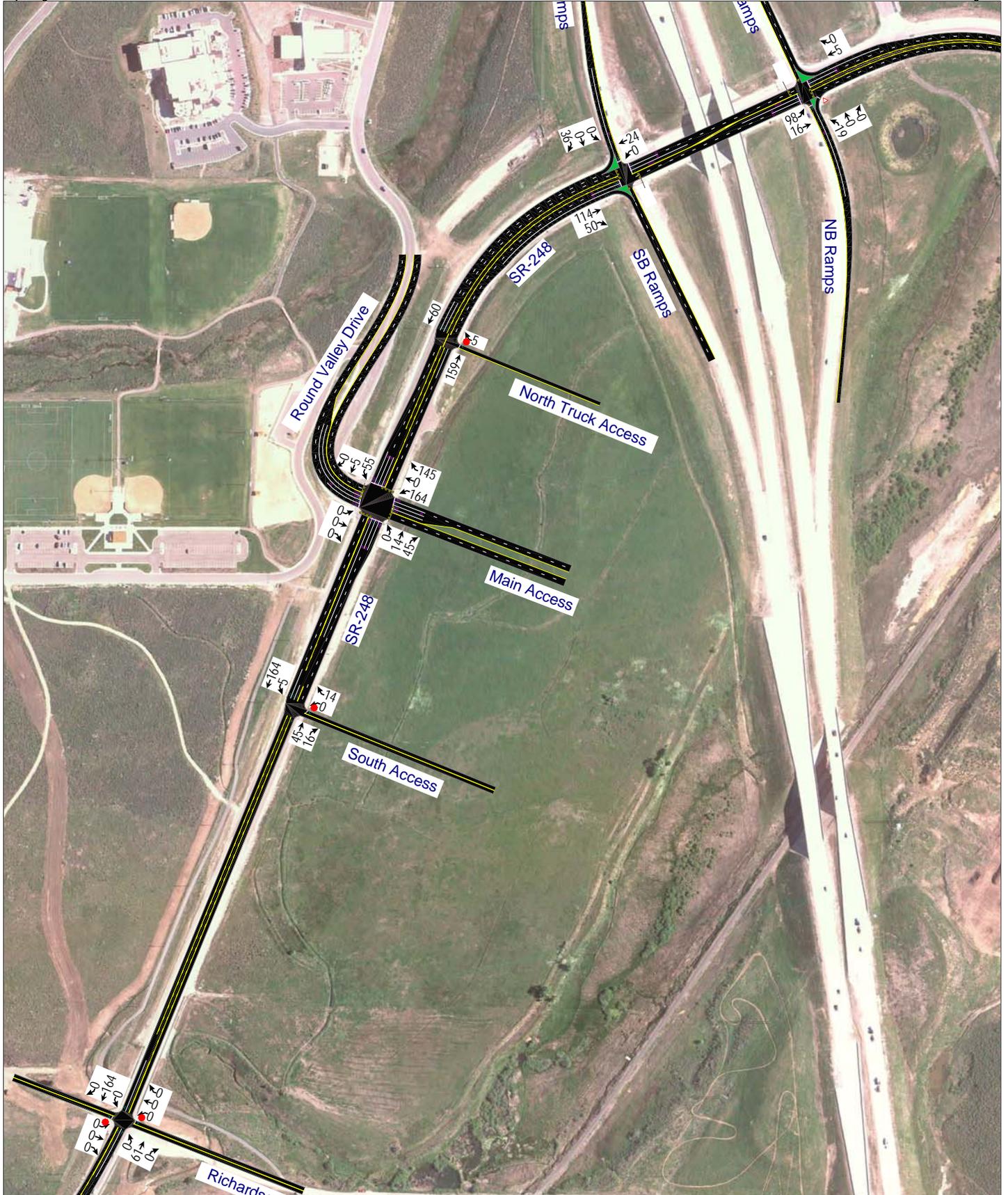
- Required when the projected peak hour left-turn ingress volume is greater than 10 vph. As shown in Figure 3, this peak hour volume is not met for the South Access but is met for the Main Access. A left-turn pocket is required for the Main Access, and the existing TWLTL will provide left-turn deceleration and storage for the South Access.

Right-turn Acceleration Lane:

- Required when the projected peak hour right turn egress volume is greater than 50 vph. As shown in Figure 3, this peak hour volume is not met for the South Access. The Main Access is signalized, and therefore does not need an acceleration lane. The North Truck Access also does not meet the threshold for a right-turn acceleration lane.

Left-turn Acceleration Lane:

- A left-turn acceleration lane is typically not required if the speed limit is less than 45 mph, the intersection is signalized, or if the acceleration lane will interfere with the next downstream deceleration lane. Because the Main Access is signalized, no left-turn acceleration lane is required.



IV. EXISTING (2012) 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 (2012) plus project p.m. peak hour volumes were generated for the study intersections and are shown in Figure 4.

C. Level of Service Analysis

Using Synchro/SimTraffic, which follow the Highway Capacity Manual (HCM) 2010 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 4 (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 4, all study intersections continue to have excellent levels of service with the proposed project traffic added.

D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. The queue reports can be found in Appendix D. Queue lengths do not significantly change with the addition of project traffic. The 95th percentile queue length for the southbound to eastbound left-turn ingress movement at the South Access is less than 20 feet long. Therefore, this proposed access should not affect the main flow of traffic on SR-248.

Table 4 Existing (2012) Plus Project p.m. Peak Hour Level of Service

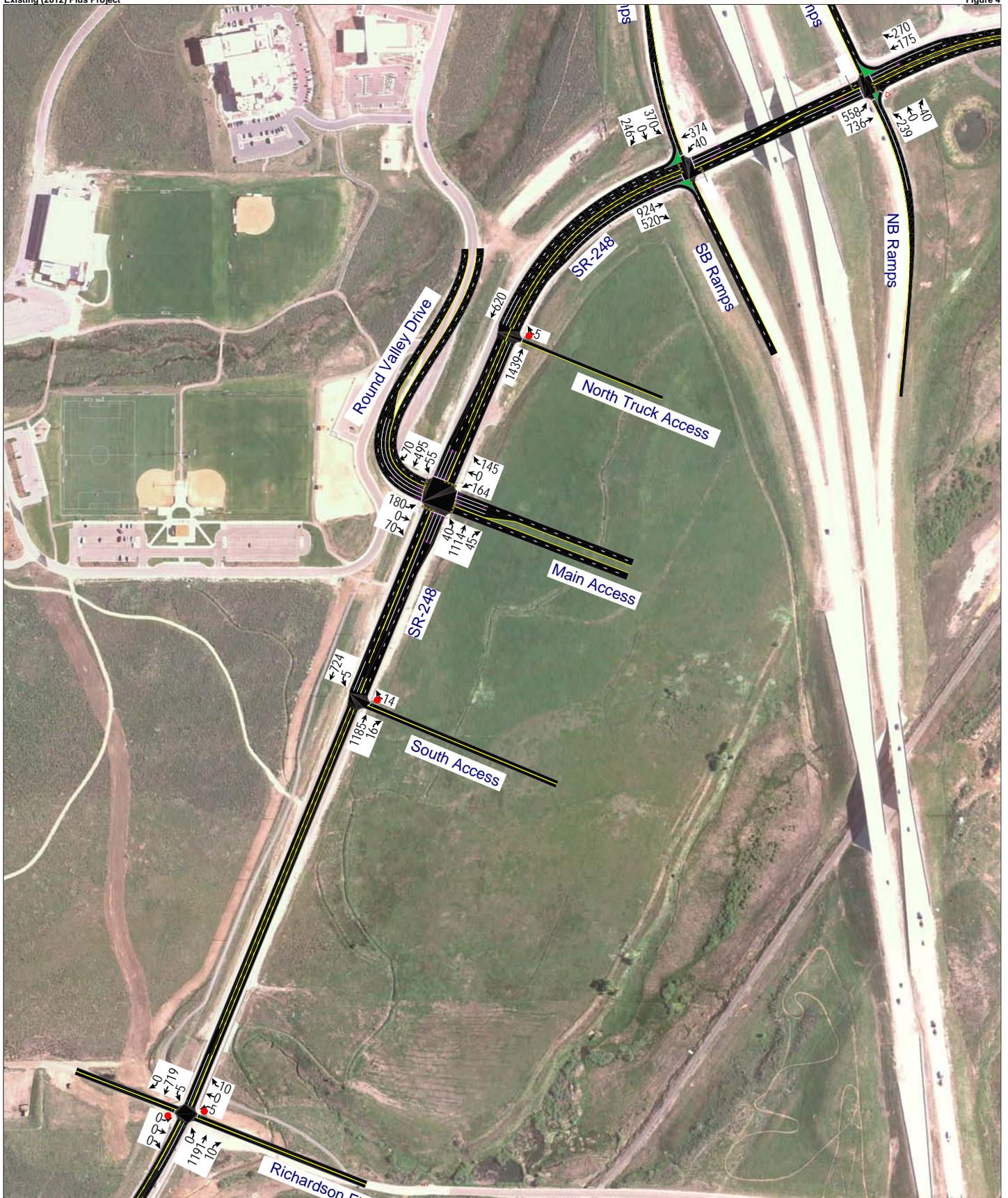
Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach ^{1,3}	Aver. Delay (Sec/Veh) ¹	LOS ¹	Aver. Delay (Sec/Veh) ²	LOS ²
Richardson Flat Road / SR-248	EB/WB Stop	WB	26.7	D	-	-
South Project Access / SR-248	WB Stop	WB	9.6	A	-	-
Round Valley Drive / SR-248	Signal	-	-	-	13.6	B
North Truck Egress Access / SR-248	WB Stop	WB	14.2	B	-	-
SB US-40 Ramps / SR-248	Signal	-	-	-	15.6	B
NB US-40 Ramps / SR-248	Signal	-	-	-	15.0	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) and is reported for all-way stop and signal controlled intersections.
 3. SB = Southbound approach, etc.

Source: Hales Engineering, March 2012

E. Mitigation Measures

No mitigation measures are recommended.



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

Hales Engineering conducted a thorough future growth analysis for the original traffic impact study for the MIDA property in August 2009. 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 had grown by approximately 3.6 percent per year 1996 and 2009. Assuming a 4 percent growth rate, the ADT on SR-248 would be approximately 20,000 to 21,000 vehicles per day by year 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 include the following:

- IHC Campus (West of SR-248) including hospital, medical offices, USSA facilities, and recreation facilities
- Park City Heights (East of SR-248 and south of Richardson Flat Road)
- IHC attainable housing (East of SR-248)
- Park City Mines attainable housing (East of SR-248)
- Richardson Flats (East of US-40) – 750 parking stalls

A summary of trip generation for each of these projects can be found in the August 2009 TIS. 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 Richardson Flat Road as a “cut-through” route.

Future 2020 p.m. peak hour turning movement volumes were calculated using NCHRP 255 methodologies. These volumes are shown in Figure 5.

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 *SR-248 Corridor Plan* (H. W. Lochner, March 2009), the preferred alternative for SR-248 between Park City and Richardson Flat 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 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 / Richardson Flat Road intersection. Between Richardson Flat 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.

Richardson Flat Road / SR-248:

- Signalize intersection of SR-248 and Richardson Flat Road and coordinate with traffic signals to the northeast.
- Add a 200-foot northbound right-turn lane (northbound/eastbound SR-248 to eastbound Richardson Flat Road)
- Add a 200-foot westbound left-turn lane (westbound Richardson Flat Road to southbound/westbound SR-248)

D. Level of Service Analysis

Using Synchro/SimTraffic, which follow the Highway Capacity Manual (HCM) 2010 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 for future (2020) conditions. As shown in Table 5, all of the study intersections have acceptable levels of service for the p.m. peak hour.

Table 5 Future (2020) Background p.m. Peak Hour Level of Service

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach ^{1,3}	Aver. Delay (Sec/Veh) ¹	LOS ¹	Aver. Delay (Sec/Veh) ²	LOS ²
Richardson Flat Road / SR-248	Signal	-	-	-	23.0	C
Round Valley Drive / SR-248	Signal	-	-	-	13.3	B
SB US-40 Ramps / SR-248	Signal	-	-	-	23.8	C
NB US-40 Ramps / SR-248	Signal	-	-	-	29.8	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) and is reported for all-way stop and signal controlled intersections.
 3. SB = Southbound approach, etc.

Source: Hales Engineering, March 2012

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. The queue reports can be found in Appendix D. The model shows significant eastbound queuing near the US-40 interchange due to the heavy left-turn movement from eastbound SR-248 to northbound US-40. The queuing extends back several hundred feet past the southbound ramps.

F. Mitigation Measures

Hales Engineering recommends the following:

SR-248 / US-40 NB Ramps:

- Provide dual eastbound to northbound left-turn lanes
- Change phasing for this movement to protected only phasing

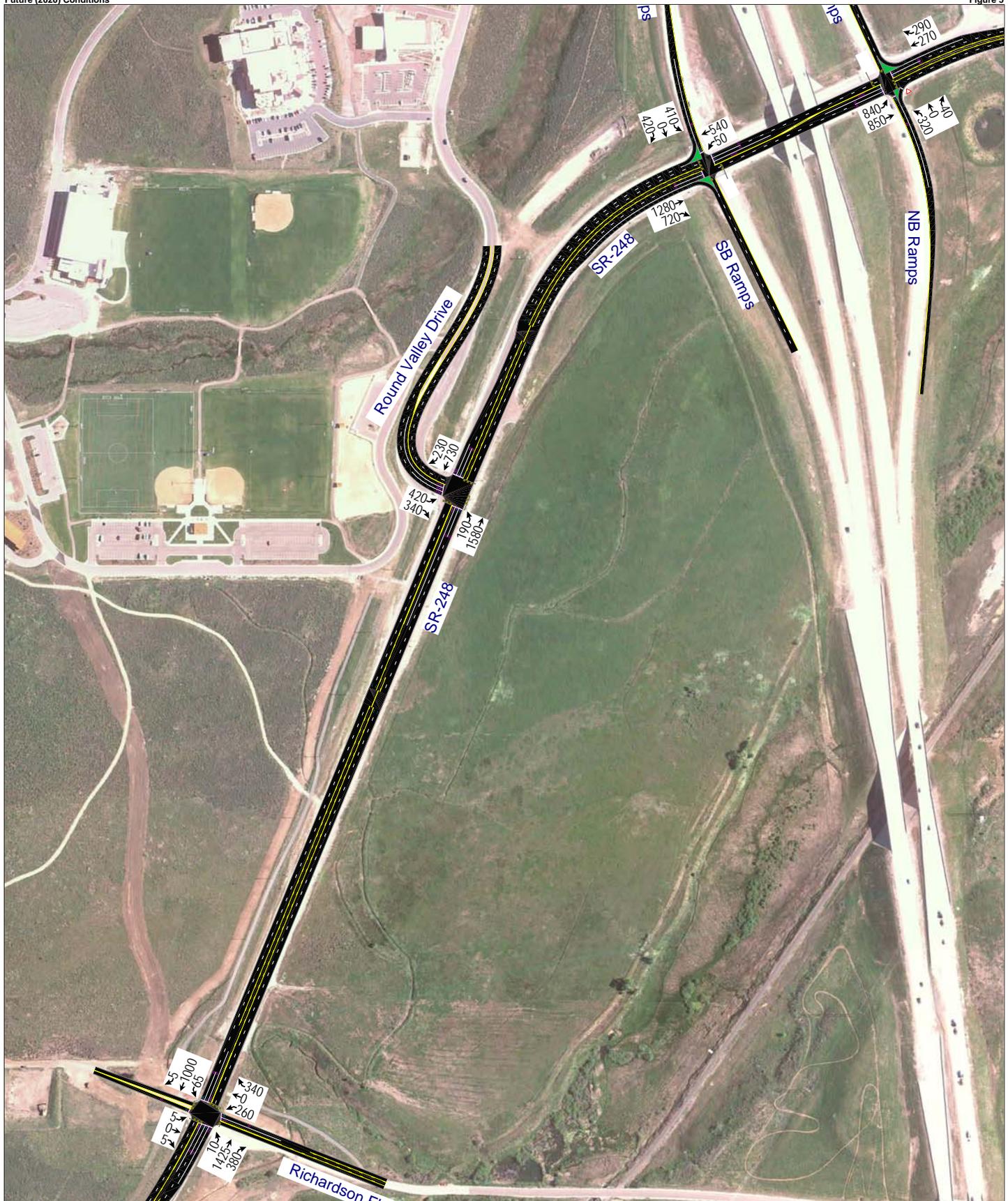
Table 6 shows the analysis results after implementing the mitigation measures. As shown in Table 6, the LOS at each study intersection continues to be at acceptable levels. Queue lengths are significantly improved after implementing the mitigation measures.

Table 6 Future (2020) Background p.m. Peak Hour Level of Service – Mitigated

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach ^{1,3}	Aver. Delay (Sec/Veh) ¹	LOS ¹	Aver. Delay (Sec/Veh) ²	LOS ²
Richardson Flat Road / SR-248	Signal	-	-	-	22.4	C
Round Valley Drive / SR-248	Signal	-	-	-	14.5	B
SB US-40 Ramps / SR-248	Signal	-	-	-	17.4	B
NB US-40 Ramps / SR-248	Signal	-	-	-	22.5	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) and is reported for all-way stop and signal controlled intersections.
3. SB = Southbound approach, etc.

Source: Hales Engineering, March 2012



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 build-out as discussed in Chapter III of this report. 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 Figure 6.

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 7 (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 7, all of the study intersections experience acceptable levels of delay during the p.m. peak hour with the exception of the North Truck Access which has an LOS E for the minor approach.

D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. The queue reports can be found in Appendix D. No significant queuing was observed. The 95th percentile queue length for the southbound to eastbound left-turn ingress movement at the proposed South Access is approximately 20 feet (one car length). Therefore, this access should not affect flow of southbound traffic on SR-248.

E. Mitigation Measures

Due to the nature of the North Truck Access being used on a limited basis and being controlled by a guard house and a gate, it will be easy to restrict movements out of this access. It is anticipated that the access will be used in the early morning hours as filming vehicles leave the site at between 5:00 and 6:00 am for the majority of these trips. Due to the limited nature of the vehicles using this access, Hales Engineering recommends that no acceleration lane be provided and that vehicles exiting this site be required to stop and find a gap in the traffic stream created by the upstream traffic signal at Round Valley Drive or wait for a gap in the traffic stream.

Table 7 Future (2020) Plus Project p.m. Peak Hour Level of Service

Intersection		Worst Approach			Overall Intersection	
Description	Control	Approach ^{1,3}	Aver. Delay (Sec/Veh) ¹	LOS ¹	Aver. Delay (Sec/Veh) ²	LOS ²
Richardson Flat Road / SR-248	Signal	-	-	-	26.4	C
South Project Access / SR-248	WB Stop	WB	26.2	D	-	-
Round Valley Drive / SR-248	Signal	-	-	-	42.6	D
North Truck Egress Access / SR-248	WB Stop	WB	42.3	E	-	-
SB US-40 Ramps / SR-248	Signal	-	-	-	17.5	B
NB US-40 Ramps / SR-248	Signal	-	-	-	23.3	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) and is reported for all-way stop and signal controlled intersections.
3. SB = Southbound approach, etc.

Source: Hales Engineering, March 2012

