

**PARK CITY MUNICIPAL CORPORATION
 PLANNING COMMISSION
 CITY HALL, COUNCIL CHAMBERS
 DECEMBER 11, 2013**



AGENDA

MEETING CALLED TO ORDER – 5:30 PM

ROLL CALL

PG

REGULAR AGENDA - Public hearing and possible action

General Plan

Packet under separate cover

Public hearing and possible recommendation to City Council

ADOPTION OF MINUTES OF NOVEMBER 20, 2013

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PUBLIC COMMUNICATIONS – Items not scheduled on the regular agenda

STAFF AND BOARD COMMUNICATIONS/DISCLOSURES

CONTINUATIONS - Public hearing and possible action

Risner Ridge Subdivision 1 & 2 – Plat Amendment

PL-13-02021

Public hearing and continuation to a date uncertain

Planner Whetstone

REGULAR AGENDA - Public hearing and possible action

1255 Park Avenue, Park City Library – Master Planned Development

PL-13-02085

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Public hearing and discussion

Planner Grahn

1255 Park Avenue, Park City Library – Plat Amendment

PL-13-01950

83

Public hearing and possible recommendation to City Council

Planner Grahn

530 Main Street, River Horse – Conditional Use Permit for a seasonal tent

PL-13-02066

101

Public hearing and possible action

Planner Grahn

916 Empire Avenue – Steep Slope Conditional Use Permit

PL-13-01533

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Public hearing and possible action

Planner Whetstone

543 Woodside Avenue – Steep Slope Conditional Use Permit

PL-13-01904

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Public hearing and possible action

Planner Whetstone

7101 Silver Lake Drive, Lot 2B Subdivision of Lot 2 North Silver Lake – Conditional Use Permit for Lockout Units

PL-13-02034

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Public hearing and possible action

Planner Astorga

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.

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
NOVEMBER 20, 2013**

PRESENT: Nann Worel, Stewart Gross, Jack Thomas, Charlie Wintzer, Thomas Eddington, Kayla Sintz, Polly Samuels-McLean

Due to conflicts, Commissioners Strachan and Hontz were recused from the work session.

WORK SESSION ITEMS

Park City Mountain Resort – Master Planned Development

Planner Francisco Astorga reported that in 1997 and 1998 the City approved a Master Planned Development at the base of the Park City Mountain Resort. In the last 16 years the plans for development have changed and PCMR filed an application to modify the existing MPD. Planner Astorga stated that in the 1990's the Planning Commission approved a large scale MPD that would subsequently follow up with a conditional use permit for each specific area.

Planner Astorga noted that the applicant was prepared to give a detailed presentation. He recommended that the Planning Commission hear the entire presentation and allow time for dialogue. The purpose of the work session is to have an open discussion with the applicant before moving forward to the next step.

Planner Astorga stated that the intent this evening was to introduce the Woodward Concept and to discuss the possibility of transferring density from one parcel to another, but contained within the subject area. Planner Astorga clarified that they were not talking about transferring density from another part of town. He noted that the MPD had a provision stating that all of the density allocated per the table was to remain on each parcel.

Chair Worel informed the applicant that the Planning Commission would have four different members when this item comes back to the Planning Commission, and those members may have different opinions from what they hear this evening.

Michael Barille, with Plan Works Design, stated that he has been working with Tim Brenwald and Jenni Smith with PCMR for a number of years looking at the future of the Park City Mountain Resort Base Area. He introduced Jenni Smith, the President and General Manager of PCMR and Tim Brenwald with Powdr Corporation.

Mr. Barille stated that PCMR had a vision from 1997 and 1999 working through the MPD process and they were approached by outside developers who wanted to develop under that development agreement. Mr. Barille remarked that there have been issues and challenges involved with all of those concepts, and the Resort wanted to relook at it from the perspective of the locals and find something that fits with the community and better fits the operation of the Resort. Mr. Barille stated that this was the viewpoint when he was asked to get involved with the master planning process. He noted that having worked in the business for 13 years in the Park City area and seven or eight years before he moved to Utah, he was very excited to bring this project forward into the process. He

expected to encounter challenges, but he believed it would be good for the Resort and for the community.

Jenni Smith introduced Tom Pettigrew, Director of Skier Services; Jody Church, the Chief Operating Officer of Woodward Camps, which is a company owned by Powdr Corp. She noted that Ms. Church was with Powdr Corp. for 25 years in Tahoe where they opened a Mountain Center in June 2012. Ms. Church has been the COO of Woodward Camps for nearly a year. She and her family relocated to Park City in January 2013.

Ms. Smith stated that PCMR was excited about this project and they were anxious to start the process. Mr. Barille also introduced Sid Ostergaard, the Land Planner for Plan Works Design.

Mr. Barille explained that the Resort would be bringing forward a conditional use permit for the Woodward Mountain Center they were proposing to build in Park City. He noted that corresponding amendments to the Development Agreement would be necessary to allow the density that was already approved within the master plan to be consolidated on to the site where they intend to build the project. They have been working through the issues with Staff and he looked forward to having that discussion with the Planning Commission. Mr. Barille stated that there would also be follow-up amendments that would relate more to the broader master plan for all of the base area and the developable area in the parking lots, and how the Woodward site plan fits within the broader site plan for the entire base area.

Mr. Barille commented on the goals for this project. They believe it has great potential for the Mountain Resort and for the growth of snow sports in General, as well as helping to elevate Park City and PCMR within the snow sports and sports enthusiasts to understand the new offerings that would be coming forward in the future to this area.

Mr. Barille reviewed a time line. The plan is to complete the permitting process during the winter and be ready to start construction of the Woodward facility in the Spring, with a projected completion date of 2015. Mr. Barille stated that the goal with the Planning Commission was to proceed as efficiently as possible and as quickly as possible. He summarized a list of issues that he believed the Planning Commission would eventually want to have more details. He expected the Staff and the Planning Commission would add to the list. Mr. Barille also expected to address neighborhood concerns. He noted that he and Ms. Smith had started meeting with some of the HOAs and neighboring property owners to introduce this project and listen to their concerns and questions. They would continue to do that over the coming weeks. They also intend to host open houses at the Resort during the holiday period to allow people to review the plans in details and ask questions. Mr. Barille anticipated that issues would be raised during the open houses and they would report back to the Planning Commission on how they intend to address those issues.

Mr. Barille explained the function of Woodward. It is a year-round action sports and training facility with a summer camp component for youth. In addition to sports, there would also be a media and arts component. Mr. Barille presented slides of the Woodward Mountain Center Training Facility in Tahoe and noted that it was similar to the one they intend to build in Park City. He presented a series of slides showing how the Training Facility functions.

Mr. Barille showed a video on Woodward and how they teach the skills of their program.

Mr. Barille presented a rendering of the actual design of the building they were proposing to build at PCMR. He stated that they had worked through a number of internal programming issues to achieve a design that works well for the various components of the building. Mr. Barille remarked that the intent was to draw on the mining history and use a lot of the mountain materials, metal, steel and glass, but in a more contemporary way. He believed that would set the tone for what they wanted for the rest of the base village. It reflects the past without being a replica.

Mr. Barille reviewed the front and back elevations of the building, as well as the proposed forms and materials and design features. Mr. Barille presented a series of slides that were taken directly from PCMR's portion of the presentation at the Joint Session. He counted some of that discussion and noted that there was a long history of partnership between Park City Mountain Resort and Town on a number of issues ranging from parking and events to a connection to the Main Street that was created with the Town Lift and the transit stop in that location, to a combined economic synergy and development. The Resort would like to build on the successes as the re-development of the base area occurs. Mr. Barille believed that both Woodward and the site plan design for the base area helps to strengthen those elements. Mr. Barille outlined the challenges that were identified during the Joint Session.

Mr. Barille reviewed a context slide showing the subject area and the parking lots. Another slide showed the context of the area covered by the MPD and recognizes that it is surrounded by the RDA. That was a reason why at that time, and as they move forward, they continue to talk about partnerships with the City. Mr. Barille presented a summary slide of some of the statistics from the MPD as it currently sits with the current parking counts.

Mr. Barille pointed out that the overall site planning anticipates as much as a 15% reduction in the overall density from what was currently approved. They have talked about the potential that approximately 30,000 to 90,000 square feet of various types of resort support and commercial use might be developed on the site, rather than the 97,400 plus 85,000 that was approved in the agreement. He noted that the number could be increased slightly because some of the facilities within the Woodward project have been combined. It would depend on how, as a group, they decide to count the Resort accessory use.

Mr. Barille stated that as they move forward with redevelopment of the base, the goal is to look at ways to improve the efficiency of transit and improve the use of shuttles and alternate modes of transportation. They were cautious about not overbuilding the parking because that would encourage everyone visiting the resort to rent a car and add to traffic congestion. Mr. Barille looked forward to having that discussion with the Planning Commission at upcoming meetings.

Mr. Barille outlined a number of additional goals they hope to accomplish with the proposed plan. He noted that they had participated in the consultant's review of the traffic patterns at the Resort. Gordon Shaw has done a lot of transit planning for the City and the City hired Mr. Shaw to look at the PCMR property. The Resort team participated in terms of providing background numbers and information, as well as their own thoughts about how it would work the best operationally.

Mr. Barille emphasized that the intent is to give the local residents and children an opportunity that they do not have now. He stated that they try to dual purpose everything possible within the design of this facility. When they run a summer camp they need dormitories where kids can stay. In trying

to find a use for that space the rest of the year, they determined that it would be an ideal opportunity to provide seasonal employee housing on-site.

Mr. Barille presented the most current conceptual site plan and noted that the only change since the Joint Session was that the site identified for a hotel was the site they chose for Woodward. Mr. Barille stated that some of the goals that came out of the Joint Session from a survey of both Planning Commission and City Council, was to have more interactive open spaces; to be more diverse and family-friendly; to have more of a sense of arrival and identity; better signage and direction elements; and to be more inviting. He thought that was consistent with Powdr Corp. and PCMR's goals. They view themselves as the family resort of the three resorts in Town, and they want to continue that perspective as the area redevelops. Mr. Barille reviewed a number of slides showing how they intend to meet that goal with the proposed site plan.

Mr. Barille reviewed the definition of Resort Accessory Use from the Development Agreement and he felt strongly that the Woodward project falls within that category of use. The reason for choosing this site for Woodward was its proximity to the snow and its involvement in the snow sports arena. It also does a lot of what resort accessory use was intended to do. He presented the site plan for the Woodward building itself, well as an existing aerial showing how the Woodward building fits in with the existing properties. He noted that the center rectangular portion would be sunk into the ground to reduce the visibility and visual impacts.

Mr. Barille expected to go into a lot more detail with the Planning Commission regarding the density provisions within the agreement and how the density categories would be allocated to this project. He referred to Parcel C, which is proposed for the Woodward facility, and reviewed the current entitlement in terms of height, density and use categories, and the proposed use at the time of the agreement. He then showed what it would be under the current proposal.

Jenni Smith felt this project would raise the bar on recreation opportunities in Park City for youth and adults. It is primarily for youth and a year-round opportunity. The building would be a four-season facility that would continue to bring people into the community. Ms. Smith believed it would grow their core business. The demographics of the ski industry is changing and the millennial generation is the largest in US history; 95 million born between 1978 and the early 2000. The baby boomers is the next largest group at 78 million. A large number of people are coming into the sport and they are looking for an authentic experience. Ms. Smith stated that Woodward is outstanding with the progression of learning and draw people into the community who may not have come otherwise. She remarked that it was difficult to understand the camp experience unless you actually see it, and it would be a great benefit to the community.

Commissioner Thomas stated that this was not difficult for him to comprehend because he has personally seen the reality of it. He was optimistic about its success at PCMR. Commissioner Thomas commented on a similar facility at Whistler and the strength of their pedestrian core and the amount of business it brings as it disperses throughout the rest of the community.

Commissioner Thomas assumed that there was a pedestrian connection through the building stepping up to the existing drop off. Mr. Barille stated that pedestrian connection was one of the things they thought about as they went through the conceptual design on that building to make it as intuitive as possible. In terms of architecture, Commissioner Thomas believed this was a legitimate

representation of the evolution of its moment in time, and it also has a reflection of the mining era. He like the design but he was unsure whether it would fit within the current Code with regard to façade lengths and other issues.

Planner Astorga stated that those issues would be reviewed as part of the conditional use permit. He noted that the original MPD had 492 unit equivalents. PCMR has said that they do not want to build more and they were looking at possibly building less. However, it would require a transfer of density from one parcel to another. He asked if the Commissioners would support the transfer of density, because that would be the first step to amend the current MPD.

Commissioner Wintzer asked Mr. Barille to identify the areas where they were proposing to move around the density. Mr. Barille stated that in the Resort support category there was approximately 18,000 square feet assigned to Parcel C and they want to build 80 square feet. The question is whether to do that by taking some of the resort support commercial from Parcels D, E and B and moving it there, or whether they would honor some of the definition that says they should not count UEs against that category as long as it supports the Resort function, or whether they would look at using some of the residential density. Mr. Barille believed that it would probably be a combination. Commissioner Wintzer commented on the entry experience. If they shift the density in a way that keeps the mountains visible and creates a feel of entry, they should support it.

Commissioner Thomas thought it would be beneficial if the Planning Commission could see a sequence of images showing what the perspective would be outside of it, coming to it and being in it. Mr. Barille noted that they had already started 3-D sketch up modeling and some U of U studies. He also anticipated physical modeling. Mr. Barille stated that he had created imagery that shows what they believe are well-designed pedestrian streets on the view corridors versus ones that do not work as well.

Commissioner Wintzer remarked that traffic would be the major problem. He wanted to see the pedestrian connections and the traffic circulation patterns, particularly where and how traffic would merge on to Park Avenue and Highway 224. Commissioner Wintzer thought it was time to start working on employee parking and using park and rides.

Chair Worel asked about the number of people the dorm would house. Mr. Barille stated that their charge was between 200 to 250 kids and counselors combined. Ms. Smith pointed out that using the dorms for employee housing would be different than using it as camp dorms. Chair Worel liked the fact that the dorm would be used for employee housing.

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
NOVEMBER 20, 2013

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Brooke Hontz, Stewart Gross, Jack Thomas, Adam Strachan, Charlie Wintzer

EX OFFICIO:

Planning Director, Thomas Eddington; Planning Manager, Kayla Sintz; Anya Grahn, Planner, Kirsten Whetstone, Planner; Francisco Astorga, Planner; Christy Alexander, Planner; John Boehm, Planner; Polly Samuels-McLean, Assistant City Attorney; Mark Harrington, City Attorney

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REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 3:33 p.m. and noted that all Commissioners were present except Commissioners Strachan and Savage who were excused. Commissioner Strachan arrived later in the meeting.

General Plan

Planning Manager Sintz noted that the Staff report included a modified introduction section, as well as a modified neighborhood section. Due to the late hour at the last meeting Planning Commission meeting, there was minimal discussion on the Introduction section. At that time the Commissioners expressed concern with the Triple Bottom Line that was included. The Staff suggested that the discussion this evening begin with a thorough analysis of the Introduction section and then move to specific neighborhoods, which would include a discussion on splitting apart Bonanza Park and Prospector.

Director Eddington recalled that at the last meeting there was some discussion about bifurcating the Bonanza Park and Prospector neighborhoods, or whether they should remain as one neighborhood. He noted that the Staff relooked at the neighborhood from a statistic standpoint and determined that it was easier to separate Bonanza Park and Prospector. However, they talked about overlap and connectivity to address the desire of the Planning Commission to tie them together, even though they were two independent neighborhoods.

Introduction Section

Planning Manager Sintz requested comments on the Introduction Section. Director Eddington stated that the Staff removed the Triple Bottom Line page because the Planning Commission felt it was repetitive with the Visioning on pages 14-17. Within the Introduction, they also made corrections on page 11 to incorporate new GIS information. Director Eddington remarked that most of the Introduction section had remained the same. The Introduction was kept simple and bulleted

the important points of the General Plan. The Staff incorporated two pages that talks about the layout of the General Plan and how to use it.

Commissioner Wintzer referred to the comment in the Introduction about Visioning and what brought people to Park City. He agreed with the comment, but it was unclear whether the comment was made by one individual or a unanimous conclusion. Director Eddington stated that most of those comments were removed, but a few were left in. He explained that the Staff chose to leave in this particular comment because it was made during the Visioning process but it captured everything the City ended up doing in terms of the four core values, etc. Commissioner Wintzer was not opposed to leaving it in; however, he thought it was strange to have a comment by one person in the General Plan.

Commissioner Wintzer referred to page 15 of the General Plan and the statement, "Park City needs to be year-round attraction with more events and activities." He questioned whether that was a fair statement. It was a question that came up during the election, but he was unsure whether there was ever a consensus that the community wanted more events.

Commissioner Thomas remarked that Park City wants to be year-round attraction but the issue is what events and activities. There would be consequences with activities that overwhelm the quality of life within the community. Commissioner Thomas suggested that they look at rewording the statement.

City Attorney Harrington stated that in reading the introduction to the graphics, it is clear that the bullet points are themes that were present during the Visioning. For that reason, some points are conflicting. It was meant to capture differing opinions. Commissioner Hontz thought the bullets should either have a header explaining that these were comments voiced by the community during Visioning, or they should be de-emphasized because it is confusing.

Thaynes Canyon Neighborhood

Planning Manager Sintz handed out public input that the Staff received today from Jo Scott, a resident in Thaynes Canyon.

Commissioner Wintzer asked about the public noticing process and whether the public is only informed by what they hear on the radio or read in the newspaper. He noted that the letter from Jo Scott was the first public input they had received. Director Eddington stated that a citizen would be notified through E-notify if they were signed up. If not, any citizen could look on the website. He noted that the General Plan was posted on the website when the Commissioners received their copies.

Commissioner Hontz stated that she tried to find the General Plan on the website but it was not there. City Attorney Harrington stated that the redlines were only posted through the agendas. The main draft was posted on the Planning Department Link. He agreed that it was difficult to find. The Staff met earlier today to discuss ways to simplify the search moving forward with City Council. Commissioner Hontz stated that she had looked in three different places and she could not find the current draft or a previous draft. She then did a search, but it was not on any of the four pages that

came up. It did not come up on Google search either. Commissioner Hontz remarked that it was difficult for a member of the public to participate on the General Plan because the document is not available. It should be very simple for citizens to find it.

The Commissioners discussed Ms. Scott's comments. Commissioner Thomas understood that she was pointing out that there were inconsistencies between what was in the General Plan versus their CC&Rs. Director Eddington recalled that the same issue was discussed in Park Meadows regarding the Holiday Ranchettes. He noted that there has always been a desire by the City to have accessory structures such as a garage with a studio above, or some type of affordable housing. That was the reason for including it in the General Plan. Director Eddington expected that it would conflict with other neighborhood CC&Rs.

Commissioner Hontz noted that Park Meadows is a neighborhood with multiple HOAs. Thaynes Canyon has three HOAs. She suggested adding a sentence to indicate that it must be approved by the specific HOA per the CC&Rs. She was uncomfortable forcing a neighborhood to allow something that is prohibited by their CC&Rs, because the owners make the best decisions for their neighborhood. City Attorney Harrington offered language, "where compatible with existing neighborhoods." The HOA could make the argument that it is incompatible because it is prohibited by the CC&Rs. Mr. Harrington cautioned against having a direct link to the HOA authority to approve or disapprove. Commissioner Hontz was comfortable with that language.

The Planning Commission discussed whether or not to strike the language, "...attached accessory dwelling units and detached accessory dwelling units." Commissioner Wintzer asked if there was a way to give the neighborhoods some level of confidence rather than striking the language. He suggested that in ten years accessory apartments may not be a major issue. He preferred language that gives the HOA the opportunity to change their CC&Rs to allow accessory structures in the future. He favored Mr. Harrington's suggested language, "where compatible with existing neighborhoods" because it allows the HOA to change the CC&Rs to make accessory structures compatible.

As discussed, Commissioner Hontz revised the sentence on page 9 to read, "Where compatible within existing neighborhoods, housing options for Thaynes Canyon may include single family homes, attached accessory dwelling units and detached accessory dwelling units." The Commissioners concurred.

Commissioner Wintzer like the new language the Staff had added regarding the entry corridor. Commissioner Thomas stated that when he drove through the neighborhoods with Katie Cattan before they started the General Plan discussion, they drove in from the entry from Quinn's Junction and from Kimball Junction and took video of both sides. He and Katie talked about the importance of the entry experience. Commissioner Thomas felt it was important to convey that experience in all the neighborhoods. Being able to see through the neighborhoods to see the mountains is essential.

City Attorney Harrington noted that the entry experience was reflected in the redlined language on page 9 under the Thaynes Neighborhood. Director Eddington stated that it was also reflected on page 18 in the Park Meadows Neighborhood section. He noted that it was put under the Prospector

neighborhood on page 41, and they would also add it to Bonanza Park. Commissioner Wintzer pointed out that it would be four entrances for Bonanza Park.

Commissioner Hontz asked if the pictures and mapping were updated for the neighborhood sections. Director Eddington answered yes. Commissioner Hontz was unable to find some of the ridgeline notes. Director Eddington stated that in the overall natural setting core value, they noted the need to re-examine the ridgeline mass for the entire community. It was added holistically as ridgelines and vantage points.

Park Meadows Neighborhood

Commissioner Wintzer thought the change on the view corridor was good.

There were no further comments.

Bonanza Park and Snow Creek

Director Eddington stated that new language was added and identified in red. They kept most of the area plan principles that connected back to the Bonanza Park Area Plan. Director Eddington stated that additional entry corridor language would also be added. The matrix and numbers were updated on page 25.

Commissioner Wintzer stated that in the comments he submitted to Staff he suggested limiting nightly rentals and timeshares. If the intent is to make this neighborhood a community for locals, rentals and timeshares need to be limited; otherwise it would just be a condominium project. The Commissioners concurred.

Commissioner Wintzer thought there needed to be language about improving the entry experience coming into Park City, beyond just protecting the experience. It could be done with public art, lighting or other means. City Attorney Harrington asked Commissioner Wintzer if would like to replicate what is already seen coming in on SR224. Commissioner Wintzer thought it could be accomplished in a variety of ways. He believed that one of the goals should be to constantly improve the entrance corridor.

Commissioner Hontz stated that she had spent a considerable amount of time on the comparison of the old and the new General Plan; and she found that exact statement in the old General Plan. She remarked that the new General Plan has pieces of it but it does not explicitly say it. Commissioner Hontz found several places in the new General Plan that lacked clarity in the statements. Things that were said very well in the old General Plan were stated more vaguely in the new Plan.

Commissioner Wintzer that the Bonanza Park/Snow Creek section talks about incentivizing affordable housing and service related local businesses. He believed that incentivizing was the way to achieve affordable housing; however, if they incentivize other things they would not get affordable housing. Commissioner Wintzer noted that several places in the General Plan talk about encouraging local businesses and he thought the only way to do that was to incentivize. Director Eddington clarified that Commissioner Wintzer was suggesting that they focus incentivization on

affordable housing and local business. Commissioner Thomas concurred. Commissioner Wintzer thought the City had done very little to protect existing attainable and affordable housing in that area. He felt that protecting the existing housing should be a goal. Director Eddington believed that issue was addressed in the language in red on page 28. Commissioner Gross noted that the language was repeated on page 41 in the Prospector section. Director Eddington offered to strengthen the language in both sections.

Commissioner Gross had concerns with the language on pages 28 and 41, "As the City adopts new policies to create a great neighborhood just for locals..." If it is a City-wide policy, he suggested that it say to "create great neighborhoods for locals." He asked if "great neighborhood" was defined. Director Eddington replied that there was not a definition. Commissioner Gross thought the statement needed clarification.

Commissioner Wintzer referred to page 29 and the language addressing LEEDS and green building. He recalled that in a recent discussion with Park City Heights the developer did not like the term LEEDS because it could be replaced with other terminology. Director Eddington stated that after attending an ASLA Conference in Boston he was confident that it would be LEED. However, to address the concern he suggested that they could add "...or similar".

Chair Worel stated that affordable child care was an issue that was raised twice in different community group meetings this week. She struggled with where it should be addressed in the General Plan and came to the conclusion that it should be integrated throughout the document. She noted that people have spoken passionately about the need for affordable child care. One person went as far as to say that there was no point in having affordable housing if they could not afford to live there and have my child cared for. Chair Worel was unsure how it would all integrate, but she believed it was a critical point. Commissioner Thomas agreed. He pointed out that the issue was also raised in the Park City Heights discussion.

Commissioner Wintzer stated that there are three or four classes of affordable housing and every time they mention affordable housing he thinks of deed restricted housing. He thought it was important to make sure they were more inclusive; otherwise they would have affordable housing and large mansions and nothing in the middle. Commissioner Wintzer believed they could quickly lose all the attainable housing in Bonanza Park if they were not careful.

Planning Manager Sintz suggested adding language to address affordable child care in Goal 8 under Sense of Community, which talks about work force housing. She stated that they could add a principle to address the issue or an actual community planning strategy. Chair Worel preferred a separate strategy that would focus on affordable child care. Director Eddington stated that it would be added as a strategy on page 10. Commissioner Wintzer thought it should be addressed in several places throughout the General Plan to give it value and importance. Chair Worel agreed.

Commissioner Wintzer asked if the General Plan addresses Bonanza Park as a walkable community to decrease the use of cars. Commissioner Gross noted that page 31 talks about the Central Hub. Chair Worel read from page 31, "There is potential for this neighborhood to become one of the most pedestrian friendly areas."

Commissioner Thomas stated that the City dissected Bonanza Park with Bonanza Drive when they increased the width and modified the road. The speed of traffic increased and it was harder for people to cross the street from one neighborhood to the other. He wanted to make sure they were encouraging pedestrian connectivity in a safe way across Bonanza Drive to connect the neighborhoods.

Commissioner Wintzer noted that the frontage protection zone was not discussed in the Bonanza Park section. Director Eddington agreed that it was inadvertently left out of the Bonanza Park neighborhood section and the Staff would include it. He clarified that it was added in the old General Plan because there were no frontage and entry corridor protection. It is now included as part of the zoning ordinance.

Commissioner Hontz referred to page 32 and noted that the map shows the triangular park in the middle. She recalled that in the last iteration the road layout was significantly different and the triangle had gone away. Commissioner Hontz asked if the Commissioners were comfortable with showing a road layout that they know already know is not desired. Commissioner Thomas clarified that the future roads were shown in green. Director Eddington answered yes. Commissioner Hontz remarked that the last time she saw an updated map the developer had proposed a different scenario that eliminated specifically the triangular portion. Director Eddington stated that they do not know what the final layout would be. He thought they should say "conceptual future roads". He noted that this was the original layout and it was still being tweaked. Therefore, they have no way of knowing what the final would be until they work through it with the neighbors and finalize the Bonanza Park Area Plan.

Commissioner Wintzer suggested changing the wording to "preliminary configuration". Commissioner Hontz stated that showing an incorrect roadway has been a problem from the beginning. She noted that people attended public hearings and commented on certain road locations that would not work. The Planning Commission agreed with the public but it was never discussed. They also know that the triangle only worked in the first iteration. Beyond that she did not believe anyone agreed to it for a variety of reasons. Commissioner Wintzer thought it should be labeled as a conceptual or possible future road layout. Commissioner Hontz preferred to use the last iteration and label that as a possible layout. She recalled a map that was created with several iterations that were closer to what they wanted based on public input.

Planning Manager Sintz stated that the General Plan is meant to be a living document. Since this Plan was still in progress, they could make it more like a draft and add a note stating that this is a sub-areas plan in progress. They could then go back into the General Plan and put in the anticipated condition once it is vetted.

City Attorney Harrington recommended language "mapping for illustrative purposes only. Area Plan pending." Commissioner Hontz suggested that the roads be dotted to further de-emphasize the layout. Commissioner Thomas remarked that labeling it as "anticipated conditions" would be an assumption. Commissioner Hontz pointed out that it has remained consistent in every section; therefore, it needs to be changed in a different way for this section. Director Eddington suggested that they could lighten or dot it in the graphic and label it as possible future roads.

City Attorney Harrington reminded the Commissioners that the controlling document is the Streets Master Plan, which is referenced. He noted that the Streets Master Plan does not yet reflect the road layout for this area. He recommended that the Planning Commission could direct the Staff to qualify it appropriately and make it clear that it means nothing until it becomes part of the Streets Master Plan or part of an Area Plan.

Director Eddington stated that this was a General Plan looking 10-15 years into the future. It is unclear exactly where the roads would go because it is difficult to anticipate that far into the future, but he thought there was agreement for some form of connectivity. Director Eddington thought it would be sufficient to use the phrase, "possible future roads" and include second generation map with lightened dotting.

Commissioner Wintzer noted that the bus route and the roads continue through Prospector and they need to see that going from section to section.

Prospector Square

Director Eddington noted that Bonanza Park and Prospector were broken into two separate neighborhoods. They noted the importance of connectivity between the two; however, they each have their independent character. The Prospector neighborhood has single-family housing as well as some local mixed-use commercial. They also noted that both neighborhoods have de factor affordable housing and the challenge moving forward was gentrification. The importance of protecting that housing was also noted.

Commissioner Wintzer suggested adding a definition that talks about attainable and affordable and clarifies that it is not just deed restricted housing.

Chair Worel asked about the Rail Trail. Director Eddington stated that the Rail Trail goes all the way to Bonanza Drive and then crosses over. At that point it becomes the Trail rather than the Rail Trail. He pointed out that separating the two neighborhoods moved Bonanza Park a little further to the east to capture Iron Horse and Fireside and there is a portion of the Rail Trail in that area.

Commissioner Wintzer reiterated his previous comment to limit nightly rentals and time share. City Attorney Harrington suggested language, "Do not expand the zoning to allow additional nightly rentals." Commissioner Wintzer was concerned that if nightly rentals expanded in that area they would lose what they have. Commissioner Thomas agreed. Commissioner Wintzer believed the Staff could find a way to address his concern.

Commissioner Wintzer reiterated his previous comment about incentivizing affordable housing and business related services. He stated that the entire Prospector Square area could be re-developed and affordable housing on the second floor could be incentivized. He believed there were many options but it needed to be incentivized.

The Resort Center

Commissioner Thomas referred to language on page 51 which talked about flexibility regarding the PCMR MPD. He asked how they defined flexibility in that context. Director Eddington stated that the date of the MPD is old and the economic conditions of changed. The thought was that the Resort may come back to the Planning Commission and re-examine their Master Plan. The intent is to allow the Planning Commission to look at it with fresh eyes.

Commissioner Wintzer felt it was important to add a comment about using the park and ride for employees to reduce the parking needs and traffic in that area.

Old Town

Commissioner Hontz referred to the last paragraph on page 73 and the reference to Crested Butte regarding secondary structures and footprint exceptions. Director Eddington explained that the language stemmed from a former Planning Commissioner, Julia Pettit, who favored the idea of having the opportunity in Old Town or other places in Park City to have secondary accessory units for long term rentals by allowing a footprint exception. He understood that Ms. Pettit had suggested allowing a detached one-story structure on a lot with one affordable unit above. He noted that currently people are not interested in doing that because if they put the footprint into the house, they can have three stories. The idea is to allow a footprint exception to incentivize. Commissioner Hontz was not opposed to the footprint exception but she did not want a square footage exception. She was concerned that a footprint exception would equal additional square footage. Commissioner Hontz thought the intent needed to be better clarified. She also suggested that they eliminate some of the references to Crested Butte. Commissioner Hontz suggested that they enhance the last sentence to say "...to maintain the pattern of smaller."

Commissioner Gross referred to page 77 and the language in red, "Planning efforts to maintain primary home ownership in the neighborhood is motivated by the community's Vision." He noted that 25% is primary ownership based on the statistics and he was unsure how that could be accomplished. Commissioner Gross asked, if they wanted to cap nightly rentals at 50% of the units, how would they determined which 50% should be capped. Commissioner Wintzer favored the idea but he was unsure how they could enforce a cap. He pointed out that when the Planning Commission turned down nightly rentals in neighborhoods, they were overturned based on the fact that everyone else in the neighborhood had nightly rentals.

Adam Strachan joined the meeting at 4:37 p.m.

Director Eddington stated that currently there is no cap or a mechanism. He was unsure what the exact language would be, but it could be something to endeavor towards. Currently 48% of the stock is nightly rental. Old Town has the highest number of nightly rentals and 50% should be the cap; however, the method was uncertain because the current ordinance does not have a cap. Director Eddington suggested that one approach would be to make the criteria more difficult.

Commissioner Hontz asked if a nightly rental permit could become a commodity like a TDR. City Attorney Harrington replied that there were a number of tools to consider, such as spatial limitations, separation requirements, and other issues that have been upheld in other jurisdictions. However, it would be a major policy change. Ms. Harrington thought the language to consider capping and

other limitations was adequate. Commissioners Worel and Wintzer were comfortable with the language as written.

Commissioner Gross noted that Deer Valley and the PCMR area are mostly nightly rentals and both are economic draws. Main Street in the Historic District is also an economic hub. In order to draw tourists into the area for economic development, the City needs to provide the ability to be usable and not need a car. He was concerned that limiting the possibilities in Historic Park City would be counter to their economic viability because all the business would go to Deer Valley and Park City Mountain Resort. Commissioner Gross believed 50% was an arbitrary number and the restriction could be detrimental.

Director Eddington clarified that the cap was only a recommendation. The Staff had not done any analysis other than to analyze what exists on the ground. Commissioner Gross suggested that they remove the 50% cap and say, "consider capping nightly rentals." Director Eddington stated that the 50% cap came from Planning Commission feedback during the General Plan work sessions. He agreed that they would not have to specify a number but he thought they should endeavor towards a goal.

Commissioner Wintzer believed there was another side to Commissioner Gross' concern. If Old Town lacks primary residents, there would be no off-season business in town. Limiting nightly rentals would help ensure more locals on Main Street during the off season.

Commissioner Hontz asked if the Commissioners were comfortable with the suggestion of removing a percentage and just have the language say, "consider capping." Commissioner Thomas could not understand why they would remove the number if they were already close to 50%. If they do not have a cap the percentage of nightly rentals could gradually increase.

Commissioner Strachan stated that if they were already at 48% they needed a mechanism to keep it from getting worse. Director Eddington stated that a cap would basically say that of the units left to be built, 50% of those units moving forward would be nightly rental and 50% would be community housing. The Commissioners were comfortable with that approach.

Commissioner Gross referred to page 78, third column, second paragraph and corrected the misspelling "preform" to correctly read "perform".

Masonic Hill

Director Eddington stated that the connectivity section to Old Town was removed based on previous discussions.

Lower Deer Valley

Commissioner Wintzer reiterated his previous comment regarding a park and ride for employees because it would also benefit this neighborhood in terms of reduced parking and traffic.

Upper Deer Valley

Commissioner Wintzer noted that encouraging a park and ride for employees also pertained for this section.

Quinn's Junction

Commissioner Thomas referred to page 121 and asked if the thumbnail sketch of the Park City Heights development was current. Director Eddington replied that it did not include the recent changes. Commissioner Thomas recommended that the Staff find a current sketch to include.

There were no further comments on the Neighborhood Sections.

Chair Worel opened the public hearing.

Brian Markanen, the President of the Claim Jumpers HOA, stated that he was speaking on behalf of the Association this evening. Mr. Markanen appreciated the comments on affordable and attainable housing. He remarked that safety is currently an issue and he understood that connectivity was part of the General Plan in stitching the neighborhoods together. He asked if connectivity could be a priority to make the entire area more of a community. There are no sidewalks and most people walk on the streets or cut through the neighborhoods to reach their homes. Mr. Markanen stated that the Claim Jumper is not lost and everyone who lives there has a vested interest in staying there and being part of the community. The HOA would like to be part of the discussion and he realized that he and others needed to do a better job of communicating. However, they would also appreciate any outreach from the City towards their organization. Mr. Markanen referred to the map and stated that there was consensus among the HOA for not liking the road that goes behind Albertson's. He understood the General Plan is a fluid document and they were counting on it to shift the road or eliminate it so traffic does not run behind or next to their complex. Mr. Markanen believed the rest of the General Plan was moving in a positive direction.

Commissioner Wintzer suggested that Mr. Markanen register with E-notify to be alerted when issues in his neighborhood come up for discussion.

Rob Slettom, a Board Member of the Thaynes Canyon HOA #1, stated that there are three HOAs in Thaynes and some are more active than others. Mr. Slettom remarked that when they talk about the Thaynes community many people think it is just their HOA. However, he personally felt that they were talking from Silver Star all the way to the white barn. That includes the HOA of Aspen Springs and Frank Richards property which is now under construction. Mr. Slettom stated that he attended a Planning Commission meeting on February 20th and at that time they talked about how CC&Rs would prevail in some planning situations. He thought Mark Harrington's idea adding, "where compatible" makes sense and puts people at ease. Mr. Slettom referenced the written public comment submitted by Jo Scott earlier that day as an example. Mr. Slettom noted that Section 1.4 states, "The City should consider a slight modification to extending the bus route closer to the park." He believed that meant Rotary Park. He pointed out that Rotary Park is not a general playground park and it has been used for special events and primarily barbeques where people have to transport food and probably would not take a bus. Mr. Slettom stated that putting more bus traffic through the Thaynes Canyon 1 area needed to be carefully considered. They could build a bus

route to cover every aspect of town, but it would be similar to building a church for Easter Sunday. Other than those concerns Mr. Slettom appreciated the work that has been done on the General Plan and he thought there had been good input. On behalf of the HOA he thanked them for their efforts.

Suzette Robarge, a resident in Thaynes 5, which has been put into the Resort proper area. They are on Three Kings Drive where there is a tight set of uses. She appreciated the fact that they backed off on some trailheads in the area because there is a lot of activity in that corner of Thaynes Canyon Drive and Three Kings Drive. Ms. Robarge thought Mr. Slettom made a good point that a bus coming down through that area would be very impactful to the owners. She likes living on the bus route but it is quite intrusive from a noise standpoint. Ms. Robarge agreed that bring a bus all the way around through that portion of Thaynes Canyon would change the character. She has watched the General Plan develop as a homeowner and she appreciates the changes that were made, including reducing the number of proposed trails and bike paths. Ms. Robarge stated that she sat through a previous meeting and there was a brief discussion regarding the impact of the number of special events that are currently allowed. She thought Park City had survived the recession and was coming back economically, and she was unsure whether they should be encouraging continued growth in special events, particularly non-community events. She believed many of the outside events were diluting some of the traditional activities in Park City.

Commissioner Wintzer asked Mr. Robarge to clarify where she lived in Thaynes. She replied that she lives on Three Kings Drive facing the Armstrong property. She stated that Three Kings Court, which is part of Thaynes 4, has also been incorporated into the Resort Center. Ms. Robarge understood that one side of Thaynes Canyon Drive is Resort Zoning that allows nightly rentals and the opposite side, Thaynes 1, 2 and 3 do not have nightly rentals. She stated that she and her neighbors worry a lot about traffic on that corridor and she appreciated the Commissioners comments and concerns about mitigating and not encouraging traffic on that section of Three Kings because they get used a lot as a secondary road from the resort. Even though they are zoned Resort they feel like they are part of Thaynes.

Ruth Meintsma, 305 Woodside Avenue, referred to the Introduction and the comments from Visioning. After reading through the comments she was impressed with how potent they were and the passionate involvement. However, when she started reading the comments she was unsure what they were until she talked to the Staff and found that all the comments were a result of Phase I. Reading past the Visioning it goes to Phase 2, but it does not refer to the comment blocks. Ms. Meintsma stated that she was in the process of carefully reading the General Plan draft. She was approximately two-thirds of the way through it and she was extremely impressed. After attending all the visioning sessions, as well as Planning Commission and joint City Council meetings, she was unsure how so much information and feedback could be absorbed. She was amazed at how well it came together and that it was all included in the document. It is clear and understandable and she was not at all disappointed. Ms. Meintsma remarked that she had just started reading the neighborhood sections and she thought the maps and information on individual neighborhoods allows someone who does not live there to get acquainted with a neighborhoods very effectively. She referred to the map on page 14 felt that the map defines ridgelines much better than the vantage points. However, she thought where the dotted line ridgeline ends was vague and she suggested adding a solid line where the dotted line ends to well-define the ends points. She also

suggested adding a survey point where the solid line ends. Ms. Meintsma used example in to illustrate her point.

Commissioner Wintzer thanked Ms. Meintsma for the important input she continually provides to the Planning Commission. She does a great job and he appreciates it.

Jo Scott, a resident in Thaynes 1 stated that she had submitted a letter to the Planning Commission this morning. Ms. Scott apologized for not being able to attend earlier to hear their comments on the Thaynes neighborhood. She referred to the language regarding detached dwellings. She wanted to know if a resident in Thaynes Canyon sold their house and someone purchased it and tore it down, whether the new owner could build two houses on that same lot.

Director Eddington thanked Ms. Scott for the input she submitted in her letter. He explained that the Planning Commission reviewed her comments and revised the language. As revised, detached accessory units would not be allowed outright, but they could be considered in an existing neighborhood if it was compatible with the HOA and the CC&Rs.

Ms. Scott was pleased with the revision and asked how they would define compatible.

City Attorney Harrington replied that the General Plan does not dictate the land uses. The City zoning and the CC&Rs would control the accessory uses and either allow or not allow it. He explained that the more restrictive would apply because City Code cannot override CC&Rs.

Ms. Scott was still concerned that someone would be able to tear down an existing house and build two homes on the lot. Director Eddington stated that they were not recommending zoning changes for that area and the minimum lot size would still apply.

Ms. Scott asked for clarification on a detached dwelling. Commissioner Wintzer replied that it could be one house with a detached garage. Director Eddington stated that the language as originally written would have allowed someone to build a second level on top of the garage to serve as a unit or apartment. He pointed out that it could still be allowed if it was found to be compatible, but only if it was allowed by the CC&Rs.

Ben Nitka, stated that he was a member of the Aspen Springs HOA Board. He thought there was confusion between single-family and accessory apartments. He noted that the City has not been helpful and anything they put in the General Plan that encourages accessory dwellings is a detriment to the areas that were platted as single family areas. Mr. Nitka urged the Planning Commission refine the language and possibly remove it for some areas. He noted that Aspen Springs was platted as a single family area with no overnight rentals. He encouraged the Planning Commission not to throw the burden on the HOAs because they are already dealing with lawsuits and illegal apartments, and it is very difficult.

Mary Wintzer, 320 McHenry Street, disclosed that she is married to Commissioner Wintzer. Ms. Wintzer echoed Mr. Nitka's comments. When the neighbors in Holiday Ranch asked for help, they were told that the City could not get involved with CC&Rs. Fortunately, two Commissioners were able to find a way to help them. Ms. Wintzer noted that at one time her neighborhood did not have

nightly rentals; however, the neighbors were over-ruled. She believes that nightly rentals led to the deterioration of Old Town neighborhoods. Ms. Wintzer appreciated the language Mark Harrington suggested about not expanding nightly rentals, particularly in Prospector. Prospector is a neighborhood with young children and she would hate to see those neighborhoods disintegrate due to nightly rentals.

Chair Worel closed the public hearing.

Commissioner Hontz noted for the record that she had left the room after Commissioner Gross' comments and returned during public comment.

Commissioner Hontz requested to comment on the Quinn's' Junction neighborhood since she was away during that discussion. She referred to page 123 and asked if the Park City Heights site plan would have an asterisk directing people to the historic toxic materials report. City Attorney Harrington stated that the Staff was will considering how to address her comment and he would let her know once they make that determination.

Chair Worel asked the Commissioners for final comments on the General Plan.

Commissioner Hontz noted that they had not had time to go through the old and new General Plan Comparisons, but she did not believe a meeting was the best way to address it. She would schedule time with the Planning Staff to discuss her concerns. She found it to be helpful but she did not agree with all the assessments. However, in some cases she believes the essence of what was in the old Plan was missing. Commissioner Hontz remarked that many of the issues were important for the community because it relates to keeping Park City Park City. Commissioner Hontz outlined some of the areas where statements from the old General Plan were missing from the new General Plan; although she recognized that some of the statement were not wanted in the new Plan. Commissioner Hontz wanted the ridgelines added on page 66 of the neighborhoods.

Commissioner Hontz stated that Councilman Butwinski showed her that the General Plan as it appears today was loaded on the City website. She has spent a lot of time recently looking at other communities and how they tackled their General Plan; and it is always time consuming and intensive. Commissioner Hontz stated that in order to have a great General Plan the public has to have easy access to the document and to easily understand it. Since the General Plan was only posted on the website today, she believed they needed to allow time for the public, the stakeholders and everyone in the community to look at the Plan and understand what it says. She reiterated her comment from the last meeting regarding outreach at the Planning Commission level so people can make their comments when most of the work is getting done before it goes to City Council. She believed it was important to spend the time on public outreach and to do a better job of getting people involved.

Commissioner Hontz recalled a previous comment about the General Plan being a living document. In her research of the top ten General Plans, those communities were really trying to integrate the General Plan as an active document. Commissioner Hontz noted that the last General Plan took 5 years to write and they were beating that time frame with the new General Plan. However, in looking at the amount of material provided, this was not a living document. Commissioner Hontz stated that

the people in the communities that have successfully made it a live document have a different format and it is much shorter. While she appreciates that process, she has been in the business too long to know that changes cannot be made easily. It would take months to follow the process for changing anything in the General Plan. Commissioner Hontz suggested that they do the best job now and get good public input so they create something they can live with rather than live with something they have to hurry up and change.

MOTION: Commissioner Hontz moved to CONTINUE the General Plan to the December 11th meeting, to form a task force to address the last few issues and to increase the public outreach in the interim. Commissioner Wintzer seconded the motion.

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

Commissioner Wintzer felt this was the first meeting where the Planning Commission actually discussed the General Plan. He would like the opportunity to discuss the rest of the General Plan in the same detail as they did the neighborhoods. He made comments in March that were never brought up in any area for discussion. He was pleased that Commissioner Hontz made motion to continue because he was not prepared to vote on the General Plan until they have a detailed review. Commissioner Wintzer stated that he also started going through the General Plan Comparison and it was a lot of work.

Commissioner Thomas believed they needed another meeting, but he was optimistic that it could be finished at the next meeting.

City Attorney Harrington suggested that the Planning Commission send a representative to the City Council meeting the following evening, or have Chair Worel speak with the Council Liaison, Alex Butwinski. He noted that the City Council was expecting the Planning Commission to take action this evening. He wanted the Commissioners to be aware that the Council had the ability to call it up for action, and that the Planning Commission could not control the agenda forever. Mr. Harrington thought it was prudent to open the lines of communication and convince the City Council that the extra meeting was worthwhile. Mr. Harrington pointed out that the City Council was also trying to complete the General Plan prior to the changes to the Planning Commission and the City Council.

Chair Worel stated that she would speak with the Council liaison during the break this evening.

Chair Worel announced that the Planning Commission would address some of the items on the regular agenda before moving into Work Session

ADOPTION OF MINUTES

September 25, 2013

Chair Worel noted that the minutes were continued from the last meeting pending clarification on 70 Chambers Avenue and whether it was a setback or stepback that was discussed. She understood that after re-listening to the recording the minutes correctly reflected it as a setback.

MOTION: Commissioner Wintzer moved to APPROVE the minutes of September 25, 2013. Commissioner Wintzer seconded the motion.

VOTE: The motion passed. Commissioner Hontz abstained from the vote.

November 6, 2013

Chair Worel referred to page 144 and corrected Director Hontz to **Commissioner** Hontz.

Commissioner Hontz referred to page 165, Condition of Approval #65. She stated that reading the condition on page 165 and looking back to page 145, which was how the condition was supposed to read, she thought the words "concerning the remediated site and the soils repository" were missing from the condition. She wanted that phrase added into the condition because it was more clarifying language.

Planning Manager Sintz referred to the next paragraph on page 145 which indicated that Mr. Hathaway, the attorney representing the developer, deleted "concerning the remediated site and the soils repository", and the Commissioners were comfortable with the revised condition. Commissioner Hontz would have preferred to add the language but she accepted the condition as written.

MOTION: Commissioner Thomas moved to APPROVE the minutes of November 6, 2013 as corrected. Commissioner Hontz seconded the motion.

VOTE: The motion passed. Commissioner Strachan abstained.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Eddington stated that the last meeting of the year would be December 11th. He asked if the Commissioners would like to have a holiday party after that meeting or if they preferred another day later in the week. The Commissioners preferred a day other than December 11th. Director Eddington stated that Patricia Abdullah would schedule a day and confirm it with the Planning Commission.

Commissioner Hontz disclosed that she had reached out to the applicants for 264 Ontario Avenue before she discovered that they were applicants. She had nothing else to disclose on the matter.

Commissioner Strachan disclosed that he represents PCMR on personal injury affairs at the resort. His work is unrelated to the agenda item but he would be recusing himself from the work session.

Commissioner Hontz stated that she would be recusing herself from the PCMR work session item and from 1255 Park Avenue.

CONTINUATION(S) – Public Hearing and continuation to date specified.

1. 916 Empire Avenue – Steep Slope CUP (Application PL-13-01533)

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

MOTION: Commissioner Wintzer moved CONTINUE 915 Empire Avenue to December 11, 2013. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

2. 530 Main Street – CUP for a seasonal tent (Application PL-13-02066)

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

MOTION: Commissioner Thomas moved to CONTINUE 530 Main Street to December 11, 2013. Commissioner Wintzer seconded the motion.

3. Risner Ridge Subdivision 1 & 2 – Plat Amendment (Application PL-13-02021)

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

MOTION: Commissioner Wintzer moved to CONTINUE Risner Ridge Subdivision 1 & 2 to December 11, 2013. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

4. 1255 Park Avenue, Park City Library – Plat Amendment
(Application PL-13-01950)

Chair Worel opened the public hearing.

Eleanor Griffin stated that she was given notification today of this meeting. She is a neighbor to the library and she is very anxious to follow the plan because the entrance would impact her home. Ms.

Griffin was very distressed that she had not been notified. The date on the notification was November 15th but she did not receive it until today. Ms. Griffin did not believe that November 15th was adequate noticing either. She understood that the MPD was on the agenda this evening and she intended to stay for the discussion, but she wanted the Planning Commission to be aware of the noticing issue.

Planning Manager Sintz clarified that the Library MPD on the agenda was not scheduled for action due to noticing issues. However, it was scheduled for public hearing and discussion.

Chair Worel closed the public hearing.

MOTION: Commissioner Hontz moved to CONTINUE 1255 Park Avenue to November 11, 2013. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

5. 7101 Silver Lake Drive, Lot 2 North Silver Lake – CUP for lockout units
(Application PL-13-03024)

Chair Worel opened the public hearing. There were not comments. Chair Worel closed the public hearing.

MOTION: Commissioner Hontz moved to CONTINUE 7101 Silver Lake Drive to December 11, 2013. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

6. Lot 2 B Subdivision of Lot 2 North Silver Lake - Subdivision
(Application PL-13-02048)

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

MOTION: Commissioner Hontz moved to CONTINUE Lot 2 B Subdivision of Lot 2 North Silver Lake - Subdivision to December 11, 2013. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

7. Lot 2 B Subdivision of Lot 2 North Silver Lake – Condominium Conversion
(Application PL-13-02049)

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

MOTION: Commissioner Hontz moved to CONTINUE Lot 2 B Subdivision of Lot 2 North Silver Lake – Condominium Conversion to December 11, 2013. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. Fifth Amended Courchevel Condominiums at Deer Valley, 2700 Deer Valley Drive (Application PL-13-02098)

Planner Christy Alexander reviewed the application for a record of survey amendment for 2700 Deer Valley Drive East, the Courchevel Condominiums, Units C301. The request is to amend the record of survey to convert the existing common area loft space within the private unit into private area. Planner Alexander reported that some of the interior spaces were common areas. Unit C301 is a private unit with a loft space that is considered common area.

Planner Alexander noted that the request would not change the building footprint or the parking requirements. The Staff recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval outlined in the Staff report.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Hontz moved to forward a POSITIVE recommendation to the City Council for the Fifth Amendment to the Courchevel Condominiums at Deer Valley Record of Survey Plat amending Unit C301, in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval as stated in the draft ordinance. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Unit C301, 2700 Deer Valley Drive

1. The property is located at 2700 Deer Valley Drive East.
2. The Courchevel Condominium at Deer Valley record of survey was approved by the City Council on December 27, 1984 and recorded at Summit County on December 31, 1984.
3. The Courchevel Condominiums at Deer Valley record of survey plat recorded 40 residential condominium units of 759 square feet each with 60 parking spaces in a shared underground garage.

4. There are two (2) access driveways from the garage to Deer Valley Drive East.
5. In November of 1989, an amended record of survey plat was approved and recorded increasing the number of residential condominium units to forty-one (41).
6. In February of 2012, a second amendment record of survey plat was recorded. This second amendment converted 608 square feet of common attic area above each of Units B301 and B303, 1,216 square feet total, to private area.
7. Two of the three approved Courchevel buildings (Buildings B and C) were constructed beginning in 1984 and completed in 1988. Building A was never constructed.
8. The second amendment reflected that Building A was not built and removed it from the record of survey.
9. In December of 2012, a third amendment record of survey plat was recorded. This third amendment converted 470 square feet of common attic area above Units B304 to private area.
10. In January of 2013, a fourth amendment record of survey plat was recorded. This fourth amendment converted 608 square feet of common attic area above Unit B202 to private area.
11. Currently there are 27 condominium units and 31 underground parking spaces.
12. Each existing condominium unit contains 759 square feet, except for Units B301, B303, and B304, which contain a total of 1,367 square feet and Unit B202 contains 1,229 square feet. Unit C301 if approved will contain 898 square feet.
13. The property is subject to requirements and restrictions of the Deer Valley Resort 11th Amended and Restated Large Scale MPD.
14. The MPD originally allowed up to 20.5 UEs for the Courchevel parcel.
15. The MPD was amended in 2001 to transfer seven (7) UEs as 14,000 square feet to the Silver Baron condominium project, adjacent to the north, leaving 13.5 UEs for the Courchevel property.
16. At 2,000 square feet per UE, the total allowable residential square footage is 27,000 square feet. The existing residential square footage for the 27 condominium units is 22,926 square feet, including the pending 139 for Unit C301 subject to approval of the Fifth Amendment.
17. On October 10, 2013 the City received a completed application for a Fifth Amendment to the Courchevel Condominiums at Deer Valley record of survey

requesting conversion of 139 square feet of common loft space in Unit C301 to private area.

18. Unit C301 is located on the second floor of Building C.

19. In October 2013, Courchevel Condominium owner's association voted unanimously (with more than 2/3rds of members voting) to approve construction of the loft space and the transfer of 139 square feet of common space to private space for Unit C301.

20. There are no exterior changes proposed.

21. The proposed amendment is consistent with the purpose statements of the district.

22. Unit C301 would increase by 139 square feet from 759 square feet to 898 square feet and the total floor area would be 22,926 square feet.

23. The total proposed UE for the project, including the pending Fifth Amendment, would be 11.46 UE.

24. The current Deer Valley MPD allows 13.5 UE for Courchevel Condominiums. If this amendment is approved and recorded there will be 4,074 square feet (2.04 UE) of floor area remaining for future conversion of common area to private area. An additional parking space would be required for each unit that exceeds 1,000 square feet, unless a parking exception is approved by the Planning Commission per LMC Section 15-3-7.

25. The building does not exceed the allowable 35' building height and there are no nonconforming setback issues.

26. All construction is proposed within the existing building envelope.

27. The current LMC requires two (2) spaces for each of the amended units greater than 1,000 square feet and less than 2,500 square feet. The proposed Fifth Amendment complies with this requirement.

28. The current LMC would require one and half (1.5) spaces for each unit greater than 650 square feet and less than 1,000 square feet. The existing development would be short 13 parking spaces if developed under the current Land Management Code (LMC).

29. Thirty-one (31) parking spaces will be required and thirty-one (31) spaces will exist with approval of the Fifth Amendment.

30. The property is located at the base area for Deer Valley Ski Resort and on the Park City bus route.

31. The expanded unit would comply with the current parking code.

Conclusions of Law – Unit C301, 2700 Deer Valley Drive

1. There is good cause for this amendment to the record of survey.
2. The amended record of survey plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended record of survey plat is consistent with the 11th Amended and Restated Deer Valley Master Planned Development.
4. Neither the public nor any person will be materially injured by the proposed record of survey amendment.
5. Approval of the record of survey amendment, subject to the conditions of approval, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – Unit C301, 2700 Deer Valley Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the amended record of survey plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the record of survey.
2. The applicant will record the amended record of survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the record of survey 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. All conditions of approval of the Deer Valley Resort 11th Amended and Restated Large Scale MPD and the amended Courchevel Condominiums at Deer Valley record of survey plats shall continue to apply.

The Planning Commission moved into Work Session to discuss the Park City Mountain Resort MPD. The work session discussion can be found in the Work Session Minutes dated November 20th, 2013.

The Planning Commission resumed the Regular Meeting agenda.

2. **1255 Park Avenue, Park City Library – Master Planned Development (Application PL-13-02085)**

Commissioner Hontz recused herself from this item.

Chair Worel noted that due to noticing issues, no action would be taken this evening.

Planner Grahn reported that the Planning Commission had reviewed the pre-MPD application for 1255 Park Avenue during a work session on September 25, 2013.

Planner Anya Grahn reviewed the MPD application to add 2400 square feet to the Carl Wintzer Building at 1255 Park Avenue. This application would modify and amend the existing 1992 Master Planned. The applicant was the Park City Municipal Corporation.

Planner Grahn outlined the issues for discussion. She noted that the applicant was requesting a setback reduction. The MPD requires a setback of 25 feet around the entire perimeter of the site. The Library building itself is located in the Residential Commercial District (RC), and that zone requires a 15' setback. Planner Grahn stated that currently the Library building encroaches on the Norfolk Avenue right-of-way on the rear elevation; however it has a front yard setback of over 138 feet from the rear of the properties on Park Avenue, and over 70 feet along Park Avenue itself. Planner Grahn remarked that the Planning Commission could choose to reduce the setback from 25' to the zone required setback if it is necessary to provide architectural interest and variation. The applicant was requesting a 10' setback reduction along Norfolk Avenue to allow for architectural interest and to accommodate the proposed addition.

Kevin Blalock, the project architect, stated that the building footprint proposed respects the building setback and improves upon it. The first floor becomes 15' and the second floor is a 10' setback from Norfolk, which is consistent with the existing building footprint.

Planner Grahn requested input from the Planning Commission regarding the requested setback reduction.

Commissioner Wintzer asked if this was the same setback that was discussed on September 25th. Planner Grahn answered yes. Commissioner Wintzer was comfortable with the reduction. The Commissioners concurred.

Planner Grahn reported that off-street parking was another issue for discussion. The Planning Commission may increase or decrease the number of required off-street parking spaces based on a parking analysis submitted by the applicant. She noted that the applicant had commissioned InterPlan to count the number of parking spaces available on the site. She recalled that there were 98 parking spaces. Planner Grahn stated that overall the InterPlan study found that the maximum peak parking volume was 43 vehicles or 43.8% of the lot. The study also found that a similar parking period not in the shoulder season could be as much as 63 vehicles, which was still less than the full amount of the lot. The Santy Auditorium was the largest parking generator, primarily due to the Park City Film Series and Sundance.

Planner Grahn stated that as currently proposed the Library relies on the Mawhinney parking lot directly east of the site to provide additional overflow parking. The applicant requested a parking reduction of approximately 10-12 spaces, reducing the number to 87 spaces rather than the 88 spaces described in the site plan. Planner Grahn explained that part of the reason for the reduction of parking stalls was to improve the landscaped pedestrian entry sequence between the Park

Avenue bus stop and the Library entrance. It was also shown on the site plan included as an exhibit in the Staff report.

Planner Grahn recalled from the last meeting that the Planning Commission was concerned about the number of pedestrians crossing Park Avenue. The Staff addressed the issue with the City Engineer and he did not believe there would be enough pedestrian traffic to ramp up the pedestrian crosswalk on Park Avenue. If safety becomes an issue or there is a substantial change in the number of pedestrians crossing, it would be reassessed at that time.

Planning Manager Sintz pointed out that the Café proposed for the Library was not expected to generate additional parking. Planner Grahn explained that the Café would add one employee. If there were additional employees during special events, parking would be provided for those additional employees at the time. The anticipated need would be three parking spaces at the most for the Café.

Chair Worel appreciated the parking study and she found it very helpful. Chair Worel asked where the snow would be pushed during the winter when they plow. Mr. Blalock indicated an existing driveway on the site plan and noted that they were proposing to reclaim that as re-vegetated garden space. During the winter snow could be pushed into that location. The existing snow storage areas could also be maintained. Mr. Blalock stated that they were still maintaining the same proportions of the staff entry and service loading zones, which is another area where snow could be pushed over the curb and on to the grass to create a sledding hill.

Chair Worel asked for an explanation of the graph on page 230 of the Staff report. Planning Manager Sintz stated that it was based on the road volume and the pedestrian volume and analyzes the amount of vehicles per the amount of anticipated pedestrians. A recommendation is made based on road speed, amount of road and other variables indicating the breaking point of when a modification to the existing roadway would be necessary.

Mr. Blalock believed this graph was what the City Engineer used to determine that the existing crosswalk was sufficient at this time because there was not enough conflict between traffic/pedestrian movement at that particular crosswalk. Director Eddington stated that the City Engineer preferred to keep the crosswalk small town and simple without beacons or other signals.

Commissioner Wintzer was comfortable with the requested parking reduction. He believed that this building has ample snow storage and if they want to encourage fewer cars they need to start reducing the amount of parking spaces. Commissioners Thomas and Strachan concurred.

Commissioner Gross was concerned about the cars that would be parking immediately adjacent to the proposed walkway. He wanted to know how they would exit once they back up. He did not think they would want people backing into pedestrians walking down the new driveway. Commissioner Gross suggested that they may need to remove two additional spaces to provide enough room for a car to back into and get out. Mr. Blalock pointed out that there was a three or four foot buffer before the bumper of the car would encroach on the pedestrian walkway. He believed it was a vast improvement over what currently exists. Commissioner Gross was not convinced that there would still be enough room for a normal sized car. Commissioner Wintzer agreed. Commissioner Gross

wanted to avoid future problems. He had counted 85 spaces and questioned where the 92 spaces mentioned.

Commissioner Gross expressed his concerns with less parking, the annex parking across the street next to the skateboard park, and the lack of accessibility on 13th Street. He referred to a statement on page 184 of the Staff report indicating that 67% of dog park users travel to the site using non-automobile travel. He was unaware that this was dog park and asked for clarification of the green space. He was told that the City has not officially recognized it as a dog park. They respond to complaints about dogs off leashes. Other than that it is not an area the City regulates or manages as a formalized dog park. If were ever to be designated as a dog park, the City would come back to the Planning Commission to reconcile additional demands on parking and other neighborhood impacts.

Commissioner Wintzer suggested that they sign for compact cars only on the two tighter spaces. Director Eddington asked Mr. Blalock of there was a benefit in asking for 86 parking spaces until the design is finalized. He suggested that once the design is finalized they may need additional leeway for cars backing up. Mr. Blalock agreed.

Chair Worel recalled a suggestion for paid parking. Planner Grahn stated that InterPlan had suggested it as a potential option to mitigate the possibility of PCMR using the Library parking lot for some of their employees or for overflow parking during special ski events. Commissioner Wintzer stated that in a worst case scenario, the Library employees could park across the street on a regular basis.

Planner Grahn remarked that the next issue was the book drop. As proposed the book drop would be relocated to the service and delivery area off of Norfolk Avenue. It would be more convenient and there is room for a vehicle to approach the book drop. The book drop could possibly be connected to the interior of the building at some point in the future. Planner Grahn stated that InterPlan found that the book drop itself would not substantially increase the traffic along Norfolk or 13th Street. However, there is an issue with the location of the book drop. Accessing the book drop could require a three-point turn, which could cause vehicular backup on to Norfolk.

Planner Grahn clarified that at this time the City Engineer did not support the proposed location for the book drop. The City Engineer and the Staff were concerned about safety measures, especially since this area is also used for snow storage in the winter. There was also an issue with the width of the driveway.

Planner Grahn asked whether the Planning Commission supported the location of the book drop and whether it would be functional.

Commissioner Thomas clarified that they were proposing that an automobile do a three-point turn so people do not have to get out of their car and walk into the building to drop off the books. Commissioner Gross believed it was also to have an interior book drop so the Staff did not have to go outside to retrieve the books.

Mr. Blalock agreed that there was a domino effect of all the issues. Having an external book drop decreases the longevity of the materials and it takes the Staff away from the patrons. The intent is to move towards the 21st Century Library; however, they were still saddled with the challenges of the American automobile. Mr. Blalock explained that they had explored and evaluated six or seven potential locations for a drive-up book drop. He presented a slide showing the different locations that were considered. The options were reviewed and discussed with the Library Board, Friends of the Library and the library staff and they all arrived at the same conclusion. Mr. Blalock reviewed the individual options and explained why they chose the one proposed. He realized that the location proposed was less than optimum, but it offered the least number of compromises to the overall project.

Commissioner Thomas thought the issue went beyond the energy of the Library Staff. It is also the paving and snow removal, particularly on the northwest corner that gets very little light. Mr. Blalock stated that he designs a lot of libraries and he continually fights the same battle. He understood Commissioner Thomas' concern. He noted that several months ago they presented a number of options to the City Council, including the option to abandon the building and looking for a new site for a new library. The Council embraced the idea of adaptive re-use to the project and revering the historic qualities of the building as supported by the City's larger goals and mission. He reiterated that the proposed location had the least number of compromises, knowing that it was already a Staff entry, as well as a loading and receiving, refuse and cycle area. If it is not the immediate book drop, he suggested the possibility that it could become a book drop location in the future. Mr. Blalock pointed out that if the book drop itself goes away, they would still anticipate having the paved area. He noted that it currently exists in the same configuration and they slid it 15 feet to the north.

Commissioner Thomas was uncomfortable with the idea of a drive-thru book return and he felt it was inconsistent with the nature of the community.

Chair Worel noted that the City Engineer did not support the proposed book drop location, and in her opinion that was important. She asked if the City Engineer had another suggestion. Planning Manager Sintz stated that the City Engineer had suggested a full turnaround that meets engineering standards. Mr. Blalock noted that the City Engineer had vetoed options 1 and 2 that pull directly off of Norfolk due to the number of traffic conflicts. City Engineer wanted a full turnaround and when they looked at that analysis, the recommended turning radius for a Tahoe or Suburban is 25-30 feet. The diagram presented was shown at 25 feet, which is a tight turning radius.

Commissioner Wintzer understood Commissioner's Thomas' concern, but he was more concerned about protecting the residential neighborhood at the back of the building. Adding a book drop to the activity that already takes place in that location further encroaches into the residential neighborhood. Commissioner Wintzer believed they had already lost the battle of having people get out of their cars.

Commissioner Strachan did not believe the current system was broken. He could understand setting aside space in the project for the future. He checks out books from the Library and he gets out of his car to drop them off. Commissioner Strachan was concerned that people would park on Norfolk and walk to the book drop instead of doing a three-point turn. He reiterated that the current system worked fine and he did not think it needed to be fixed with this type of solution.

Commissioner Gross thought it was a problem. He was at the Library this afternoon and two cars were parked in the back. When he drives in with his Smart car it is still difficult to turn around. He liked the idea of turning an 87 year old building into a 21st Century library, but with that scenario some things cannot occur properly. Unless they set it up properly they would be creating future problems. Commissioner Gross was unsure of the percentage of people who access the library electronically, or what the projections for electronic versus paper were 5-15 years in the future. He assumed it would significantly move towards digital. Commissioner Gross could not see how the book drop could successfully work in the proposed location.

Commissioner Thomas stated that he championed the adaptive re-use of the building and he believed it was a successful project. Commissioner Thomas did not think the project hinged on drive-up book drop. Commissioner Gross agreed.

Planner Grahn noted that the trash and recycling was proposed to remain in its current location. Per the LMC it would have to be completely enclosed and the design and materials must relate to the overall design of the building. She asked if the Planning Commission agreed with the location of the proposed trash and recycling, or whether they preferred moving it to a different location. Another question was whether or not the current location would impact the adjacent residential neighborhood.

Chair Worel asked if the Staff had received feedback from the neighbors on Norfolk. Planner Grahn had not received input. Commissioner Wintzer stated that when the building was originally renovated the trash was located in that area and he had not heard of any complaints. It is well hidden because it sits below the street. The only disadvantage are the trucks moving back and forth to collect the trash.

The Commissioners were comfortable leaving the trash and recycling in its current location, as well as the service and delivery.

Planner Grahn commented on the conditional use permit for the proposed Café at the Library. The Café would be approximately 315 square feet at the rear of the new addition. It would only have a counter. The seating would be distributed between the Library, the long gallery entry space proposed, and the outdoor terrace. Planner Grahn stated that the goal of the Café is to serve library patrons, filmgoers, or anyone attending events in the building. The applicant was not intending for the Café to take business away from other coffee venues on Main Street. Currently, the 7-Eleven is the only other venue in the neighborhood.

Planner Grahn asked if the Planning Commission finds the Café to be compatible with the other uses. Chair Worel asked if the City would run the Café. Jonathan Weidenhamer stated that the City would probably put out an RFP to find a service provider and negotiate a lease. He believed it would be a welcomed amenity.

Chair Worel asked if people take coffee into the Library. She was told that the Staff makes coffee and it is served on the second floor.

Planning Manager Sintz stated that in order to avoid having to come back for an additional administrative CUP for outdoor dining, she suggested that the Staff could include some analysis on outdoor dining for the next meeting, and she asked for a head nod from the Commissioners.

The Commissioners supported the Café and they were comfortable with the idea of outdoor seating.

Planner Grahn noted that the Café would produce additional garbage and she asked if the proposed trash storage and recycling facilities were adequate to accommodate the increased trash. The Commissioners were unsure how to assess the capacity. Chair Worel asked if the trash bins was fully used now.

Planning Manager Sintz suggested adding a condition of approval indicating that additional service as required. Mr. Weidenhamer stated that there is a stipulation with the reduced parking to come back in a year with a study. He offered to include the Café as part of that one year review and report any potential impacts.

Commissioner Wintzer recalled previously talking about a deck on the back of the building, and he requested placing an hourly restriction on the use to protect the residential neighborhood.

Commissioner Gross asked about signage. Planner Grahn stated that signage was proposed but the Staff had not had the opportunity to review it. She believed the applicant would be asking for a setback exception to place the sign closer to Park Avenue. Mr. Weidenhamer stated that it is an existing non-compliant structure with the existing sign. He thought this was an opportunity through the site development work to propose something that works better and fits better with the bus stop and the pedestrian connection. He believed the next meeting would be the best time to address the setback reduction.

Commissioner Gross asked if signs were proposed on the building itself. Mr. Weidenhamer stated that he had asked his Staff and Mr. Blalock to work together on the signage and determine possibilities for the Planning Commission to consider at the next meeting.

Chair Worel referred to Condition of Approval #19 and suggested that the language should be split into two conditions. Planner Grahn agreed. The last sentence of Condition #19 regarding the driveway width would become Condition #20. The applicant requested that the last sentence be removed completely to accommodate the site improvements that need to be made on the Norfolk right-of-way and the addition. The existing retaining walls would remain. The new addition would meet the reduced 10' setback. However, the addition that pushes north also pushes the driveway 10' to the north.

Commissioner Wintzer requested that the applicants provide an overlay over the top of the existing drawing for the next meeting so he could see exactly what they were proposing.

Planner Grahn noted that the Café hours would follow the hours that the building is actually opened and not in conjunction with the Library hours. She would revise Condition of Approval #19 to reflect that change for the next meeting.

Chair Worel opened the public hearing.

Eleanor Griffin recalled from the last meeting that the bathrooms in the building would be replaced and she wanted to know why.

Mr. Blalock stated that they intend to replace the bathroom fixtures with low flow fixtures that use less water. They also plan to do general cosmetic improvements to the bathrooms.

Ms. Griffin thought it was extravagant. She also had concerns with the cafeteria in terms of lighting, use and frequency. She asked the Planning Commission to consider that it might be annoying to the residents in the area.

Chair Worel closed the public hearing.

3. 264 Ontario Avenue – Steep Slope CUP (Application PL-13-02055)

Planner Whetstone reviewed the application for a steep slope CUP for an addition an historic house located at 264 Ontario Avenue. The house actually has access on McHenry. It encroaches on to the right-of-way for Ontario; however, Ontario is completely out of the right-of-way at that point. She noted that the encroachment was resolved with the plat that was done to create the one lot. The house has a frontage on McHenry on the eastern property line. Planner Whetstone stated that the proposal also includes restoration of an existing historic house.

Planner Whetstone noted that the plat, shown as Exhibit A in the Staff report, combined slightly more than three historic Old Town lots into one lot of 5,660 square feet. The property is located in the HRL zone. Planner Whetstone reviewed the existing conditions, showing the location of the actual paved right-of-way on the lots on the west side of Ontario. She indicated where the house encroaches on to Ontario. She stated that an encroachment agreement was recorded prior to the recordation of the plat. Planner Whetstone reported that the plat was approved by the City Council on October 25, 2012 and recorded in March 2013.

The applicant was requesting a steep slope CUP for construction of a 2500 square foot addition to the existing single family house. Two single car garages located on McHenry was also being proposed. No construction was proposed over the top of the historic house. A non-historic addition behind a small shed would be removed. The applicant also proposes to add a single story connector to the three story addition. The top story would be the two garages, and a main floor and a basement.

Planner Whetstone stated that a steep slope CUP is required because the proposed addition was greater than 1,000 square feet and would be constructed on a slope of greater than 30%. The Planning Commission needed to find compliance with LMC Section 15-2.1.6. She noted that it was incorrectly written in the Staff report as 15-2.2.6. Planner Whetstone noted that the criteria was listed on page 264. The Staff report and the Staff had provided an analysis for those nine criteria indicating that the proposal complies with the criteria.

Planner Whetstone reported that a HDDR was submitted shortly after the plat was approved in 2012, and the proposal was found to be in compliance with the Historic Design Guidelines. Planner

Whetstone reviewed photos the applicant had provided to meet the criteria requirement for visual analysis.

The Staff recommended that the Planning Commission review the application, conduct a public hearing and consider approving the Steep Slope CUP based on the findings of fact, conclusions of law and conditions of approval as outlined in the Staff report.

David Constable, the applicant, passed around photos to help the Commissioners visualize the site.

David White, the project architect, referred to Planner Whetstone's comment that the addition was three stories. He clarified that the only part of the addition that is three stories is the very back part that is directly under the garage. The rest of the addition is two stories and then it drops to one story. Planner Whetstone replied that he was correct.

Mr. Constable reviewed the topo and noted that people who are familiar with the site were surprised that they were required to go through the steep slope process. The lot does not appear to be that steep. Mr. Constable noted that a lot of the slope was manmade and he indicated an area that he believed was an old coal storage. Up by McHenry Street there is a fill situation where the road was built up. Mr. Constable had crunched his own numbers using the topo and he determined that the worst case scenario on the south side of the building from building corner to building corner was a horizontal distance of approximately 69 feet with a fall of about 20 feet, resulting in a 29% slope. On the north side of the building he calculated 54 feet of horizontal distance and a 12 foot fall, resulting in a 22% slope. From building corner to edge of asphalt on McHenry, there is 80 feet of horizontal distance with a 20 foot fall, resulting in a 25% slope. Mr. Constable questioned the steepness and why it required a steep slope CUP.

Director Eddington clarified that the Code notes 15 foot increments of over 30%. It is not measured over the entire site because some sites would flatten out and leave nothing as steep slope. The calculation is based on 15 foot increments, horizontal measurement over topo, within the building footprint. Mr. Constable argued that the 30% slopes were manmade and not typical to slope in a natural way.

Ms. Constable stated that they have lived on Deer Valley Drive since 1978 and there are 33 steps to reach their front door. To reach the top floor of the house is 77 steps. They have reached a stage in life where they would like to have fewer steps to climb. Ms. Constable stated that when they purchased the house they did so with the intention of eventually living in it. During the interim they rented the house to people who work in Park City. She explained that the addition as designed would allow them to live on one level and only require a few stairs. Ms. Constable stated that Park City has been good to them and they would like to give back by renovating the house.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Wintzer disclosed that he lives fairly close to the house at 264 Ontario but it would affect his decision this evening.

Commissioner Wintzer believed this project was a great example of how to separate two structures. As designed, the garage compliments the garage next door and it takes away some of the mass typically seen in a big garage door.

Commission Gross liked the way it looks. Commissioners Thomas and Strachan concurred.

MOTION: Commissioner Wintzer to APPROVE the Steep Slope CUP for 264 Ontario Avenue in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the Staff report. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 264 Ontario

1. The property is located at 264 Ontario Avenue.
2. The property is located within the Historic Residential Low Density (HRL) District.
3. The property is Lot 1 of the 264 Ontario Avenue Subdivision recorded on March 22, 2013.
4. The Lot contains (0.13 acres) 5,662 square feet. The minimum lot size in the HRL District is 3,750 sf.
5. There is an 868 sf, one-story landmark historic house located on the property. The site is a "Landmark" site on the Park City Historic Sites Inventory. The house was constructed at the turn of the century during Park City's mining era. The small existing rear addition was constructed post mining era and was determined during the Sites Inventory process to be out of period and does not contribute to the building's association with the past. The applicant proposes to remove the out-of-period shed addition and construct a new single story connector element in its place to connect to the rear addition. No basement is proposed under the historic house and no construction is proposed over the top of the historic house.
6. The proposal includes construction of a new foundation and restoration of the historic house, construction of a single story connecting element onto the rear of the historic house, and construction a three story addition behind the house. The proposed additional living area is approximately 2,502 square feet, including a basement. Two garages (total of 690 sf) are also proposed on the top level providing access to McHenry Avenue.

7. Two single car garages are proposed at the top level with access to McHenry Avenue. There is no vehicular access or parking on Ontario. The Third Street stairs provide access between Ontario Avenue and McHenry.
8. The existing lot is 75' in width and 69.8' in depth.
9. Minimum front and rear setbacks for a lot of this depth are ten (10') feet. Minimum side yard setbacks for a lot of this width are five (5') feet with a combined total minimum of eighteen feet (18'). Setbacks for new construction exceed the minimums, with the front on McHenry at 12' and the sides ranging from 15' to 30' on the south and 6' to 12' on the north.
10. The existing historic structure encroaches over the front lot line onto platted Ontario Avenue. An encroachment agreement with the City was recorded at Summit County prior to recordation of the plat. New construction meets and/or exceeds minimum setback requirements.
11. The proposed building footprint is 2,010.75 square feet, and includes removal of non-significant additions and construction of a new rear addition and one-story connector element. The LMC allows a building footprint of 2,045.6 sf for a lot of this size. LMC allowed footprint for the underlying three lots, if not combined, would be 2,540 sf a 530 sf reduction in footprint. Proposed footprint is approximately 35 sf reduction from the LMC allowable for the combined lot.
12. The proposed plans indicate a building height of 27' or less from existing grade for all roof ridges. The plans indicate no change in final grade around the perimeter of the house exceeds four (4') feet. Both upper floors step back more than the required twenty feet (20') from the front façade, with the third story stepping approximately thirty feet (30') from the front façade of the historic structure (downhill façade), that exceeds the minimum requirements.
13. All final heights will be verified at the time of the Building Permit application.
14. Historic door and window openings will be maintained, and/or taken back to the historic openings/locations. The proposed garage doors do not exceed 9' wide by 9' in height. The proposed driveways do not exceed 12' in width at the property line, widening to accommodate the two garages set perpendicular to each other.
15. A portion of the lot where construction is proposed exceeds 30% slope for the required 15' of distance. Therefore a Steep Slope CUP is required prior to issuance of a building permit.
16. Changes to the existing grading and landscaping are documented on the preliminary landscape plan. The change in grade from existing to final does

not exceed the 48" allowed change. A final grading and landscape plan, consistent with the preliminary plat, will be submitted with the building permit application.

17. The significant vegetation on the property behind the historic house to the south will remain.

18. The proposed addition complements the historic structure and follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, alignment, and simplicity of architectural detailing. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites.

19. On May 31, 2013, a HDDR application was submitted to the Planning Department. The application was deemed complete on June 5, 2013 and the design was approved on August 16, 2013.

20. The proposed addition includes three (3) stories. The third story steps back from the lower stories by a minimum of ten feet (10') and steps back more than thirty feet (30') from the front façade of the historic house. The upper level is a single story above McHenry and there are no additions under or on the top of the one story historic structure which is located facing Ontario Avenue. Garages are not proposed beneath the historic structure.

21. The proposed structure will not be viewed from the key advantage points as indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view.

22. The applicant submitted a visual analysis/ perspective, cross canyon view from the west and the east, and a street. The design, articulation, increased setbacks, and increased horizontal stepping mitigate visual impacts of the cross canyon view. Building height of the single story garages is compatible with the streetscape along McHenry.

23. There will be no free-standing retaining walls that exceed six feet in height with the majority of retaining walls proposed at 4' (four) feet or less. The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. Grade around the historic structure will be maintained as it was historically, with the exception of changes necessary to accommodate the new foundation.

24. The site design, stepping of the building mass, increased horizontal articulation, and decrease in the allowed difference between the existing and final grade for much of the structure mitigates impacts of construction on the 30% slope areas.

25. The design includes setback variations, increased setbacks, increased horizontal

stepping, decreased maximum building footprint, and lower building heights for portions of the structure that maximize the opportunity for open area and natural vegetation to remain.

26. The proposed massing and architectural design components are compatible with the massing and volume of other single family dwellings in the area. No wall effect is created with adjacent structures due to the stepping, articulation, and placement of the house.

27. The proposed structure meets the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than twenty-seven feet (27') in height.

28. The findings in the Analysis section of this report are incorporated herein.

29. The applicant stipulates to the conditions of approval.

Conclusions of Law – 264 Ontario

1. The Steep Slope CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.1-6(B), criteria for Steep Slope CUP.

2. The Steep Slope CUP, as conditioned, is consistent with the Park City General Plan.

3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.

4. The effects of any differences in use or scale have been mitigated through careful planning.

5. The proposal complies with the Non-complying Structure standards listed in Section 15-9-6(A), in that the existing structure is historic and extends into the front yard setbacks and an encroachment agreement was recorded at Summit County.

6. The proposed construction will not create any new non-compliance with the HRL requirements.

Conditions of Approval – 264 Ontario

1. All Standard Project Conditions shall apply.

2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting the historic house on the property and a preservation guarantee is required with the amount of the guarantee to be determined by the Chief Building Official upon review of the approved preservation plan.

3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. A final Landscape Plan shall be submitted to the City for review and approval by the City Planning Department, prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation of trees and shrubs. Lawn area shall be limited in area per the LMC Section 15-5-5 (M).
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Steep Slope Conditional Use Permit, the August 16, 2013 Historic District Design Review, and the 2009 Design Guidelines for Historic Districts and Historic Sites.
7. All conditions of approval of the 264 Ontario Avenue Subdivision continue to apply.
8. If required by the Chief Building Official, based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building Official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer. The shoring plan shall take into consideration protection of the historic structure on the lot.
9. Soil shall be tested and if required, a soil remediation plan shall be approved by the City prior to issuance of a building permit for the house.
10. This approval will expire on November 20, 2014, if a building permit application has not been submitted to the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
11. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and the Final HDDR Design.
12. Modified 13-D residential fire sprinklers are required for all new construction on this lot, unless otherwise stipulated by the Chief Building Official.
13. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall

be subdued in nature. Light trespass into the night sky is prohibited.

14. Construction of a connecting walkway to the City's Third Street staircase requires an encroachment agreement with the City and a work in the right-of-way permit from the City Engineer.

15. All conditions of approval of the HDDR apply. A preservation guarantee shall be calculated by the Chief Building Official and all paper work and documentation regarding the preservation guarantee shall be executed and recorded at Summit County recorder's office prior to issuance of any building permits for construction on this property.

16. Construction waste shall be diverted from the landfill and recycled when possible.

17. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend in with the surrounding natural terrain.

18. There is no private parking for 264 Ontario Avenue off of Ontario Avenue.

19. The house shall be addressed as 264 Ontario Avenue or 287 McHenry Avenue.

The Park City Planning Commission meeting adjourned at 8:45 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report



Author: Anya Grahn
Subject: Park City Library and Education Center (Carl Winter's School)
Project #: PL-13-02085
Date: December 11, 2013
Type of Item: Administrative – Master Planned Development

Summary Recommendations:

Staff recommends the Planning Commission open a public hearing, discuss the proposal, and approve the Park City Library and Education Center Master Planned Development and Conditional Use Permit (CUP) based on the findings of fact, conclusions of law, and conditions of approval included in this report for the Commission's consideration.

Topic:

Applicant: Park City Municipal Corporation
Location: 1255 Park Avenue
Zoning: Recreation Commercial (RC)
Adjacent Land Uses: Recreation Open Space (ROS) and Single Family (SF)
Reason for Review: Master Planned Developments require Planning Commission review and approval

Background:

On October 23, 2013, the City received a complete application for Master Planned Development (MPD) for a 2,400 square foot footprint addition to the Carl Winters School Building. The application is to modify and amend the existing 1992 MPD for the Carl Winters Building. The MPD is located at 1255 Park Avenue in the Lower Park Avenue (LoPA) neighborhood. The structure is zoned Recreation Commercial (RC), but the adjacent park to the north is zoned Recreation Open Space (ROS).

Due to the need to accommodate the expanding needs of the library and community, the applicant is proposing to renovate the existing building and construct a new addition. This new addition has a footprint of 2,400 square feet and will be built on the north elevation of the library is proposed, and significant changes will be made to the existing 1992 addition in order to create a comprehensive design. The new addition will provide additional space for the expanding Park City Library. Within the existing structure, the third floor will be remodeled as a temporary home for the Senior Center while still accommodating the Pre-School and Park City Film Series. In an effort to meet the growing demands for a twenty-first century library, the architects propose to also create a café within the new addition. In addition, the rehabilitation of the library will guarantee its continued use for master festivals, most importantly the annual Sundance Film Festival.

On September 25, 2013, the Planning Commission reviewed a Pre-MPD application for this project. As a result of that meeting, the applicants commissioned a parking study by InterPlan to gain a better understanding of parking and transportation demands in the Library neighborhood. They have also worked with tenants to create acceptable hours of usage for the rooftop decks adjacent to Norfolk Avenue as well as the hours of operations for the café.

On November 20, 2013, the applicants returned to Planning Commission to review their MPD application. (The minutes and staff report for this hearing are attached as Exhibits A and B.) The Planning Commission provided the following input:

- The Planning Commission found that the reduced setback along Norfolk Avenue to ten feet (10') was acceptable in order to create architectural interest and variation as well as meet the setback requirements of adjacent zones.
- The Planning Commission found that the removal of ten to twelve (10-12) parking spaces was acceptable in order to create an improved pedestrian entry sequence. The Commission stipulated that the number of parking spaces should be reduced to no less than 86 parking stalls.
- The Planning Commission opposed the book drop along Norfolk Avenue due to safety concerns raised by the City Engineer and staff, the location, and the adverse traffic effects the book drop could cause the residential neighborhood.
- The Planning Commission found that the proposed trash and recycling area, to be located along Norfolk Avenue where it is currently located, was acceptable.
- The Planning Commission also found that the proposed location of the service and delivery entrance was acceptable.

In reviewing the MPD and Conditional Use Permit (CUP) for the Library and its new café on November 20th, the Planning Commission requested the following information:

- Overlays showing the revised service/delivery area along Norfolk Avenue
- Proposed signage for the site
- Outdoor Dining
- Regulated hours of operation for the rooftop decks

These have been included as exhibits to this staff report and are outlined in the analysis section below.

Response to above items:

The applicant has responded to these requests. Because the book drop will not be constructed, the service/delivery area along Norfolk Avenue will not be relocated. The proposed signage and outdoor dining is also addressed in the analysis section of this report; however, the applicant will be required to submit a Sign Application separately assigns are only reviewed and not approved as part of this application. A Condition of Approval has been added to address the use of the rooftop decks and prevent adverse effects to the residential neighborhood behind the Library on Norfolk Avenue.

Analysis:

Service and Delivery Area (Norfolk Avenue)

Because the book drop will not be built at this time, the applicant no longer proposes to relocate the existing driveway on Norfolk Avenue fifteen feet (15') to the north. The

site's service and delivery area on Norfolk Avenue, a primarily residential street, will be retained as-is. As existing, the mouth of this driveway exceeds the thirty feet (30') maximum width of commercial driveways. **Complies.**

Proposed Signage for the Site:

The Sign Code is Title 12 of the Municipal Code, and signs are not reviewed by the Planning Commission. Any exceptions to letter height, setback, size, or illumination must be made by the Planning Director.

The applicant is proposing to replace the existing changeable free-standing monument sign with a similar monument sign. A free-standing (monument) sign is defined as a sign that is supported by one (1) or more uprights or braces which are fastened to, or embedded in the ground or a foundation in the ground and not attached to any building or wall.

Per Municipal Code 12-6-1(B), a non-conforming sign, such that which correctly exists, may not be relocated except when such relocation brings the sign into compliance with this Ordinance or does not increase the degree of the non-compliance of the sign. The City Engineer may approve the alteration of a non-conforming sign from its original location provided such alteration does not increase the degree of non-conformity.

Outdoor Dining:

The applicant predicts that tables and chairs would make up approximately 25% of the new 1,891 square foot terrace. This seating will be used by site users, as well as café patrons. The hours of the terrace will be limited to the hours the building is open, and no later than 10pm.

The proposal meets the criteria for outdoor dining in that:

- (a) The proposed seating Area is located on private property or leased public property and does not diminish parking or landscaping.
- (b) The proposed seating Area does not impede pedestrian circulation.
- (c) The proposed seating Area does not impeded emergency access or circulation.
- (d) The proposed furniture is Compatible with the Streetscape.
- (e) No music or noise in excess of the City Noise Ordinance.
- (f) No use after 10pm.
- (g) Review of the restaurant's seating capacity to determine appropriate mitigation measures in the event of increased parking demand.

Per Condition of Approval #20 any proposed outdoor furniture will be reviewed and approved by the Planning Department prior to purchase and installation.

Rooftop Deck

Condition of Approval #21 for this MPD has been added to limit the hours of use of the rooftop decks to the hours the building is open and no later than 10pm.

Recreation Commercial (RC) zoning district - 1255 Park Avenue Park City Library and Education Center Master Planned Development

	Code Requirement	Existing	Proposed
Setbacks:	MPDs require 25 ft. around the perimeter of the site. May be reduced to zone or adjacent zone setbacks.		
Front (Park Avenue)	15 ft.	225 ft.	225 ft.
North (13 th Street)	10 ft.	397 ft.	360 ft.
South (12 th Street)	10 ft.	<0 ft. (1992 MPD approved. The building encroaches over the property line and into the Norfolk Avenue right-of-way (ROW).	<0 ft.(1992 approved existing addition and historic structure) 10 ft. (new addition only)
Height	35 ft. (3 stories)	35 ft. (3 stories)	35 ft. (3 stories on historic building) Less than 35 ft (2 stories)
Open Space	60% Open Space	149,080 SF (89%)	146,732 SF (88.2%)
Parking	MPD as determined by Planning Commission based on proposed uses	98	86

Master Plan Development Review

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

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

Complies. The maximum Floor Area Ratio is one (1.0), not including underground Parking Structures for the RC District. The existing structure has a floor area ratio of .29. Once complete, the building will have a FAR of .31.

(B) MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED DEVELOPMENTS WITHIN THE HR-1 AND HR-2 DISTRICTS.

Not applicable.

(C) SETBACKS. The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels greater than one (1) acre in size. In some cases, that Setback may be increased to retain existing Significant Vegetation or natural features or to create an adequate buffer to adjacent Uses, or to meet historic Compatibility requirements. The Planning Commission may decrease the required perimeter Setback from twenty five feet (25') to the zone required Setback if it is necessary to provide desired architectural interest and variation. The Planning

Commission may reduce Setbacks within the project from those otherwise required in the zone to match an abutting zone Setback, provided the project meets minimum Uniform Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria set forth in Section 15-6-5(D).

Complies as reviewed. The Planning Commission agreed to a setback reduction along the west property line, Norfolk Avenue from twenty-five feet (25') to ten feet (10') during the November 20th meeting.

(D) OPEN SPACE. All Master Planned Developments shall contain a minimum of sixty percent (60%) open space as defined in LMC Chapter 15-15 with the exception of the General Commercial (GC) District, Historic Residential Commercial (HRC), Historic Commercial Business (HCB), Historic Residential (HR-1 and HR-2) zones, and wherein cases of redevelopment of existing Developments the minimum open space requirement shall be thirty percent (30%).

(1) **MINIMUM REQUIREMENT.** All MPDs shall contain a minimum of sixty percent (60%) open space. The Planning Commission shall designate the preferable type and mix of open space for each MPD.

Complies. As existing, the Carl Winters School property has approximately eighty-nine percent (89%) open space. With the new addition and site improvements, the total open space will be approximately eighty-eight percent (88%).

(2) **TYPE OF OPEN SPACE.** The Planning Commission shall designate the preferable type and mix of open space for each Master Planned Development. This determination will be based on the guidance given in the Park City General Plan. Landscaped open space may be utilized for project amenities such as gardens, greenways, pathways, plazas, and other similar Uses. Open space may not be utilized for Streets, roads, driveways, Parking Areas, commercial Uses, or Buildings requiring a Building Permit.

Complies. In order to improve the entry sequence between the Park Avenue bus stop and the entrance of the Library, the applicants are proposing to develop a landscaped walkway and increased green space that will reduce the number of parking stalls available by ten to twelve (10-12). In addition, a 1,890 square foot terrace will be constructed along the north elevation of the new addition for additional library usage as well as a community gathering place. As previously noted, these changes will decrease the open space by 0.08%.

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

Complies. During the November 20th hearing, the Planning Commission agreed that a parking reduction was necessary to create a better pedestrian entry sequence between the Park Avenue bus stop and the new entrance. The Commission reviewed the InterPlan Study that found that the parking lot typically only had 43.8% occupancy with the potential for as much as 64.2% occupancy during the low season, and the greatest parking demands occurred during the Park City Film Series and Sundance. The Commission also analyzed the complementary parking uses, including the new café. The Planning Commission requested that the number of parking stalls be reduced to no less than 86 parking stalls. This is included as Condition of Approval #17.

(F) BUILDING HEIGHT. The Building Height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in Building Height based upon a Site specific analysis and determination. Height exceptions will not be granted for Master Planned Developments within the HR-1, HR-2, HRC, and HCB Zoning Districts.

Not applicable. Height exception not requested.

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

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

Complies. The 1926-27 structure was constructed on the corner of Norfolk Avenue and 12th Avenue. The 1992 and 2014 additions wrap the building, preserving a greater amount of open space. The new addition will result in the loss of several trees; however, landscape plans propose to develop a more comprehensive pedestrian entrance from Park Avenue while enhancing the existing landscaping.

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

Complies. Grading will be minimized and no new retaining structures will be constructed. The existing retaining wall along Norfolk Avenue will be retained.

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

Complies. Existing utilities will be expanded, as necessary, to service the site.

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

Not applicable. No trails currently exist and no new trails are proposed.

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

Complies. The new entry sequence will improve circulation from the Mawhinney Parking Lot and Park Avenue bus stop into the Library. The entry sequence will enhance pedestrian safety, providing a clear route across the parking lot to the entrance.

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

Complies. The additional landscaped area and substantial amount of open space allows for snow storage near the parking lot and proposed delivery/service area.

(7) It is important to plan for trash storage and collection and recycling facilities. The Site plan shall include adequate Areas for trash dumpsters and recycling containers, including an adequate circulation area for pick-up vehicles. These facilities shall be enclosed and shall be included on the site and landscape plans for the Project. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests.

No final site plan for a commercial development or multi-family residential development shall be approved unless there is a mandatory recycling program put into effect which may include Recycling Facilities for the project.

Single family residential development shall include a mandatory recycling program put into effect including curb side recycling but may also provide Recycling Facilities.

The recycling facilities shall be identified on the final site plan to accommodate for materials generated by the tenants, residents, users, operators, or owners of such project. Such recycling facilities shall include, but are not necessarily limited to glass, paper, plastic, cans, cardboard or other household or commercially generated recyclable and scrap materials.

Locations for proposed centralized trash and recycling collection facilities shall be shown on the site plan drawings. Written approval of the proposed locations shall be obtained by the City Building and Planning Department.

Centralized garbage and recycling collection containers shall be located in a completely enclosed structure, designed with materials that are compatible with the principal building(s) in the development, including a pedestrian door on the structure and a truck door/gate. The structure's design, construction, and materials shall be substantial e.g. of masonry, steel, or other materials approved by the Planning Department capable of sustaining active use by residents and trash/recycle haulers.

The structures shall be large enough to accommodate a garbage container and at least two recycling containers to provide for the option of dual-stream recycling. A conceptual design of the structure shall be submitted with the site plan drawings.

Complies. As noted in the site plan, trash and recycling will be located at the southwest corner of the service/loading dock along Norfolk Avenue, a residential neighborhood. These facilities shall be enclosed and accessible to library users and guests. In addition, a mandatory recycling program shall be put into effect that includes curbside recycling. These are outlined in Condition of Approval #7. Currently, trash is stored at the end of the service drive on Norfolk Avenue.

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

Complies. A number of ADA parking stalls and crosswalks provide drop-off areas for van and shuttle services. Moreover, the Park Avenue bus stop provides an additional drop-off area for public transit.

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

Complies. Service and delivery Access will continue to be provided at the rear of the site along Norfolk Avenue.

(H) LANDSCAPE AND STREETScape. A complete landscape plan must be submitted with the MPD application. The landscape plan shall comply with all criteria and requirements of LMC Section 15-5-5(M) LANDSCAPING. All noxious weeds, as identified by Summit County, shall be removed from the Property in accordance with the Summit County Weed Ordinance prior to issuance of Certificates of Occupancy.

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

Complies. A preliminary landscape plan includes native and drought tolerant plant materials. The existing park to the north of the Library will remain; however, 1,891 square feet of the area will be converted to a paved terrace. Additional green space will be created surrounding the Park Avenue bus stop. Additionally, a landscaped entry sequence from the Park Avenue bus stop to the Library entrance is proposed. Any necessary exterior lighting will be required to meet the City lighting standards.

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

Not Applicable. The site is not within the Sensitive Areas Overlay Zone.

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

Not Applicable. The MPD, as submitted, is exempt from the requirements of Housing Resolution 20-07 as outlined in Section E Redevelopment: Additions and Conversions of Use in that the remodeling does not create additional employment generation. The applicant has submitted a letter confirming that there is no net increase in employees.

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

Not Applicable. The remodel will not create additional demands for Child Care as this is not a new single or multi-family housing project.

(L) MINE HAZARDS. All MPD applications shall include a map and list of all known Physical Mine Hazards on the property and a mine hazard mitigation plan.

Not applicable. This is not a mine property.

(M) HISTORIC MINE WASTE MITIGATION. For known historic mine waste located on the property, a soil remediation mitigation plan must be prepared indicating areas of hazardous soils and proposed methods of remediation and/or removal subject to the Park City Soils Boundary Ordinance requirements and regulations. See Title Eleven.

Not applicable. The property is not in the Soils District and soil remediation will not be necessary.

Conditional Use Permit Review

Per the Recreation Commercial (RC) District, a Café or Deli is a Conditional Use with sub-note #8: As support Use to primary Development or Use, subject to provisions of LMC Chapter 15-6, Master Planned Development. A MPD can only contain Uses, which are Permitted or Conditioned, in the zone in which it is located.

As discussed during the last MPD hearing on November 20th, the applicant is proposing a new 315 square foot café at the rear of the library building in the new addition. The square footage of this café will include counter space as well as a back of house area reserved for cafe use. The café will be adjacent to the library and gallery entry space, and 185 square feet of this lobby area will house small tables and chairs that support the café but will also be used by library patrons. Additional seating will be provided for building users and café patrons on the outdoor patio area. This outdoor seating area will be approximately 1,891 square feet in area, and the applicants propose that twenty-five percent (25%) of the area will be used by café patrons. (See Condition of Approval #20.)

The analysis below details the proposed café:

How will the proposed use “fit-in” with surrounding uses?

Complies. The café will allow the library to compete as a Twenty-first Century Library.

The 315 square foot café will be located within the library and serve to building users. Though it will take advantage of the new entrance by providing additional seating along the north elevation and adjacent patio space, the café will not have a competing presence with the library and other tenants. The applicant does not propose for the café to compete with other existing coffee businesses in Park City, but rather serve library patrons, filmgoers, special events attendees, and other building users.

What type of service will it provide to Park City?

Complies. The café will provide a much demanded amenity to the Lower Park Avenue (LoPA) neighborhood, by serving refreshments to library users, Park City Film Series attendees, Santy auditorium users, and neighborhood residents, Currently, only 7-Eleven provides concessions in this area.

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

Complies. The current zoning district permits the use of a café as a conditional use. This café will provide an additional pedestrian destination between the resort center and the surrounding neighborhood. More importantly, however, the café use will create a Twenty-first Century Library that supports to the goals of the General Plan by maintaining the high quality of public support and services. It also encourages the rehabilitation and use of the City's historic structures.

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

Complies. While the café will complement the existing uses of the Library, there are not similar businesses in this neighborhood. Currently only 7-Eleven exists to provide concessions outside of the resort center and Main Street district.

Is the proposed use suitable for the proposed site?

Complies. As previously described the applicant is proposing the café in order to meet the demands of a Twenty-first century library. An amenity such as this contributes to the library as a community center, encourages café patrons to explore the library, and provides respite to moviegoers.

Will the proposed use emit noise, glare dust, pollutants, and odor?

Complies. The proposed use will generate greater trash and recyclables than the previous uses; however, at this time, garbage is only emptied once a week due to trash demands. Condition of Approval #22 states that should the café generate significantly greater trash, garbage removal will be reassessed and increased to more than once per week.

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

Complies. The applicant anticipates that the hours of operation will reflect the hours that the building is currently open. For the library, these hours are approximately from 10am to 9pm Monday through Thursday, 10am to 6pm on Friday and Saturday, and 1pm to 5pm on Sunday. The café would also be open when the building is open or in use.

At this time, management and ownership have yet to be determined. This is an issue that will be further discussed with City Council during the construction of the facility. The number of employees would be expected to be at least one (1) at any given time. Nevertheless, additional employees may be needed during special events. During such times, parking mitigation for both patrons and employees will be mitigated for.

The cafe is not expected to create greater parking demands. As noted in the InterPlan report, the LMC requires the café to have a minimum of one (1) parking space due to its size of approximately 315 square feet. The InterPlan analysis predicted that during peak demand, the café would only require three (3) parking spaces. Staff finds that there will not be competing parking demands as the café peak hours, likely mornings and evenings, will not be the same peak hours for the library, preschool, and Park City Film Series.

Are other special issues that need to be mitigated?

Complies. The Planning Commission has not identified any additional special issues that need to be mitigated.

Department Review:

The project has been reviewed by the Planning, Building, Engineering and Legal departments as well as the utility providers. Issues raised during the review process have been adequately mitigated in the proposed plans or by conditions of approval.

Public Notice:

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

Alternatives:

- The Planning Commission may approve the MPD for the Racquet Club as conditioned and/or amended; or
- The Planning Commission may deny the MPD and direct staff to make findings of fact to support this decision; or
- The Planning Commission may continue the discussion and request additional information on specific items.

Future Process:

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

Recommendation:

Staff recommends the Planning Commission open a public hearing, discuss the proposal, and approve the Park City Library and Education Center Master Planned Development based on the findings of fact, conclusions of law, and conditions of approval included in this report for the Commission's consideration.

Findings of Fact:

1. The application for the MPD was received on October 3, 2013. The application was deemed complete on October 22, 2013.
2. The Carl Winters building is a historic building designated as a "Landmark" on the Historic Sites Inventory (HSI).
3. The Park City Library and Education Center (Carl Winter's School Building) is located at 1255 Park Avenue. The property consists of the north half of Lot 5, all of Lots 6 through 12, the south half of Lot 13 and all of Lots 23 through 44 of Block 6 of the Snyders Addition as well as Lots 1 through 44 of Block 7 and the vacated Woodside Avenue. Upon recordation of the plat application submitted on June 14, 2013, the property will be known as the Carl Winters School Subdivision and is 3.56 acres in size.
4. City Council will consider vacation of the portion of Woodside contained on the Library property. Such vacation is required for the Plat Amendment.
5. The Planning Commission will hear the plat amendment for 1255 Park Avenue Carl Winters Subdivision on December 11, 2013 and forward a recommendation to City Council for their review and approval
6. There is a Master Planned Development from 1992 for the property; however, the changes purposed to the concept and density justify review of the entire master plan and development agreement by the Planning Commission. The library footprint will be expanded by approximately 2,400 square feet. A new terrace will also be created on the north elevation of the structure, adjacent to the park. In addition to these community gathering spaces, the library will temporarily house the Park City Senior Center.
7. The Park City Library contains approximately 48,721 square feet and was originally approved through two (2) MPDs in 1990 and 1992, as well as a Conditional Use Permit in 1992 to permit a Public and Quasi-Public Institution, the library.
8. Access is from Park Avenue, with a secondary entrance along 12th Street.
9. The proposed facility open space is 70% and includes a landscaped entry sequence from the Park Avenue bus stop to the Library entrance.
10. The total proposed building footprint is 19,519 square feet and gross square footage is 52,151.
11. The property is in the Recreation Commercial (RC) and Recreation Open Space (ROS) Districts—the structure is located in the RC District, whereas the open space to the north of the structure is in the ROS District.
12. This property is subject to the Carl Winters School Subdivision plat and any conditions of approval of that plat.
13. The existing Park City Library and Education Center contains 92 parking spaces.
14. The proposed parking is being reduced to 86 parking spaces.
15. Setbacks within the Recreation Commercial (RC) District are fifteen feet (15') in the front, fifteen feet (15') in the rear, and ten feet (10') on the sides. The MPD requires twenty-five (25') foot setbacks from all sides. The applicants have requested a setback reduction to ten feet (10') along the rear (west) yard.
16. A 315 SF interior Café is proposed. A Café is a Conditional Use in the RC District and is a support Use to the primary Development or Use, subject to provisions of LMC Chapter 15-6, Master Planned Development. Hours of the café will be limited to the hours in which the building is open.

17. The *Analysis* section of this staff report is incorporated herein.
18. This project is subject to a Historic District Design Review.
19. The Planning Commission reviewed the Park City Library and Education Center MPD as a Pre-MPD during Regular Session on September 25, 2013.
20. The Planning Commission also reviewed the MPD as a work session on September 25, 2013 and held a public hearing on November 20, 2013.

Conclusions of Law:

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

Conditions of Approval:

1. All standard conditions of approval apply to this MPD and CUP.
2. All applicable conditions of approval of the Carl Winters School Subdivision shall apply to this MPD.
3. The Carl Winters School will be restored according to the Secretary of the Interior's Standards for Rehabilitation and the structure will be listed on the National Register of Historic Places. A Historic District Design Review and approval will be required prior to building permit submittal.
4. A final water efficient landscape and irrigation plan that indicates snow storage areas and native drought tolerant plant materials appropriate to this area, is required prior to building permit issuance.
5. All exterior lights must conform to the City lighting ordinance and included in the Historic District Design Review. Parking lot and security lighting shall be minimal and approved by Planning Staff prior to issuance of a certificate of occupancy.

6. All exterior signs require a separate sign permit. Application for a sign permit shall be made to the Planning Department prior to installation of any temporary or permanent signs.
7. The Site plan shall include adequate Areas for trash dumpsters and recycling containers, including an adequate circulation area for pick-up vehicles. Recycling facilities will accommodate materials generated by the tenants, users, operators, or owners of the project and shall include, but are not limited to glass, plastic, paper, cans, cardboard, or other household or commercially generated recyclable and scrap materials. These facilities shall be enclosed and shall be included on the site and landscape plans for the Project.
8. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests. Written approval of the proposed locations shall be obtained by the City Building and Planning Department.
9. Exterior building materials and colors and final design details must be in substantial compliance with the elevations, color and material details exhibits and photos reviewed by the Planning Commission on December 11, 2013, and shall be approved by staff at Historic District Design Review (HDDR) application. Materials shall not be reflective and colors shall be warm, earth tones that blend with the natural colors of the area.
10. The final building plans, parking lot details and landscaping, and construction details for the project shall meet substantial compliance with the drawings reviewed by the Planning Commission on December 11, 2013. The Historic District Design Review (HDDR) application will also be reflective of the drawings reviewed by this Planning Commission on December 11, 2013.
11. The City Engineer prior to Building Permit issuance must approve utility, storm water systems and grading plans, including all public improvements.
12. Staff must approve the Construction Mitigation Plan to issuance of any building permits and shall include appropriate contact information as required. Signs posted on site will indicate emergency contacts.
13. Lay down and staging will be restricted to existing parking lots and disturbed construction area. Applicant will minimize placement adjacent to housing units as much as possible.
14. The applicant will notify all affected property owners within 300 feet prior to construction commencing of conditioned work hours, contact information and general project description.
15. A limit of disturbance area will be identified during the building permit review.
16. The applicant shall submit a total employee count at time of building permit. Prior to Certificate of Occupancy the applicant shall provide verification that the employee count has not increased. Should there be an increase in the total employee count the applicant shall be subject to the terms and conditions of Housing Resolution 20-07; Section E Redevelopment.
17. An internal parking review will occur one year after Certificate of Occupancy (or the facility is fully operational) to analyze parking load and demand. The number of parking spaces will not be reduced less than 86 spaces.

18. The Mawhinney Parking Lot shall be used as overflow parking. At no time in the future shall this parking area be converted to affordable housing use or any other use without modifying this MPD.
19. The Café Conditional Use shall only operate in conjunction with hours the building is open, Film Series operation, or as approved under a Master Festival License or Special Event.
20. The proposed outdoor dining shall not extend beyond the 1,891 square foot terrace. Additionally, any proposed outdoor furniture will be reviewed and approved by the Planning Department prior to purchase and installation.
21. The hours the rooftop deck will be utilized will be in conjunction with the hours the building is open, and no later than 10pm.
22. An internal review will occur one (1) year after Certificate of Occupancy (or the facility is fully operational) to analyze trash generation and demand. If necessary, trash pick-up will be increased at that time.

Exhibits:

Exhibit A- Planning Commission Regular Session minutes, 11.20.13 (Minutes included in this packet.)

Exhibit B- Site Plan and Proposed Addition

Exhibit C- InterPlan Parking Study

Exhibit D- Carl Winters Area Parking



250 east 100 south
Salt Lake City, UT 84111
801.532.4940

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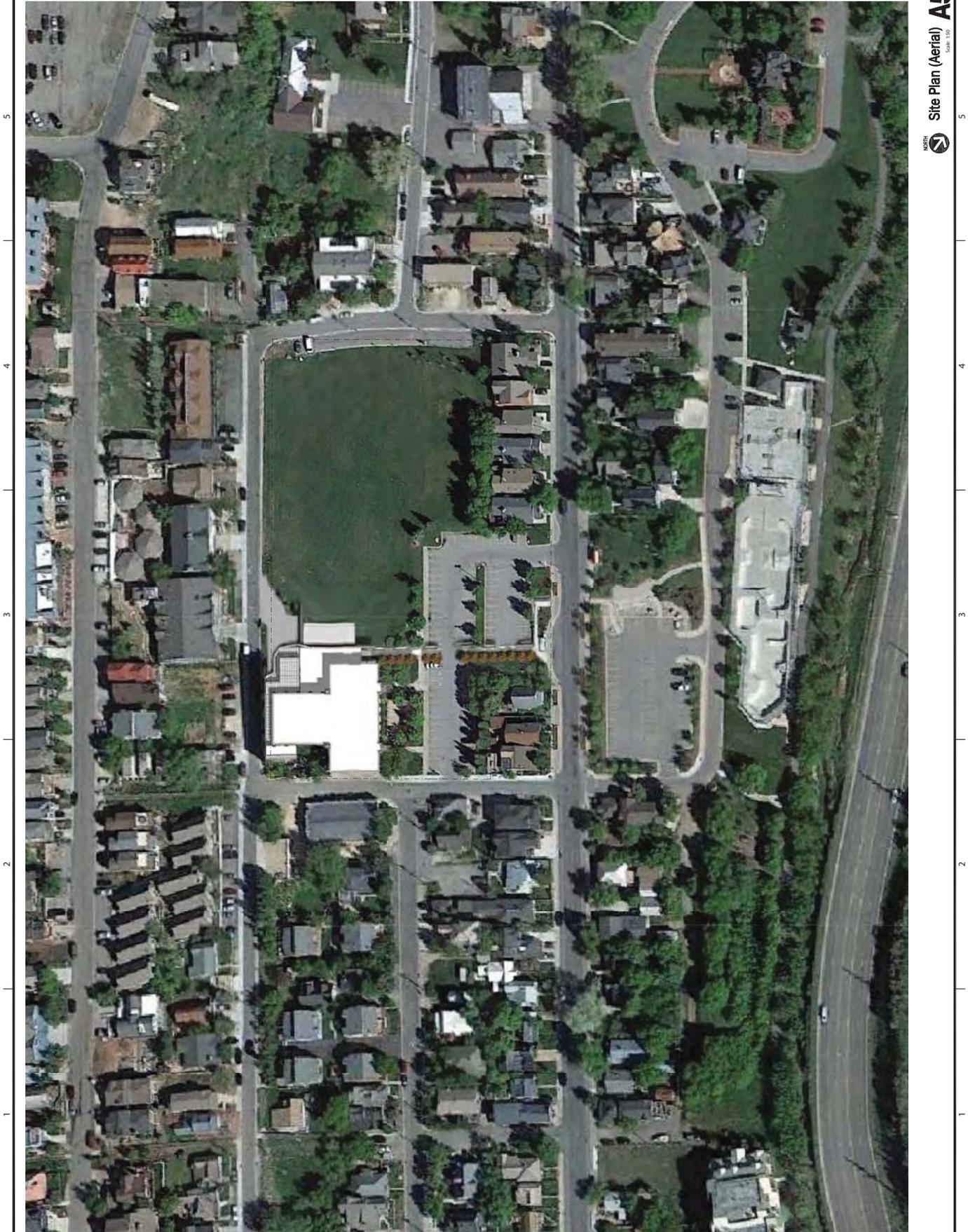
revisions

date: 22 October 2013
project no.: 130122
MPD Application

Park City Library and Carl Winters
School Building Remodel Project

1255 Park Avenue, Park City, Utah

Conceptual
Site Plan (Aerial)
AS101



Site Plan (Aerial) **A5**
Scale: 1:50

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revisions

date: 22 October 2013
project no.: 130122
MPD Application

Park City Library and Carl Winters
School Building Remodel Project

1255 Park Avenue, Park City, Utah

Site Plan
AS102

Site Plan
A5
Scale: 1/32"



- KEYED NOTES:**
- 1 NEW CONCRETE WALK
 - 2 NEW CURB AND GUTTER
 - 3 NEW TREES/SHRUBS/GROUND COVER
 - 4 NEW TRANSFORMER LOCATION
 - 5 TRASH/RECYCLE BIN LOCATION
 - 6 SNOW REMOVAL STORAGE AREA
 - 7 NEW SITE WALL (HEIGHT RANGE 24" - 30")
 - 8 NEW ZINC SITE WALL (HEIGHT RANGE: 30" - 48")
 - 9 NEW BIKE RACKS
 - 10 NEW LIGHT BOLLARD
 - 11 NEW BOOK DROP
 - 12 NEW TEXTURED CONCRETE WALK
 - 13 EXISTING BUS STOP
 - 14 EXISTING LIGHT POLE
 - 15 EXISTING BENCH
 - 16 PROPOSED LIBRARY SIGNAGE

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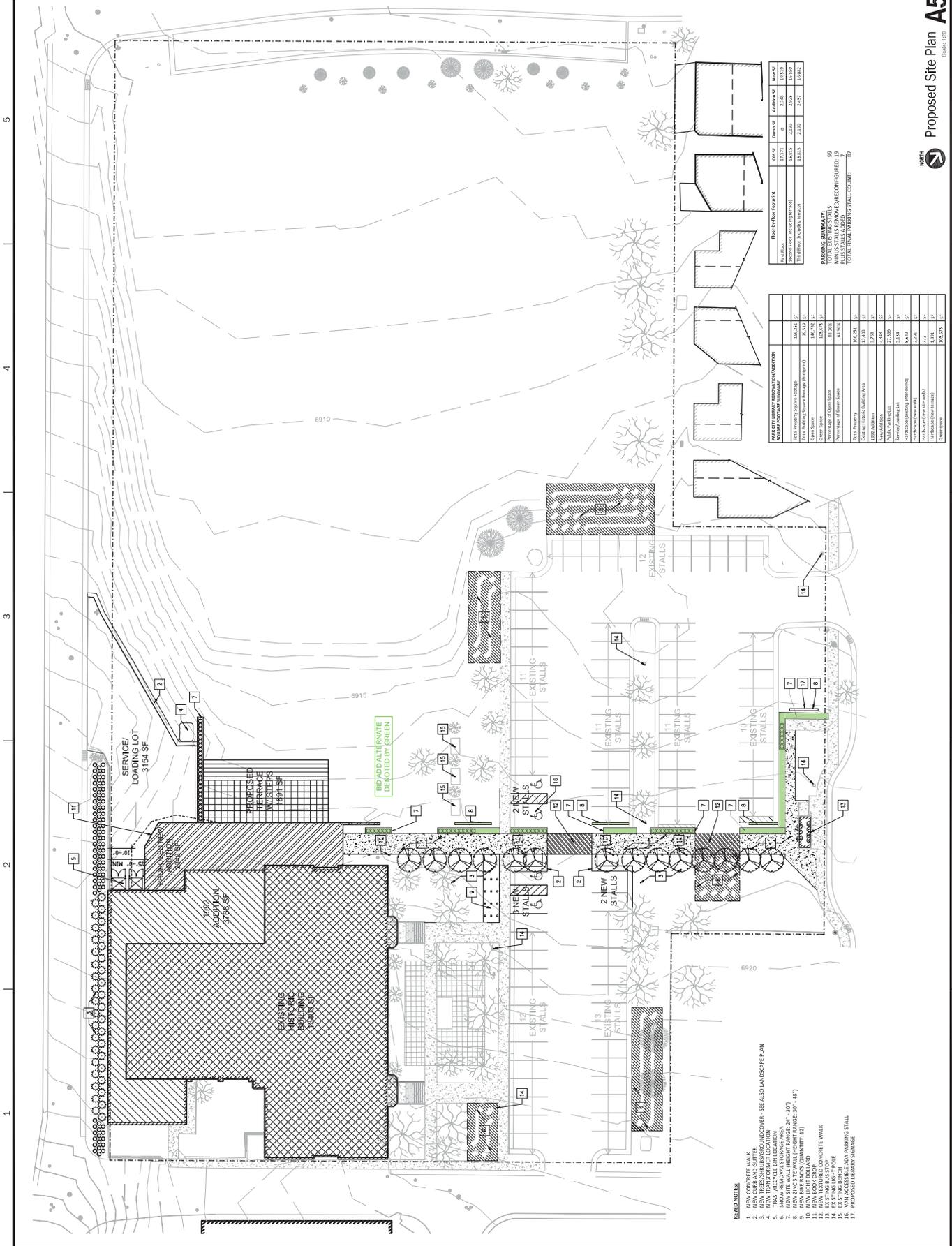
revisions

date: 22 October 2013
project no.: 130122
MPD Application

Park City Library Remodel Project
1255 Park Avenue, Park City, Utah

Proposed Site Plan
AS103

Proposed Site Plan **A5**
Scale: 1/8" = 1'-0"



Area	Area (SF)	Area (SF)	Area (SF)
First Floor (including ramp)	15,845	2,500	2,492
Second Floor (including ramp)	15,845	2,500	2,492
Total Floor (including ramp)	31,690	5,000	4,984

PARKING SUMMARY:
TOTAL EXISTING PAVED: 99
TOTAL EXISTING ASPHALT/CONCRETE: 99
TOTAL EXISTING GRASS: 7
TOTAL EXISTING SAND/GRAVEL: 7
TOTAL EXISTING TOTAL PAVED: 113

Category	Area (SF)	Area (SF)	Area (SF)
Green Space	100,075	100,075	100,075
Percentage of Green Space	48.5%	48.5%	48.5%
Open Space	116,621	116,621	116,621
Percentage of Open Space	53.4%	53.4%	53.4%
Other Space	11,403	11,403	11,403
Percentage of Other Space	5.2%	5.2%	5.2%
Hardscape (Open to road)	1,874	1,874	1,874
Percentage of Hardscape	0.8%	0.8%	0.8%
Other	100,075	100,075	100,075

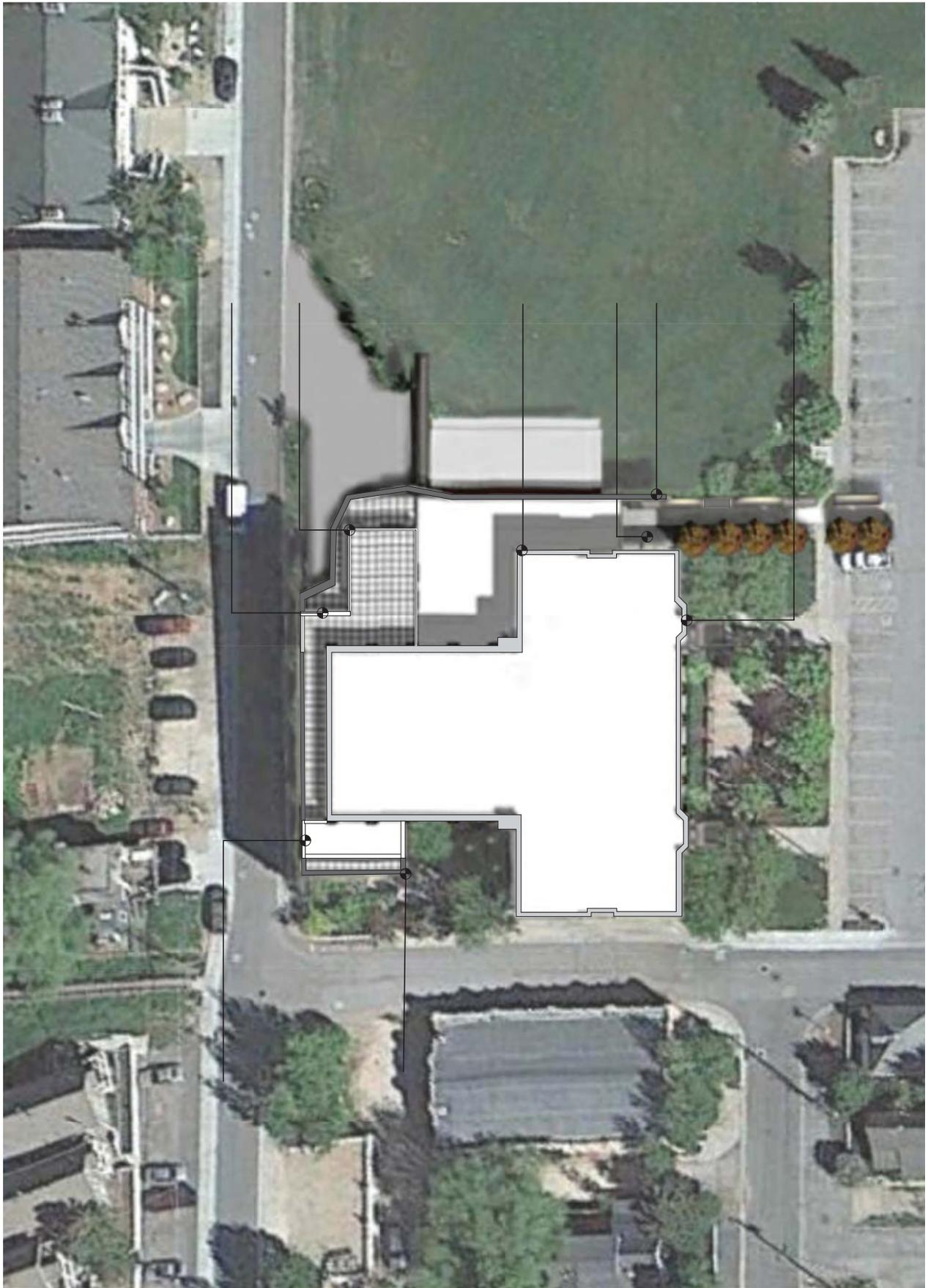
- KEYED NOTES:**
1. NEW CONCRETE WALK
 2. NEW CURB AND GUTTER
 3. NEW TRANSPIRANT CANOPY - SEE ALSO LANDSCAPE PLAN
 4. NEW TRANSPIRANT LOCATION
 5. TRASH RECYCLE BIN LOCATION
 6. NEW SITE WALL (HEIGHT RANGE: 24" - 30")
 7. NEW BIKE RACKS (QUANTITY: 12)
 8. NEW BIKE RACKS (QUANTITY: 12)
 9. NEW LIGHT BOLLARD
 10. NEW TEXTURED CONCRETE WALK
 11. NEW EXISTING LIGHT POLE
 12. NEW EXISTING ADA PARKING STALL
 13. NEW EXISTING ADA PARKING STALL
 14. NEW EXISTING ADA PARKING STALL
 15. NEW EXISTING ADA PARKING STALL
 16. NEW EXISTING ADA PARKING STALL
 17. PROPOSED LIBRARY CHANGE

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revisions

date:
project no.:

Park City Library and Carl Winters
School Building Remodel Project



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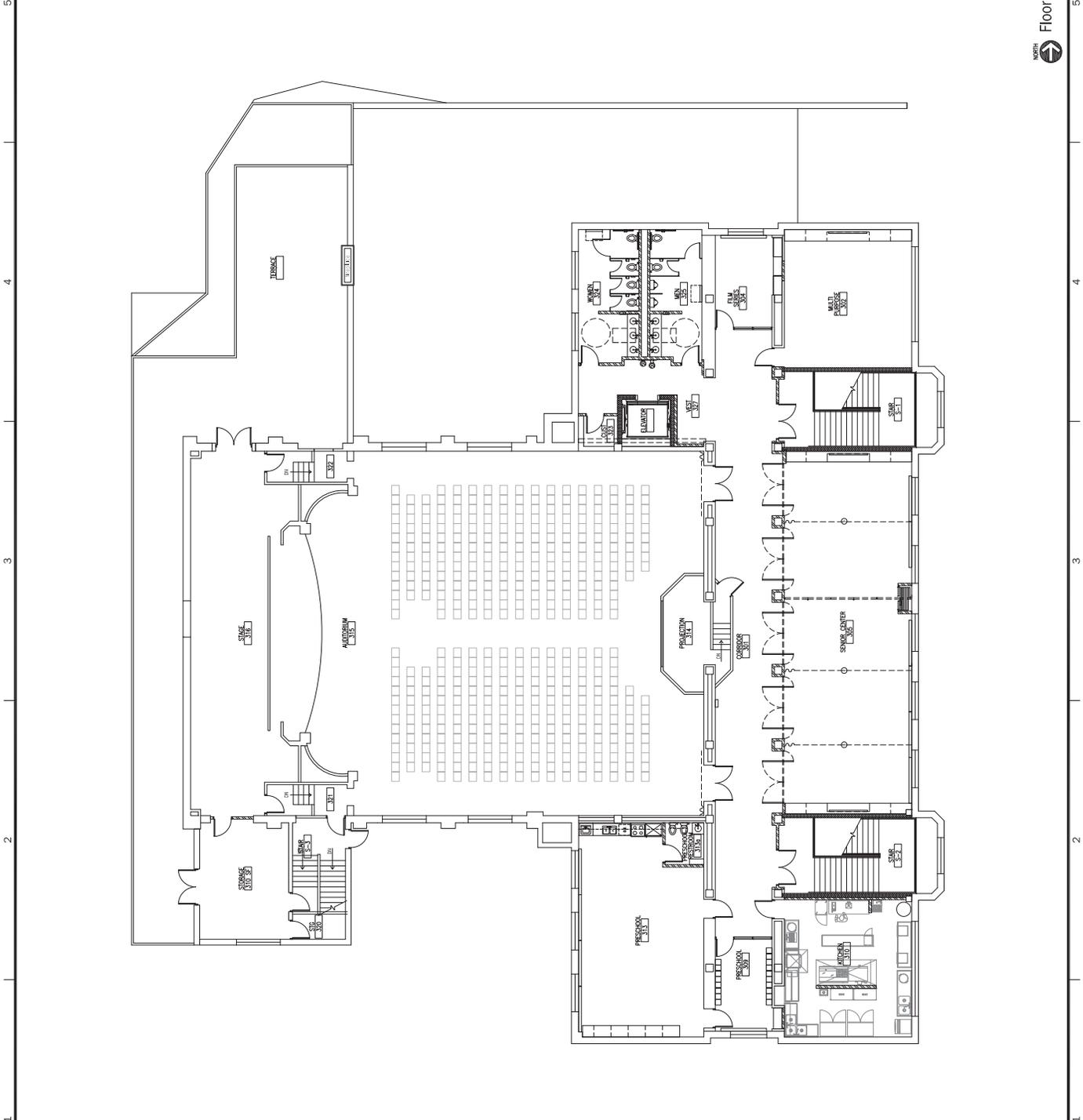
revisions

date: 22 October 2013
project no.: 130122
MPD Application

Park City Library and Carl Winters
School Building Remodel Project
1255 Park Avenue, Park City, Utah

Floor Plan
Level 03
AE103

Floor Plan - Level 03 **A5**
Scale: 1/8" = 1'-0"



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revisions

date: 22 October 2013
project no.: 130122
MPD Application

Park City Library and Carl Winters
School Building Remodel Project
1255 Park Avenue, Park City, Utah

Exterior Elevations
AE201



Exterior Elevation - North **C5**
Scale 1/8" = 1'-0"



Exterior Elevation - East **A5**
Scale 1/8" = 1'-0"

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date: 22 October 2013
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MPD Application

Park City Library and Carl Winters
School Building Remodel Project
1255 Park Avenue, Park City, Utah

Exterior Elevations
AE202



Exterior Elevation - South A5
Scale 1/8" = 1'-0"



Exterior Elevation - West A5
Scale 1/8" = 1'-0"

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revisions

date: 22 October 2013
project no.: 130122
MPD Application

Park City Library and Carl Winters
School Building Remodel Project
1255 Park Avenue, Park City, Utah

Exterior Views
AR301



Future View C5
Scale: N.T.S.

Existing View A5
Scale: N.T.S.

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revisions

date: 22 October 2013
project no.: 130122
MPD Application

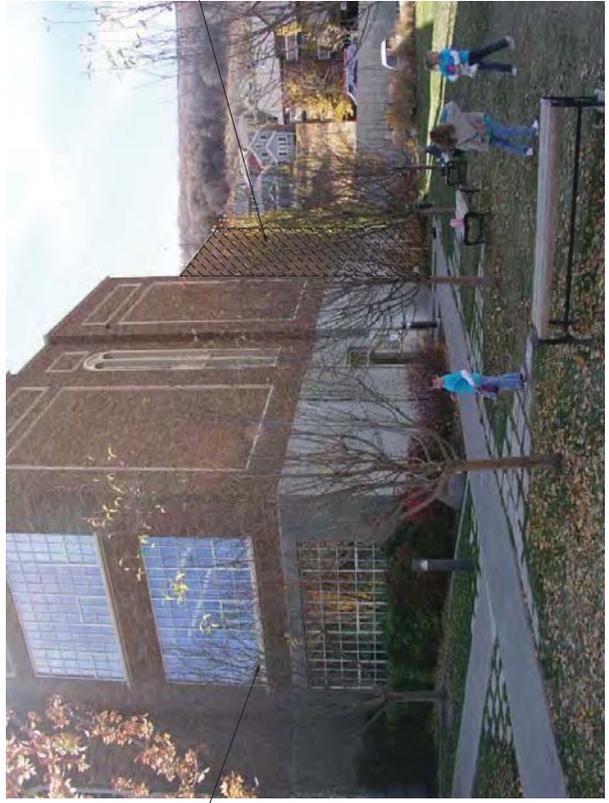
Park City Library Remodel Project
School Building Library and Carl Winters
1255 Park Avenue, Park City, Utah

Exterior Views
AR302

1 2 3 4 5



Future View C5
Scale: N.T.S.



Existing View A5
Scale: N.T.S.

1 2 3 4 5

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revisions

date: 22 October 2013
project no.: 130122
MPD Application

Park City Library and Carl Winters
School Building Remodel Project

1255 Park Avenue, Park City, Utah

Exterior Views
AR303

1 2 3 4 5



Future View C5
Scale: N.T.S.



EXISTING HISTORIC BUILDING TO REMAIN

EXISTING DEMOLITION OF EXISTING NON-HISTORIC STRUCTURE

Existing View A5
Scale: N.T.S.

1 2 3 4 5

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revisions

date: 22 October 2013
project no.: 130122
MPD Application

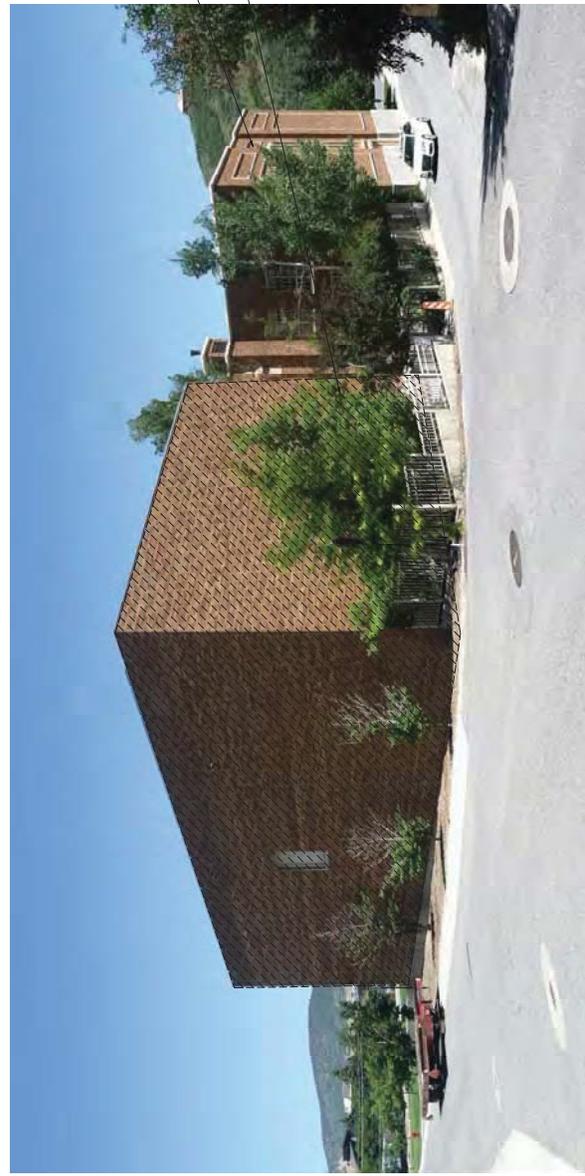
Park City Library and Carl Winters
School Building Remodel Project
1255 Park Avenue, Park City, Utah

Exterior Views
AR304

1 2 3 4 5



Future View C5
Scale: N.T.S.



Existing View A5
Scale: N.T.S.

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revisions

date: 22 October 2013
project no.: 130122
MPD Application

Park City Library and Carl Winters
School Building Remodel Project
1255 Park Avenue, Park City, Utah

Exterior Views
AR305

1 2 3 4 5



Future View C5
Scale: N.T.S.



Future View C3
Scale: N.T.S.



FUTURE VIEW A5
Scale: N.T.S.



FUTURE VIEW A3
Scale: N.T.S.

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revisions

date: 22 October 2013
project no.: 130122
MPD Application

Park City Library and Carl Winters School Building Remodel Project
1255 Park Avenue, Park City, Utah

Exterior Views
AR306

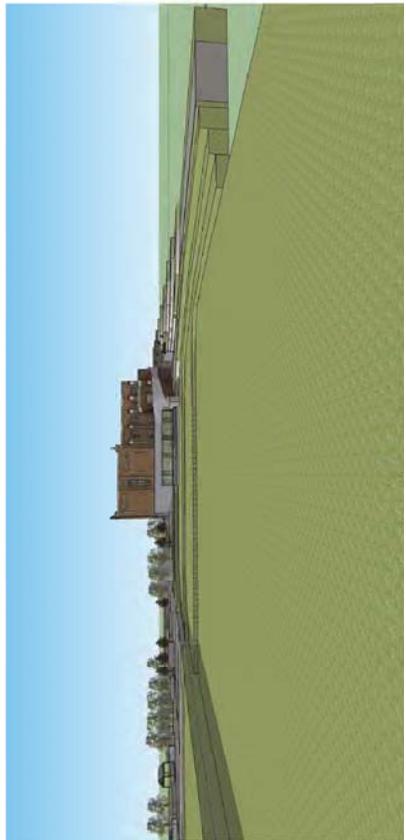
1 2 3 4 5



Future View C5
Scale: N.T.S.



FUTURE VIEW A5
Scale: N.T.S.



FUTURE VIEW A3
Scale: N.T.S.

The schedule of work and associated items including all materials, equipment, and labor, are preliminary & may not be correct. Discrepancies or omissions are the responsibility of the client. The schedule of work is subject to change without notice. Blalock + Partners, LLC

REVISIONS

PLANT SCHEDULE

NO.	PLANT	QUANTITY	NOTES
1	DOGWOOD	1	SEE ARCHITECTURAL SHEET AS102 FOR EXACT LOCATION
2	DOGWOOD	1	SEE ARCHITECTURAL SHEET AS102 FOR EXACT LOCATION
3	DOGWOOD	1	SEE ARCHITECTURAL SHEET AS102 FOR EXACT LOCATION
4	DOGWOOD	1	SEE ARCHITECTURAL SHEET AS102 FOR EXACT LOCATION
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49	DOGWOOD	1	SEE ARCHITECTURAL SHEET AS102 FOR EXACT LOCATION
50	DOGWOOD	1	SEE ARCHITECTURAL SHEET AS102 FOR EXACT LOCATION

SPECIAL NOTES:

1. LANDSCAPE SHOWN IS CONCEPTUAL ONLY AND IS STILL IN DEVELOPMENT.
2. SEE ARCHITECTURAL SHEET AS102 FOR EXACT OF BIG ADD ALTERNATE.

REFERENCE NOTES SCHEDULE

1. CONCEPTUAL LANDSCAPE
2. SEE ARCHITECTURAL SHEET AS102 FOR EXACT OF BIG ADD ALTERNATE.
3. SEE ARCHITECTURAL SHEET AS102 FOR EXACT OF BIG ADD ALTERNATE.
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50. SEE ARCHITECTURAL SHEET AS102 FOR EXACT OF BIG ADD ALTERNATE.



1 2 3 4 5

TREES



SHRUBS AND GROUNDCOVERS



ORNAMENTAL GRASSES



InterPlan



7719 South Main Street
Midvale, Utah 84047

DRAFT MEMORANDUM

To: Matt Twombly, Park City Municipal Corporation

From: Michael Baker, Andrea Olson, and Matt Riffkin, InterPlan Co.

Date: October 15, 2013

Subject: *Park City Library Parking Lot Peak Demand Analysis*

InterPlan was asked by Park City Municipal Corporation (PCMC) to analyze the impacts of lost parking spaces resulting from a proposed upgrade at the city library. In addition to the library, the building hosts a diversity of uses including: staff offices, weekly film screenings in the Santy Auditorium, and the Park City Cooperative preschool. Changes to the library and uses of the building are expected to increase demand for parking while a new walkway to the bus stop on Park Avenue will eliminate between 10-18 stalls. Currently the library parking lot contains 98 spaces. Build Option 1 of would eliminate 10 spaces, leaving 88 parking spaces intact. Build Option 2 would eliminate 18 spaces, leaving 80 intact. There are several adjacent parking areas that can serve as overflow parking. To the east, across Park Avenue, the MaWhinney parking lot has a capacity of 48 spaces. Another 25 spaces are available to the north of the library, across the open space.

Parking Demand

The proposed changes include expanding the library, adding a café, as well as a temporary senior center. Each of these uses has a different demand for parking. In Table 1, parking needs for each use are stated in terms of the “peak” demand for parking spaces. The Institute of Traffic Engineers (ITE) Parking Generation Manual is the industry standard used to estimate the parking demand by providing rates for various land uses. These rates are then applied to the number of units for each use yielding a peak parking demand for each type of land use. Table 1 contains the units of each use and the estimated peak parking demand.

Table 1 – ITE Manual Peak Parking Demand and Units

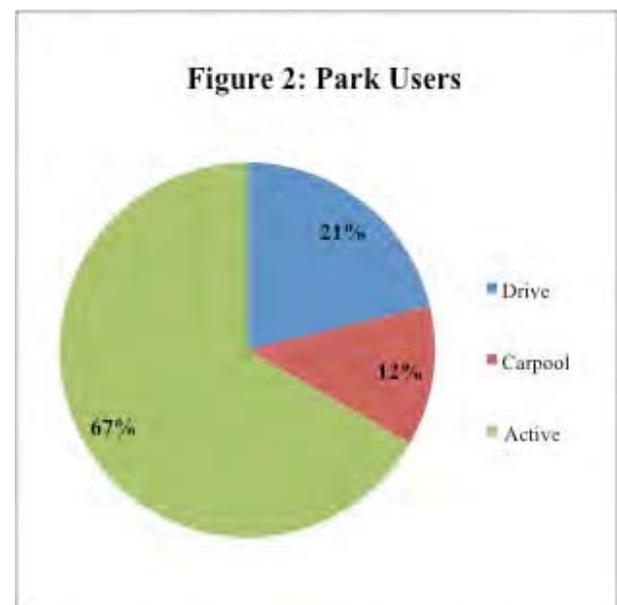
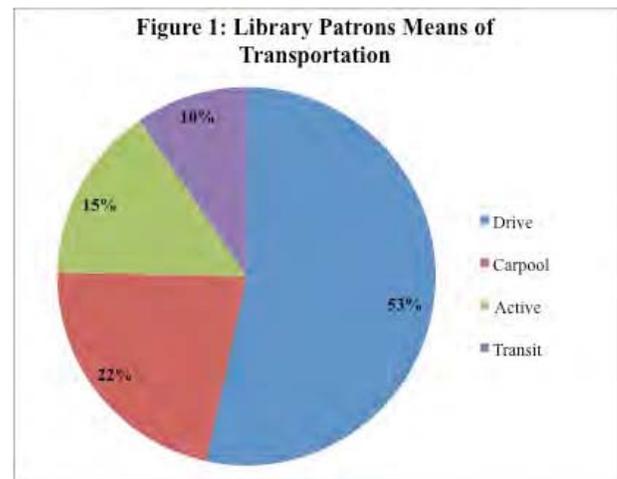
Use	Current Units	Current Peak Parking Demand (ITE Rates)	Build Units	Build Peak Parking Demand (ITE Rates)
Library	26,600 feet ²	66	47,400 feet ²	97
Library & Film Series Offices	3,000 feet ²	7	3,000 feet ²	7
Open Space/Park	2 acres	5	2 acres	5
Cooperative Preschool	1,000 feet ²	3	1,000 feet ²	3
Santy Auditorium	448 seats	116	448 seats	116
Café	n/a	n/a	315 feet ²	4
Temporary Senior Center	n/a	n/a	1,900 feet ²	2
Total		197		234

Park City Travel Behavior

ITE rates are rooted in studies performed at locations that may not reflect the unique context of Park City as a whole and the Park City Library, specifically. In order to better understand how patrons access the library building and adjacent uses and to develop parking demand estimates that more accurately reflect the context of Park City, InterPlan performed parking counts and patron interviews on Wednesday, October 9, 2013. Overall, 25 percent of people coming to the library used non-automobile means to travel to the library and arrived on foot, bicycle or by bus (Figure 1). While this “mode split” would be unusual in other cities, Park City has a strong history of biking, walking, and transit as significant elements of their transportation system.

The open space to the north of the building is a popular area for dog walkers. Similar to library patrons, a significant portion of park users either walked or biked to the park. Park users were observed parking in the area to the north of the open space (“13th Street”) and were not included in our survey. As shown in Figure 2, 67 percent of park users did not use an automobile.

InterPlan’s institutional knowledge of transportation modes in Park City was fully supported by our observations on October 9th: people traveling around Park City are more likely to use bus, bike and walking than residents of other cities. While parking demand outlined in the ITE Manual is a good starting point for



considering parking needs, we believe that these rates overstate the demand for parking in Park City and can be calibrated based on locally collected data. Information collected at the library was used to calibrate the peak parking demand to better reflect conditions in Park City. These revised rates are contained in Table 2. To be conservative in our estimates as well as account for sampling error, we have increased the automobile mode share from 75 and 33 percent to 80 and 40 percent, respectively. The required number of parking spaces, as dictated by Park City Land Management Code (Title 15-3-6 B), has also been included for context.

Table 2 – Calibrated Peak Parking Demand and Required Spaces

Use	Car Mode Share*	Current Peak Parking Demand	Build Peak Parking Demand	Land Management Code Requirements
Library	80%	53	78	48
Library & Film Series				
Offices	80%	6	6	10
Open Space/Park	40%	2	2	-
Cooperative Pre-School	80%	2	2	1
Santy Auditorium**	80%	93	93	112
Café	80%	n/a	3	1
Temporary Senior Center	80%	n/a	2	10
Total		156	185	182

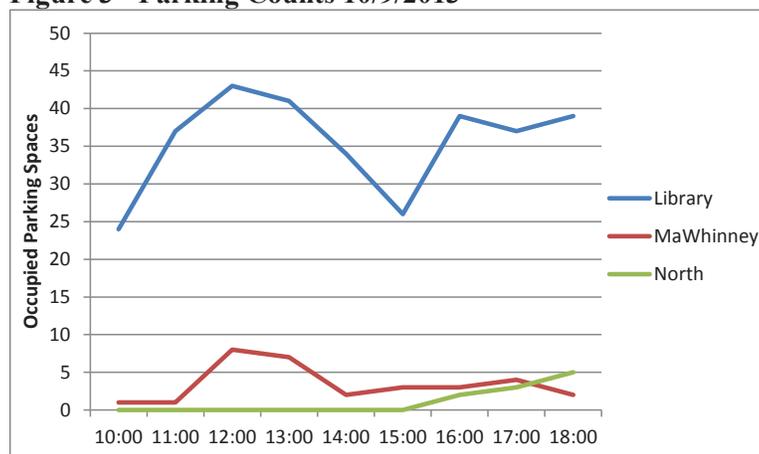
*Based on mode share observations made at the library. Increased to account for sampling error.

**Parking conditions during a Park City Film Series screening were not observed.

Parking Supply

As previously mentioned, the current library parking lot contains 98 spaces. Build scenarios for the library expansion will reduce parking to a maximum of 88 spaces. Hourly parking counts indicate that the peak in daily parking volume at the Library lot was 43 vehicles. Based on the calibrated current peak parking demand estimates—seen in Table 2—a similar time period would experience a demand for 63 spaces. Such discrepancy reflects the conservative nature of our parking estimates. This sample was taken in the “low” season for tourism. Hence, it is a good sample of how locals use the library. Figure 3 displays the number of occupied parking spaces at the library lot as well as the adjacent northern and MaWhinney parking areas.

Figure 3 - Parking Counts 10/9/2013



Complementary Uses

Complementary uses refers to parking spaces that can serve two different land uses based on the time of day when parking demand for that use is at its greatest. For example, peak use of the library is weekdays and early evening. Peak parking for the Santy Auditorium is weekend nights when films are shown. The same parking spot can serve these two uses with little overlap in demand.

Many of the building’s uses are complementary in that they occur at different times and on different days. Table 3 displays the parking demand for Mondays – Thursdays from 10:00 a.m. to 9:00 p.m assuming the planned uses after reconstruction. In the unlikely event that all five uses peak at the same time, 87 spaces will be required. As previously mentioned, the reductions in parking in the build scenario will leave a maximum of 88 spaces.

Table 3 – Monday-Thursday Library Operating Hours Peak Parking Demand

Use	Build Peak Parking Demand
Library	78
Library & Film Series Offices	*
Open Space/Park	2
Cooperative Pre-School	2
Café	3
Temporary Senior Center	2
Total	87

*Staff have committed to parking off-site.

Santy Auditorium is the largest single parking demand generator. In the reconstruction, the capacity of the auditorium will not change from its current 448-seat capacity. Parking demand likely currently exceeds capacity during film showings on weekend nights, but overflow parking is accommodated at the MaWhinney parking lot and other nearby parking lots.

Staff Parking

Currently, there is a small staff parking area and loading dock: accessible by Norfolk Avenue. Conversations with library staff revealed that parking at this location is primarily used by full-time library staff. The parking capacity in the loading area was not factored into any of our figures for the library lot. In the forthcoming upgrades, parking in this area might be converted into a potential drive-through “book drop.” If the book drop is not constructed, the existing 4 spaces will remain and reduce staff parking demand elsewhere. Library staff has agreed to park off-site at the adjacent MaWhinney parking area: across Park Avenue. Signage reserving parking for library staff in the off-site lot might further promote the agreement. Off-site staff parking is essential to ensure the daytime peak parking demand remains below capacity at the library lot.

InterPlan also conducted an analysis of changing traffic conditions if the book drop were to be relocated to back of the building. Library staff provided detailed information related to use of the book drop area. Assuming the highest number of auto drop-off trips (192) during open hours (56/week), vehicle trips using the book drop off average three trips/hour. This would not be considered significant or unreasonable at all and will not noticeably impact traffic on Norfolk, 12th Street or 13th Street.

Additionally, during field observations over a four-hour period, the book drop was utilized approximately six times.

Other Considerations

A conversation with library staff revealed that in the wintertime the library parking lot is a popular parking location for patrons and employees of Park City Mountain Resort. Applying a time limit to the parking lot might discourage this practice and preserve parking for the building’s users. Other times when demand will exceed supply are during the Sundance Film Festival and, as previously discussed, the Park City Film Series screenings. Demand for parking during the film festival will always dwarf supply and needs to continue to be addressed on a citywide basis.

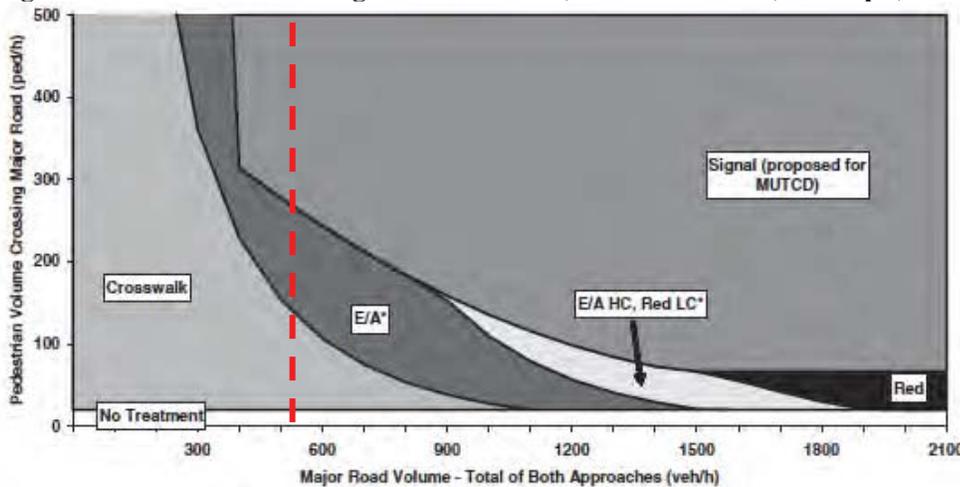
Pedestrian Crossings on Park Avenue

The MaWhinney parking lot is located to the east of the Library lot, across Park Avenue. It is the primary recipient of overflow parking when capacity is exceeded at the library. Naturally, this increases the number of pedestrian crossings on Park Avenue. Currently, there is a Manual on Uniform Traffic Control Devices (MUTCD) type W11-2 pedestrian crossing sign indicating the crosswalks for vehicles traveling on Park Avenue. Figure 4 displays an example of this sign type.

Figure 4- W11-2 Sign

The National Cooperative Highway Research Program (NCHRP) periodically undertakes research on specific transportation-related topics and then offers updated or supplemental information to standards such as those offered in the MUTCD. NCHRP’s Report #562 looks at improving pedestrian safety at unsignalized crossings. Figure 5 contains a plot of pedestrian crossing guidelines for enhanced crossing treatments from this research. For reference, the red line reflects the daily peak hour traffic volume on Park Avenue. The peak time of pedestrian crossings at this location is likely during the Park City Film Series screenings and not during the peak travel time of the day.

Figure 5- Pedestrian Crossing Guidelines Plot, 34 ft. Pavement, ≤35 mph, 3.0 ft/s Walking Speed



*E/A = Enhanced/Active, HC = High Compliance, LC = Low Compliance

Source: National Cooperative Highway Research Program, “Improving Pedestrian Safety at Unsignalized Crossings.”

The report offers recommendations on a range of improvement types for differing crossing conditions such as traffic volumes, pedestrian volumes, pavement width, speed limits, and crossing speeds. For this crossing, recommended treatments fall under the Crosswalk, Enhanced and Active categories. Specific treatments included in these groups are:

Crosswalk:

- Any treatment/paint that raises awareness to drivers of pedestrians being in the roadway
- Any vertical treatment that raises the level of the crosswalk above the roadway
- Advanced pavement markers that warn drivers of an upcoming pedestrian crossing

Enhanced:

- In-street Pedestrian Crossing Signs
- Signs and High Visibility Markings

Active:

- In-roadway Warning Lights
- Pedestrian Crossing Flags
- Overhead Flashing Amber Beacons

In addition, the NCHRP report offers a range of geometric treatments such as raised crosswalks, curb extensions (or “bulb outs”), and other roadway narrowing techniques. To make a more detailed recommendation related to the best treatment at this location, pedestrian counts should be done during peak use times such as the Park City Film Series.

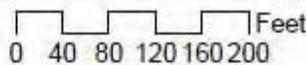
Conclusion

In conclusion, demand for parking at the library comes from a diversity of sources. Changes to the library will increase parking demand to a small degree while planned changes to the parking lot will decrease parking supply. The peak daytime demand for parking at the library is 87 spaces; a conservative estimate. Option 1, with 88 parking spaces, is the only scenario capable of accommodating this peak parking demand. It is important to understand that this assumes that all library uses “peak” at the same time. Enacting the staff agreement to park off-site is an essential step in matching the new parking demand with the reduced supply.



Carl Winters Area Parking

Planning Commission - December 11, 2013



1 in = 96 ft

Distance to Parking:

- 270' - Far End of Lot
- 330/380' - Bus Stops
- 370' - MaWhinney Lot
- 380' - 13th St via Lawn
- 520' - 13th via Norfolk
- 650' - S end City Park
- 860' - Miners Hospital

Miner's Hospital Parking
14 Spaces

South End - Gazebo
26 Spaces

MaWhinney Lot
48 Spaces

13th Street
25 Spaces

Bus Stop

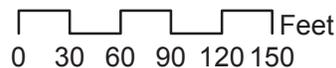
Library Lot
98 Spaces:
inc.: 12 short term
3 high efficiency

13th Street Stairs

12th Street Stairs

Carl Winters Area Parking

Planning Commission - September 1, 2013



1 in = 113 ft
Page 82 of 842

Planning Commission Staff Report



Subject: Carl Winters School Subdivision,
1255 Park Avenue
Author: Anya Grahn, Historic Preservation Planner
Project Number: PL-13-01950
Date: December 11, 2013
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Carl Winters School Subdivision located at 1255 Park Avenue, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Description

Applicant: Park City Municipal Corporation, represented by Matt Twombly
Location: 1255 Park Avenue
Zoning: Recreation Commercial (RC) District; Recreation and Open Space (ROS) District
Adjacent Land Uses: Single-family residential, vacation rentals, recreational open space (green space), office space (Miner’s Hospital)
Reason for Review: Planning Commission review and recommendation to City Council

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining all of the following:

- The north half of lot 5, all of Lots 6 through 12, inclusive, the south half of Lot 13, and all of Lots 23 through 44, inclusive, of Block 6 of the Snyders Addition to the Park City survey.
- All of Lots 1 through 44 of Block 7 of the Snyders Addition to the Park City Survey.
- The portion of land that is the Vacated Woodside Avenue as well as the non-vacated remainder of Woodside Avenue. (The vacation of the remaining portion of Woodside Avenue will be heard by City Council on December 12, 2013.)

The applicant wishes to combine the lots in order to move forward with a Historic District Design Review (HDDR) and MPD amendment approval for an addition to the Carl Winters School building. In order to accommodate growing community demands and the library’s ability to be a Twenty First Century library, an addition of approximately 2,400 square feet is proposed. This addition will be located on the north elevation of the structure.

The Carl Winters School, historically known as the Park City High School, is a Landmark structure that straddles the lot lines of Lots 1 through 6 and Lots 39 through 44 of Block 7. The structure has been identified as a Landmark on the City's Historic Sites Inventory (HSI).

The parcel is currently zoned as Recreation Commercial (RC) as well as Recreation Open Space (ROS). The historic library structure is part of the RC District; whereas, the open space to the north of the library structure is zoned ROS.

Purpose

The purpose of the Recreation Commercial (RC) District is to:

- (A) Allow for the Development of hotel and convention accommodations in close proximity to major recreation facilities,
- (B) Allow for resort-related transient housing with appropriate supporting commercial and service activities,
- (C) Encourage the clustering of Development to preserve Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of construction and municipal services,
- (D) Limit new Development on visible hillsides and sensitive view Areas,
- (E) Provide opportunities for variation in architectural design and housing types,
- (F) Promote pedestrian connections within Developments and to adjacent Areas,
- (G) Minimize architectural impacts of the automobile,
- (H) Promote the Development of Buildings with designs that reflect traditional Park City architectural patterns, character, and Site designs,
- (I) Promote Park City's mountain and Historic character by designing projects that relate to the mining and Historic architectural heritage of the City, and
- (J) Promote the preservation and rehabilitation of Historic Buildings.

Additionally, the purpose of the Recreation Open Space (ROS) District is:

- (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; and
- (E) encourage sustainability, conservation, and renewable energy.

Background

The three (3)-story, historic Park City High School was constructed in 1926-1927 by the design firm Scott & Welch, two of Utah's most prominent architects. The physical elements of the site, in combination, convey a sense of the institutional/educational development in Park City in the early 1920s. In 1993, a three (3) story addition was constructed to wrap the T-shape building along its west elevation, Norfolk Avenue.

Though eligible, the library is not individually listed on the National Register of Historic Places.

As outlined in the staff report for the Master Planned Development (MPD) at 1255 Park Avenue, included in this packet, the City purchased the historic structure in 1992. A Master Planned Development (MPD) was approved by City Council that same year in order to renovate and expand the historic structure. Currently, the structure is shared by the Park City Library, Park City Cooperative Preschool (PCCP), and Park City Film Series (PCFS). Not only will the proposed library expansion, to be approved through the MPD, enable the library to meet the highest functional and service level goals for a Twenty-first Century Library, but the third floor will also be remodeled to include flexible community space and a commercial kitchen, in order to accommodate the future temporary relocation of the senior center (two year duration anticipated). As previously noted, the MPD is discussed in further detail in the staff report included in this packet.

At the time of the MPD discussions in 1990 and 1992, a rezone of the property was made. Portions of the site were converted from Residential-Medium (RM) to Recreation Commercial (RC), Historic Commercial Business (HCB) to RC, and Historic Residential (HR-1) to RC in 1990. In 1992, the open space field to the north of the historic structure was rezoned from RC to Recreation Open Space (ROS). Today, the site is segregated into two (2) zoning districts—the Library is part of the RC District while the open space field to the north is zoned ROS.

On June 14, 2013, the City received an application to create one (1) legal lot of record from 73 full lots and two (2) partial lots as well as the vacated and to-be vacated Woodside Avenue. The property contains a total of 3.816 acres. The application was deemed complete on October 22, 2013. The Carl Winters School Subdivision proposes to create one (1) lot from the three (3) parcels as described by the surveyor:

- Parcel 1: The north half of lot 5, all of Lots 6 through 12, inclusive, the south half of Lot 13, and all of Lots 23 through 44, inclusive, of Block 6 of the Snyders Addition to the Park City survey. This section contains 29 full lots and two (2) partial lots (north half of Lot 5 and the South half of Lot 13).
- Parcel 2: All of Lots 1 through 44 of Block 7 of the Snyders Addition to the Park City Survey. This portion contains 44 full lots.
- Parcel 3: The area of land that contains Woodside Avenue. This includes the Vacated Woodside Avenue, just east of Lots 7 through 22 of Block 7. It also contains the section of Woodside Avenue directly to the south of the Vacated Woodside Avenue and directly east of Lots 1 through 6 of Block 7.

Analysis

The applicant wishes to combine the lots in order to move forward with a Historic District Design Review (HDDR) and Master Planned Development (MPD) Amendment approval. On September 25, 2013 the Planning Commission approved the Pre-MPD for this project; the MPD is scheduled for tonight's hearing.

The maximum footprint in the RC district located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area shall be 4,500 square feet, or 24% of the lot. As existing, the library structure has a footprint of 17,171 square feet, or 10.3% of the lot. The proposed addition will have a footprint of 2,348 square feet, creating a total footprint of 19,519 square feet. The total footprint of the building and addition overall consumes approximately 11.7% of the lot. This is significantly less than the 24% of footprint allowed on lots exceeding 18,750 square feet.

The zoning for the one lot subdivision in Recreation Commercial (RC) and is subject to the following criteria:

RC Zone	Permitted	Existing
Lot Size	1,875 SF minimum	3.816 acres- complies
Front setback Park Avenue (East) Norfolk Avenue (West)	15 feet 15 feet	Approx. 202 feet- complies Approx. 0-11 feet- permitted by 1992 MPD
Side yard setback (North)	10 feet	Approx. 386 feet- complies
Side yard setback (South)— 12 th Street	5 feet	0 feet- historic-valid non- complying and permitted by 1992 MPD
Height	35 feet/3 stories	35 feet/3 stories- complies
Footprint	4,500 square feet or 24% of the lot	17,171 square feet (existing) or 10.3%
Parking	204 spaces *The Planning Commission may increase/decrease the required number of off- street parking spaces based on a parking analysis during the MPD	105 parking spaces complies per the 1992 MPD

Per LMC 15-2.16-6, Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height. The historic structure does not meet the setback requirements on the south elevation, but is a historic valid complying structure.

As part of the earlier 1993 Library remodel, the Carl Winters Library Master Planned Development (MPD) approved two (2) setback exceptions which is permitted under the MPD. As outlined in the previous table, the existing historic building encroaches into the south side yard setback (12th Street); however, the 1993 addition created a further encroachment along the rear yard setback (Norfolk Avenue). The permanent parking was also approved to encroach into the side yard setback (12th Street) by the 1992 MPD.

The plat amendment also includes a portion of Woodside Avenue. On March 9, 1940, the section of Woodside Avenue immediately north of Lots 7 through 22 of Block 7 of Snyders Addition was vacated. The remaining section of Woodside Avenue, located directly to the south of the Vacated Woodside and north of Lots 1 through 6 of Block 7, was not vacated. It is unknown why this portion was not vacated in 1940; however, it is likely that this street was needed to provide access to two (2) homes on the east side of the street. These homes no longer exist.

The City Engineer has requested City Council to consider approving a proposed ordinance vacating the section of Woodside Avenue adjacent to Lots 1 through 6, Block 7 of Snyders Addition on December 12, 2013. Condition of Approval #7 states that approval of this plat is dependent on City Council's approval of the street vacation.

The plat will also resolve any existing encroachments. The existing historic structure encroaches into the south side yard setback (12th Street), and the 1993 addition to the building encroaches into the Norfolk Avenue right-of-way. Similarly, the existing concrete retaining wall, along the asphalt driveway on Norfolk Avenue, also encroaches into the Norfolk Avenue right-of-way. These encroachments will need to be resolved prior to recordation of the plat.

The plat amendment will be the largest in the neighborhood. The second largest is the adjacent Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots.

Development of the site will be limited by the MPD approval. The density permitted on a given site will be determined as a result of a site suitability analysis and shall not exceed the maximum density in the zone. The minimum setbacks around the exterior boundary of the MPD shall be twenty-five feet (25') for parcels greater than one (1) acre in size. Under the MPD, the Planning Commission may decrease the required perimeter setbacks from twenty-five feet (25') to the zone required setbacks if it is necessary to provide desired architectural interest and variation. The Planning Commission may also reduce setbacks to match an abutting zone setback in order to maintain the general character of the surrounding neighborhood. As part of the MPD amendment, the project will be required to provide a minimum of sixty percent (60%) open space.

Because of the Landmark status and National Register eligibility of the 1926-1927 Carl Winters School, it is vital that any additions or modifications to the exterior of the structure be completed with the utmost respect for the historic building and compliance with the Design Guidelines for Historic Districts and Historic Sites as well as the

Secretary of the Interior's Standards. As existing, the Carl Winters School straddles the interior lot lines of the site, consuming Lots 1 through 6 and Lots 39 through 44 of Block 7.

In addition to gaining a ten foot (10') snow storage easement along Norfolk Avenue, this plat amendment will also incorporate the vacated Woodside Avenue. As previously noted, a portion of Woodside Avenue located on the site was vacated in 1940; however, the City Engineer will be requesting that City Council vacate the remaining portion of Woodside Avenue at the December 12, 2013 City Council hearing.

Good Cause

Planning Staff believes there is good cause for the application. Combining the Lots will allow the property owner to move forward with site improvements, which include a possible addition to the historic structure. It also includes land that exceeds the structure itself, preserving it as open space. The plat amendment is necessary in order for the applicants to utilize future plans, and if left un-platted, the property remains as is. Moreover, the plat amendment will resolve the issue of the Landmark structure straddling interior lot lines. The plat amendment will also utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community. It will also allow the City to gain a ten foot (10') snow storage easement along Norfolk Avenue as well as absorb the vacated Woodside Avenue into the Carl Winters School Subdivision.

Staff finds that the plat will not cause undo harm on any adjacent property owner because the proposal meets the requirements of the Land Management Code (LMC) and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. In approving the plat, the City will resolve the existing building encroachments over interior lot lines.

Staff finds good cause for this plat amendment to create one (1) legal lot of record from the existing lots of record, vacated sections of Woodside Avenue, and the portion of the to-be vacated section of Woodside Avenue.

Process

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 additional issues were raised regarding the subdivision.

Notice

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

Public Input

Public input may be taken at the regularly scheduled Planning Commission public hearing and at the Council meeting scheduled for January 9, 2013.

Alternatives

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

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and 73 existing lots and two (2) partial lots would not be combined. Any additions to the landmark structure would be limited to the existing rear and side lot lines. The library structure would continue to encroach over the interior property lines of Lots 1 through 6, 39 through 44.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the Carl Winters School 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.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat

Exhibit B – Existing Conditions Survey

Exhibit C – Vicinity Map/Aerial Photograph

Exhibit D – Zoning Map

Exhibit E –1990 Ordinance for the Rezone of the Carl Winters School Parcel

Exhibit F –1992 Ordinance for the Rezoning of the playing field from RC to ROS

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 14-

AN ORDINANCE APPROVING THE CARL WINTERS SCHOOL SUBDIVISION PLAT LOCATED AT 1255 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at Carl Winters School Subdivision, has petitioned the City Council for approval of the 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 December 11, 2013 to receive input on the proposed subdivision;

WHEREAS, on December 11, 2013 the Planning Commission forwarded a recommendation to the City Council; and,

WHEREAS, on January 9, 2013 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Carl Winters School Subdivision.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Carl Winters School Subdivision as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at Carl Winters School Subdivision within the Recreation Commercial (RC) and Recreation Open Space (ROS) Districts.
2. The applicants are requesting to create one (1) legal lot of record from 73 full lots and two (2) partial lots as well as the vacated and to-be vacated Woodside Avenue. The property contains a total of 3.816 acres.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of an addition to the landmark Park City Library.
4. Currently the property contains 73 full Old Town lots and two (2) partial lots.
5. The existing historic 48,801 square foot structure is listed as “Landmark” on the Historic Sites Inventory (HSI).

6. A three (3) story addition was introduced in 1992, wrapping the historic auditorium wing. The applicant is proposing to reduce the height of the 1992 addition and adding a side addition along the north elevation. Thus far, no HDDR application has been submitted; however, Planning Staff has been serving on the Design Team to guide the development of the project.
7. Per LMC 15-2.16-6, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it straddles Lots 1 through 6 and Lots 29 through 44 of the Snyder's Addition.
8. As part of the 1992 Carl Winters Library Master Planned Development (MPD), two (2) setback exceptions were approved including the encroachment of the 1993 addition into the rear side yard setback (Norfolk Avenue) as well as the permanent parking encroaching into the side yard setback (12th Street).
9. Any proposed additions to the existing historic structure will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
10. The maximum footprint in the RC district located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area shall be 4,500 square feet, or 24% of the lot. As existing, the library structure has a footprint of 17,171 square feet or 10.3% of the lot. The proposed addition will create a total footprint of 19,519 square feet. The total footprint of the building and addition overall consumes approximately 11.7% of the lot and is significantly less than the 24% of footprint allowed on lots exceeding 18,750 square feet.
11. The proposed 7,730 square feet addition is significantly larger than additions seen on other neighboring historic buildings; however, the library structure is also much larger than surrounding historic residential and commercial sites. The addition must adhere to the Design Guidelines for Historic Sites would require that the mass and scale of any new additions is compatible with the historic structure.
12. The amendment of seventy-three (73) lots of record and two (2) partial lots would be the largest plat amendments in the neighborhood. The second largest of these plat amendments is the Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots.
13. New additions to the historic structure would require adherence to current setbacks as required in the RC District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites. The Planning Commission may grant exceptions to these setbacks through the MPD.

Conclusions of Law:

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

Conditions of Approval:

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 permit for any work that expands the footprint of the structure or would first require the approval of an HDDR shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. A 10 foot (10') wide public snow storage easement is required along the street frontages of the lot with Park Avenue, 12th Street, Norfolk Avenue, and 13th Street and shall be shown on the plat.
6. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.
7. City Council must approve the street vacation of the portion of Woodside Avenue, directly east of Lots 1 through 6 of Block 7 of the Snyders Addition.

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

PASSED AND ADOPTED this ____day of January, 2014.

PARK CITY MUNICIPAL CORPORATION

Dana Williams, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney



Ordinance No. 90-3

AN ORDINANCE REZONING THE CARL WINTERS SCHOOL PARCEL FROM RESIDENTIAL MEDIUM DENSITY (RM) TO RECREATION COMMERCIAL-MASTER PLANNED DEVELOPMENT (RC-MPD) AND REZONING A PARCEL ON THE NORTHEAST PORTION OF THE CAMPUS AREA (COMMONLY KNOWN AS THE BOTTLING WORKS PARCEL) FROM HISTORIC COMMERCIAL BUSINESS (HCB) AND RESIDENTIAL MEDIUM DENSITY (RM) TO RECREATION COMMERCIAL-MASTER PLANNED DEVELOPMENT (RC-MPD); AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY, UTAH

WHEREAS, the Park City Land Management Code provides the City Council the authority to create zoning designations and amend zoning provisions and the Official Zoning Map; and

WHEREAS, public hearings were legally noticed and heard before the Planning Commission on November 29, 1989 and November 6, 1989 to receive public input on the rezoning of the parcels described in the above title and more particularly described as:

The north half of Lot 5 and Lots 6 through 44, Block 6, Snyder's Addition to Park City; also Lots 1 through 44, Block 7, Snyder's Addition; also abandoned Woodside Avenue between Twelfth and Thirteenth Streets, Snyder's Addition; and

WHEREAS, on December 13, 1989, the Planning Commission forwarded a recommendation to the City Council to approve the rezoning of such parcels; and

WHEREAS, public hearings were legally noticed and heard before the City Council on December 21, 1989 and January 4, 1990 to receive public input on the rezoning of the parcels described above; and

WHEREAS, the City Council deems it appropriate that the subject parcels be duly rezoned to Recreation Commercial-Master Planned Development (RC-MPD) in consideration of adjacent commercial zoning and the Planning Commission's findings and conditions of the master planned development approval to facilitate adaptive reuse of the of the Carl Winters School building; and to provide cultural and economic opportunities within the City limits to serve the community;

NOW, THEREFORE, BE IT ORDAINED by the City Council that:

SECTION 1. OFFICIAL PARK CITY ZONING MAP AMENDED. The Official Park City Zoning Map shall be amended to apply the Recreational Commercial-Master Planned Development (RC-MPD) zoning to the parcels described above.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 25th day of January, 1990.

PARK CITY MUNICIPAL CORPORATION

[Handwritten signature]
A. Olch

Attest:

Anita Sheldon
Anita Sheldon, City Recorder



Ordinance No. 92-5

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF PARK CITY
TO REZONE THE CARL WINTERS PLAYING FIELD FROM
RECREATION COMMERCIAL (RC) TO RECREATION OPEN SPACE (ROS)**

WHEREAS, the playing field next to the Carl Winters School has been used as community open space for a number of years; and

WHEREAS, the Park City Comprehensive Plan calls for the field to be retained as open space; and

WHEREAS, the parcel is currently zoned Recreation Commercial which would allow a variety of residential and commercial uses; and

WHEREAS, it is the desire of the City Council to amend the zoning to restrict uses to recreational uses;

NOW, THEREFORE, be it ordained by the Park City Council:

Section 1. Official Zoning Map Amended. The official zoning map of Park City shall be amended to change the zoning on the Carl Winters Playing Field from Recreation Commercial to Recreation Open Space.

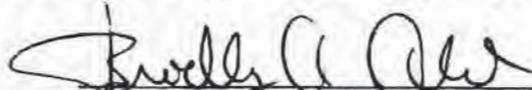
Section 2. Legal Description. The legal description of the area to be rezoned is as follows:

Beginning at the southwest corner of Lot 36, Block 7, Snyder's Addition to the Park City Survey; thence North 35°59'26" West along the easterly right-of-way line of Norfolk Avenue 350 feet, more or less, to the southerly right-of-way line of 13th Street; thence North 54°00'08" East 275.14 feet to the northeasterly corner of Lot 23, Block 6 Snyder's Addition; thence South 35°59'07" East 237.55 feet; thence South 54° 00' 10" West 75 feet, more or less, to the westerly line of Block 6; thence South 35° 59' 14" East along the westerly line of Block 6 112.5 feet, more or less, to the southwest corner of Lot 36, Block 6; thence South 54° 00' 11" West 50.0 feet, more or less, to the southeast corner of Lot 9, Block 7; thence South 54° 00' 11" West 150.0 feet, more or less, along the southerly lines of Lots 9 and 36, Block 7, to the point of beginning. Contains 2.016 acres, more or less.

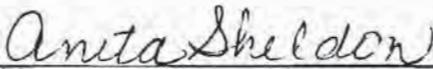
and is represented in Exhibit A.

Section 3. Effective Date. This ordinance shall become effective upon publication.

Passed and Adopted this 27th day of February, 1992.


Bradley A. Olch, Mayor

Attest:


Anita Sheldon, City Recorder



Planning Commission Staff Report

Application #: PL-13-02066
Subject: 530 Main Street-Riverhorse on Main
Author: Anya Grahn, Planner
Date: November 20, 2013
Type of Item: Administrative – Conditional Use Permit

Summary Recommendations

Staff recommends that the Planning Commission review the proposed Conditional Use Permit (CUP) application for temporary structures, open the public hearing, and consider denying the CUP application in accordance with the findings of fact, conclusions of law, and conditions of approval.

Description

Applicant: Riverhorse Partners, represented by Seth Adams
Location: 530 Main Street
Zoning: Historic Commercial Business (HCB)
Adjacent Land Uses: Commercial retail, restaurants, bars, office
Reason for Review: Conditional Use Permits require Planning Commission review and approval

Proposal

This application is a request for a Conditional Use Permit (CUP) for proposed temporary structures (tents, teepees, yurts, and stages) to be located within the existing Riverhorse property at 530 Main Street property for longer than fourteen (14) days or more than five (5) times a year. The property is located within the Historic Commercial Business (HCB) District. The applicant proposes to construct a temporary structure for 180 days (November through April) on the structure's balcony. A portion of the balcony is located within the City right-of-way (ROW) for Main Street.

Background

The property is located at 530 Main Street in the Historic Commercial Business (HCB) District. The Riverhorse restaurant occupies the second level of the structure, which is shared by Pizza & Noodle, which is on the first floor. There is an existing balcony that extends beyond the 530 Main property lines and over the city right-of-way.

On April 1, 2013, the Planning Department received a Pre-Historic District Design Review (Pre-HDDR) application outlining the applicant's intent to enclose the balcony of the Riverhorse restaurant. After meeting with staff, the applicant was persuaded not to enclose the balcony year-round; however, they do wish to enclose it temporarily during the winter months. As part of the proposed remodel, the applicant intends to alter the balcony by squaring off the existing chamfered corners to capture an additional 22 square feet of balcony space. The HDDR application for this work has not yet been

submitted to the Planning Department. The overall work for these proposed changes has been separated into two (2) phases, as outlined by the CUP application:

1. Modifying the existing second level building front of 530 Main Street within the existing property line boundaries.
2. Altering the balcony space
 - a. Squaring off the chamfered corners
 - b. Modifying the balcony materials
 - c. Constructing a custom temporary enclosure system

A Historic District Design Review (HDDR) will be required for this proposed work, with the exception of the 180-day temporary enclosure.

Per LMC 15-2.6-3(D) no balcony may be erected, enlarged, or altered over a public pedestrian right-of-way without advance approval of the City Council. Once the applicant has submitted an HDDR application to alter the balcony, the City Engineer will be presenting the applicant's application to expand the balcony to the City Council. Any alterations to the historic landmark structure at 540 Main Street or the adjacent addition at 530 Main Street will require administrative approval through the HDDR process.

The Land Management Code (LMC) was revised in 2009 to address the duration in which temporary structures may be installed. There were several temporary structures located on hotel properties in town that had been approved as temporary structures, but were left standing in virtual perpetuity. To ensure this trend would not continue, new duration parameters were adopted in 2009.

LMC 15-4-16(D) Temporary structures, tents, and vendors states that unless approved by the City Council as part of a Master Festival, in no case shall a tent be installed for a duration longer than fourteen (14) days and no more than five (5) times per year on the same property or site, unless a longer duration or greater frequency is approved by the Planning Commission consistent with Conditional Use Criteria set forth in LMC 15-1-10. Longer durations or an increase in the frequency of occurrences requires a Conditional Use Permit (CUP) and must be approved by the Planning Commission. The intent of this provision in the Code, adopted by City Council in 2009, was to allow events to run together if necessary but each fourteen (14) day period would count towards the total allowable amount of five (5) times per year. This prevents tents from remaining up indefinitely. This would also allow a tent to stay up no longer than seventy (70) days, if the fourteen (14) period was run consecutively for five (5) times.

On September 13, 2013, the Planning Department received an application for a CUP to allow a temporary structure to be constructed on the Riverhorse balcony for a full 180 days. The application was deemed complete on October 3, 2013. The current balcony is used only during the summer months as it has no overhang for weather protection, no enclosure, and no integral heating system.

A permit has been issued in the past to permit a temporary tent structure in order to allow the restaurant additional tempered space on the balcony and permit wintertime use during special events, such as Sundance. During special events, such as

Sundance, this tent has been approved through an Administrative Conditional Use Permit (Admin-CUP). The tent has traditionally been a simple white vinyl outdoor tent. It is held in place on the balcony by water ballasts, heated by propane, and lit internally to meet the International Building Code (IBC). The duration of the tent has not exceeded fourteen (14) days.

The applicant hopes to imitate the success of the tent's use during special events by constructing a temporary 180-day tent on the balcony from approximately November 1st through April 30th that would promote winter-time use. The custom temporary enclosure system will feature full height front and end walls, supported by metal-framed glazing with pairs of glazed metal doors. The temporary glazing panels will be clear, tempered glass (not sheet vinyl or similar). The sloped roof will be opaque sheet vinyl; the color has not yet been determined. The vinyl material will be stretched taut over the temporary, demountable metal framing structure. The structure will have to be engineered for snow load, address snow shedding, and run-off control. No visible elements of the enclosure system will remain, when the temporary structure is removed. The temporary enclosure will add approximately 350 square feet of restaurant space on the balcony and seat approximately twenty (20) patrons, or about five (5) tables of four (4). Given the duration of the proposed enclosure (180 days), staff finds that such a structure would be a permanent fixture during the winter season and should comply with the Historic District Design Guidelines.

There are approximately thirty (30) balconies on Main Street above the City ROW. If we were to grant CUPs to all thirty (30) of these properties in the historic commercial district to enclose their balconies, the look and feel of our historic western Main Street would be significantly diminished. Currently, encroachment agreements exist for only two (2) of these balconies.

Analysis

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

Within the LMC section 15-4-16(A)(7), a temporary structure may not be installed for a duration longer than fourteen (14) days and for more than five (5) times a year (total - if all time is utilized the temporary use is 70 days), unless a longer duration or greater frequency is approved by the Planning Commission consistent with CUP criteria in LMC 15-1-10 and the criteria for temporary structures in LMC 15-4-16 (C). The applicant is requesting that the Planning Commission consider approving a CUP to allow temporary structures up to 180 days due in order to capture additional restaurant space on the balcony for winter-time use.

Criteria for Temporary Structures:

According to LMC 15-4-16 (C), temporary structures on private property are a conditional use with consideration of the following review criteria to be considered by the Planning Commission:

- (1) *The proposed Use must be on private property. The applicant shall provide written notice of the Property Owner's permission.*

Does not comply. The temporary structure will be located on the Riverhorse balcony above the city right-of-way and thus encroaches into the City right of way (ROW) and is not entirely on private property. The tent structure will measure approximately seven feet seven one-half inches (7' 6.25") by forty feet (40'). The existing Riverhorse balcony is approximately eight feet (8') in depth at the north and south sides. Four feet (4') of the balcony structure is located within the property lines; the remaining half of the balcony structure is located on City property.

- (2) *The proposed Use should not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant's plan.*

Not applicable. The proposed use will not diminish existing parking. Currently, no parking exists on site.

The additional 350 square feet of enclosed space, however, would increase the square feet of the building area and increase the number of required parking spaces by two (2). Nevertheless, staff finds that any additional parking could likely be accommodated at the public parking lots.

- (3) *The proposed Use shall not impeded pedestrian circulation, emergency access, or any other public safety measure.*

Complies. The location of the structure would not impede pedestrian circulation. The Building Department would mandate that the structure be designed by an engineer and that the membrane be fire-rated to ensure public safety. Furthermore, the Building Department would require that the tent structure be connected to the structure's existing fire sprinkler system.

- (4) *The Use shall not violate the City Noise Ordinance.*

Complies. The current use of the balcony during the summer months does not violate the City noise ordinance, and winter use is expected to comply as well.

- (5) *The Use and all signing shall comply with the Municipal Sign and Lighting Codes.*

Complies. Signs to the interior of the project are not regulated under the sign code. Any exterior signs must be approved by the Planning Department consistent with the City Municipal Code. All exterior lighting must be approved by the Planning Department and comply with the Land Management Code (LMC).

(6) *The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gatherings.*

Complies. All uses within the temporary structure must be permitted. The property owner is responsible for obtaining the correct permits for each proposed use, including building permits, Summit County Health Code permits, Fire Code permits, Liquor Licensing and permits issued by the State of Utah.

(7) *The Use shall not violate the International Building Code (IBC).*

Complies. All temporary structures must have all required building permits and be inspected by the Building Department prior to occupancy. The Building Department would inspect the temporary structure for compliance with the IBC.

(8) *The Applicant shall adhere to all applicable City and State licensing ordinances.*

Complies. All commercial activities within the temporary structure must be licensed. The property owner is responsible for obtaining the correct City and State licensing for each proposed use within the temporary structure.

Conditional Use Permit Criteria LMC 15-1-10(E)

The Planning Commission must review each of the following criteria and consider whether or not the proposed Conditional Use mitigates impacts of and addresses each of the items:

(1) *Size and Location of the Site;*

Does not comply. The Riverhorse is located on a 6,982 square foot lot that was amended in 1995 as part of the DJK Properties. The balcony, which is approximately eight feet (8') in depth, extends approximately four feet (4') beyond the property lines and into the City ROW.

The extended duration of the tent and its construction would require adherence to the Design Guidelines as it cannot be considered a short-term, temporary structure. As proposed, the design of the 180-day tent overall is meant to mimic an enclosed porch. The mass and bulk of the structure are relatively small and appropriate to Main Street. Egress French doors, windows, and transoms preserve the overall orientation of the structure and provide a Main Street presence.

Staff finds, however, that balconies contribute to the historic character of Main Street. New construction on Main Street should utilize the standard components of historic commercial buildings in the districts. Street level facades and upper facades should be designed to be compatible with the surrounding historic buildings. Enclosed balconies are not a standard component of historic buildings, nor are balcony enclosures compatible with the surrounding historic buildings. Allowing Main Street property owners to enclose their balconies would detract from the historic character and feeling of the Main Street Historic District.

If the temporary 180-day structure were to be approved, the applicant would be required to add the additional square footage to his business license as well.

(2) *Traffic considerations including capacity of the existing Streets in the Area;*
No unmitigated impacts. The Riverhorse may be accessed via Main Street. On-street parking is available along Main Street, the adjacent Swede Alley, or at China Bridge to the east of the Main Street district. Guests and patrons using the temporary structure would have to abide by the same parking regulations as other restaurant patrons. Staff finds that the additional 350 square feet of the enclosure will increase parking demand by two (2) spaces.

(3) *Utility capacity, including storm water run-off;*
No unmitigated impacts. Any additional utilities necessary to heat the temporary structure will be tied into the building's existing utilities. The increased use will result in an increase demand for water, gas, sewer, and trash. The existing infrastructure is adequate to accommodate the additional demand on utilities. Sewer and water demand is currently met by the existing infrastructure during summer months when the balcony is currently utilized.

(4) *Emergency vehicle access;*
No unmitigated impacts. Emergency vehicle access will not be impacted by the proposal.

(5) *Location and amount of off-street parking;*
No unmitigated impacts. The increased use of the balcony due to the enclosure will result in increased vehicular traffic during the winter months.

Staff finds that non-residential uses in the HCB must provide parking at the rate of six (6) spaces per 1,000 square feet of Building Area. Typically, outdoor seating in the summer does not increase parking demands because given the choice between indoor and outdoor dining, people generally choose to sit outside. In the winter, however, most restaurant goers prefer to sit indoors and increased parking demands already exist due to the ski season.

The additional 350 square feet of enclosed space during the winter will result in a need for an additional two (2) parking spaces. Any extra parking caused by the use of the temporary structure could be accommodated in the public parking areas, such as China Bridge.

If the City were to require the applicant to provide two (2) parking spaces for his seasonal enclosure and he did not meet the criteria for the Pre-1984 Park Exception, he could purchase two (2) additional parking spaces from the City.

(6) *Internal vehicular and pedestrian circulation system;*
No unmitigated impacts. Wintertime balcony users will enter the 180-day tent structure through interior doors that lead to the balcony. The Building Department

would have to inspect the temporary structure for pedestrian circulation requirements prior to issuance of a certificate of occupancy.

(7) *Fencing, screening, and landscaping to separate the use from adjoining uses;*

Not applicable. The adjacent uses include commercial retail and service, restaurants and bars, and the Park City Museum. Fencing and screening are not applicable; however, it would also be very difficult to shield the tent from a balcony so visible from Main Street.

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

Does not comply. As previously noted, the construction of the 180-day temporary enclosure is intended to mimic an enclosed porch. Enclosed balconies are not a standard component of historic buildings and detracts from the historic district overall.

(9) *Useable open space;*

Not applicable. There is no existing open space on the site. There is no minimum required front, rear, or side yard side backs in the HCB district, nor are there requirements in the HCB to provide open space.

(10) *Signs and lighting;*

No unmitigated impacts. Signs to the interior of a project are not regulated under the sign code. Any exterior signs must be approved by the Planning Department consistent with the City Municipal Code. All exterior lighting must be approved by the Planning and Building Departments and comply with the Land Management Code.

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

Does not comply. The existing building at 530 Main Street and the balcony are non-historic. Changes to the non-historic building are limited. The structure at 530 Main Street is, however, adjacent to Landmark Structure at 540 Main and is an addition to the historic Masonic Hall.

Staff finds that a temporary structure, with an extended duration such as this which exists throughout the winter season, significantly alters the streetscape. This 180-day winter enclosure would become more of a permanent fixture on Main Street than a temporary fourteen (14) day tent. Balcony enclosures diminish the pattern of the historic structures and commercial buildings along Main Street as the balconies add visual interest and reinforce the architectural history and feeling of our western mining town.

Moreover, additions to the historic structure, such as the proposed tent, are subject to the Design Guidelines for Historic Sites. As previously noted, street level facades and upper facades should be designed to be compatible with the

surrounding historic buildings. Enclosed balconies are not a standard component of historic buildings, nor are balcony enclosures compatible with the surrounding historic buildings.

(12) *Noise, vibration, odors, steam, and other mechanical factors that might affect people and property off-site;*

Complies. The use shall not violate the City noise ordinance. Currently, the use of the balcony as outdoor dining is restricted after 10pm. No music or noise must exceed the City Noise Ordinance, Title 6. The applicant is not proposing to change their hours of operation. The use of the balcony enclosure will be the same as for the restaurant.

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

Not applicable. Delivery and service vehicles, loading and unloading zones, as well as screening of trash and recycling pickup areas have already been established through the use of the restaurant.

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

Not applicable.

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

No unmitigated impacts. The temporary structure would not have any impact on Park City Soils Ordinances, steep slopes, or the topography of the site.

Process

Denial of this application constitutes Final Action that may be appealed following the procedures found in LMC Section 1-18. Final Action by the Planning Commission on Conditional Use permits may be appealed to the City Council within ten (10) days of final action.

Department Review

This project has gone through an interdepartmental review. No additional issues were raised at the review.

Notice

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

Public Input

As of this date, no public input has been received by Staff. Public comment will be taken at the regularly scheduled meeting on December 11, 2013.

Alternatives

1. The Planning Commission may deny the CUP for the temporary structure as proposed; or
2. The Planning Commission may approve the CUP and direct staff to provide findings supporting this recommendation; or
3. The Planning Commission may outline the discussion to a date certain to allow the applicant time to respond to any additional concerns or issues raised at the Planning Commission hearing.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The applicant will be able to install a temporary 180-day structure on their balcony, above the city right-of-way. This will set a precedent and likely lead to the request for additional Conditional Use Permits (CUPs) for temporary structures to be constructed on balconies above Main Street throughout the winter season. If such seasonal structures were to exist throughout the winter, they would become a permanent fixture on Main Street during the ski season and contribute to the overall identity of Park City. Staff finds that such an improvement, even if it is temporary, is not in keeping with the Historic District Design Guidelines as balcony enclosures significantly alter the look and feel of Park City's western Main Street. Moreover, many temporary improvements on balconies will be over City property and the city right-of-way.

Recommendation

Staff recommends that the Planning Commission review the proposed Conditional Use Permit (CUP) application for temporary structures, open the public hearing, and consider denying the CUP application in accordance with the findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. On September 13, 2013, the City received an application for a Conditional Use Permit (CUP) for a temporary structure to be located on the Riverhorse balcony at 530 Main Street for up to 180 days. The application was deemed complete on October 3, 2013.
2. Temporary improvements require a CUP in the Historic Commercial Business (HCB) District.
3. Within the Land Management Code (LMC) 15-4-16 (A)(7), a temporary structure may only be installed for a duration longer than fourteen (14) days and for more than five (5) times a year with an Administrative CUP. The Planning Commission must approve a CUP for any longer duration or greater frequency consistent with

CUP criteria in LMC 15-1-10(E) and the criteria for temporary structures in LMC 15-4-16(C).

4. The applicant is requesting that the Planning Commission approve a CUP to allow the applicant to install a temporary structure for 180 days in order to permit the restaurant to utilize their balcony during the winter season.
5. No additional signs or lighting are proposed with this application.
6. This application is reviewed under Land Management Code 15-1-10(E) and Section 15-4-16(C).
7. The tent structure will measure approximately seven feet seven one-half inches (7'6.25") by forty feet (40').
8. The temporary structure will be located on the Riverhorse balcony above the city right-of-way. The existing Riverhorse balcony is approximately eight feet (8') in depth. Four feet (4') of this structure is located within the property lines; the remaining half of the structure is located on City property.
9. The proposed design is not compatible with surrounding Structures in mass, scale, style, design, and architectural detailing. Additions to the historic structure, such as the proposed tent, are subject to the Design Guidelines for Historic Sites. Additions should complement the visual and physical qualities of the building; staff finds that the overall scale and pattern of the openings on the tent reflect the patterning of the non-historic addition; however, tempered clear glazing is not an appropriate material in the historic district.
10. The proposed design detracts from the historic character of Main Street. The proposed enclosure is not a standard component of commercial buildings in the district. The mass and scale of the upper façade of the enclosure is not compatible with surrounding historic buildings.
11. The Riverhorse at 530 Main Street may be accessed via Main Street. Patrons utilizing the temporary structure would have to abide by the same parking restrictions as other visitors to Main Street. The approximately 350 foot enclosure would require an additional two (2) parking spaces to be provided.
12. The property was posted and notice letters were mailed to property owners within 300 feet of the property. Legal notice was published in the Park Record.
13. The project has access from Main Street.
14. The property is located within the Historic Commercial Business (HCB) District.
15. The Findings of the Analysis section are incorporated herein.

Conclusion of Law

1. The proposed application does not comply with all requirements of the Land Management Code.
2. The use as conditioned is not consistent with the Park City General Plan as it does not comply with the historic character and feeling of Main Street.
3. The use as conditioned will not be compatible with surrounding structures in use, scale, mass, and circulation.
4. The effects of any differences in use or scale have not been mitigated through careful planning.
5. The Application does not comply with all requirements outlined in the applicable sections of the Land Management Code, specifically Sections 15-1-10 review

criteria for Conditional Use Permits and 15-4-16(C) review criteria for temporary structures.

Exhibits

Exhibit A- Applicant's request

Exhibit B- Site Plan

Exhibit C- Elevation Drawings

Exhibit D- Recorded Plat, 1995

Riverhorse on Main Balcony Adaptation
530 Main Street, Park City

The Riverhorse restaurant occupies the second level of two interconnected buildings on Main Street, the historic Masonic Hall and the modern steel-frame building (built 1983) at 530 Main Street. This proposal involves primarily the modern structure with only very limited 'edge' involvement of the two adjacent historic buildings.

Background

The existing cantilevered steel frame balcony at 530 Main projects over the city sidewalk terminating roughly at the plane of the street gutter. This balcony is used primarily during a few summer months as it has no overhang for weather protection and no integral heating system. Occasionally for special events (e.g., Sundance) a permit has been obtained for a temporary tent structure to create additional tempered space on the balcony and allow for its winter-time use. This use has been quite successful but requires significant hands-on servicing or maintaining and does not create an integrated or adequately climate-controlled space for dining, etc. The current adaptation proposal is for a continuous 180 day permit for the temporary enclosure as compared to a permanent conditional use or the 14 day enclosure permit as secured previously.

Scope of Proposal

The first phase of work presented on the attached drawing involves modifications to the existing second level building front at 530 Main only and occurs within the existing property line boundaries, hence is provided as information only in the context of the Conditional Use Permit application. This first phase includes adding to the existing roof to extend the overhang west to nearly align with the face of the adjacent buildings. The existing second level glazed building front and doorways will be replaced with similar elements installed slightly to the west. However, the proposed 'stepped' building front remains 1 to 3 feet behind the plane of the adjacent historic buildings and the property line. This revised building front would be executed in metal and glass similar to the existing.

The second phase of the proposed work involves modification of the projecting balcony for extended season dining use. Currently, the north and south corners of the balcony are rounded and prevent efficient use of the balcony. These rounded corners would be rebuilt and 'squared up' using steel components and detailing similar to the existing. The balcony guardrail would be modified/extended to follow the square balcony corners. The balcony weathering surface would be upgraded to include electrical radiant heating with insulation added from below and a new metal soffit system installed, similar to the existing and without noticeable change to the balcony from below. A continuous gutter with heat trace would be installed with drainage via new downspout mounted to the building face and extending (with heat trace) below the sidewalk to the gutter.

Also during this second phase a custom temporary enclosure system will be developed by an experienced enclosure system manufacturer. Full height front and end walls of the temporary enclosure will be metal-framed glazing with pairs of glazed metal doors as shown in plan and elevation. The temporary glazing panels will be clear, tempered glass (not sheet vinyl or similar). The sloped roof will be opaque sheet vinyl (color to be



determined) stretched taut over the temporary, demountable metal framing structure. Engineering will address unique Park City situations for snow loading and include snow guards, heated gutters, etc. to address snow shedding and run-off control. When the temporary enclosure is removed (approximately April through October) no visible elements of the enclosure system will remain.

Project Response to Application Questions

- The proposed balcony adaptation involves primarily the modern 1983 building – front building wall, doorways and balcony. Front corners of the adjacent historic buildings will remain unencumbered; historic sidewalls will remain exposed to the interior (similar to existing conditions).
- The temporary enclosure is proposed to increase the use of the existing dining balcony through the critical ski season.
- No change of use is proposed; use as a dining balcony is simply extended, reinforcing the visitor support and hospitality function of Main Street.
- The proposed balcony adaptation continues the existing building use which is typical in the commercial section of Main Street.
- The existing building is modern/non-historic and the balcony existing. Changes to the building are limited; there are no changes to the site.
- The proposed balcony adaptation will not create pollutants, odors or noise.
- Hours of operation will be the same as for the restaurant.
- Total project seating capacity is unchanged as balcony seating is already addressed/included in previous restaurant improvements. ‘Squaring up’ the balcony corners adds an insignificant 22 sq. ft. and only allows more efficient use of the balcony. Hence, parking counts, egress requirements, etc. remain unchanged from previously approved values.



Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: 916 Empire Avenue
Project #: PL-12-01533
Author: Kirsten Whetstone, MS, AICP
Date: November 20, 2013
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 916 Empire Avenue and conduct a public hearing. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Description

Applicant/Owner: Chuck Heath, Owner
Architect: Craig Kitterman, Architect
Location: 916 Empire Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
Reason for Review: Construction of structures with greater than 1,000 square feet of floor area and located on a steep slope (30% or greater) requires a Steep Slope Conditional Use Permit

Proposal

This application is a request for a Steep Slope Conditional Use Permit for a new single family home containing 1,994 square feet (including the full basement area and garage) on a vacant 1,875 square foot lot located at 916 Empire Avenue. The total floor area exceeds 1,000 square feet and the construction is proposed on a slope of 30%.

Purpose

The purpose of the Historic Residential (HR-I) District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Background

On April 23, 2012, the City received an application for a Steep Slope Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 916 Empire Avenue. The property is located in the Historic Residential (HR-1) District. The application was deemed complete on June 18, 2012. The application was reviewed by the Planning Commission at the July 11, 2012 meeting (see summary below). A revised application was reviewed by the Commission on August 22, 2013 (see summary below). Due to an internal split level design, the plans were found to not meet the LMC requirements for "a maximum of three Stories". The applicant agreed to put the application on hold until the Staff and Commission could draft Land Management Code (LMC) amendments to address the Height and Story requirements in the historic residential districts. On November 21, 2013 the City Council voted to adopt amendments to the LMC to address the Height, Story, Three Story, Split level design issue. The applicant provided updated drawings to demonstrate compliance with the LMC amendments and requested to be placed on the earliest possible Planning Commission agenda.

July 11, 2012 Planning Commission Meeting

On July 11, 2012, the Planning Commission conducted a public hearing and discussed this application (see Exhibit D- minutes). No public input was provided. The Commission's primary concern was with the split level design. The split level creates a design that steps down the hill from the street to follow the existing topography. The Commission found that the application did not comply with the LMC requirement for structures in this zoning district to contain no more than three stories. The Commission discussed the driveway design and asked for clarification regarding the proposed grade and whether it was a useable driveway.

The Commission continued the item to July 25, 2012 and directed Staff to provide an interpretation of the Code with reference to this specific application having to do with the definition of "Story". The Commission also directed staff to provide a recommendation for LMC amendments that would eliminate the ambiguity associated with the Story and Height interpretations as discussed by the Commission.

On July 25, the item was continued to August 8, 2012. On August 8th the item was continued to August 22, 2012 as staff was continuing to development language regarding building height and Story that would eliminate the ambiguity as requested by the Commission.

August 22, 2012 Planning Commission Meeting

On August 22, 2012, the applicant requested the Planning Commission review the revised plans that included attic/loft space above the garage level. Driveway cross sections were also reviewed. After discussion and public hearing the Commission continued the item to a date uncertain and requested that the revised LMC language be returned to the Commission for further consideration. There was no public input at the meeting.

Due to concerns regarding the interpretation of the term "Story" and requirement of the LMC to limit structures to a maximum of three stories, the applicant agreed to continue the application to allow the Planning Department and Planning Commission time to

explore possible LMC amendments to address Height and Story, as they relate to volume, mass, internal split levels, and height of houses in the historic residential district zones.

The Planning Commission continued to work with Staff on LMC amendments to address the issue of Building Height and Story within the historic residential zoning districts. The Commission requested an interpretation from Staff regarding calculation of Story. Because of other pressing projects, such as finalizing the Bonanza Park Plan and completing the General Plan document, along with on-going discussions with City Council regarding the Form Based Code document, staff was not able to resume work on the Code amendments related to Height and Story until the Spring/early Summer of 2013. The Commission reviewed proposed LMC Amendments on August 22, September 12 and 26, and November 28, 2012, as well as January 9, February 13, May 8 and 22, July 10, and October 9, 2013.

On October 9, 2013, the Planning Commission discussed Staff's proposed LMC amendments regarding Height and Story requirements in the historic residential zoning districts and forwarded a positive recommendation to the City Council.

Analysis

This application is a request for a Steep Slope Conditional Use Permit for construction of a new single family dwelling containing 1,994 square feet (including the full basement and the single car garage) on a single "Old Town" lot containing 1,875 sf. The property is described as Lot 28, Block 15 of the Snyder's Addition to the Park City Survey. Because the total proposed structure is greater than 1,000 square feet, and the slope within the first 30' of the lot is thirty percent (30%), the applicant is required to file a Conditional Use Permit application for review by the Planning Commission, pursuant to LMC § 15-2.2-6 and prior to issuance of a building permit. The lot has an average slope, across the entire depth, of sixteen percent (16%). The lot is a vacant, infill developable lot with no existing vegetation present.

There are existing wooden and concrete stairs located partially on the lot, shared with 920 Empire (Lot 27, Block 15), adjacent to the north. An encroachment agreement and access easement will need to be recorded at Summit County prior to issuance of a building permit, unless these encroachments are removed and alternative access is provided for the house at 920 Empire Avenue, consistent with an approved HDDR application for that structure. This applicant is also the owner of 920 Empire Avenue.

Per the revised title report, the previous six (6') foot wide Right of Way shown along the common side property line of 920 Empire (Lot 27) and 916 Empire (Lot 28) has been resolved and no longer is an encumbrance on the lots (Exhibit H).

This property is required to have separate utility services, independent from 920 Empire Avenue, for water, sewer, etc. Stubbing of these utilities is subject to a Utility plan to be approved by the City Engineer and applicable utility providers, such as SBWRD. The stubs for new services were installed prior to the final paving of Empire Avenue, as requested by the City Engineer.

A Historic District Design Review (HDDR) application is being reviewed concurrently for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. An initial review of the HDDR application has occurred, however staff has not made a final determination of compliance with the Design Guidelines with regards to architectural detailing, e.g. exterior materials, windows, doors, trim, railings, porch details, etc.

The proposed house contains a total of 1,994 square feet, including the basement and a single car garage. The proposed building footprint is 812 square feet. The house complies with all setbacks, building footprint, and building height requirements of the HR-1 zone. The third story includes horizontal stepping of fourteen and one-half feet (14.5') which is greater than the required ten feet (10') of stepping. See below for description of each floor:

Floor	Proposed floor area
Main	523 square feet (excludes single car garage)
Lower/Basement	718 square feet
Upper	552 square feet
Overall area	1,793 square feet

Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Lot Size	Minimum of 1,875 sf	1,875 sf, <u>complies.</u>
Building Footprint	844 square feet (based on lot area) <u>maximum</u>	812 square feet, <u>complies.</u>
Front and Rear Yard	10 feet minimum (decks, porches and bay windows may extend up to 3' into the front setback for a max width of 10')	Front- ranges from 17' to 19' and garage door is 30' from edge of street, <u>complies.</u> The front deck complies with exceptions to front setback, posts are at 10' and a 10' wide cantilevered section extends 2'6" into 10' the front setback. Rear- 10 feet <u>complies.</u>
Side Yard	3 feet minimum (6 feet total)	3 feet on each side, no window wells- <u>complies.</u>
Height	27 feet above existing grade, <u>maximum.</u> 35 feet above existing grade is permitted for a single car garage on a downhill lot.	Various heights all at or less than 27 feet - <u>complies.</u> <u>No height exception for garage is requested.</u>
Total Building Height	35 feet from lowest floor plane to highest wall plate	33 feet- <u>complies.</u>

Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	(4 feet) or less- <u>complies</u> .
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required.	Third story on rear façade is 14.5' back from lower levels- <u>complies</u> .
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.	7:12 for all primary roofs with a 5:12 pitch for the rear roof form, not considered a primary roof- <u>complies</u> .
Parking	Two (2) off-street parking spaces required	One (1) space within a single car garage and one uncovered space (18' in length) on the driveway, within the lot area, compliant with required dimensions (12' maximum width)- <u>complies</u> .

Height and Story Requirements

On November 21, 2013, the City Council approved LMC Amendments to Section 15-2.2-5 (A) Building Height, removing the language that referenced “Three Stories” and replaced it with the following language:

A Structure shall have a maximum height of thirty-five feet (35') measured from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.

In addition, the Council approved LMC Amendments to Section 15-2.2-5 (B) regarding the ten foot horizontal step adding the following language:

The horizontal step shall take place at a maximum height of twenty three feet (23') from where the Building Footprint meets the lowest point of existing grade. Architectural features, that provide articulation to the upper story façade setback, may encroach into the minimum ten foot (10') setback but shall be limited to no more than twenty five percent (25%) of the width of the building encroaching no more than four feet (4') into the setback, subject to compliance with the Design Guidelines for Historic Sites and Historic Districts.

The current design complies with the 35 foot total height requirement from the lowest floor plane to the point of the highest wall top plate. The current design will require a slight modification to the rear roof element, as the current design exceeds the 23' by approximately 7" at the lowest point of existing grade (due to cross slope, lowest point is at the northeast corner of the footprint). Staff recommends a condition of approval that prior to Building Permit issuance the design shall be amended to comply with the

required maximum twenty-three foot (23') height. The applicant will provide a redesign at the meeting on December 11th for the Commission to review.

Steep Slope Review Criteria

LMC § 15-2.2-6 provides for development on steep sloping lots (30% or greater) if the structure contains more than one thousand square feet (1,000 sq. ft.) of floor area, including the garage, within the HR-1 District, subject to the following criteria:

Criteria 1: Location of Development.

Development is located and designed to reduce visual and environmental impacts of the Structure. **No unmitigated impacts.**

The proposed single family house is located on a platted lot of record in a manner that reduces the visual and environmental impacts of the Structure. The downhill lot was previously disturbed for prior construction of a wooden parking plat form, therefore excavation is minimized. The parking platform has been removed. The main level is set below the grade of the street to minimize visual impacts on the Streetscape (Exhibit B). The foundation is stepped with the grade and the amount of excavation is minimized due to the existing topography. There is no vegetation present on this infill lot. The proposed footprint complies with that allowed for the lot area. The front and rear setbacks are increased for portions of the structure.

Criteria 2: Visual Analysis.

The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the project and identify potential for screening, slope stabilization, erosion mitigation, vegetation protection, and other items. **No unmitigated impacts.**

The applicant submitted a visual analysis, including a cross canyon view, streetscape and photographs showing a contextual analysis of proposed house related to visual impacts (Exhibit B). The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view. The cross canyon view contains a back drop of two (2) and three (3) story houses and a large condominium building.

This is an infill site of a single "old town" lot with many larger structures in the immediate neighbor hood. The lot was previously developed with a decrepit, unsightly, wooden parking platform that has been demolished. The site is vacant.

The visual analysis and streetscape demonstrate that the proposed design is visually compatible with the neighborhood, smaller in scale and mass than surrounding structures, and visual impacts are mitigated. Potential impacts of the design are mitigated by setting the house lower on the lot, architectural stepping and a stepped foundation, minimized excavation and greater horizontal step in the roofline. Additionally, the garage door is located approximately 30 feet back from the edge of Empire Avenue.

Criteria 3: Access.

Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible. **No unmitigated impacts.**

The proposed design incorporates a driveway from Empire Avenue. Due to the previous construction/excavation, the 30% slope of the lot at the street, and the 25' lot width, side access is not feasible. The proposed driveway has a maximum slope of 14% with sections at 5% (in front of the garage) and 10% (from property line to edge of street) (see Exhibit E- Driveway cross section). Overall slope is 9.7% as measured from the front of the garage to the edge of the paved street. This slope is due to setting the house lower into the lot to be compatible with the historic structure to the north and to accomplish the required minimum 7:12 roof pitch for the main roof element. The driveway is designed to minimize Grading of the natural topography and to reduce overall Building scale.

Criteria 4: Terracing.

The project may include terraced retaining Structures if necessary to regain Natural Grade. **No unmitigated impacts.**

The lot has a steeper grade at the front becoming relatively gentle at the rear. Overall, the slope is 16%. The only retaining walls that are proposed are on the sides at the front portion of the lot to regain Natural Grade and to create the driveway, front porch, and landscaped area. New retaining walls will not exceed six feet (6') in height, with the majority of the walls less than four feet (4'). There is an existing retaining wall along the front lot line that will be removed. There is an existing railroad tie retaining wall on the south property line associated with the non-historic house to the south. This wall will remain as it is not on this property and retains the walkway and access to the adjacent house to the south. The lot to the north has a similar slope as the subject lot and retaining between them is not necessary.

There exists a set of shared concrete steps in the common side yards between the subject lot and 920 Empire to the north. The lot to the north is also owned by this applicant and is listed on the inventory as a significant historic house. These stairs may remain if an encroachment agreement and access easement are recorded, or if removed and alternative access is provided to 920 Empire in conjunction with an approved HDDR application. The stairs are not the only access for 920 Empire Avenue.

Criteria 5: Building Location.

Buildings, access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and provide variation of the Front Yard. **No unmitigated impacts.**

The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography, which has

already been modified by previous construction and excavation. The site design and building footprint provide an increased front setback area (18') in front of the garage and (19') to the entry. Side setbacks and building footprints are maintained consistent with the pattern of development and separation of structures in the neighborhood. The driveway width is 12 feet. The garage door is setback 30' from the edge of the street and at least 18' from the ROW line. The front yard area adjacent to the driveway is proposed to be landscaped with drought tolerant plants

Criteria 6: Building Form and Scale.

Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.**

The house steps with the grade and is broken into a series of smaller components that are compatible with the District. The stepping creates the interior half story levels and allows the lower level to meet existing grade. The garage is subordinate in design in that it is partially below the street and the width is minimized.

Criteria 7: Setbacks.

The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures. **No unmitigated impacts.**

Front setbacks are increased as the garage portion of the house is setback 18 feet from the property line and nearly 30 feet from the edge of the street, to accommodate the code required parking space entirely on the lot. No wall effect is created with the proposed design. Side setbacks are consistent with the pattern of development and separation in the neighborhood. The articulation in the front and rear facades reduces the over mass of the structure does not create a wall effect along the street front or rear lot line. Rear elevation is articulated with an increased horizontal step.

Criteria 8: Dwelling Volume.

The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

The proposed house is both articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The design does not propose a height exception for the single car garage as allowed by the LMC. The proposed massing and architectural design components are compatible with both the volume and massing of single family dwellings

in the area. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and surrounding structures.

Criteria 9: Building Height (Steep Slope).

The maximum Building Height in the HR-1 District is twenty-seven feet (27'). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

The proposed structure meets the twenty-seven feet (27') maximum building height requirement measured from existing grade at the highest point. Portions of the house are less than 27' in height. The tallest portion of the house (27') is midway back from the front and the roof height at this location is not visually apparent from the front, back, or sides of the house. The proposed height steps down from the taller house to the south and steps up from the shorter house to the north and the differences in scale between the proposed Structure and existing Structures are mitigated.

While a 35 foot height is allowed for the garage on a downhill lot, this design does not propose to utilize a height exception from existing grade. The design complies with the 27 foot height allowance measured from existing grade.

In reviewing the revised plans, including the Streetscape, Staff finds that the split level design allows additional design aesthetics, provides compatibility of design at the street level, meets the overall building Height requirement with no exception needed for the garage, and reduces the mass at the rear of the structure.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. Approval of the Historic District Design Review application is noticed separately and is a condition of building permit issuance.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time other than standards items that have to be addressed by revisions and conditions of approval.

Notice

The property was re- posted and notice was mailed to property owners within 300 feet with an updated mailing list. Legal notice was also published in the Park Record in accordance with requirements of the LMC.

Public Input

Staff received a call from an adjacent property with questions about the proposal. The property owner indicated he would stop by the Planning Department to review the plans as he is interested in finding out what they are proposing and is wonder what the timeframe for construction is. He has some work he needs to do on the side of his house and it would be easier to do the work prior to the new house being constructed.

Alternatives

- The Planning Commission may approve the Steep Slope Conditional Use Permit for 916 Empire Avenue, or
- The Planning Commission may deny the Steep Slope CUP Permit for 916 Empire Avenue and direct staff to make Findings for this decision, or
- The Planning Commission may request the applicant provide revisions and continue the discussion to a date certain.

Significant Impacts

There are no significant fiscal or environmental impacts from this application. The lot is an existing infill residential lot that contains no significant vegetation. A house on this lot would be an improvement over the existing situation.

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 916 Empire Avenue and conduct a public hearing. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact:

1. The property is located at 916 Empire Avenue.
2. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.
3. The property is described as Lot 28, Block 15 of the Snyder's Addition to the Park City Survey. The lot area is 1,875 square feet. The lot is vacant.
4. The property is not listed as historically significant on the Park City Historic Sites Inventory.
5. A Historic District Design Review (HDDR) application is currently being reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.
6. This is an infill "Old Town" lot. There is no existing significant vegetation on this lot. A previous, non-historic wooden parking platform was demolished and removed in 2012. This is a downhill lot.
7. There is an existing significant historic structure, in poor condition, located on the adjacent lot to the north. A wooden walkway and concrete steps located on the adjacent property (920 Empire) encroach onto this lot. This adjacent property is also owned by this applicant and the shared stairs will remain as they are, reconstructed to maintain shared access along the shared lot line with 920 Empire, or removed if alternative access for 920 Empire is approved in conjunction with an approved HDDR application for 920 Empire Avenue.
8. Access to the property is from Empire Avenue, a public street.
9. Two parking spaces are proposed on site. One space is proposed within an attached garage and the second is on the driveway in a tandem configuration to the garage.
10. The neighborhood is characterized by a mix of historic and non-historic residential structures, single family homes and duplexes. There are condominium buildings to the north on Empire Avenue.

11. The proposal consists of a single family dwelling of 2,208 square feet, including the basement area and a single car garage.
12. The driveway is designed with a maximum width of twelve feet and is approximately thirty feet in length from the garage to the existing edge of street with a minimum of eighteen feet of driveway located on the property. The garage door complies with the maximum height and width of nine feet by nine feet.
13. The proposed driveway has a maximum slope of 14% with sections at 5% (in front of the garage) and 10% (from property line to edge of street). Overall slope is 9.7% as measured from the front of the garage to the edge of the paved street.
14. An overall building footprint of 812 square feet is proposed. The maximum allowed footprint for this lot is 844 square feet.
15. The proposed structure complies with all setbacks.
16. The proposed structure complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than 27' in height.
17. The proposed home includes a split level configuration created by a mezzanine level for the front interior entry area. The proposed structure complies with the LMC required total building height of 35' from the lowest floor plane to the highest wall plate and is in compliance with the LMC amendments adopted by City Council on November 21, 2013.
18. There is a fourteen and one-half foot (14.5') step back from the first two stories. The stepping occurs within the first twenty- three feet (23') of the rear (lower) facade. The rear roof form exceeds, by approximately 7", the twenty-three feet at the lowest point of existing grade and will have to be modified prior to submittal of plans for a Building Permit.
19. The applicant submitted a visual analysis, cross valley views and a streetscape showing a contextual analysis of visual impacts of this house on the cross canyon views and the Empire Avenue streetscape.
20. Retaining is necessary around the home on the upper, steeper portion of the lot. There will be no free-standing retaining walls that exceed six feet in height with the majority of retaining walls proposed at 4' (four) feet or less. Retaining of grade at rear is minimized by the stepping foundation. There are no window wells.
21. The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. There is no existing significant vegetation on the lot.
22. The site design, stepping of the foundation and building mass, increased articulation, and decrease in the allowed difference between the existing and final grade mitigates impacts of construction on the 30% slope areas.
23. The design includes setback variations in the front and back and lower building heights for portions of the structure in both the front and back where facades are less than twenty-seven feet in height.
24. The proposed massing and architectural design components are compatible with both the volume and massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to stepping, articulation, and placement of the house on the lot.
25. The proposed structure follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size

and mass of the structure is compatible with surrounding sites, as are details such as foundation, roofing, materials, window and door openings, and single car garages.

26. This property is required to have separate utility services, independent from 920 Empire Avenue, for water, sewer, power, etc. Stubbing of these utilities was completed during the Empire Avenue reconstruction project.
27. No lighting has been proposed at this time. Lighting will be reviewed at the time of the HDDR and Building Permit application for compliance with the LMC lighting code standards.
28. The applicant submitted a visual analysis, cross canyon view, and streetscape showing a contextual analysis of visual impacts of the proposed structure on the adjacent streetscape.
29. The findings in the Analysis section of this report are incorporated herein.
30. The applicant stipulates to the conditions of approval.

Conclusions of Law:

1. The Steep Slope CUP application is consistent with requirements of the Park City Land Management Code, specifically Section 15-2.2 for the HR-1 zoning district.
2. The Steep Slope CUP application is consistent with the Park City General Plan.
3. The application is consistent with requirements of the Park City LMC, specifically Section 15-2.2-6 (B) (1-10) regarding development on Steep Slopes.
4. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
5. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting the historic house to the north from damage.
3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
4. Separate utility service is required for 916 Empire Avenue; services may not be shared with 920 Empire Avenue as these two structures are not attached and are not located on the same lot.
5. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
6. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
7. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit, the 2009 Design Guidelines for Historic Districts and Historic Sites and the Land Management Code. The rear roof form shall be

redesigned to be lowered in order to comply with the maximum height of 23' at the lowest point of existing grade.

8. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions and that the driveway complies with the required slope restrictions.
9. If required by the Chief Building official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer. The shoring plan shall take into consideration protection of the historic structure to the north and existing retaining wall on the south property line.
10. This approval will expire on December 11, 2014, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and the request is granted.
11. Plans submitted for a Building Permit must substantially comply with the plans reviewed by the Planning Commission on December 11, 2013.
12. An access easement for the wooden walkway and concrete stairs shall be recorded at Summit County prior to issuance of a building permit, unless these encroachments are removed and alternative access is provided to the house at 920 Empire Avenue, consistent with an approved HDDR application for that structure.
13. Modified 13-D residential fire sprinklers are required for all new structures on the lot.
14. All exterior lighting, on porches, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way. Light trespass into the night sky is prohibited.

Exhibits

Exhibit A- Plans (existing conditions, site plan (August 13, 2012), elevations (Dec 3, 2013), floor plans (Dec 5, 2013)

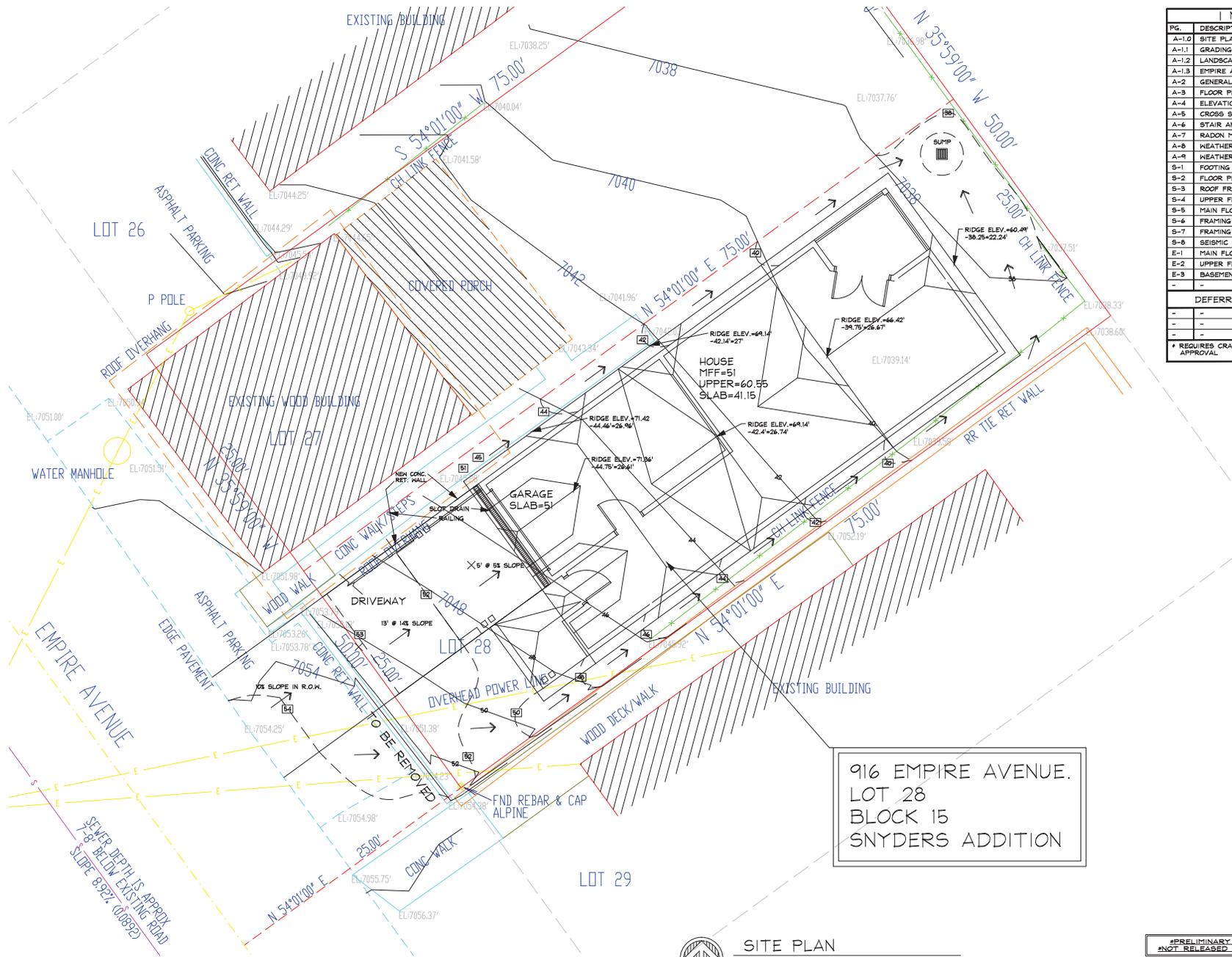
Exhibit B- Visual Analysis and Streetscape

Exhibit C- Photographs

Exhibit D- Minutes of the July 11, 2012, Planning Commission meeting

Exhibit E- Driveway cross – section

Exhibit F- Minutes of the August 22, 2012 Planning Commission meeting



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A-3	FLOOR PLANS
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S-1	FOOTING AND FOUNDATION PLAN
S-2	FLOOR PLAN DETAILS
S-3	ROOF FRAMING PLAN
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E-1	MAIN FLOOR ELECTRICAL PLAN
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-	-
DEFERRED SUBMITTALS	
-	-
-	-
-	-
-	-
-	-
* REQUIRES CRAIG KITTERMAN'S APPROVAL	

916 EMPIRE AVENUE.
 LOT 28
 BLOCK 15
 SNYDERS ADDITION

SITE PLAN
 SCALE: 1/4"=1'-0"

PRELIMINARY DRAWINGS ONLY
 NOT RELEASED FOR CONSTRUCTION

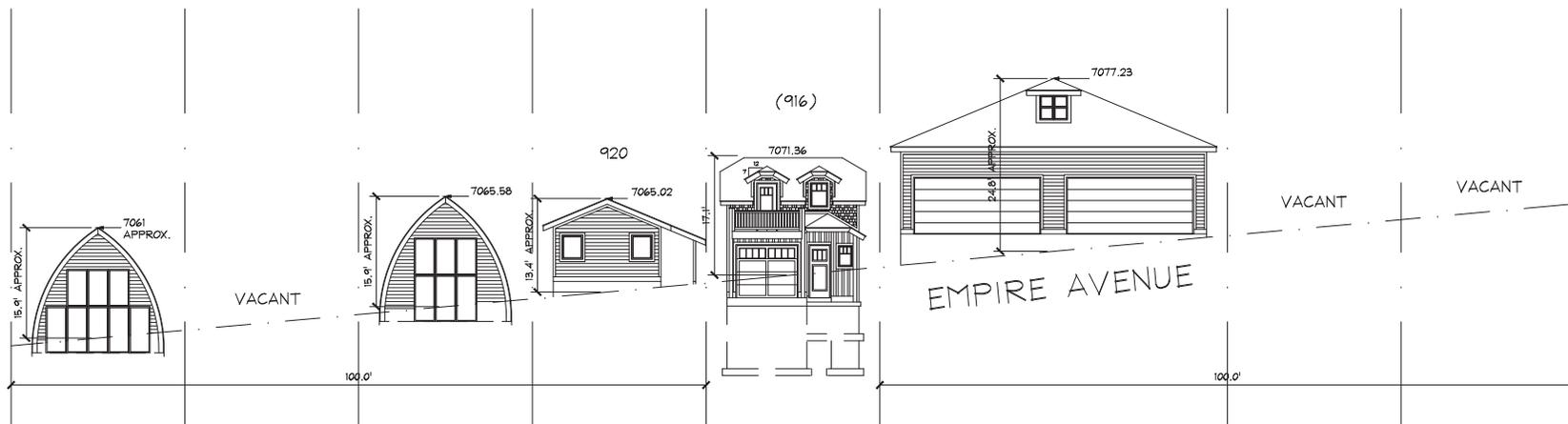
916 EMPIRE AVENUE
 920 EMPIRE PARTNERS

Craig Kitterman & Associates Architects
 1079 E. Murray-Holladay Road, Holladay, Utah 84117 Office 270-8606 Fax 263-3989

PROJECT #
 12023

DATE PRINTED
 08/16/2012

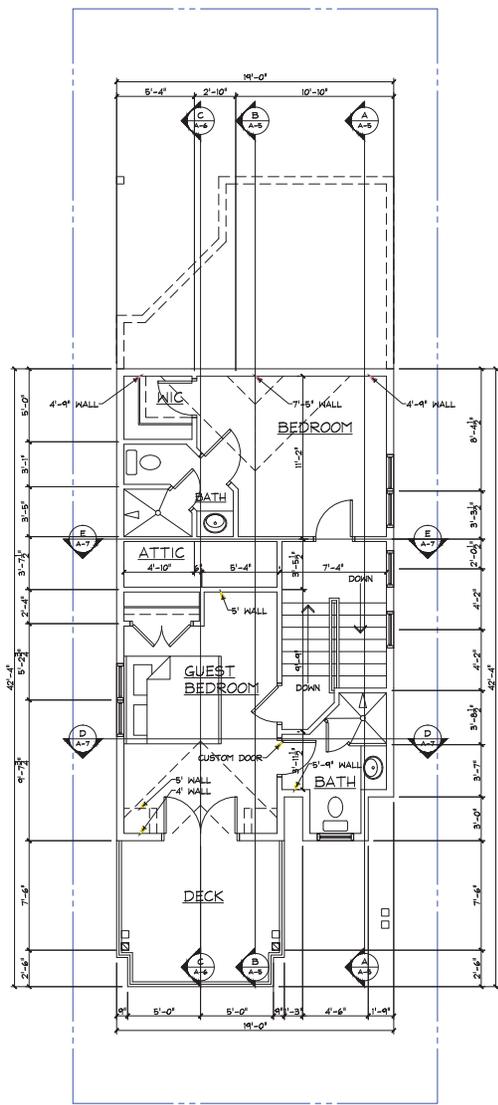
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EMPIRE AVENUE
STREETSCAPE

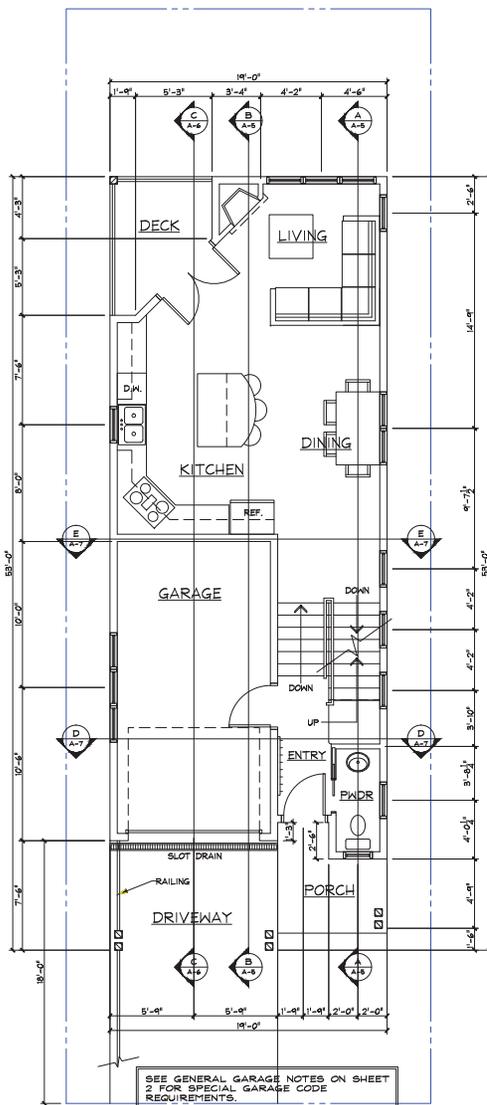
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PRELIMINARY DRAWINGS ONLY
NOT RELEASED FOR CONSTRUCTION



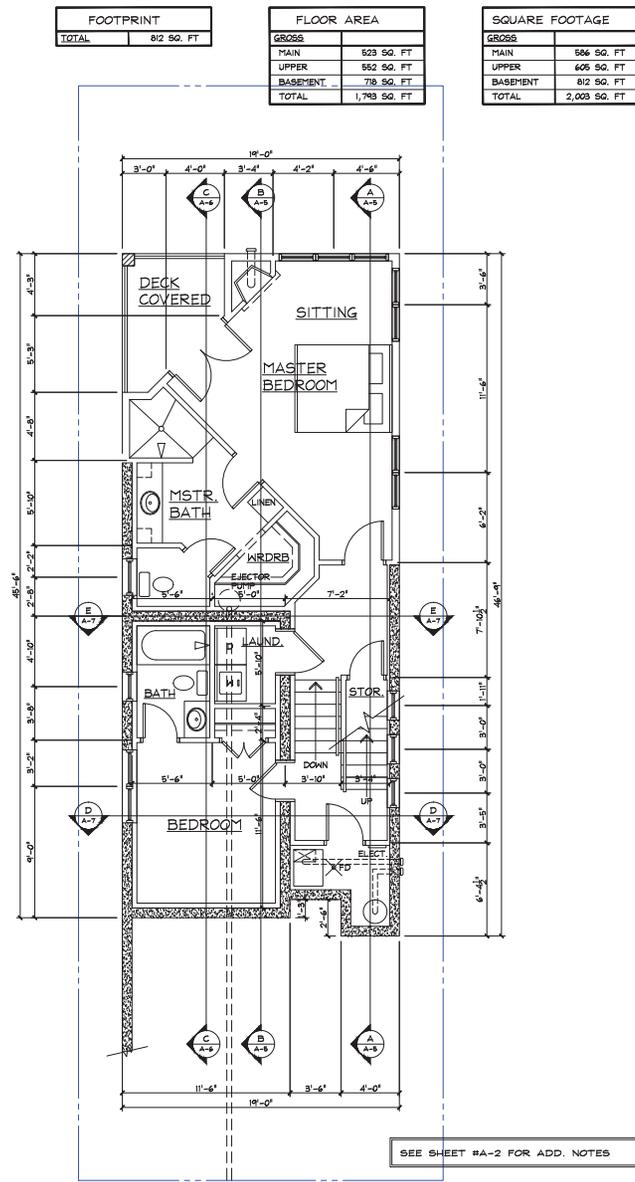
UPPER FLOOR PLAN

SCALE: 1/4"=1'-0"



MAIN FLOOR PLAN

SCALE: 1/4"=1'-0"



BASEMENT FLOOR PLAN

SCALE: 1/4"=1'-0"

#PRELIMINARY DRAWINGS ONLY
#NOT RELEASED FOR CONSTRUCTION

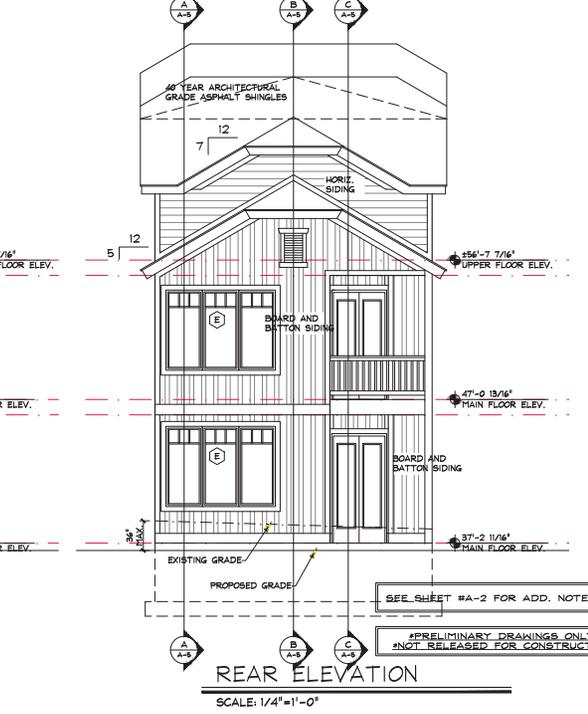
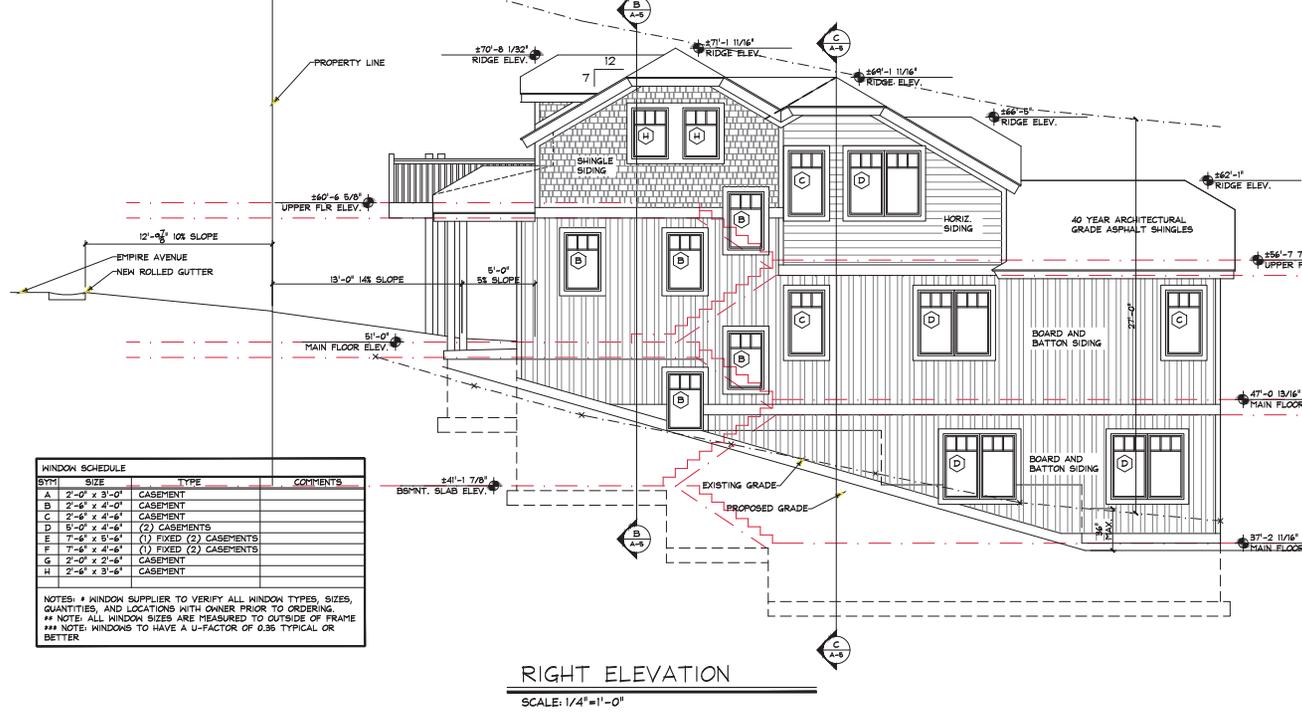
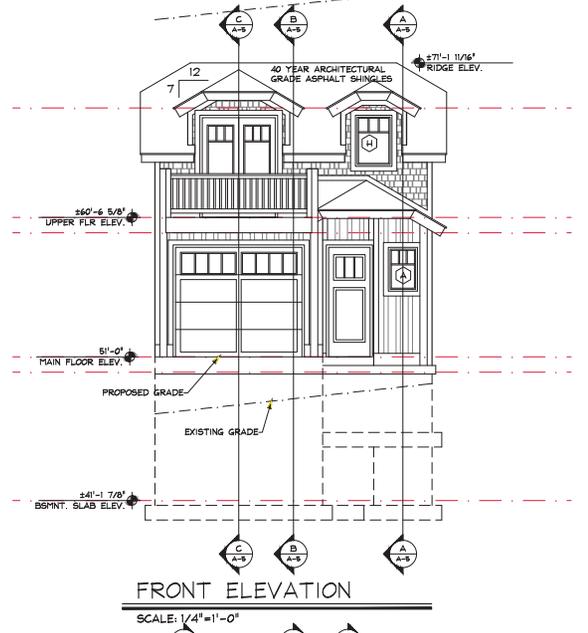
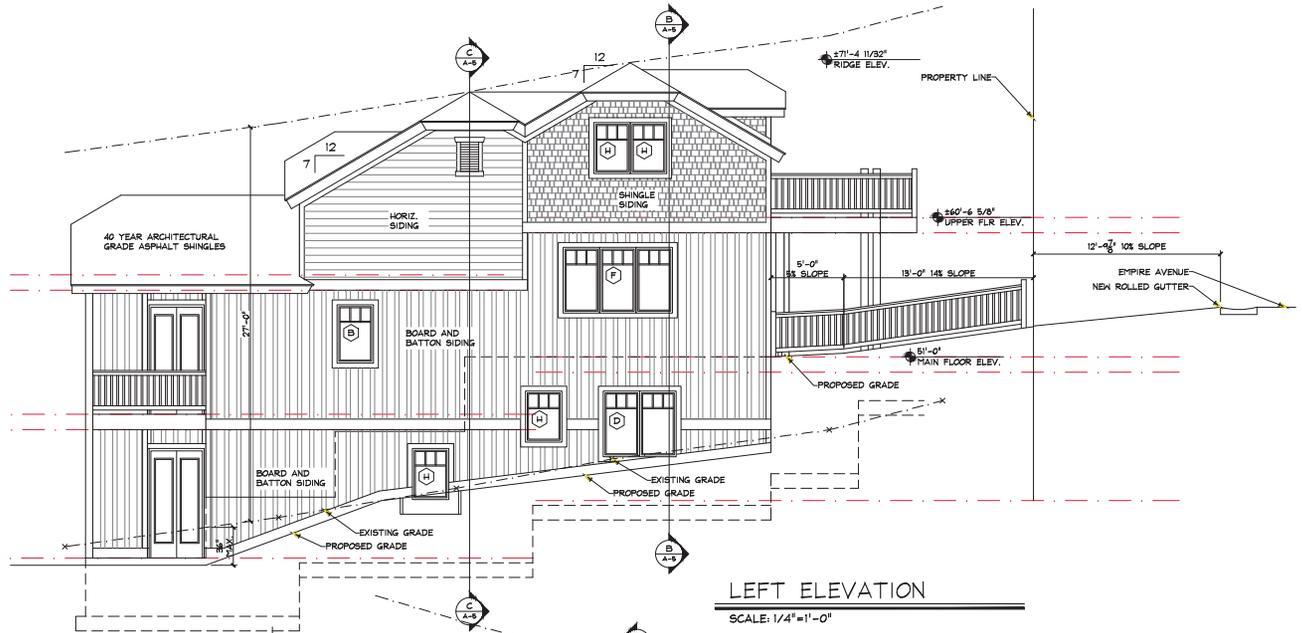
916 EMPIRE AVENUE
920 EMPIRE PARTNERS

Craig Kitterman & Associates Architects
1079 E. Murray-Holladay Road, Holladay, Utah 84117, Office 270-8606, Fax 263-3989

PROJECT #
12023

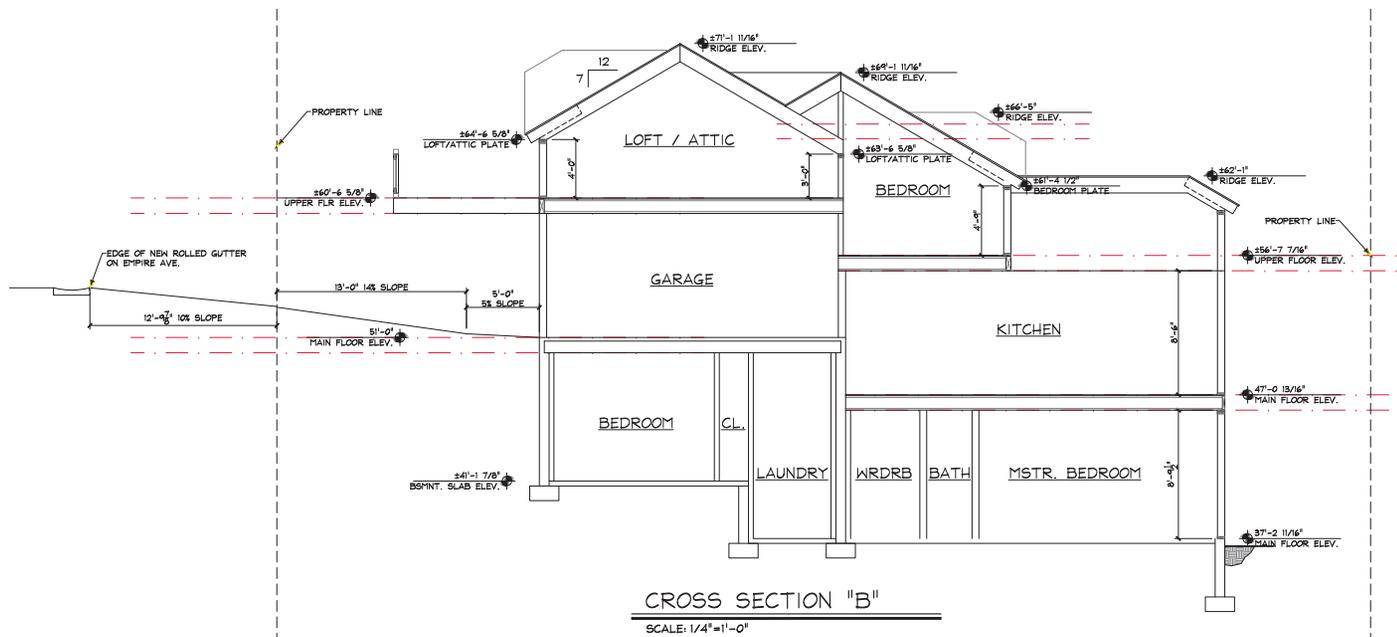
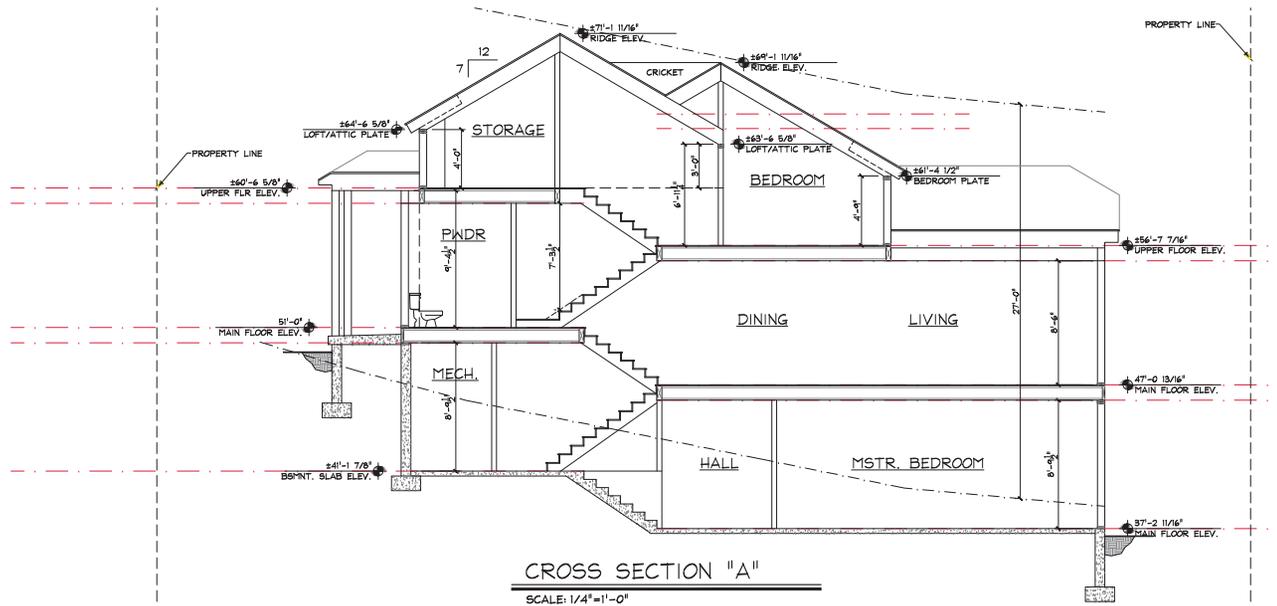
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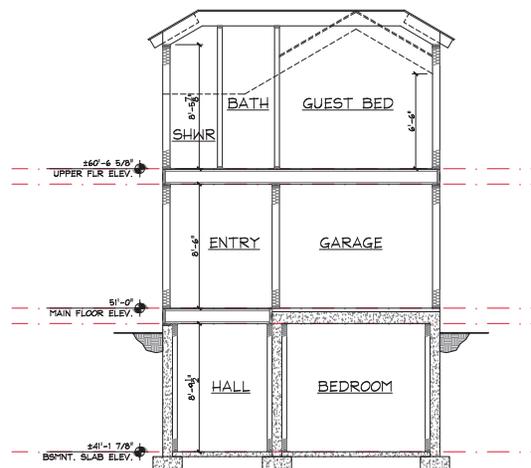
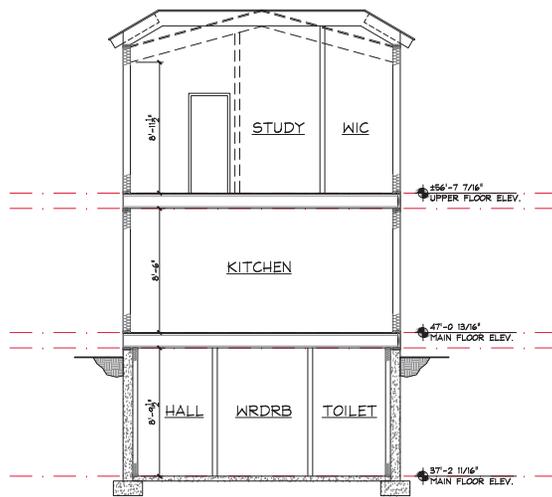
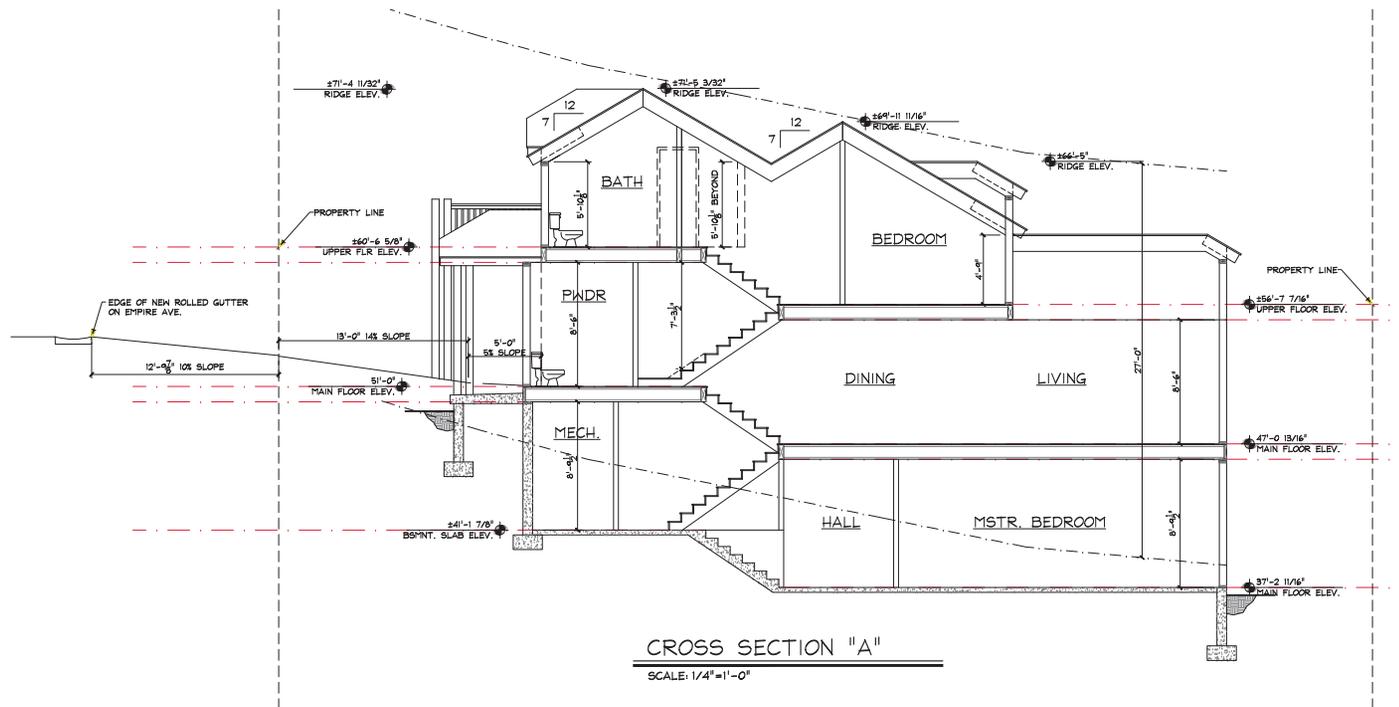
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B	2'-6" x 4'-0"	CASEMENT	
C	2'-6" x 2'-6"	CASEMENT	
D	5'-0" x 4'-6"	(2) CASEMENTS	
E	7'-6" x 5'-6"	(1) FIXED (2) CASEMENTS	
F	7'-6" x 4'-6"	(1) FIXED (2) CASEMENTS	
G	2'-0" x 2'-6"	CASEMENT	
H	2'-6" x 3'-6"	CASEMENT	

NOTES: * WINDOW SUPPLIER TO VERIFY ALL WINDOW TYPES, SIZES, QUANTITIES, AND LOCATIONS WITH OWNER PRIOR TO ORDERING.
** NOTE: ALL WINDOW SIZES ARE MEASURED TO OUTSIDE OF FRAME
*** NOTE: WINDOWS TO HAVE A U-FACTOR OF 0.35 TYPICAL OR BETTER



SEE SHEET #A-2 FOR ADD. NOTES

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SEE SHEET #A-2 FOR ADD. NOTES

#PRELIMINARY DRAWINGS ONLY#
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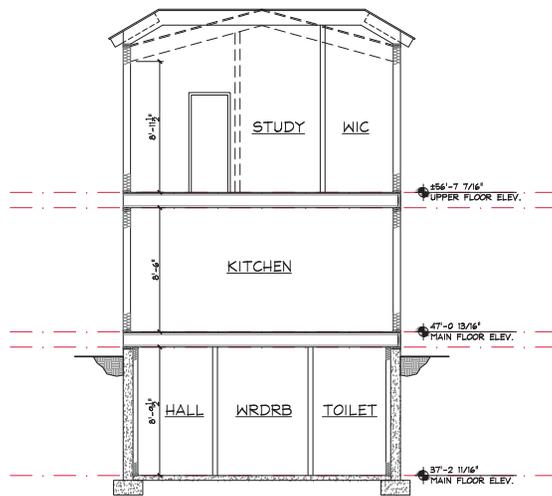
916 EMPIRE AVENUE
920 EMPIRE PARTNERS

Craig Kitterman & Associates Architects
1079 E. Murray-Holladay Road, Holladay, Utah 84117 Office: 270-8606 Fax: 263-3989

PROJECT #
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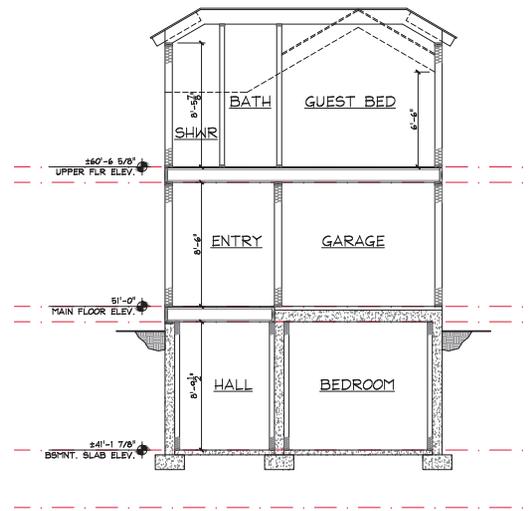
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CROSS SECTION "E"

SCALE: 1/4"=1'-0"



CROSS SECTION "D"

SCALE: 1/4"=1'-0"

SEE SHEET #A-2 FOR ADD. NOTES

PROJECT #
12023

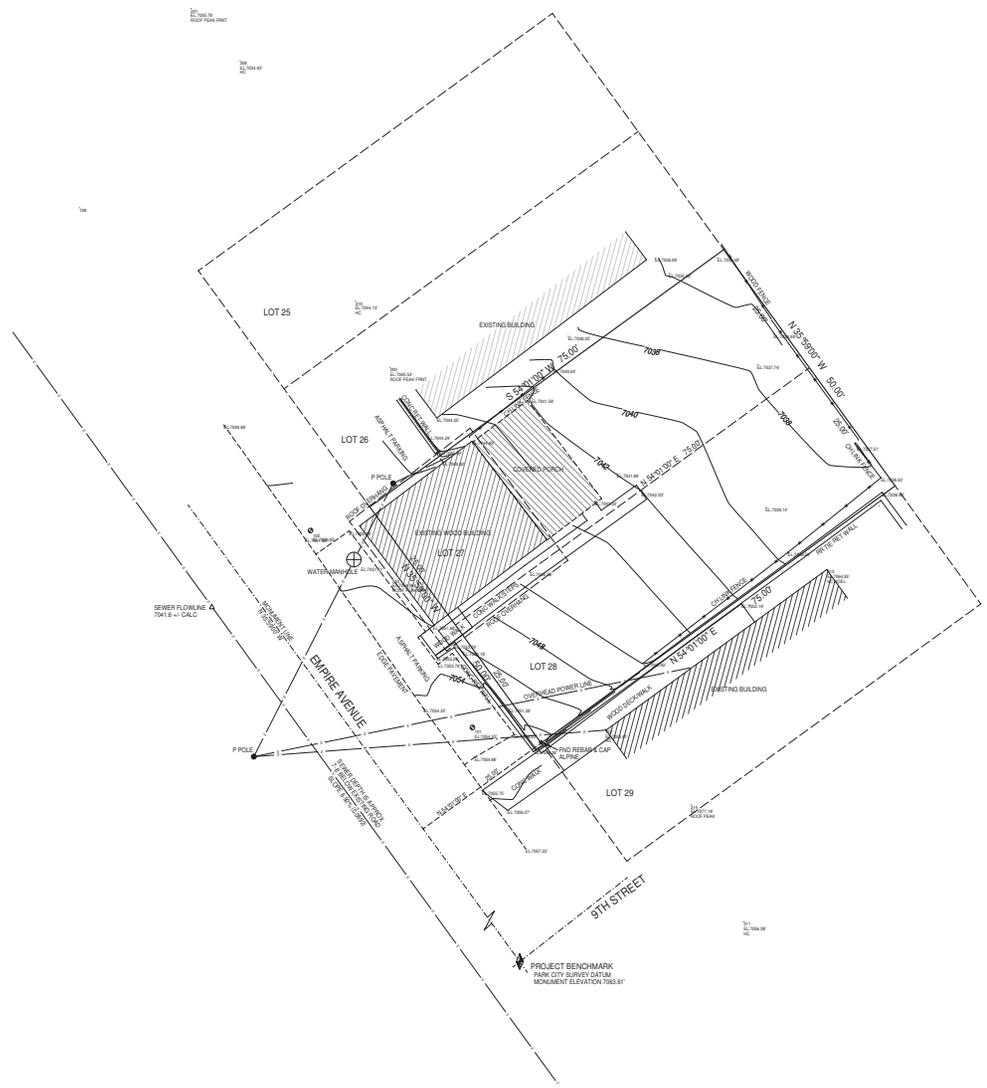
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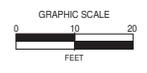
916 EMPIRE AVENUE
920 EMPIRE PARTNERS

Craig Kitterman & Associates Architects
1079 E. Murray-Holladay Road Holladay, Utah 84117 Office 270-8606 Fax 263-3989



SURVEYORS CERTIFICATE
 I, BYRON T. CURTIS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 163486, AS PRESCRIBED BY UTAH STATE LAW. I FURTHER CERTIFY, THAT BY AUTHORITY OF THE OWNER, OR HIS REPRESENTATIVE, THAT I HAVE MADE A SURVEY ON THE GROUND OF THE PROPERTY SHOWN ON THIS PLAT FOR THE PURPOSE OF DETERMINATION OF BUILDING LOCATION AND HEIGHTS AND OTHER IMPROVEMENTS THAT MAY BE CONSTRUCTED ON THE PROPERTY.

DATE _____

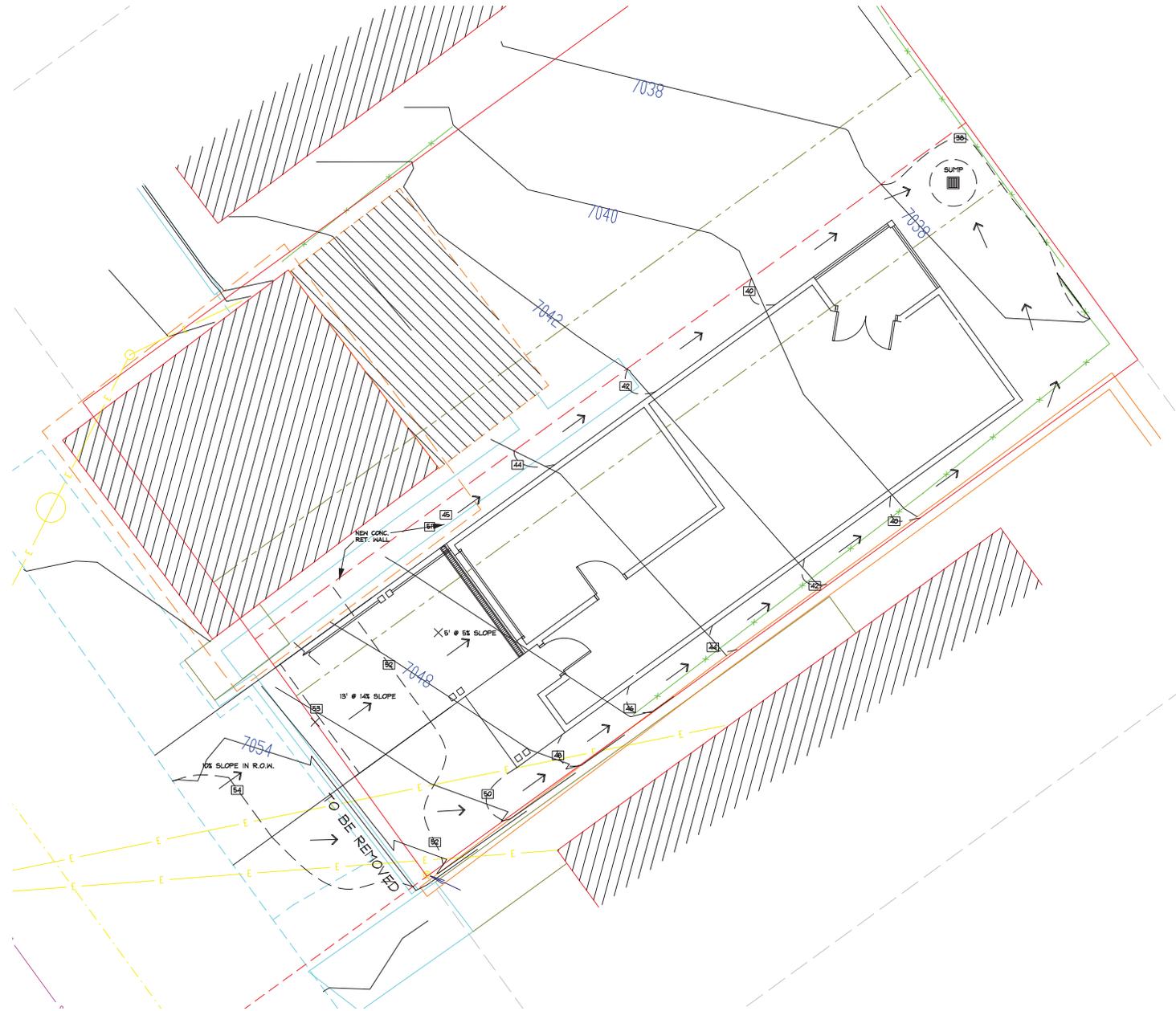


LEGEND

- SECTION, QUARTER SECTION, STREET OR OTHER SURVEY MONUMENT
- PROPERTY CORNER, NOT SET
- BOUNDARY OR PROPERTY LINE, WITH CORNER, FOUND OR SET
- RIGHT OF WAY LINE
- CENTERLINE
- FENCE LINE
- UTILITY LINE, TYPICAL
- SEWER, STORM DRAIN OR OTHER UTILITY MANHOLE
- SELECTED SPOT ELEVATION
- MAJOR ELEVATION CONTOUR
- MINOR ELEVATION CONTOUR
- EDGE OF PAVEMENT, ASPHALT OR GRAVEL
- TREE OR BRUSH LINE

TITLE			CURTIS & ASSOCIATES, INC. LAND SURVEYORS LAND PLANNING
TOPOGRAPHIC AND EXISTING CONDITIONS SURVEY			
PREPARED FOR: CHUCK HEATH AND CRAIG KITTERMAN ARCHITECTS			951 83 AMBER CTR. SANDY, UT 84092 PHONE (801) 915-6003
LOCATION AND ADDRESS			
910-920 EMPIRE AVENUE, PARK CITY, SUMMIT COUNTY, UT LOCATED IN BLOCK 15, SNYDER'S ADDITION TO PARK CITY			
DATE: APRIL 6, 2012	SCALE: 1"=10'	FILENAME: HEATH_CHUNK.PCS	

8-7-12 REMOVE RIGHT OF WAY OVER BOTH LOTS, PER ARCHITECT. TITLE COMPANY HAS REMOVED THEM FROM THEIR FINAL REPORT, BT CURTIS



GRADING PLAN

SCALE: 1/4" = 1'-0"

#PRELIMINARY DRAWINGS ONLY#
#NOT RELEASED FOR CONSTRUCTION#

PROJECT #
12023

DATE PRINTED
06/20/2012

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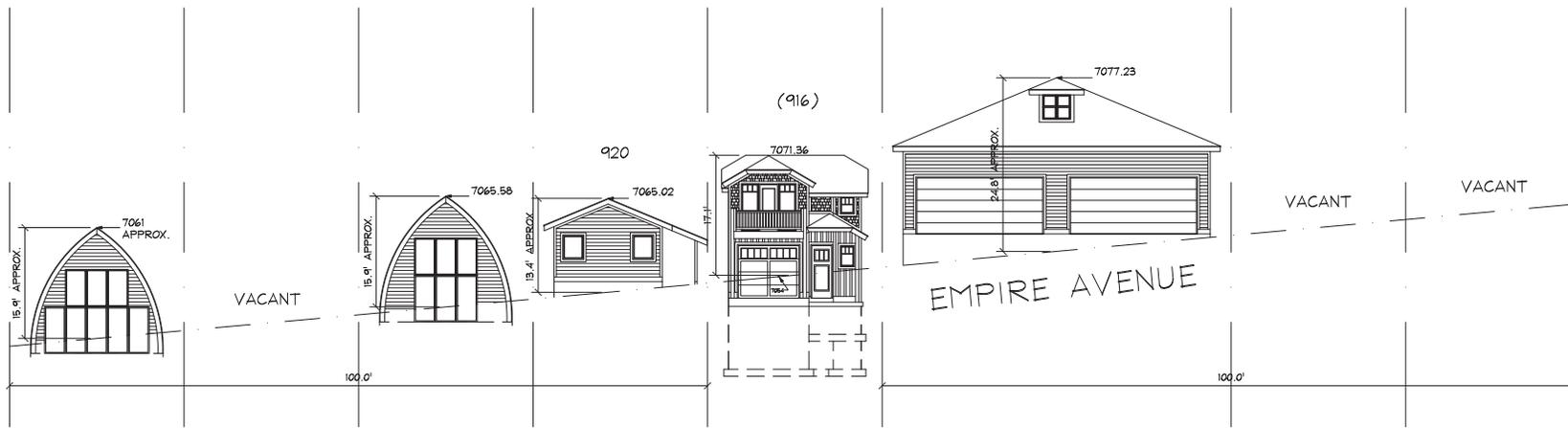
Craig Kitterman & Associates Architects
1079 E. Murray-Holladay Road, Holladay, Utah 84117 Office 84117 Office 270-8606 Fax 263-3989

916 EMPIRE AVENUE
920 EMPIRE PARTNERS









EMPIRE AVENUE
STREETSCAPE

SCALE: 1/8"=1'-0"

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PROJECT #
12023

DATE PRINTED
06/29/2012

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916 EMPIRE AVENUE
920 EMPIRE PARTNERS

Monday, April 16, 2012
1:55 PM



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New Section I Page 1



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

COMMISSIONERS IN ATTENDANCE:

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

EX OFFICIO:

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

=====

REGULAR MEETING

ROLL CALL

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

ADOPTION OF MINUTES – June 27, 2012

MOTION: Commissioner Worel approved the minutes of June 27, 2012. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously by those present on June 27, 2012. Commissioner Savage abstained since he was absent from that meeting.

PUBLIC INPUT

Jim Tedford stated that he was unfamiliar with the process of applying for building permits. He was trying to keep updated on the Kimball Arts Center addition and asked about the process and whether the public is notified.

Director Eddington explained that the applicant would submit a plan to the Planning Commission for approval prior to applying for a building permit through the Building Department. It would be noticed to the public. Director Eddington also anticipated a meeting with the City Council to discuss issues related to the Kimball Arts Center. The City Council agenda would be published in the newspaper. He expected that would occur in late August.

Director Eddington noted that anyone could register for e-notification on the webpage and provide their email address to automatically receive all the agendas for all meetings.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Eddington reminded the Commissioners of the joint meeting with the City Council the following evening at 5:30 p.m.

Director Eddington reported that a General Plan update and discussion was scheduled for the July 25th Planning Commission meeting.

Planner Astorga noted that Friday was Kayla Sintz last day with the Planning Department. She has been with the Planning Department since 2008.

Chair Wintzer disclosed that his company has done work with Joe Wrona, the attorney representing the applicant on the Claimjumper application. He did not believe that association would influence his decision on the project.

Election of Chair and Vice-Chair

Chair Wintzer felt it was important to have other Commissioners besides the Chair speak on the radio. He encouraged the other Commissioners to step up and take a turn. Diversity is healthy for the community and the radio is a great resource for putting out information.

Commissioner Hontz pointed out that Commissioner Strachan was absent this evening. She was certain that he would be comfortable with whomever they elected, but she asked if the Commissioners preferred to wait until Commissioner Strachan could participate in the decision.

Assistant City Attorney thought it was premature to elect a Chair and Vice-Chair this evening. She recommended that they wait until the new Commissioner was appointed and could participate.

The election of Chair and Vice-Chair was postponed until August.

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

30 Sampson Avenue – Steep Slope Conditional Use Permit **(Application #PL-11-01487)**

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

MOTION: Commissioner Savage moved to CONTINUE the 30 Sampson Avenue Steep Slope CUP to July 25, 2012. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

2175 Sidewinder Drive – Prospector Square – Amended Record of Survey **(Application #PL-12-01522)**

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

MOTION: Commissioner Hontz moved to CONTINUE the 2175 Sidewinder Drive Amended Record of Survey to a date uncertain. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 916 Empire Avenue – Steep Slope Conditional Use Permit (Application #PL-12-01533)

Planner Astorga reported that Planner Whetstone was the project planner; however she was out of town and he was filling in this evening.

Planner Francisco Astorga reviewed the application for a conditional use permit for construction on a steep slope at 916 Empire Avenue. He noted that 916 Empire Avenue is a single Old Town lot of record 25' x 75' feet. The applicant was requesting to build a new single family dwelling, approximately 2300 square feet. Planner Astorga stated that construction over slopes 30% or greater require a conditional use permit to be reviewed and approved by the Planning Commission.

The Staff analysis was provided in the Staff report. Planner Astorga reviewed the drawings attached to the Staff report.

The Staff recommended that the Planning Commission conduct a public hearing and approve the Steep Slope CUP based on the findings of fact, conclusions of law and conditions of approval for consideration.

Craig Kitterman, the project architect, stated that they had worked with the Staff on the massing of the house and to step it down the hill. The Staff had clarified the current requirements regarding the use of historical siding and trim compatible with the existing historic homes in the area. Mr. Kitterman acknowledged that the proposed home is larger than the historic homes, but they tried to use vertical and horizontal trim on massing areas of the house in an effort to be compatible with the size of the existing homes. Mr. Kitterman commented on the size of the adjacent structures, which included a duplex on one side and a larger home at 920 Empire to the north. Mr. Kitterman noted that the proposed house was stepped down the hill to fit in with the heights on either side.

Planner Astorga noted that the applicant and Mr. Kitterman had met with Planner Whetstone and the Design Review Team as required for the Historic District Design Review pre-application. Information was given to the applicant in terms of potential items that must be mitigated; however, the pre-application had not been finalized. Planner Astorga stated that the applicant recently submitted the paperwork for the noticing requirements for the application. Planner Whetstone would be working with the architect to finalize the pre-application as part of the administrative approval.

Chair Wintzer referred to page A4 and questioned how floors are counted. He noted that per the LMC there is a height restriction and a limit of no more than three floors.

Planner Astorga explained that for the HR-1 and other HR Districts, the section related to Building Height simply indicates that structures shall be limited to three stories and that the lowest story counts as the first story.

Chair Wintzer referred to the right elevation and counted three floors. However, moving to the far left there was a half floor shown above the existing third floor. Chair Wintzer recalled that when the LMC was amended, they were very definite about limiting the number of stories to a maximum of three floors in a structure.

Planner Astorga reviewed the cross-sections on page A5. The Staff had noticed that the half story was identified on a cross-section through the length of the structure. However, cutting through the width, the stories are three and three. Planner Astorga believed this was the first structure to be built under the revisions of 2009 with the Old Town split level design.

Chair Wintzer remarked that the half story might not be critical on this particular lot, but if the lot was steeper it could end up being a full fourth story based on the definition. Planner Astorga agreed. Chair Wintzer explained that the idea for the 3-story limitation was that the more the house steps up the hill the more massing there is to the house. Chair Wintzer clarified that his concern was less with this house and more with the precedent they would set if they allow it with this project.

Commissioner Thomas stated that he sat on the Planning Commission throughout the evolution of the steep slope process and he believed the proposed project was inconsistent with the intent. It is a 3-1/2 story house and he could not support it based on the Code.

Planner Astorga read from Section 15-2-5, paragraph A of the LMC, "A structure may have a maximum of 3 stories. A basement counts as a first story within this zone. Attics that are not habitable space do not count as a story."

Commissioner Savage thought the language was ambiguous. He pointed out that in no particular location was it a 3-1/2 story house. Commissioner Thomas stated that stories are counted starting with the lowest level and that was how the Code was established. The intent was to get away from houses stepping up the mountain. Commissioner Thomas explained why he believed this was clearly a 3-1/2 story house.

Commissioner Thomas felt it was unfortunate that the issue had not been addressed at the Staff level. In his opinion, it did not meet the test of the Code.

Director Eddington remarked that the definition of a story in the HR-1 definitions was ambiguous; however, it specifically says a maximum of three stories. Director Eddington noted that the drawings showed a shift in floor plates and he agreed that the top could be construed as a half-story.

Commissioner Worel stated that the Code does not count the attic because it is not habitable space. She pointed out that the half story in this project was clearly habitable space.

In response to a question about the definition of a story, Director Eddington replied that a story is plate to plate.

Commissioner Savage stated that when he looked at the plan and read the Code, he understood that the spirit of the intent was to control the height of the building as it relates to the steepness of the slope. He believed this proposal was consistent with that objective. When he saw that the structure was no higher than three stories in any particular location, in his opinion it appeared to meet Code. Commissioner Savage acknowledged that he did not have the background or history of how the limitation was established.

Chair Wintzer suggested that the Planning Commission continue this item and ask the Staff to come back with a ruling on what constitutes three stories. Director Eddington replied that the Staff could do research and formulate that ruling in conjunction with the final design review. He noted that the Code allows a height exception for a downhill lot for a garage on a steep slope, but there is no exception for stories.

Commissioner Hontz remarked that the proposed house fits the site and the architect had done a good job designing the house on an Old Town downhill lot. Commissioner Hontz wanted to see a cross section of how the slopes drawn to scale would work coming into the garage. She indicated the grade changes of the driveway coming into the garage and noted that the same layout was used in other places in Old Town and it does not appear to work well.

Commissioner Hontz asked about the required front yard setback. Director Eddington stated that it was a minimum 10' front yard setback. Commissioner Hontz pointed out that the house sits nicely back, but it creates a longer and steeper entry into the garage. Since the setback exceeds the 10' minimum, she suggested that they move the house forward to reduce the grade into the garage.

Mr. Kitterman explained that they need to room to provide the parking space between the house and the property.

Commissioner Thomas agreed that the grade was steep, but he has personally designed similar garage entrances and it can work as long as there are transition slopes. He believed the Code allowed up to 14% grade. Commissioner Thomas noted that Mr. Kitterman had created a transition slope of 10% over 13 feet and he was comfortable with that design. Mr. Kitterman stated that he has designed other homes with that same type of driveway and it works well. He noted that in those circumstances the driveway needs to be heated.

Mr. Kitterman stated that in the past, the important issues for the Planning Commission was that the house fits the site, and even though it can be 27' above grade, that it does not look too massive. He chose traditional styles that help bring the mass of the house down in scale. Mr. Kitterman stated that in any one place the house looks only two stories. Mr. Kitterman stated that because he is the first to design a house on the downhill, he tried to work through the goals of the Code. Stepping the house down the lot was an important goal to make it fit the property and still reflect a 2

or 2-1/2 story from grade. Mr. Kitterman remarked that in the past they were allowed to excavate all the way back under and they ended up with four stories and a 22' deep excavation at the garage. He was able to avoid that with this particular house by the vertical placed in the mass. He believed the three story set meets the Code and the goals behind the Code.

Chair Wintzer apologized to Mr. Kitterman and the owner that the issue was not raised until this evening. He personally wanted a ruling from Staff on the definition of three stories and whether approving this design would set a precedent. Chair Wintzer agreed that the house fits the lots and the scale of the area. The issue is the elevation of 3-1/2 stories on the downhill side. Mr. Kitterman remarked that the advantage of the extra step in the conditional use permit is that the Planning Commission can look at each site individually and review each set of circumstances individually. Chair Wintzer stated that sometimes applicants accept rulings on a case by case basis, but most times they question why someone else was allowed to do it but they cannot.

Commissioner Thomas thought Mr. Kitterman had done a nice job of breaking up the building, stepping it down and responding to other considerations.

Commissioner Savage proposed that the Planning Commission continue this item and direct Staff to provide an interpretation of the Code on the basis of this specific application, and to also think about how the definitions could be strengthened to eliminate the ambiguity for future applications.

The applicant, Chuck Heath, was confused about the comment that the objective was not to step up the structure. It was indicated by Staff that the goal was to step it up the hill as opposed to having a large block building. He wanted clarification because the comments differed from what they were told. Chair Wintzer replied that the objective is to have the house fit the topography of the ground. The concern relates to the definition of three stories because that objective was to stop massive stepping up the hill.

Chair Wintzer opened the public hearing.

There were no comments.

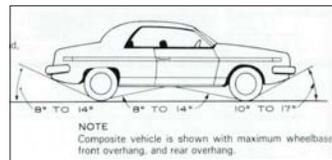
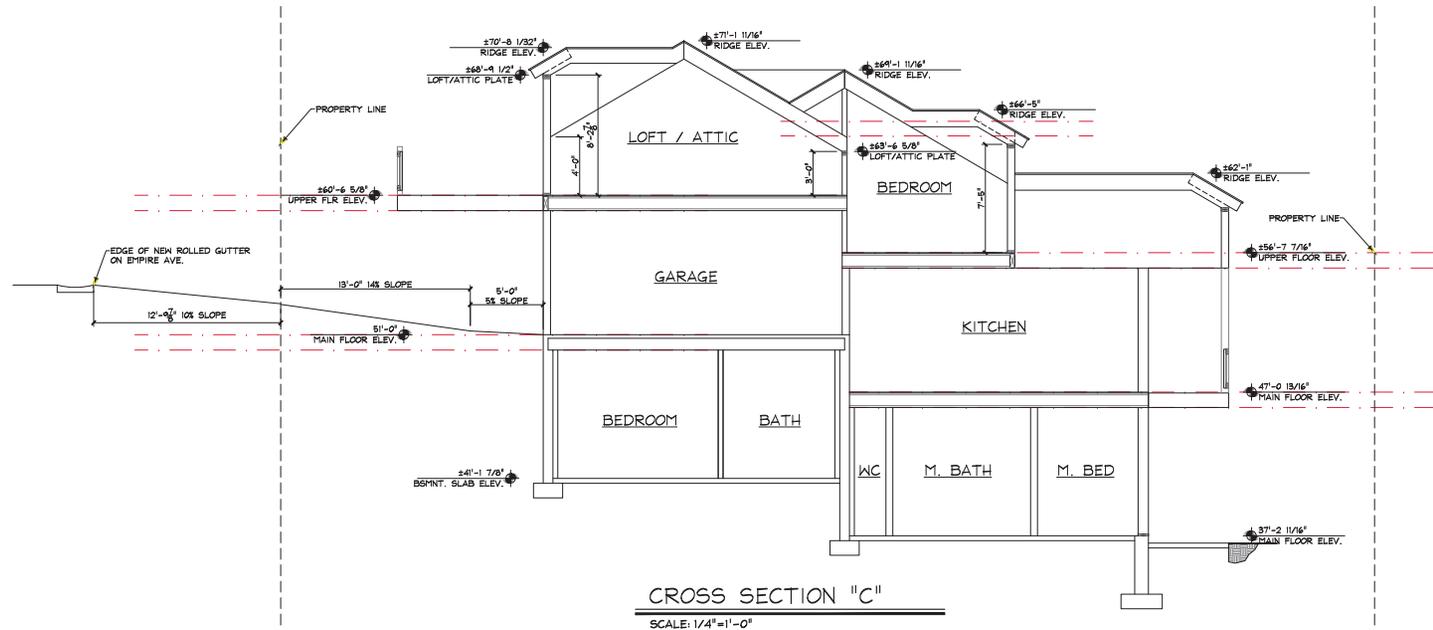
Chair Wintzer closed the public hearing.

MOTION: Commissioner Savage moved to CONTINUE the Steep Slope CUP for 916 Empire Avenue to July 25, 2012, and direct Staff to provide an interpretation of the Code with reference to this specific application having to do with the definition of story. In addition, also provide a recommendation for a future amended version of the LMC that would eliminate the ambiguity associated with the interpretation discussed this evening.

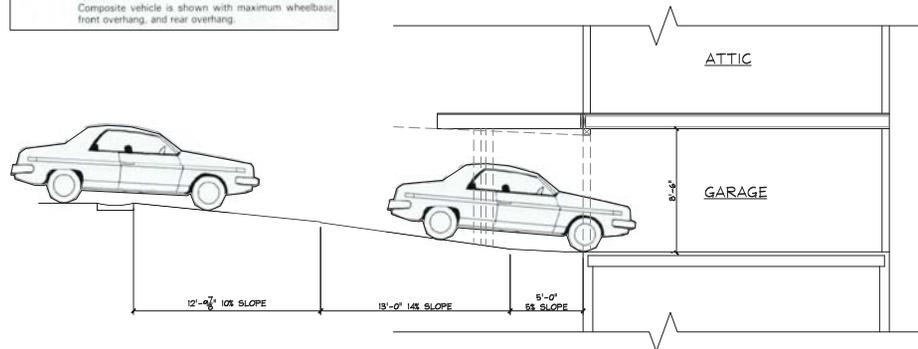
Commissioner Thomas requested an amendment to the motion for the architect to provide cross sections through the garage and show a car entering the garage for analysis.

Commissioner Savage accepted the amendment to the motion. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.



NOTE: AUTOMOBILE DATA FROM ARCHITECTURAL GRAPHICAL STANDARDS, NINTH EDITION.



SEE SHEET #A-2 FOR ADD. NOTES

#PRELIMINARY DRAWINGS ONLY#
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916 EMPIRE AVENUE
920 EMPIRE PARTNERS

Craig Kitterman & Associates Architects
1079 E. Murray-Holladay Road, Holladay, Utah 84117 Office: 270-8606 Fax: 263-3989

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Planning Commission Meeting
August 22, 2012
Page 17

out that combining lots and remnant parcels was a standard practice in Park City. Planner Whetstone stated that another issue pertained to the consent letter that was sent to the neighbors. She explained that the application originally came in as a lot combination. It is an administrative application that requires consent of all adjacent property owners. If the owner cannot get consent from anyone, the Planning Director is allowed to make that approval on a lot line adjustment administrative application. Planner Whetstone referred to concerns regarding the connection and that it could later creep and connect. She indicated a pad on the site where a future building could only be constructed. She stated that the Planning Commissioner could condition the dimension. They could also add a plat note and condition of approval that says if an accessory structure is proposed or constructed it cannot be connected in any way to the main house. Planner Whetstone noted that because it is an existing four-story house, it would be non-conforming in terms of the Code; however, she was unsure whether it would be exempt because it had a historic house. If the definition of a story includes all the structures on the lot, it could not exceed four stories.

Commissioner Thomas pointed out that in the past they had situations where they denied increasing the non-compliance of the house because it did not meet the current Code.

MOTION: Commissioner Thomas moved to CONTINUE 429 Woodside Avenue – Plat Amendment to a date uncertain. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

**3. 916 Empire Avenue – Steep Slope Conditional Use Permit
(Application #PL-12-01533)**

Planner Whetstone reviewed the application for a conditional use permit for construction on a 30% slope greater and than 1,000 square of floor area. The request was for a new single family home located at 916 Empire to be 2,300 square feet. The lot is a standard 25' x 75' Old Town lot.

Planner Whetstone noted that the Planning Commission reviewed this proposal on July 11th and the concerns expressed at that time were identified on page 102 of the Staff report. The application was continued to this meeting due to concerns related to the driveway grade and whether it would comply with Code and physically possible for a vehicle to come down the grade and into the garage. The Planning Commission requested that the applicant provide a cross section of the driveway. That cross section was included in the Staff report. Planner Whetstone had met with the City Engineer and found that the split grade of the driveway meets Code.

Planner Whetstone remarked that another concern was the three-story issue. She pointed that this particular application was a split level.

Commissioner Thomas believed every application to build on a steep slope was some type of split level. Planner Whetstone explained that on the uphill lots the levels are stacked on top of each other. Commissioner Thomas clarified that he has seen stacked levels on both uphill and downhill lots.

Planner Whetstone stated after the meeting on July 11th, the Staff relooked at the application and agreed that the method by which the Planning Commission tabulated stories was consistent with the Staff's method of tabulating stories when a fourth story is proposed. She clarified that the Staff reached the same determination that there was a fourth story on the uphill lot. However, the Code does not specify how to tabulate a story, and the Staff has been consistent in tabulating across the entire structure and counting levels. In looking at the plans submitted on July 11th, because there was a full story above the garage and a split level within the house, the Staff concluded that the Planning Commission was correct in identifying 3-1/2 stories.

Planner Whetstone remarked that the Staff asked the applicant to revise the plan and the plan was modified with the elevation at the street. She explained how the applicant modified the plan and how the Staff determined that it was now three stories.

The Staff recommended that the Planning Commission approve the revised design based on the findings of facts, conclusions of law and conditions of approval prepared for their consideration. The Staff concurs that a Steep Slope CUP is a case by case review because slopes can be very different. Planner Whetstone noted that since 1994 there have been five different ways to review applications on downhill lots.

Planner Whetstone pointed out that the applicant was not requesting any type of a height exception. She reviewed the revised plan as shown on page 136 of the Staff report.

Craig Kitterman, the project architect, remarked that much of the conversation at the last meeting revolved around the definitions, primarily because definitions can be defended for future cases. The problem is that the LMC defines a story as floor to floor, but it does not say how tall it is. He stated that in architectural legal proceedings, when there is no answer to a question, they often look to the standard of the architectural and construction industry. He noted that 20 years ago the industry standard was 8 feet. The industry standard is taller today for new homes. Kitterman stated that since the LMC does not define the measurement, he believed they should follow the standard of the industry of at least 8 feet.

Mr. Kitterman pointed out that the Code also does not address split levels. The split level was interpreted as adding a half floor. A one-and-a-half story Cape Code house was the best example. Mr. Kitterman stated that since a minimum 7/12 roof pitch is required in Old Town, they get volume to use up there. Therefore, the half floor with dormers would be the standard of the industry in terms of how to measure a half floor. Mr. Kitterman noted that they looked to various resources to find four or five definitions of a half floor. He was interested in hearing the discussion during the work session.

Chuck Heath, the applicant, asked if the story was being defined as internal space or external space. He believed the Planning Commission was more concerned about how the exterior looks, yet from reading the Code, the definitions appear to address the interior space. Mr. Heath believed the original plan was no more than three stories, and in every elevation it was 2-1/2 stories. He asked for clarification on whether the Planning Commission was regulating the interior use of the space or just looking at exterior design and those types of issues.

Chair Wintzer referred to the rear elevation drawing and stated that a constant issue is the height of the buildings when viewed from across the canyon. Chair Wintzer apologized that these issues were not raised earlier in the process before the design moved too far along. He emphasized the importance of setting the definition of three-stories before they could move forward with these projects. Chair Wintzer stated that approximately 80% of the historic buildings in Park City were one story. They eventually went to two stories and now some are five and six stories, staying within the 27 foot maximum height. Chair Wintzer reiterated that the cross-canyon view is what the Planning Commission considers.

Mr. Heath was confused because he thought the requirement was the height of the structure and not the number of stories within that height limitation. Chair Wintzer replied that it was also how they measure the height of the structure. Mr. Heath thought Chair Wintzer's explanation contradicted the design guidelines that require the building to be stepped on a steep slope.

Planner Whetstone presented the cross canyon view the applicant had provided.

Chair Wintzer remarked that at the last meeting the Planning Commission concurred that the proposed house at 916 Empire fits well with the neighborhood. They were not implying that it was a bad design, but it was important to define a definition of three stories before moving forward with any project. He understood that the applicant was caught in the middle.

Planner Whetstone pointed out that even if the Planning Commission sets a definition for three stories, this application was vested under the current Code and would not be subject to a Code amendment.

Commissioner Thomas clarified that the Planning Commission was looking for a consistent interpretation and not a definition. He believed there was a disconnect between the Staff and the Planning Commission on the interpretation of three stories.

Chair Wintzer remarked that the Planning Commission could take action on the application this evening; however, he felt the applicant might have a better outcome if he waited until after the Planning Commission discussed the interpretation issue.

Commissioner Hontz stated that it was inappropriate to continue this conversation or to take action on this application. She recommended that the Planning Commission take public input and continue the item until the next meeting.

Mr. Heath asked if the Planning Commission would actually draft a definition of three-story. Assistant City Attorney McLean explained that the work session discussion would define an interpretation of what currently exists in the Code and how the term "story" is interpreted in applications to make sure that it is being applied consistently.

Chair Wintzer opened the public hearing.

Craig Elliott stated that he attended this meeting to talk about the 3-story issue. He would hold his comments until the work session if the Planning Commission would take public input.

Chair Wintzer encourage Mr. Elliott to make his comments during work session.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Savage moved to CONTINUE 916 Empire Avenue – Steep Slope CUP to a date uncertain. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

**4. 30 Sampson Avenue – Steep Slope Conditional Use Permit
(Application #PL-12-01487)**

Planner Evans reviewed the steep slope conditional use permit for 30 Sampson Avenue. He noted that the lot was approved in 1995. It is a 7,089 square foot lot in the HR-L District. Because of its odd shape, this particular lot required that the Planning Director make a determination as to setbacks. The Staff report outlined the required setbacks as determined by the Planning Director and the setbacks proposed in this plan. The front and rear setbacks would be 15 feet and the sides vary from five to ten feet. The lot was approved in 1995 and plat notes limit the size of the structure to 3,000 square feet, with a 400 square foot garage allowance. Planner Evans noted that the Staff report included a legal and binding letter of the interpretation made at the time, which said that the 3,000 square feet maximum applied to above ground and anything below ground did not apply. Planner Evans remarked that other issues related to the number of stories and height, and those would not be addressed pending the work session discussion.

Commissioner Strachan referred to the table on page 204 of the Staff report and asked for the difference between the overall area and the overall size. Planner Evans stated that the overall size was 4,587 square feet, plus the garage. The 2,998 was the footprint.

Commissioner Strachan asked why the size of the garage indicated in the Staff report exceeded 400 square feet.

Jonathan DeGray, the project architect, replied that anything in excess of 400 square feet goes against the 3,000 square foot maximum. Therefore, the combined total of above-grade living does not exceed 3,400 square feet at any point. The garage is larger but the house is smaller. Mr. DeGray referred to Commissioner Strachan's previous question and noted that the 4,587 square feet was the total square footage and included the garage. He also noted that 2,998 square feet was the total square footage above grade for the house.

Mr. DeGray walked through the plans and specific square footage numbers for the house and the garage.

Mr. DeGray outlined the criteria for the Steep Slope CUP and explained why they comply. He noted that the site is an unusual hourglass shape made up of two pods; lower and upper. The lower, smaller pod sets itself up well for a garage. The connection point is below grade and breaks the two structures visually. He referred to the landscape plan to show how it embellished between the

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: 543 Woodside Avenue
Project #: PL-13-01904
Author: Kirsten Whetstone, MS, AICP
Date: December 11, 2013
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 543 Woodside Avenue and conduct a public hearing. Staff recommends approval of the Steep Slope CUP permit per the findings of fact, conclusions of law, and conditions of approval outlined in this staff report.

Description

Applicant/Owner: Steve Maxwell, Owner
Architect: Jonathan DeGray, Architect
Location: 543 Woodside Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
Reason for Review: Construction of structures with greater than 1,000 square feet of floor area and located on a steep slope (30% or greater) requires a Conditional Use Permit

Proposal

This application is a request for a Steep Slope Conditional Use Permit (CUP) for an addition to a “significant” historic house located on a platted 3,750 sf lot. The existing two story house contains 1,658 sf of living area. The existing footprint is 1,072 sf. The proposed addition has a footprint of 280 sf and contains approximately 815 sf of floor area, including the basement areas. Also proposed is a 433 sf single car garage beneath the historic house with an elevator/entry foyer at the garage level connecting the garage to an outside entry. The proposal includes preservation and restoration of both the historic house and historic accessory structure located in the rear lot area.

Construction exceeds 1,000 sf of floor area (including garage) and access to the garage is proposed on a slope of 30% or greater, therefore a Steep Slope CUP is required to ensure compliance with the criteria for development on a steep slope prior to issuance of a building permit.

Background

On May 2, 2013, the City received an application for a Steep Slope Conditional Use Permit (CUP) for “Construction on a Steep Slope” at 543 Woodside Avenue. The application was deemed complete on May 15, 2013. The property is located in the Historic Residential District (HR-1).

On May 1, 2013, a HDDR application was submitted to the Planning Department. The application was deemed complete on June 17, 2013 and the design was approved on August 20, 2013. The proposed addition was found to complement the historic structure and follow the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, alignment, and simplicity of architectural detailing. After several design iterations and with guidance from the Design Review Team, the revised design was found to be in compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009 (Exhibit C).

Previously, on October 21, 2008, the accessory structure was deemed to be an historically significant structure by the Board of Adjustment on appeal, upholding the September 5, 2008, Historic Preservation Board's decision that the accessory structure was historically significant. Also previously, on December 16, 2012, a Steep Slope CUP application was submitted for a total building footprint of 1,518 sf with 2,155 sf of additional floor area and a 486 square foot garage.

This previous CUP application was reviewed by the Planning Commission on June 27, 2012. At the June 27th meeting the Commission requested additional information on three items, namely 1) provide an adequate landscape plan, 2) provide a comparison with historic structures on the street, and 3) explain how the lack of a 10' step on the third story complies with the LMC. The item was continued to November 28th.

At the November 28, 2012 meeting, the applicant provided a revised landscape plan indicating the existing and proposed vegetation, provided a comparison of historic structures, and explained that on September 18, 2012, the Board of Adjustment granted a variance to the required 10' step for the third story. There were conflicting house size numbers presented by staff and the applicant regarding the comparison with other historic structures in the neighborhood.

The Commission made a motion to deny the previous CUP based on non-compliance with the purpose statements of the zone and that the proposal failed to comply with all of the Steep Slope CUP criteria. The Commission directed staff to return with findings for denial. On December 7, 2012, the applicant submitted a written request to withdraw the application and indicated that he would redesign the project and resubmit a new application.

This new application (May 2, 2013) reflects a redesign of the previous project. The current design revises the previous proposal by reducing the overall footprint of the addition, reducing the total floor area of the addition, and reducing the basement area and amount of excavation. This current design increases the separation between the addition and the accessory structure and maintains the current configuration of staircases, with an historically compatible staircase connecting lower entry to the street and maintaining the landscaping on the north side which maintains the character of the front yard on the north side of the driveway by removing the previously proposed series of retaining walls and planters.

Because the rear addition was reduced in size it is no longer sited on an area of the lot that has a slope of 30% or greater, however the driveway is proposed on an area of

30% slope, the Steep Slope CUP is required. The new design includes a pitched roof over a portion of the rear addition as well as a flat roof section that provides a transition between the historic house, the addition, and the detached accessory structure.

The applicant also submitted a revised comparison of historic houses in the neighborhood (Exhibit G). The current proposal still includes preservation and restoration of the historically significant structures. The house will continue to be a single-family dwelling with a detached accessory ski-prep/storage building in the rear. The existing accessory apartment will be removed and a deed restriction will be recorded on the property prohibiting use of the accessory structure as a separate dwelling unit or apartment. One of the goals of the proposal is to restore and preserve the historic house and accessory building and bring the house back as a single family dwelling.

Purpose

The purpose of the Historic Residential (HR-1) District is to:

- A. Preserve present land Uses and character of the Historic residential Areas of Park City,
- B. Encourage the preservation of Historic Structures,
- C. Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. Encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. Define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. Establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Analysis

The applicant is requesting a Steep Slope Conditional Use Permit for construction of approximately 815 square feet of new floor area construction, that includes 219 square feet of basement and circulation (rear stairs and elevator) area and 596 square feet of above grade living area, in addition to a 433 square foot garage located beneath the south side of the 1,658 square foot historic house. The basement does not extend to the north side.

The existing house is located on a 3,750 square foot platted lot of record, known as Lot 1 of the 543 Woodside Avenue Subdivision. The subdivision plat combining two "Old Town" lots was approved by City Council on March 29, 2012, and was recorded at Summit County on March 28, 2013 (Exhibit A). The existing building footprint is approximately 1,072 square feet and the proposed new footprint area is 280 square feet. The final building footprint, with the addition would be 1,352 square feet which is less than the maximum allowed footprint of 1,519 sf for a combined lot of this size.

Because the total proposed addition is greater than 1,000 sf, and construction is proposed on an area of the lot that provides access and that has a thirty percent (30%) or greater slope, the applicant is required to file a Steep Slope Conditional Use Permit

(CUP) application. The Steep Slope CUP is required to be reviewed by the Planning Commission for compliance with LMC § 15-2.2-6, prior to issuance of a building permit.

The lot contains an historic single family house listed in the Park City Historic Sites Inventory (HSI) as “Significant” as it was constructed in the late 1890s or early 1900s during the Park City Mining Boom era. The house shows up on the 1901 Sanborn Fire Insurance Maps for that year (Exhibit B). The existing house complies with the setbacks, building height, and footprint requirements of the HR-1 zone. Utility services exist at the lot. There is an historic detached accessory structure, with a building footprint of 278 sf, located in the rear of the lot, and in compliance with building setbacks and height. The accessory structure is currently utilized as an accessory unit and the applicant intends to convert the accessory apartment into a ski prep/storage space.

The proposal includes construction of a new foundation and partial basement under the historic house, restoration of the historic house, construction of a rear addition behind the house and restoration of an historic accessory structure.

Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Lot Size	Minimum of 1,875 sf	3,750 sf, <u>complies.</u>
Building Footprint	1,519 square feet (based on lot area) <u>maximum</u> (code excludes historic accessory structures from footprint)	1,352 square feet (excluding the detached historic accessory structure footprint of 278 sf.), <u>complies.</u>
Front and Rear Yard	10 feet minimum for main building, 1 foot for accessory structure with height of less than 18 feet in height	Main building 11 feet or greater front (28’ or greater to edge of paved Woodside), 10 feet or greater rear, <u>complies.</u> Accessory structure rear setback is 3 feet, <u>complies.</u>
Side Yard	5 feet minimum for main building 3 feet for accessory structure with height of less than 18’	Main building 5 feet or greater, <u>complies.</u> Accessory structure north side is 10’ and south side is 20’, <u>complies.</u>
Height	27 feet above existing grade, <u>maximum.</u>	Various heights at or less than 26 feet, <u>complies.</u>
Number of stories	A structure may have a maximum of three (3) stories (This application was submitted prior to the LMC amendment that modified these regulations.)	3 stories, <u>complies.</u>

Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	Maximum difference is 48" (4 feet) with much of it at 36" or less, <u>complies</u> .
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required for the third story (after submittal of this application the LMC was amended to exempt historic structures from this regulation).	Board of Adjustment granted a variance to this requirement on Sept. 18, 2012, <u>complies per variance</u> .
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.	Historic is 9.5:12 and 4:12 for primary roofs <u>complies per existing historic</u> . A non-primary connector element has a flat roof. Roof pitch on rear addition is 7:12, <u>complies</u> .
Parking	Historic structure therefore no parking is required.	One (1) single car garage is proposed with access on Woodside Ave, compliant with required maximum dimensions, <u>complies</u> .

LMC § 15-2.2-6 requires a Steep Slope Conditional Use permit for development on steep sloping lots (30% or greater) if the structure contains more than one thousand square feet (1,000 sf) of floor area, including the garage, and stipulates that the Steep Slope Conditional Use permit can be granted provided the proposed application and design comply with the following criteria and impacts of construction can be mitigated:

Criteria 1: Location of Development.

Development is located and designed to reduce visual and environmental impacts of the Structure. **No unmitigated impacts.**

The proposed addition is located on a platted lot of record in a manner that reduces the visual and environmental impacts of the addition and in compliance with the plat notes. The proposed footprint is less than that allowed for the lot area, setbacks are increased, and height is decreased for portions of the new addition. Only a partial basement is proposed and the addition has been decreased from the previous submittal reducing environmental impacts of the new construction as the addition is not located on an area with a slope of 30% or greater. The addition is located behind the existing house and the proposed single car garage is located below the existing grade of the house with the garage door set back 28' from the street reducing visual impacts.

Criteria 2: Visual Analysis.

The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the project and identify potential for screening, slope stabilization, erosion mitigation, vegetation protection, and other items. **No unmitigated impacts.**

The applicant submitted a photographic visual analysis, including a “cross canyon view”, and streetscape to show how the proposed addition fits within the context of the slope, neighboring structures, and existing vegetation (Exhibit B).

The proposed structure is not visible from key vantage points indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view. The visual analysis and streetscape demonstrate that the proposed design is visually compatible with the existing slope, neighboring structures, and existing vegetation. Visual impacts are mitigated by locating the addition thirty (30') behind the twenty-six foot high, two story house with the garage located below the existing grade and setback from the street and recessed from the front facade.

Minimal retaining walls are necessary and a basement is proposed for only the south side of the house, minimizing excavation. Basement area is proposed beneath the south side of the structure only for the garage, a small elevator/entry foyer that provides access to the garage from the outside, and a staircase/hall circulation area. Minimal retaining walls are necessary for slope stabilization as the rear addition has been located on slopes that do not exceed 30% and is an area of an existing deck and lawn area.

Criteria 3: Access.

Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible. **No unmitigated impacts.**

The proposed design incorporates access off of Woodside Avenue with a 12' wide driveway that minimizes grading of the natural topography and places the single car garage below existing grade of the historic house on the south side. Grading is minimized for the driveway. Due to the 30% slope of the lot at the access area and the maximum allowed driveway slope of 14% (actual proposed driveway slope from the edge of street to the drain in front of the garage, is between 5.7% and 13.9%) stepped rock walls are proposed to retain the grade on either side of the driveway. A side access garage is not recommended or proposed as it would require a massive retaining wall. The single car driveway is designed to minimize Grading of the natural topography and the location of the single door beneath the existing grade reduces overall Building scale.

Criteria 4: Terracing.

The project may include terraced retaining Structures if necessary to regain Natural Grade. **No unmitigated impacts.**

The site has a steeper grade along Woodside Avenue at the access than at the location of the proposed addition. This revised application reduces the footprint of the addition so that the rear addition is not located on any areas with a slope of 30% or greater. Grade around the historic structure will generally be maintained within a foot of where it was historically, with the exception of changes necessary to accommodate the new

foundation. The difference between final grade and existing grade is typically one to two feet with two areas on the south side that are 3.5' and 4' respectively.

New retaining walls will not exceed four feet (4') in height, with the exception of the stepped rock retaining wall for the driveway that begins with a seven foot (7') high portion at the garage door and steps to two feet (2') at the property line.

Criteria 5: Building Location.

Buildings, access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and provide variation of the Front Yard. **No unmitigated impacts.**

The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. The site design and building footprint allow for opportunities to maximize open space, preserve natural vegetation, and minimize the driveway. The maximum allowable building footprint is not utilized and the driveway beneath the south side of the house minimizes impact of the driveway. The driveway area is minimized (12' wide at the property line) to the greatest extent possible. The addition is proposed behind the rear of the house and is differentiated from the historic structure with a flat roofed element. Existing separation between this house and adjacent properties remains the same when viewed from the public street as the addition is nearly 60 from the edge of the street. The area of the addition is currently a flat deck area and yard.

Criteria 6: Building Form and Scale.

Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.**

Two stories of the rear addition floor area are proposed below final grade. The addition is a smaller component, as is the accessory structure. The design is broken into a series of smaller components that are compatible with the District, historic house, and surrounding structures. The garage is subordinate in design to the main Building as it is below the existing grade and beneath an historic bay window element that further decreases the visual impact of the garage. The single car wide garage door is located 28' from the edge of Woodside Avenue and approximately 2' lower than the street and is recessed back from the front façade. This location and the fact that the historic house is approximately thirty-five feet (35') wide and twenty-six feet (26') tall, further subordinates the garage to the house.

The rear addition is located approximately thirty feet (30') behind the front façade of the two story house and nearly sixty feet (60') from Woodside Avenue, which reduces the visual impact of the form and mass of the addition as viewed both from the street and from cross canyon views.

Criteria 7: Setbacks.

The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a “wall effect” along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures. **No unmitigated impacts.**

Front setbacks along Woodside Avenue are greater than required by the LMC as the garage door is setback from the front facade and the entire structure is located 28' or greater from the edge of Woodside. The addition is located to the rear. There is no wall effect created along the Street front as the addition is setback 30' from the front façade and nearly 60' from the edge of the Street and behind the two story (26' tall) existing house. The rear addition is proposed as a smaller component, as is the accessory structure. No wall effect is created along the Rear Lot Line. The historic house complies with the north side setback of five feet and has a 9.5' setback on the south side. The rear addition meets the setbacks on the sides and rear. The front setback is staggered due to the historic house design with the north side of the house setback seven feet from the front façade on the south side. No wall effect is created with the proposed design.

Criteria 8: Dwelling Volume.

The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

The proposed addition is both horizontally and vertically articulated and broken into compatible massing components with a pitched roof over a portion and a flat roof element providing a transition between the main structure and the accessory structure. The design includes setback variations and lower building heights for portions of the structure. The proposed massing and architectural design components are compatible with both the volume and massing of existing structures. The design minimizes the visual mass and mitigates the differences in scale between the proposed addition and existing historic structures in the neighborhood as viewed from the public streets. The building volume is not maxed out in terms of footprint or potential floor area and much of the building volume of the rear addition is located below final grade.

Criteria 9: Building Height (Steep Slope).

The maximum Building Height in the HR-1 District is twenty-seven feet (27'). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

The proposed addition does not exceed the twenty-seven feet (27') maximum building height requirement measured from existing grade. The height of the addition measures 20.5 feet above existing grade at the highest point. The flat roof portion measures less than 15' from existing grade. The two story historic house measures 26' from existing grade at the highest point. All portions of the house, addition, and accessory structure are less than 27' in height.

The difference in scale between the historic Structure and proposed addition are mitigated by reduced building height, reduced mass and scale, reduced footprint, and locating the garage below the existing grade of the historic house and setback from the front façade. No additions are proposed over the top of the existing historic structure. The historic structure and the accessory structure will be preserved and restored as part of this proposal. Overall the proposed height is less than that allowed and the location and size of the addition are such that the overall visual mass is mitigated.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. Approval of the Historic District Design Review application was noticed separately and compliance with the approved HDDR is a condition of building permit issuance.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time other than standards items that have been addressed by revisions and/or conditions of approval, including provision of utilities to the site.

Notice

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

Public Input

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

Alternatives

- The Planning Commission may approve the Steep Slope Conditional Use Permit for 543 Woodside Avenue as conditioned or amended, or
- The Planning Commission may deny the Steep Slope Conditional Use Permit and direct staff to make Findings for this decision, or
- The Planning Commission may request specific additional information and may continue discussion on this application to a date certain (January 8, 2013).

Significant Impacts

As conditioned, there are no significant fiscal or environmental impacts from this application. The lot is a platted residential lot with an existing two story historic house and detached historic accessory structure to the rear. The addition is proposed to the

rear of the historic house, primarily below final grade, in an area where the slope is not greater than 30%.

Consequences of not taking the Suggested Recommendation

Construction as proposed could not occur.

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 543 Woodside Avenue and conduct a public hearing. Staff recommends approval of the Steep Slope CUP permit per the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The property is located at 543 Woodside Avenue.
2. The property is located within the Historic Residential (HR-1) District.
3. The existing historic home was constructed on two "old town" lots.
4. The property is Lot 1 of the 543 Woodside Avenue Plat amendment, approved by the City Council and recorded at Summit County on March 28, 2013.
5. The property is an uphill lot that slopes westward towards Park City Mountain Resort ski trails.
6. The Lot contains 3,750 square feet. The minimum lot size in the HR-1 District is 1,875 square feet.
7. The lot width is fifty feet (50'). The minimum lot width is twenty-five feet (25') for a single family house. Access is from Woodside Avenue.
8. There is a 1,658 sf, two-story historic house located on the property. The historic house is an example of an original L-Cottage/cross wing structure with an in-period partial basement addition as well as a detached historic accessory structure in the rear yard, currently used as an accessory apartment.
9. The site and house are identified in the Park City Historic Sites Inventory (HSI) as "Significant" constructed in 1894 at the beginning of the Mature Mining Era. The house shows up on the 1901 Sanborn Fire Insurance Maps for that year.
10. The existing footprint is 1,072 sf. The proposed addition has a footprint of 280 sf and contains approximately 815 sf of floor area. Also proposed is a 433 sf single car garage beneath the historic house with an elevator/entry foyer at the garage level connecting the garage to an outside entry.
11. The existing historic structure complies with the required setbacks, footprint, and building height.
12. Proposed construction for the rear addition meets and/or exceeds minimum setbacks.
13. The LMC allows a building footprint of 1,519 sf for a lot of this size. The proposed building footprint is 1,352 square feet with the rear addition.
14. Building footprint of the accessory structure is not included because it has been determined to be an historic accessory structure and the structure is not an accessory dwelling unit.

15. The plans indicate no change in final grade around the perimeter of the house exceeds four (4') feet with the change in grade generally limited to one to two feet.
16. The current use of the property is residential and is used as a rental/nightly rental property with a detached accessory apartment. The detached accessory structure will be used as an entertainment room and ski prep/storage area and the accessory apartment will be removed and a deed restriction placed on the property that the accessory structure may not be used for a separate dwelling unit or accessory apartment.
17. The proposal also includes restoration of both the house and the accessory structure.
18. The HDDR was approved to maintain the current stair configuration with new stairs leading from the street to the lower level entry, because it maintains the current configuration and retains the historic character of a main staircase connecting the entry to the street.
19. The addition will not raise the home by more than two (2) feet from its original elevation, the basement addition is under the south portion of the house and will not extend beyond the wall plans of the historic structure's primary or secondary façade, only the garage door of the basement level will be visible from Woodside Avenue, window and egress wells will be located beyond the mid-point of the secondary façade, the area around the basement will be re-graded to match the existing conditions, minus the driveway and garage door areas, and a single-wide garage door not more than nine feet (9') tall and nine feet (9') wide will be used.
20. On May 29, 2013, the property was inspected by Historic Preservation Consultant Dina Blaes along with other members of the Planning Staff, Chief Building Official Chad Root, and other members of the Building Department.
21. The Chief Building Official determined that the detached accessory building is a hazardous or dangerous building and the building cannot be made safe and/or serviceable through repair.
22. On August 20, 2013, the Planning Director and Building Official made findings for, and approved the reconstruction of the existing accessory which will allow the applicant to reconstruct the aforementioned structure to the exact square footage, dimension, height and location as the original accessory structure.
23. The requested reconstruction of the accessory structure is guided by documentation and physical evidence as provided by Shen Engineers on March 7, 2012, in order to facilitate an accurate re-creation.
24. The landscape plan identifies existing vegetation and identifies proposed vegetation to mitigate for the necessary removal of existing vegetation to excavate the basement and provide a solid foundation for the historic house.
25. The applicant will raise and possibly temporarily re-locate the historic house to the hill behind it, beyond the accessory structure. The existing partial basement foundation will be demolished, and the rock will be harvested, categorized, and remain on site to be used in the reconstruction of the 2nd story level of the home. The foundation is in poor condition and appears to be failing. A false, smooth faced CMU wall added in front of the rock to enclose a patio area that once existed below the top story deck will be removed and discarded, as this portion of the home is not historic. A new basement level foundation will be installed, which

will include the second story partial basement. The stone removed from the original foundation will be used to veneer this section of the home. Some of the stone was painted, and the paint will be removed prior to being replaced back onto the home.

26. On September 18, 2012, the Board of Adjustment granted a variance to the 10' horizontal stepping requirement for the third story, as this application was submitted prior to the LMC amendment that renders historic structures with this configuration as non-complying and does not require the third story step.
27. All final heights will be verified at the time of the Building Permit application.
28. The proposed garage door will not exceed 9' wide by 9' in height. The proposed driveway will not exceed 12' in width.
29. The proposed addition is not located on a slope of 30% or greater.
30. Changes to the existing grading and landscaping are documented on the preliminary landscape plan. The change in grade from existing to final does not exceed 48", the allowed change. A final grading and landscape plan, consistent with the preliminary plat, will be submitted with the building permit application.
31. On May 1, 2013, a HDDR application was submitted to the Planning Department. The application was deemed complete on June 17, 2013 and the design was approved on August 20, 2013. The proposed addition was found to complement the historic structure and follow the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, alignment, and simplicity of architectural detailing.
32. The proposed structure will not be viewed from the key advantage points as indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view.
33. The applicant submitted a visual analysis/ perspective, cross canyon view and a streetscape. The design mitigates visual impacts of the cross canyon view in that the addition is located to the rear of the two story historic house, nearly sixty feet (60') from the edge of Woodside Avenue and the garage is set below the grade of the street and the single car door is recessed from the front façade.
34. The addition and garage location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. Grade around the historic structure will be maintained as it was historically, with the exception of changes necessary to accommodate the garage door and basement/foundation area to meet Code.
35. The design includes setback variations, increased setbacks, decreased maximum building footprint, and lower building heights as compared to the requirements of the LMC in order to maximize the opportunity for open area and natural vegetation to remain.
36. The proposed massing and architectural design of the addition are compatible with the massing and volume of the historic house and historic structures in the neighborhood. The existing house is a larger two story house, with a façade width of thirty-five feet and a height of twenty-six feet. The house was originally constructed on two standard "old town" lots and contains 1,658 square feet of living area.

37. No wall effect is created with adjacent structures due to the location of the addition to the rear of the historic house (thirty feet behind the front façade and nearly sixty feet (60') from the edge of the street).
38. The height of the addition measures 20.5 feet above existing grade at the highest point. The flat roof portion measures approximately 15' from existing grade.
39. The findings in the Analysis section of this report are incorporated herein.
40. The applicant stipulates to the conditions of approval.

Conclusions of Law:

1. The Steep Slope CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B), criteria for Steep Slope CUP.
2. The Steep Slope CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.
5. The proposed construction will not create any non-compliance issues with the HR-1 requirements.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan (CMP) is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting the historic house on the property and a preservation guarantee is required with the amount of the guarantee to be determined by the Chief Building Official upon review of the approved preservation plan.
3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. A final Landscape Plan shall be submitted to the City for review and approval by the City Planning Department, prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation of trees and shrubs. Lawn area shall be limited in area per the LMC Section 15-5-5 (M). All significant trees to be removed shall be replaced with the same or similar species and size of tree. Replacement of larger trees to be removed may be substituted with additional trees, the size and species of which will be determined by the City Forester during review of the building permit application.
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Steep Slope Conditional Use Permit, the August 20, 2013, Historic District Design Review, and the 2009 Design Guidelines for Historic Districts and Historic Sites.
7. All conditions of approval of the 543 Woodside Avenue Subdivision plat apply. The encroachment agreement for existing retaining walls was recorded prior to plat

recording, residential fire sprinklers are required, and the plat was recorded before it expired.

8. If required by the Chief Building Official, based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building Official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer. The shoring plan shall take into consideration protection of the historic structure on the lot.
9. Soil shall be tested and if required, a soil remediation plan shall be approved by the City prior to issuance of a building permit for the house.
10. This approval will expire on December 11, 2014, if a building permit application has not been issued before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director, upon required public notice.
11. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and with the final HDDR plans.
12. Modified 13-D residential fire sprinklers are required for all new construction on this lot, unless otherwise stipulated by the Chief Building Official.
13. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited.
14. The final preservation plan shall be approved by the City Planning Director and Chief Building Official prior to issuance of a building permit.
15. A preservation guarantee shall be calculated by the Chief Building Official and all paper work and documentation regarding the preservation guarantee shall be executed and recorded at Summit County recorder's office prior to issuance of any building permits for construction on this property.
16. Construction waste shall be diverted from the landfill and recycled when possible.
17. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend in with the surrounding natural terrain.
18. An encroachment agreement with the City is required prior to issuance of a building permit, for all retaining walls and landscaping proposed to be planted within the Woodside Avenue ROW.
19. A deed restriction shall be recorded against the property prior to issuance of a building permit stating that the detached accessory structure may not be used as a separate dwelling unit or apartment and the detached accessory structure may not be attached to the main house.

Exhibits

- Exhibit A- Subdivision plat
- Exhibit B- Historic Sites Inventory
- Exhibit C- Plans
- Exhibit D- Visual Analysis/Streetscape
- Exhibit E- Preservation Plan
- Exhibit F- Photographs
- Exhibit G- Comparison of house size

543 WOODSIDE AVENUE PLAT

LOT A OF THE 543 WOODSIDE AVENUE PLAT OF THE AMENDED PLAT OF PARK CITY SURVEY, LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



GRAPHIC SCALE
1 INCH = 10 FEET

LEGEND

- ⊕ STREET MONUMENT
- FOUND PROPERTY MONUMENT (AS DESCRIBED)
- 543 ADDRESS ON WOODSIDE AVENUE
- 25 LOT NUMBER

LEGAL DESCRIPTION

ALL OF LOTS 11 AND 13, BLOCK 28 OF THE AMENDED PLAT OF PARK CITY SURVEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT THAT, the undersigned owner(s) of the herein described tract of land, to be known hereafter as the 543 WOODSIDE AVENUE PLAT, do hereby certify that I have caused this Plat to be prepared, and I, Steve Maxwell, President of SMAKSI, LLC, hereby consent to the recording of this Plat. ALSO, the owner, or his representatives, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable dedication.

In which whereof, I have hereto set my hand this 23 day of November, 2012.

Steve Maxwell
Steve Maxwell
President SMAKSI, LLC

CORPORATE ACKNOWLEDGMENT

State of Utah
County of Summit

On this 23 day of November, 2012, Steve Maxwell personally appeared before me, whose identity is known to me to be (or appears on the basis of satisfactory evidence) and whom by me duly sworn/affirmed, did say that he/she is the President of SMAKSI, LLC and that said document was signed by him/her in behalf of said SMAKSI, LLC by Authority of its Bylaws, or (Resolution of its Board of Directors), and that said acknowledgment to me that said SMAKSI, LLC executed the same.

Notary Public *Max Rubin*

My Commission Expires July 2017



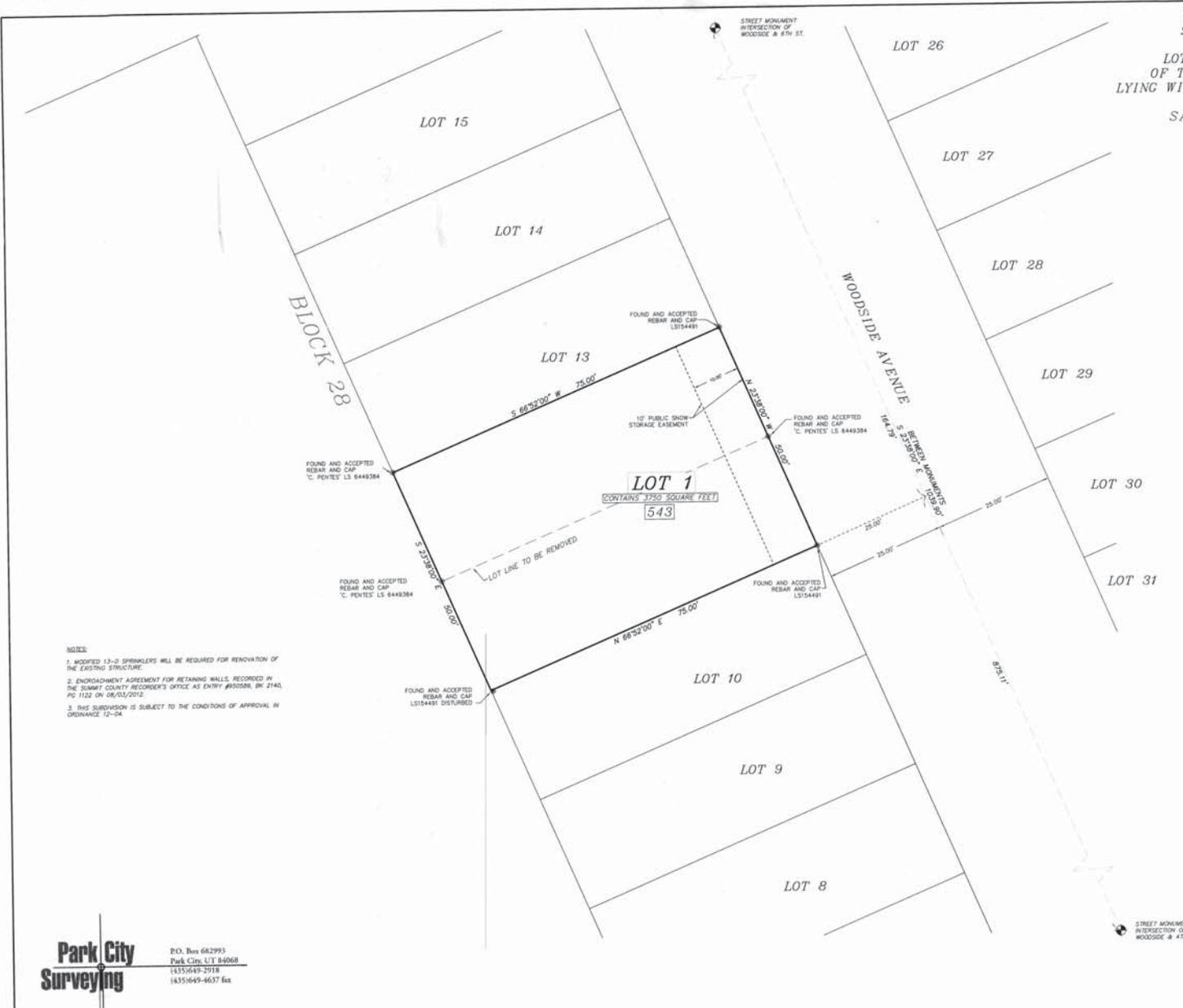
SURVEYOR'S CERTIFICATE

I, Christopher Pentec, certify that I am a Registered Land Surveyor and that I hold Certificate No. 6449384, as prescribed by the laws of the State of Utah, and this Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries as shown are correct.

Christopher Pentec
P.L.S. 6449384



Date 8/27/12



- NOTES:**
1. MODIFIED 1/2-0 SPRINKLERS WILL BE REQUIRED FOR RENOVATION OF THE EXISTING STRUCTURE.
 2. ENCROACHMENT AGREEMENT FOR RETAINING WALLS, RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE AS ENTRY #80088, BY 2140, PG 112 ON 08/01/2012.
 3. THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 12-04.

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

<p>PARK CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS <u>18th</u> DAY OF <u>March</u>, 2012 A.D. <i>Steve Maxwell</i> CHAIRMAN</p>	<p>CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS <u>23</u> DAY OF <u>November</u>, 2012 A.D. <i>Christopher Pentec</i> PARK CITY RECORDER</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS <u>30th</u> DAY OF <u>August</u>, 2012 A.D. BY <i>Ben Boldy</i> S.B.W.R.D.</p>	<p>ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>20th</u> DAY OF <u>February</u>, 2012 A.D. <i>Christopher Pentec</i> PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>6th</u> DAY OF <u>March</u>, 2012 A.D. <i>Christopher Pentec</i> PARK CITY ATTORNEY</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS <u>23rd</u> DAY OF <u>March</u>, 2012 A.D. BY <i>David Williams</i> MAYOR</p>	<p>RECORDED #966512 STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF <u>High Country Title</u> DATE <u>3/28/12</u> TIME <u>4:21 AM</u> BOOK <u>---</u> PAGE <u>---</u> FEE <u>30.00</u> <i>Max Rubin</i> RECORDER</p>
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HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property:

Address: 543 Woodside Avenue

AKA:

City, County: Park City, Summit County, Utah

Tax Number: PC-346

Current Owner Name: Smaxski, LLC

Parent Parcel(s):

Current Owner Address: c/o Steve Maxwell, 866 Heards Ferry Road, Atlanta, GA 30328

Legal Description (include acreage): 0.09 acres; LOTS 11 & 12 BLK 28 PARK CITY SURVEY.

2 STATUS/USE

Property Category

- building(s), main
 building(s), attached
 building(s), detached
 building(s), public
 building(s), accessory
 structure(s)

Evaluation*

- Landmark Site
 Significant Site
 Not Historic

Reconstruction

- Date:
 Permit #:
 Full Partial

Use

- Original Use: Residential
 Current Use: Residential

- *National Register of Historic Places: ineligible eligible
 listed (date:)

3 DOCUMENTATION

Photos: Dates

- tax photo:
 prints: 1995, 2006 & 2008
 historic: c.

Drawings and Plans

- measured floor plans
 site sketch map
 Historic American Bldg. Survey
 original plans:
 other:

Research Sources (check all sources consulted, whether useful or not)

- abstract of title
 tax card
 original building permit
 sewer permit
 Sanborn Maps
 obituary index
 city directories/gazetteers
 census records
 biographical encyclopedias
 newspapers
 city/county histories
 personal interviews
 Utah Hist. Research Center
 USHS Preservation Files
 USHS Architects File
 LDS Family History Library
 Park City Hist. Soc/Museum
 university library(ies):
 other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah:

University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Crosswing type / Vernacular & Victorian Eclectic style No. Stories: 1 ½

Additions: none minor major (describe below) Alterations: none minor major (describe below)

Number of associated outbuildings and/or structures: accessory building(s), # 2; structure(s), # 1.

General Condition of Exterior Materials:

Researcher/Organization: Dina Blaes/Park City Municipal Corporation Date: November, 08

- Good (Well maintained with no serious problems apparent.)
- Fair (Some problems are apparent. Describe the problems.):
- Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Site: Lot rises from the retaining wall at the roadway. Center curved stair of railroad ties. Informal landscaping deciduous trees.

Foundation: Stone and concrete block.

Walls: Upper walls clad in drop siding lower level appears to be limestone that has been painted, but also a concrete block material under the porch. Front porch is supported by square columns and a low open rail. A front entry stair is also supported by square columns with a rail of square balusters.

Roof: Crosswing roof form sheathed in asphalt shingle.

Windows: Windows include paired double-hung units in the lower bay on the primary façade, and horizontally oriented grouped and paired casement units. Doors include a six panel door on the lower level and a mid-century solid door on the upper level.

Essential Historical Form: Retains Does Not Retain, due to:

Location: Original Location Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The crosswing frame house has been significantly altered over time. A square projecting bay with a decorative cornice on the main level as seen in the tax photo has been replaced by a grouping of casement windows; the siding has been spliced also indicating the existence of the bay. The fish-scale shingles do not appear to be original. The front partial width porch has been extended and the entry stair no longer projects out into the front yard, but rather runs across the lower façade. The openings on the stem wing have been altered. The tax photo indicates a center door flanked by single double-hung windows and a possible second door on the stem wing or in the gable end. Windows are horizontally oriented paired casement windows and a single, incompatible door. Finally, the area beneath the front porch has been enclosed. The tax cards and 2008 photographs indicate a rear addition at some point after 1968, as well as the existence of a bunk house and shed over a cellar in the rear yard. The bunk house appears on the 1907 Sanborn Insurance map and it, along with the shed and cellar, are noted in the tax cards. The changes are significant and diminish the site's original character.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting has not been significantly altered. The entry stair has been reoriented and what appear to be stone steps in the tax photo have been replaced by railroad ties. A stone retaining wall running south of the steps has been removed, but it remains north of the steps. A patio has been added at the base of the entry stair on the north side of the primary façade. Like most houses in Park City's older neighborhoods, the side yards are narrow and the house is surrounded by homes of similar (often larger) scale and size.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): Much of the physical evidence from the period that defines the typical Park City mining era home has been altered and, therefore, lost.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, do not effectively convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The "T" or "L" cottage (also known as a "cross-wing") is one of the earliest and one of the three most common house types built in Park City during the mining era; however, the extent of the alterations to the main building diminishes its association with the past.

The extent and cumulative effect of alterations to the site render it ineligible for listing in the National Register of Historic Places.

5 SIGNIFICANCE

Architect: Not Known Known: (source:)

Date of Construction: c. 1894¹

Builder: Not Known Known: (source:)

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

- Settlement & Mining Boom Era (1868-1893)
- Mature Mining Era (1894-1930)
- Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.²

2. **Persons** (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. **Architecture** (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: Southeast oblique. Camera facing northwest, 2008.

Photo No. 2: East elevation. Camera facing west, 2008.

Photo No. 3: Northeast oblique. Camera facing southwest, 2008.

Photo No. 4: East elevation. Camera facing west, 2006.

Photo No. 5: East elevation. Camera facing west, 1995.

Photo No. 6: Southeast oblique. Camera facing northwest, tax photo.

¹ Summit County records.

² From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.

**SERIAL NO.
RE-APPRAISAL CARD (1940 APPR. BASE)**

Owner's Name _____
 Owner's Address _____
 Location _____
 Kind of Building Res Street No. _____
 Schedule 1 Class 4 Type 1-2-3-4 1 Cost \$ _____ X _____ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
1	x x		1009	\$ -	\$ 2697
	x x			\$	\$
	x x			\$	\$

No. of Rooms 5 Condition _____

Description of Building	Add	Deduct
Foundation—Stone <input checked="" type="checkbox"/> Conc. <input type="checkbox"/> None <input type="checkbox"/>		156
Ext. Walls <u>Siding</u>		
Insulated—Floors _____ Walls _____ Clgs. _____		
Roof—Type <u>Cor.</u> Mat. <u>Pct. She</u>		
Dormers—Small _____ Med. _____ Lg. _____		
Bays—Small _____ Med. _____ Lg. _____		
Porches—Front <u>84" @ 1.25</u>	105	
Rear _____ @ _____		
Cellar—Basm't— $\frac{1}{4}$ $\frac{1}{2}$ $\frac{3}{4}$ $\frac{1}{2}$ $\frac{3}{4}$ <u>full floor</u> <u>Pine</u>	446	45
Basement Apts.—Rooms Fin. _____		
Attic Rooms _____ Fin. _____ Unfin. _____		
Plumbing— Class <u>1</u> Tub <u>1</u> Trays _____ Basin _____ Sink <u>1</u> Toilet <u>2</u> Urns _____ Ftns. _____ Shr. _____ Dishwasher _____ Garbage Disp. _____	65	
Heat—Stove <input checked="" type="checkbox"/> H. A. _____ Steam _____ S. _____ Blr. _____ Oil _____ Gas _____ Coal _____		
Air Conditioned _____ Incinerators _____		
Radiant—Pipeless _____		
Finish— Hd. Wd. _____ Floors— Fir. <input checked="" type="checkbox"/> _____ Hd. Wd. <input checked="" type="checkbox"/> Conc. _____		
Cabinets <u>1</u> Mantels _____		125
Tile— Walls _____ Wainscot. _____ Floors _____		
Lighting—Lamp _____ Drops <input checked="" type="checkbox"/> Fix. _____ <u>Lighted - 5 @ 20"</u>		100

Total Additions and Deductions 616 426 2697
 Net Additions or Deductions -426 \$ +190

Age 55 Yrs. by { Est. Owner Tenant Neighbors Records } REPRODUCTION VALUE \$ 2487
 Depreciation 1-2-3-4-5-6 68/32 % \$ _____
 Reproduction Val. Minus Depr. \$ 924
 Remodeled _____ Est. Cost _____ Remodeling Inc. _____ % \$ _____
 Garage S 8 2 C Deprec. 2% 3% Obsolescence \$ _____
 Cars 2 Walls She Out Bldgs. \$ 90
 Roof She Size 17 x 12 Age 33 \$ _____
 Floor Fix Cost 25/25 Depreciated Value Garage \$ 64
 Remarks (47/2 Ave Used - 1941) Total Building Value \$ 1078

Serial No. 20346

Location Block 28 PC - Lots 11+12
 Kind of Bldg. Res St. No. 543 Woodside Ave
 Class 4 Type 1 2 3 4 Cost \$ 2330 X — %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
1	x x		1009		\$ 2330
	x x				
	x x				

Description of Buildings		Additions
Foundation—Stone	Conc. <u>—</u> None <input checked="" type="checkbox"/>	
Ext. Walls	<u>Siding</u>	
Insulation—Floors	Walls <u>—</u> Clgs. <u>—</u>	
Roof Type	<u>Gable</u> Mtl. <u>509</u>	
Dormers—Small	Med. <u>—</u> Large <u>—</u>	
Bays—Small	Med. <u>—</u> Large <u>—</u>	
Porches—Front	<u>84</u> @ <u>150</u>	<u>126</u>
Rear	@ <u>—</u>	
Porch	@ <u>—</u>	
Metal Awnings	Mtl. Rail <u>—</u>	
Basement Entr.	@ <u>—</u>	
Planters	@ <u>—</u>	
Cellar-Bsmt.	<u>1/4</u> <u>1/3</u> <u>1/2</u> <u>3/4</u> Full <u>—</u> Floor <u>Wood</u>	<u>436</u>
Bsmt. Apt.	Rooms Fin. <u>—</u> Unfin. <u>—</u>	
Attic Rooms Fin.	Unfin. <u>—</u>	
Plumbing	Class <u>1</u> Tub <u>1</u> Trays <u>—</u>	<u>400</u>
	Basin <u>1</u> Sink <u>1</u> Toilet <u>2</u>	
	Wtr. Sfr. <u>—</u> Shr. St. <u>—</u> O.T. <u>—</u>	
	Dishwasher <u>—</u> Garbage Disp. <u>—</u>	
Built-in-Appliances	<u>—</u>	
Heat—Stove	<input checked="" type="checkbox"/> H.A. <u>—</u> Steam <u>—</u> Stkr. <u>—</u> Flr. <u>—</u>	
	Oil <u>—</u> Gas <u>—</u> Coal <input checked="" type="checkbox"/> Pipeless <u>—</u> Radiant <u>—</u>	
Air Cond.	<u>—</u>	
Finish—Fir	<input checked="" type="checkbox"/> Hd. Wd. <u>—</u>	
Floor—Fir	<input checked="" type="checkbox"/> Hd. Wd. <u>—</u> Other <u>—</u>	
Cabinets	<u>1</u> Mantels <u>—</u>	
Tile—Walls	Wainseot <u>—</u> Floors <u>—</u>	
Storm Sash—Wood D.	<u>—</u> S. <u>—</u> ; Metal D. <u>—</u> S. <u>—</u>	
Total Additions		<u>962</u>

Year Built <u>—</u>	Avg. Age <u>64</u>	Current Value	\$ <u>3292</u>
Over Age <u>1949</u>	Age <u>53</u>	Commission Adj.	% <u>—</u>
Inf. by <input checked="" type="checkbox"/> Owner - Tenant -	<input checked="" type="checkbox"/> Neighbor - Record - Est.	Bldg. Value	
Remodel Year <u>—</u>	Est. Cost <u>—</u>	Depr. Col. <u>1 2 3 4 5 6</u>	% <u>30</u>
Garage—Class <u>—</u>	Depr. 2% 3%	Current Value Minus Depr.	\$ <u>988</u>
Cars <u>—</u>	Floor <u>—</u> Walls <u>—</u> Roof <u>—</u> Doors <u>—</u>		
Size— <u>—</u> x <u>—</u>	Age <u>—</u> Cost <u>—</u> x <u>—</u> %		
Other <u>—</u>			
Total Building Value			\$ <u>—</u>

PC 346

Serial Number

OF Card Number

Owners Name Elizabeth W.L. Reed

Location _____

Kind of Bldg. Rew St. No. 543 Woodside ave

Class. 4- Type 1 2 3 4 Cost \$ 5231 X 94 %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
<u>1</u>	x x	<u>974</u>	<u>5.36</u>	\$ <u>4908</u>	\$
	x x				
	x x				

Att. Gar.—C.P. x Flr. _____ Walls _____ Cl. _____

Description of Buildings Additions Additions

Foundation—Stone ✓ Conc. _____ Sills _____

Ext. Walls Siding

Roof Type Asph/Flt Mtl. Pat

Dormers—Small _____ Med. _____ Large _____

Bays—Small 1 Med _____ Large _____

Porches—Front _____ @ 2nd 230

Rear _____ @ _____

Porch _____ @ _____

Planters _____ @ _____

Ext. Base. Entry _____

Cellar-Bsm. — 1/4 1/3 1/2 2/3 3/4 Full _____ Floor 1089 @ Conc 994

Bsm. Gar. _____

Basement-Apt. _____ Rms. _____ Fin. Rms. _____

Attic Rooms Fin. _____ Unfin. _____

Plumbing { Class 1 Tub. 1 Trays _____

Basin 1 Sink 1 Toilet 2 550

Wtr. Sfr. _____ Shr. St. _____ O.T. _____ 130

Dishwasher _____ Garbage Disp. _____

Heat—Stove _____ H.A. ✓ HW _____ Stkr _____ Elec. _____

Oil _____ Gas _____ Coal _____ Pipeless _____ Radiant _____ 378

Air Cond. — Full _____ Zone _____

Finish—Fir. ✓ Hd. Wd. _____ Panel _____

Floor—Fir. ✓ Hd. Wd _____ Other _____

Cabinets _____ Mantels _____

Tile—Walls _____ Wainscot _____ Floors _____

Storm Sash—Wood D. _____ S. _____; Metal D. 1 #2 30

Awnings — Metal _____ Fiberglass _____

Total Additions 2362

Year Built 1894 Avg. 11900 Replacement Cost 7270

1961 Age 2. Obsolescence _____

Inf. by { Owner - Tenant - _____ Adj. Bld. Value _____

{ Neighbor - Record - Est. _____ Conv. Factor x.47

Replacement Cost—1940 Base _____

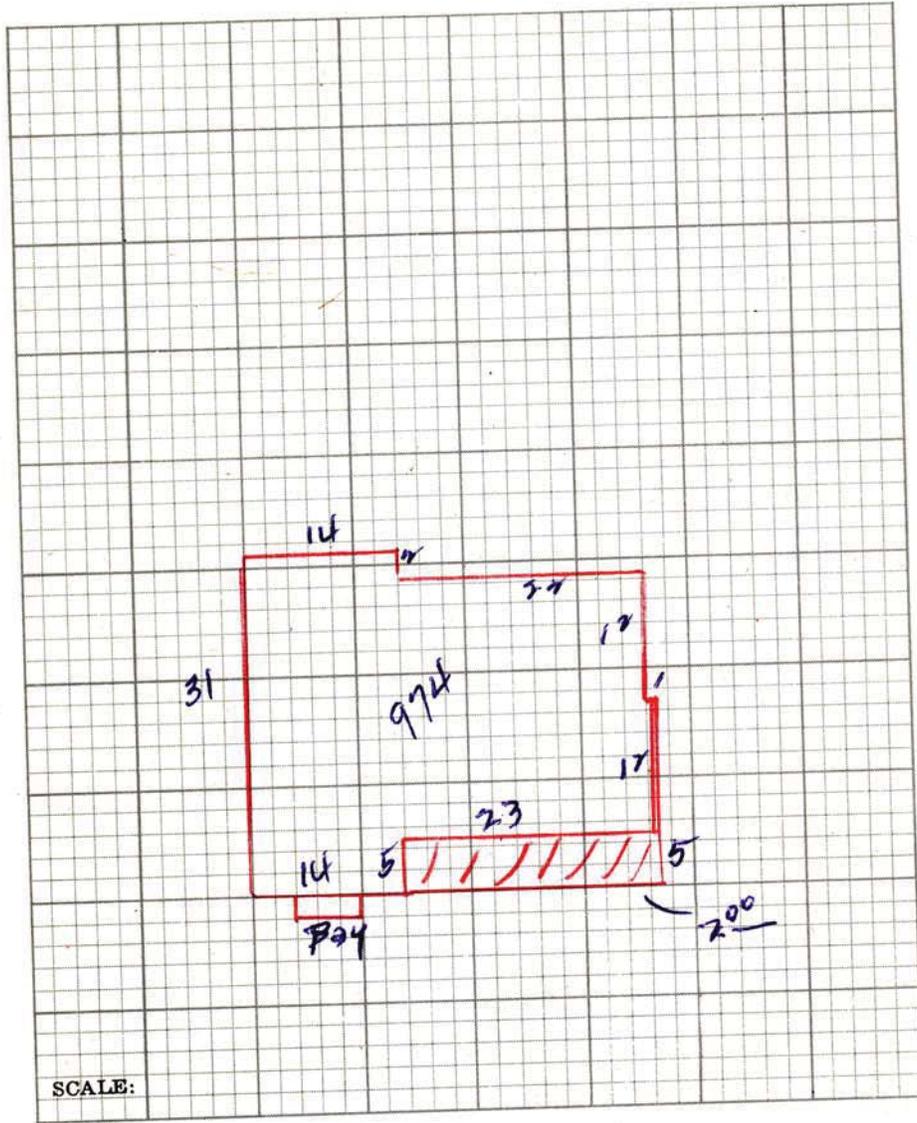
Depreciation Column 2 3 4 5 6 _____

1940 Base Cost, Less Depreciation _____

Total Value from reverse side _____

Total Building Value \$ _____

Receipt 11-14-79



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
<i>old shed No value</i>		x						.47
		x						.47
		x						.47
		x						.47
		x						.47
		x	5					.47

Garage — Class _____ Depr. 2% 3% _____

Cars _____ Floor _____ Walls _____ Roof _____ Doors _____

Size _____ x _____ Age _____ Cost _____ x 47% _____

1940 Base Cost _____ x _____ % Depr. _____

Total _____

REMARKS Average Year of Construction Computation:

Year 1894 \$ 6800 = 93% X .67 Year = 62.31

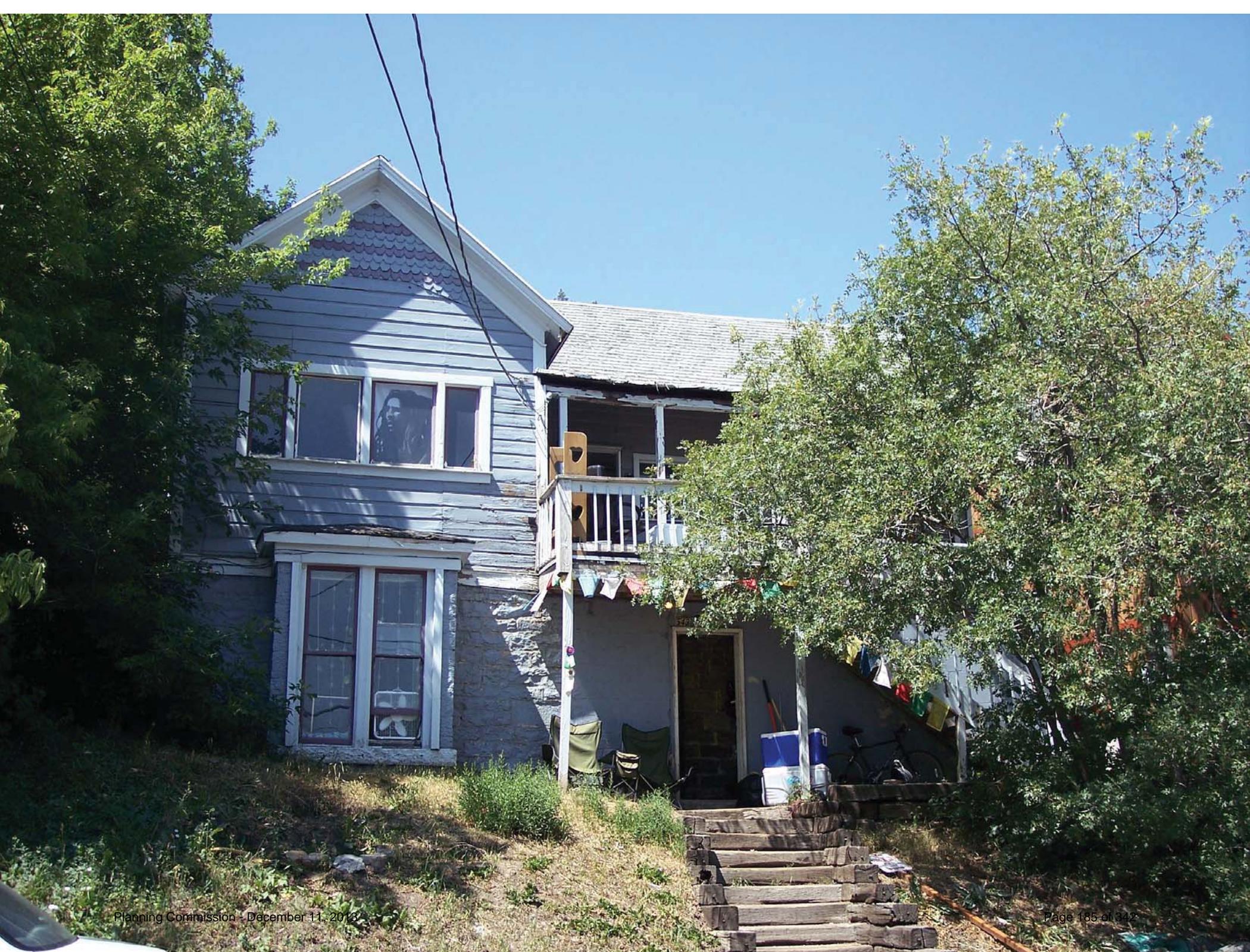
Year 1961 \$ 480 = 7% X .1 Year = .07

Average Year of Construction 1900 62.38

68





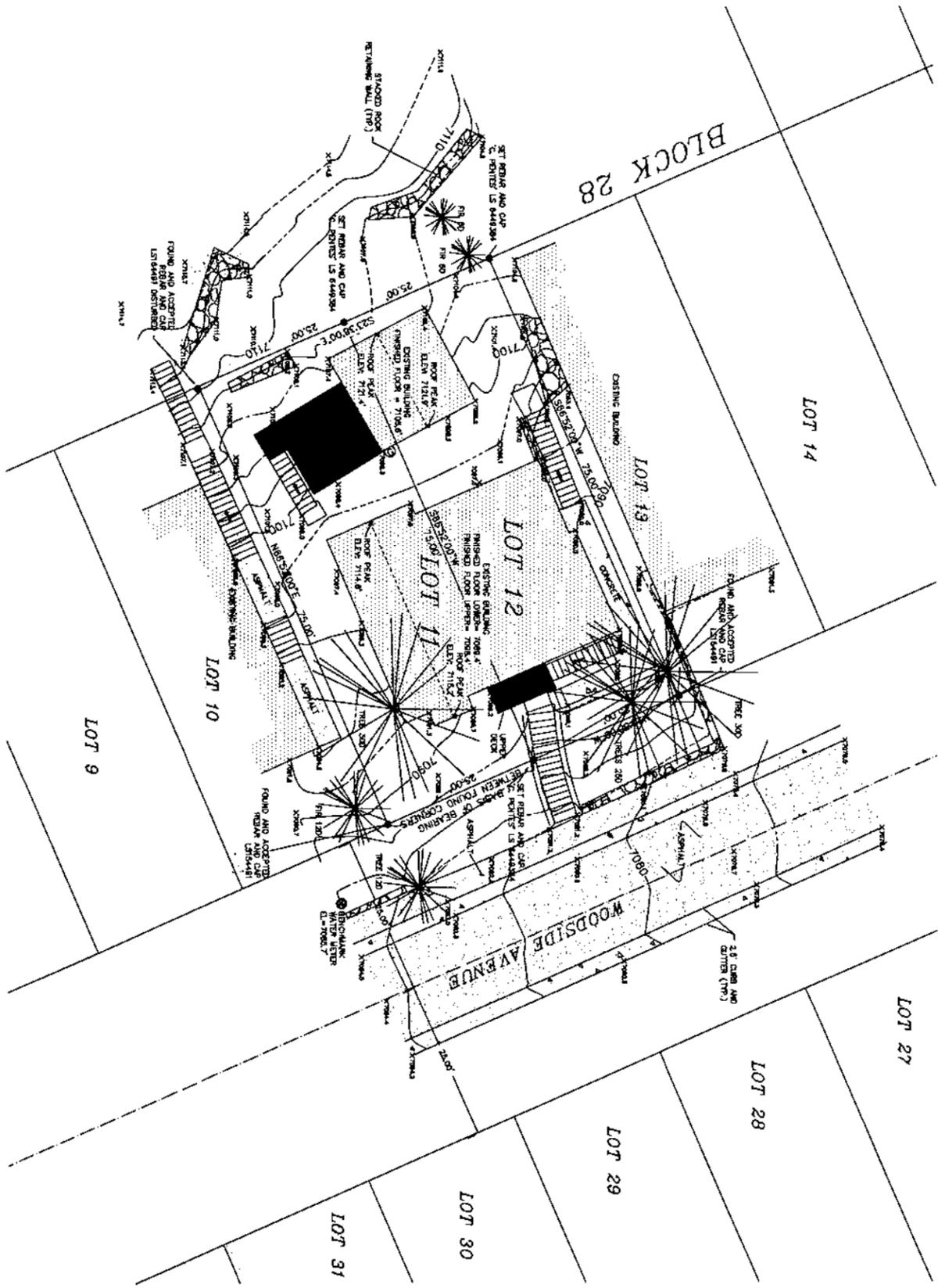








RECORD OF SURVEY, TOPOGRAPHIC MAP & AS-BUILT
 LOTS 11 & 12 BLOCK 28 OF THE PARK CITY SURVEY
 LYING WITHIN THE SOUTHEAST QUARTER OF
 SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
 SALT LAKE BASE & MERIDIAN
 SUMMIT COUNTY, UTAH



GRAPHIC SCALE
 1 INCH = 10 FEET

- LEGEND
- MONUMENT AS NOTED
 - WATER METER
 - ⊙ GAS METER
 - ⊙ SPOT ELEVATION (T.M.)

ABSTRACT:
 THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES OF THE SUBJECT PROPERTY, OBTAIN GROUND ELEVATIONS FOR A CONTOUR MAP AND LOCATE EXISTING STRUCTURES ON THE LOT. EXISTING SURVEY MONUMENTS IN ADJACENT LOTS WERE USED TO RE-ESTABLISH THE PROPERTY CORNERS.
 THE BASIS OF BEARING IS SMOKE MOUNTAIN.
 SURVEY COMPLETED: 5-3-07
 SEE SAID ORIGINAL PARK CITY SURVEY FOR ANY EASEMENTS, SETBACK REQUIREMENTS, BUILDING OVERLAYS AND BUILDING LOT RESTRICTIONS.
 THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY TIES TO ADJACENT LOTS AND BUILDINGS. THE SURVEYOR HAS FOUND NO EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS SHOWN HEREON.
 GRADES OF ALL BUILDINGS WERE OBTAINED FROM RECORDS OF THE TOWN. ALL EVIDENCE HAS BEEN CONSIDERED IN THE ESTABLISHMENT OF THE BOUNDARY AS SHOWN HEREON.

LEGAL DESCRIPTION:
 ALL OF LOTS 11 & 12 LING WITHIN BLOCK 28 OF THE PARK CITY SURVEY ON THE AFB OF RECORD IN THE SUMMIT COUNTY RECORDS OFFICE.

SURVEYOR'S CERTIFICATE:
 I, CHRISTOPHER HENRIKSON, OF PARK CITY, UTAH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AS REGISTERED BY THE BOARD OF LAND SURVEYING OF THE STATE OF UTAH, HOLDING LICENSE NO. 44434. I HAVE PERSONALLY CONDUCTED A SURVEY OF THE ABOVE DESCRIBED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE IT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED.

DATE: _____
 DISTRICT: _____

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 DEC 04 2013
 PLANNING COMMISSION

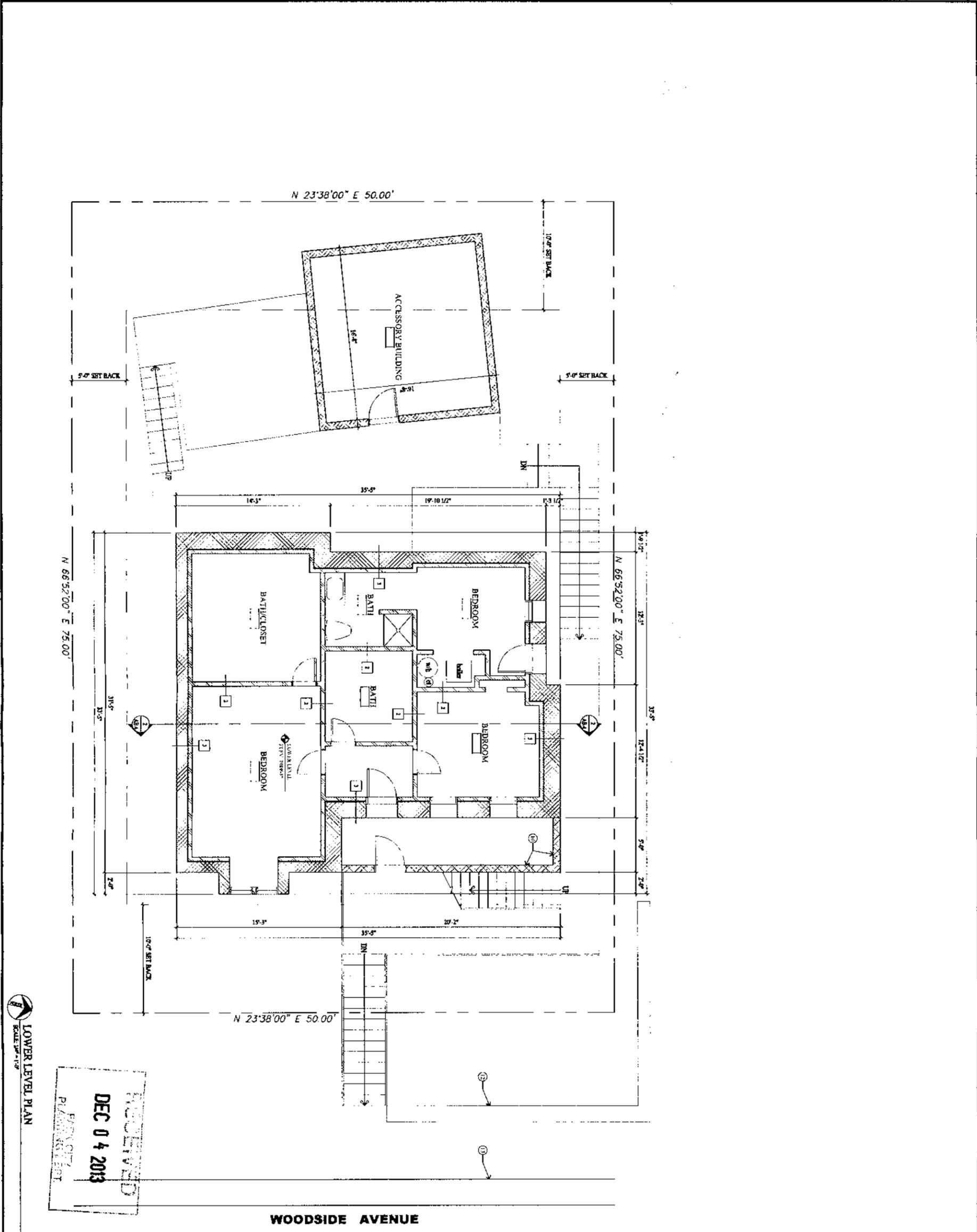
PARK CITY SURVEYING
 P.O. BOX 682935
 PARK CITY, UTAH 84068
 (435) 649-2918

REVISIONS	DATE	BY	COMMENTS

STARTED BY: T.M. BO
 DRAWN BY: OF
 DATE: MAY 2007

RECORD OF SURVEY, TOPOGRAPHIC MAP
 AND AS-BUILT
 LOTS 11 & 12 BLOCK 28 OF PARK CITY SURVEY
 PAUL DE CROOT
 PC9 BLK 28 I 11-12.DWG

SHEET 1 OF 1



LOWER LEVEL PLAN
SCALE: 1/8" = 1'-0"

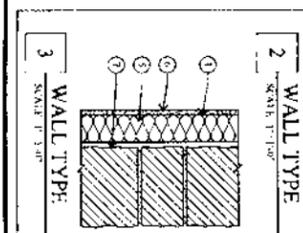
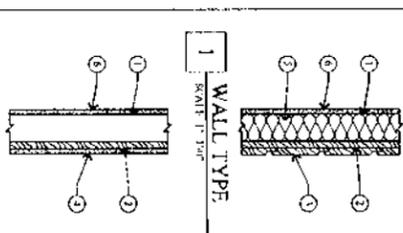
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GENERAL NOTES

- 1. ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED FROM TO ANY CONSTRUCTION
- 2. EXISTING 2" RAISED WALL
- 3. EXISTING NON-HISTORIC CONCRETE WALL
- 4. EXISTING HISTORIC STONE WALL
- 5. 2x4 FRAMING @ 16" O.C.
- 6. 1/2" VERTICAL PLANK - HISTORIC
- 7. 1/2" REMODEL LAY BRIDGING - NON-HISTORIC
- 8. VARIOUS OTHERS FROM ROADS, LATH & PLASTER
- 9. BATT INSULATION @ EXTERIOR WALLS
- 10. 1/2" OTHER LATH BOARD
- 11. STUCCO STONE WALL - HISTORIC
- 12. GYM METERS
- 13. ELECTRICAL METERS
- 14. FLOOR WALL - NON HISTORIC
- 15. 1/2" HARDWOOD FLOORING ON HISTORIC 2x4 FLOOR JOISTS @ 24" O.C.
- 16. STUCCO STONE RETAINING WALL
- 17. 2x4 CLIP AND GUTTER

KEY NOTES

WALL TYPES



<p>AS-BUILTS LOWER LEVEL PLAN</p>	<p>MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060</p>	<p>Jonathan DeGray Architect</p> <p>P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060 Tel: 435-649-7263, E-mail: deggrayrob@qwestoffice.net</p>
<p>AB.1</p>	<p>DATE: APRIL 19, 2013 PROJECT NUMBER: 1201-01</p>	<p>DATE: APRIL 04, 2013</p>

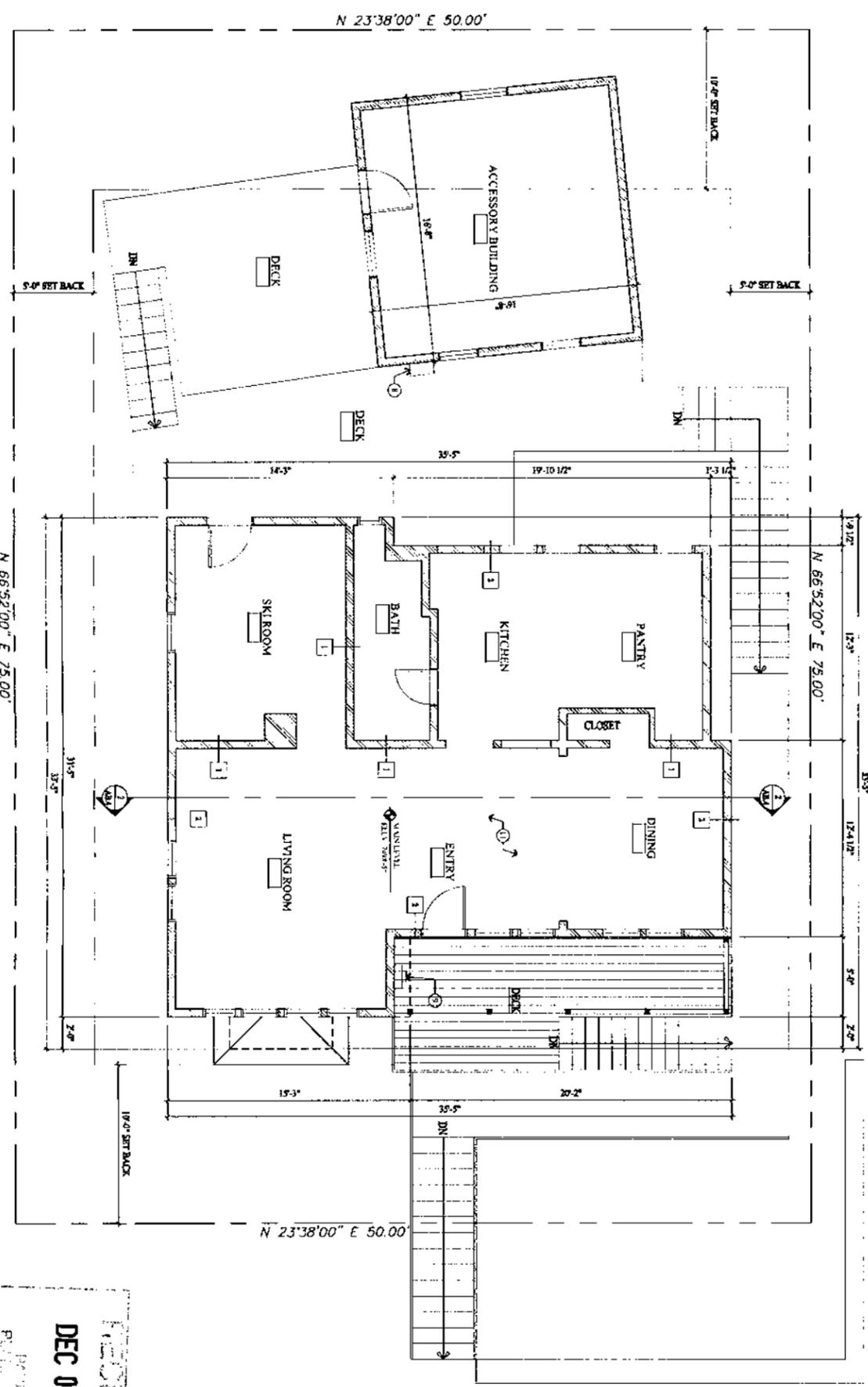
GENERAL NOTES

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

- 1. EXISTING 2" FINISHED WALL
- 2. EXISTING NON-HISTORIC CONCRETE WALL
- 3. EXISTING HISTORIC STONE WALL

KEY NOTES

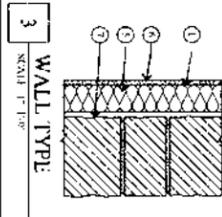
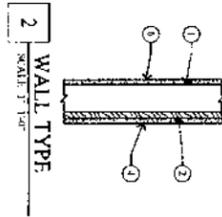
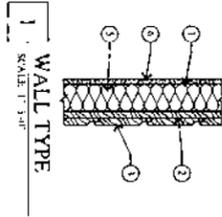
- 1. 2x6 STUDS @ 24" O.C.
- 2. 1/2" VERTICAL PLANK - HISTORIC
- 3. 1/2" ROBERT LAG SCREWS - NON-HISTORIC
- 4. VAMBER OTTUMBO BOARD, LATH & PLASTER
- 5. BATT INSULATION @ EXTERIOR WALLS
- 6. 1/2" GYPSUM BOARD
- 7. STAGGED STUDS WALL - HISTORIC
- 8. OAK METER
- 9. HISTORIC METER
- 10. 6" OAK WALL - NON HISTORIC
- 11. 1/2" REDWOOD FLOORING ON HISTORIC 2x4 FLOOR JOISTS @ 24" O.C.



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MAIN LEVEL PLAN
SCALE: 1/8" = 1'-0"

WALL TYPES



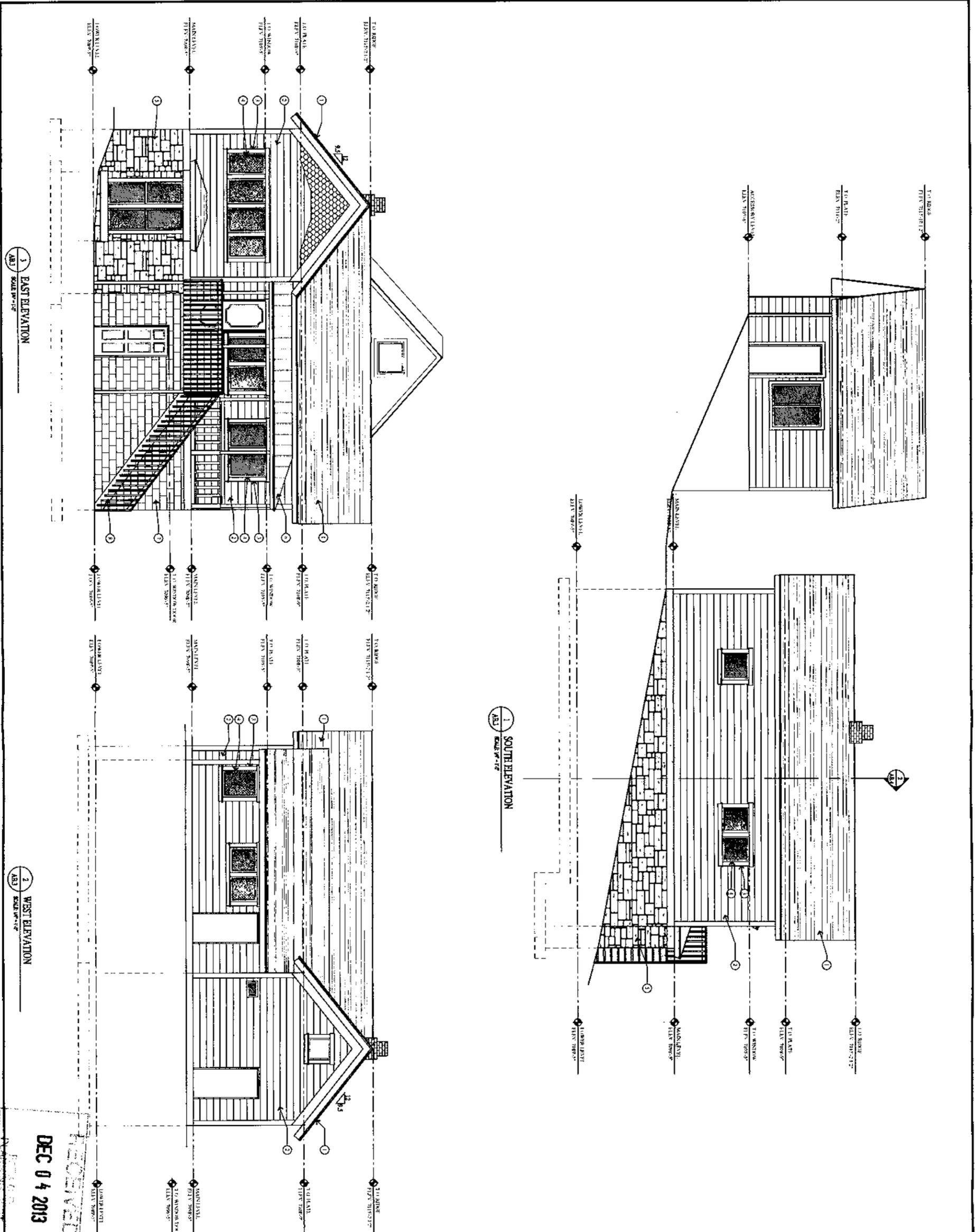
Jonathan DeGray
Architect
P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060
Tel. 435-649-7263, E-mail: dgrayrch@qwestoffice.net

MAXWELL RESIDENCE
Historic District Design Review Application
543 WOODSIDE AVENUE
PARK CITY, UTAH 84060

AS-BUILTS
MAIN LEVEL PLAN

DATE: APRIL 19, 2013
PROJECT NUMBER: 1201-01
REVISION: NONE
APPROVED: DEC 04, 2013

AB.2



3 EAST ELEVATION
SCALE 1/8" = 1'-0"

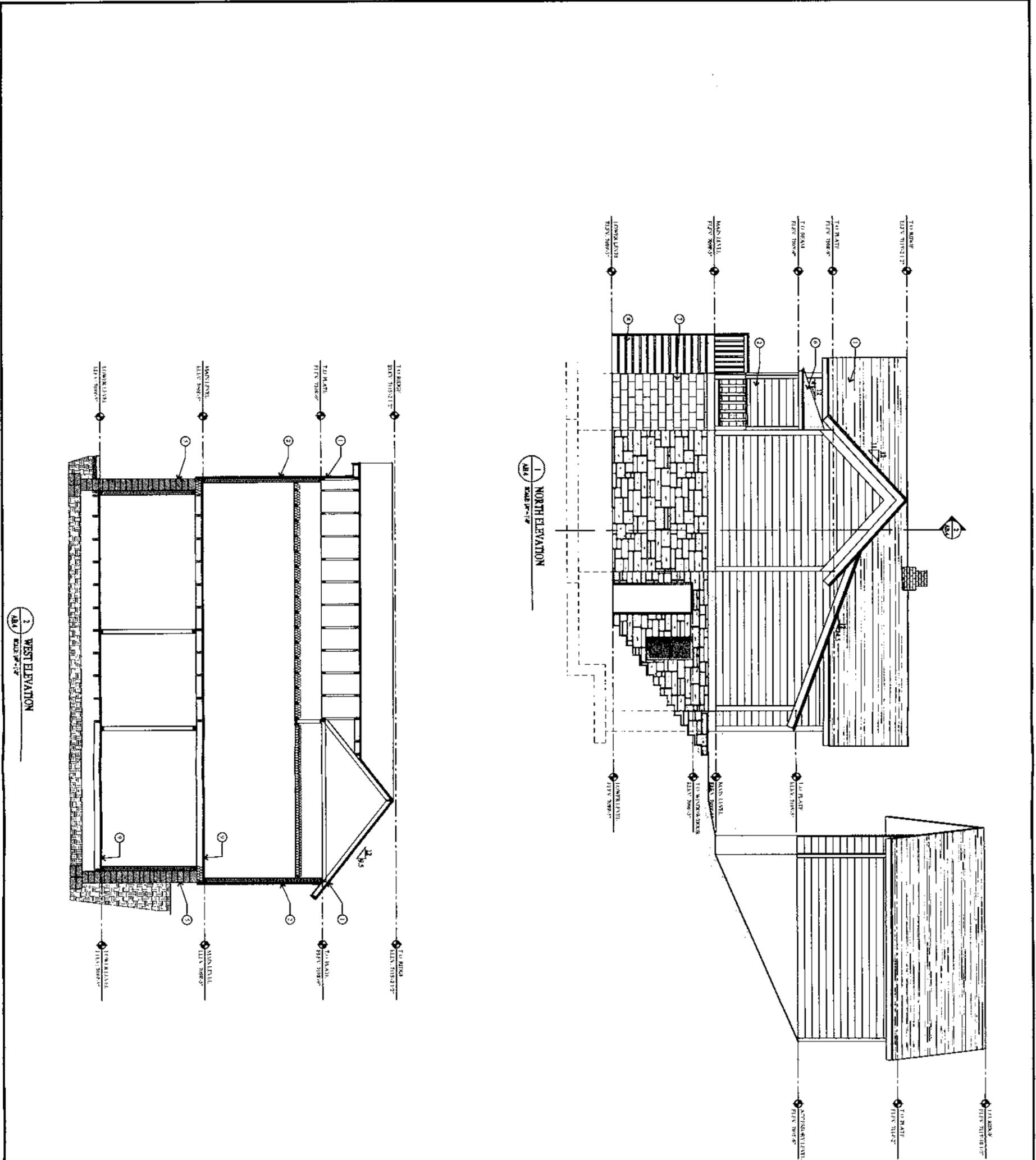
2 WEST ELEVATION
SCALE 1/8" = 1'-0"

1 SOUTH ELEVATION
SCALE 1/8" = 1'-0"

- KEY NOTES**
1. AS-BUILT DETAILS OVER EXISTING CONDITIONS.
 2. ALL ORIGINAL, THE EXISTING DOORS AND WINDOWS WERE REPAIRED AFTER 1976.
 3. ALL ORIGINAL, THE EXISTING DOORS AND WINDOWS WERE REPAIRED AFTER 1976.
 4. ALL ORIGINAL, THE EXISTING DOORS AND WINDOWS WERE REPAIRED AFTER 1976.
 5. METAL ROOF OVER ROOF REPAIRS OVER EXISTING ROOFING.
 6. METAL ROOF OVER ROOF REPAIRS OVER EXISTING ROOFING.
 7. CHINA WALL - NEW HISTORIC.
 8. WOOD STAIR AND BALCONY.

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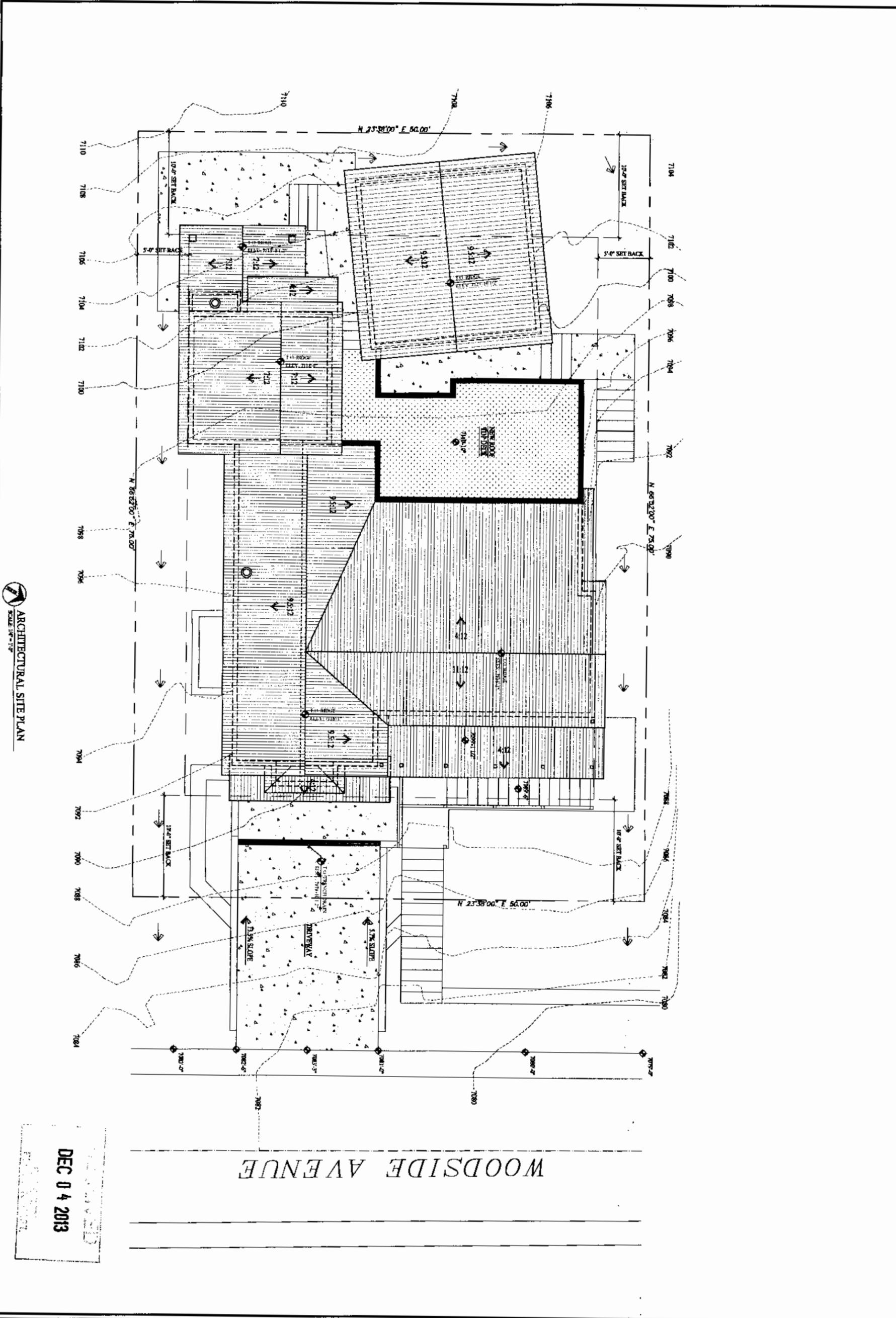
<p>PROJECT NUMBER: 2011-01</p> <p>DATE: APRIL 19, 2013</p> <p>SCALE: AS-BUILT</p>	<p>AS-BUILTS SOUTH AND EAST ELEVATIONS</p>	<p>PROJECT DESCRIPTION: MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060</p>	<p>Jonathan DeGray Architect</p> <p>P. O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84080 Tel. 435 649-7263, E-mail: deggrayarch@qwestoffice.net</p>
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- KEY NOTES**
1. AS-BUILT SKETCHES OVER ROOF MEMBERS ARE SHOWN IN RED. SEE PLAN FOR LOCATION OF ROOF MEMBERS.
 2. HORIZONTAL AND VERTICAL FINISHES TO BE SET TO MATCH EXISTING FINISHES.
 3. ALL ORIGINAL TRIM AROUND DOORS AND WINDOWS TO BE REPAIRED OR REPLACED AFTER 19%.
 4. ALL ORIGINAL DOORS AND WINDOWS TO BE REPAIRED OR REPLACED AFTER 19%.
 5. ORIGINAL ROOF OVER ROOF MEMBERS TO BE REPLACED WITH 1/2" OSB SHEATHING OVER 2X4 RAFTERS @ 24" O.C.
 6. CHIMNEY WALL - NON-EXISTENT.
 7. WOOD SHALE AND BALDING TO TWO WOOD SLATS ON THE EXISTING PLANES ON THE EXISTING TRIM JOISTS @ 24" O.C.

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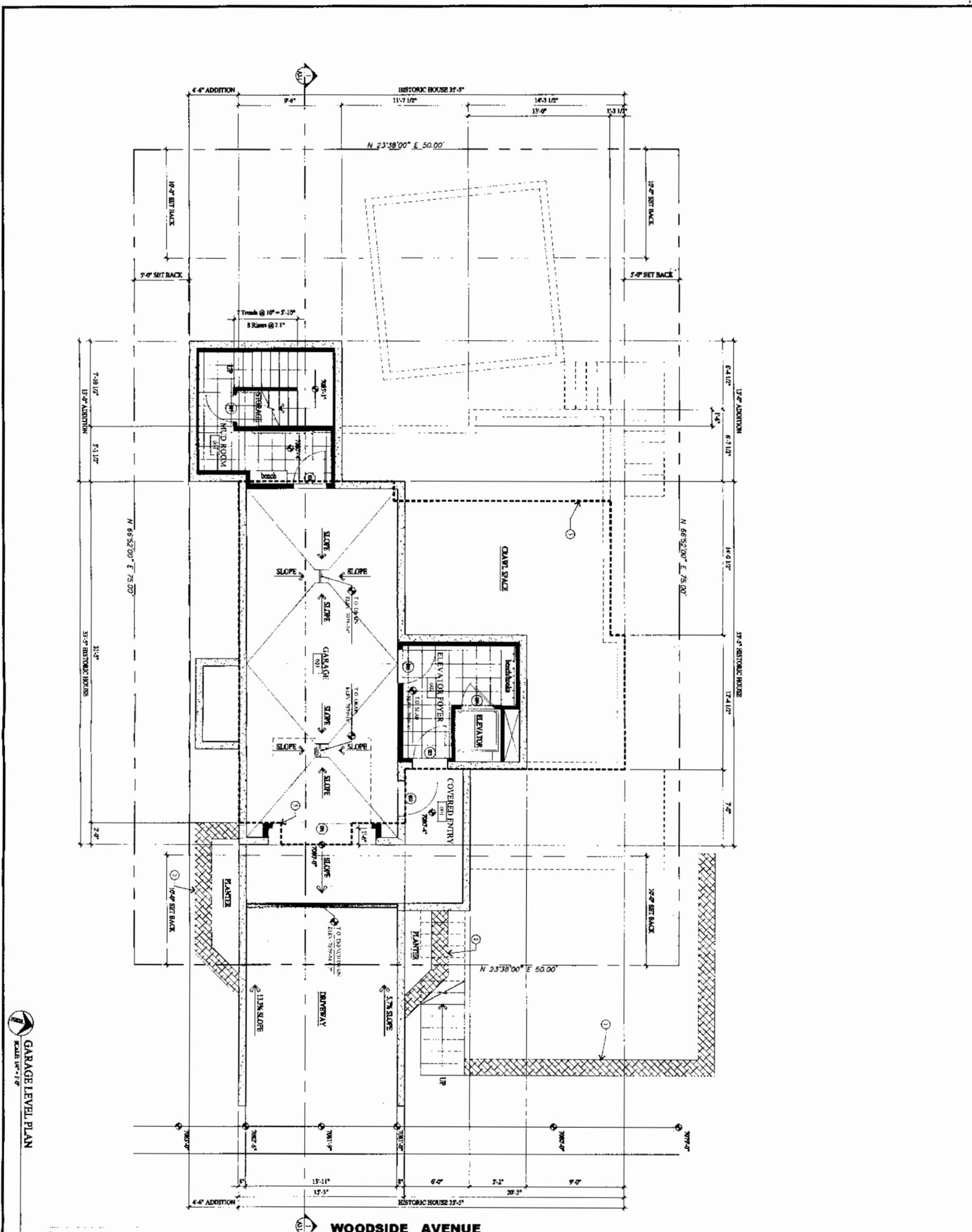
SHEET NUMBER: AB.4	PROJECT DESCRIPTION: AS-BUILTS WEST AND NORTH ELEVATIONS	PROJECT DESCRIPTION: MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060	Jonathan DeGray Architect P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060 Tel. 435-849-7263, E-mail: dograyarch@qwestoffice.net
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ARCHITECTURAL SITE PLAN
SCALE: 1/4" = 1'-0"

DEC 04 2013

A0.1 SHEET NUMBER 1/2014/3	DATE APRIL 19, 2013	PROJECT NUMBER 12014/3	SUBJECT DESCRIPTION ARCHITECTURAL SITE PLAN	PROJECT DESCRIPTION MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060	Jonathan DeGray Architect P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060 Tel. 435-849-7283, E-mail: deggrayarch@qwestoffice.net
	DEC 04 2013				

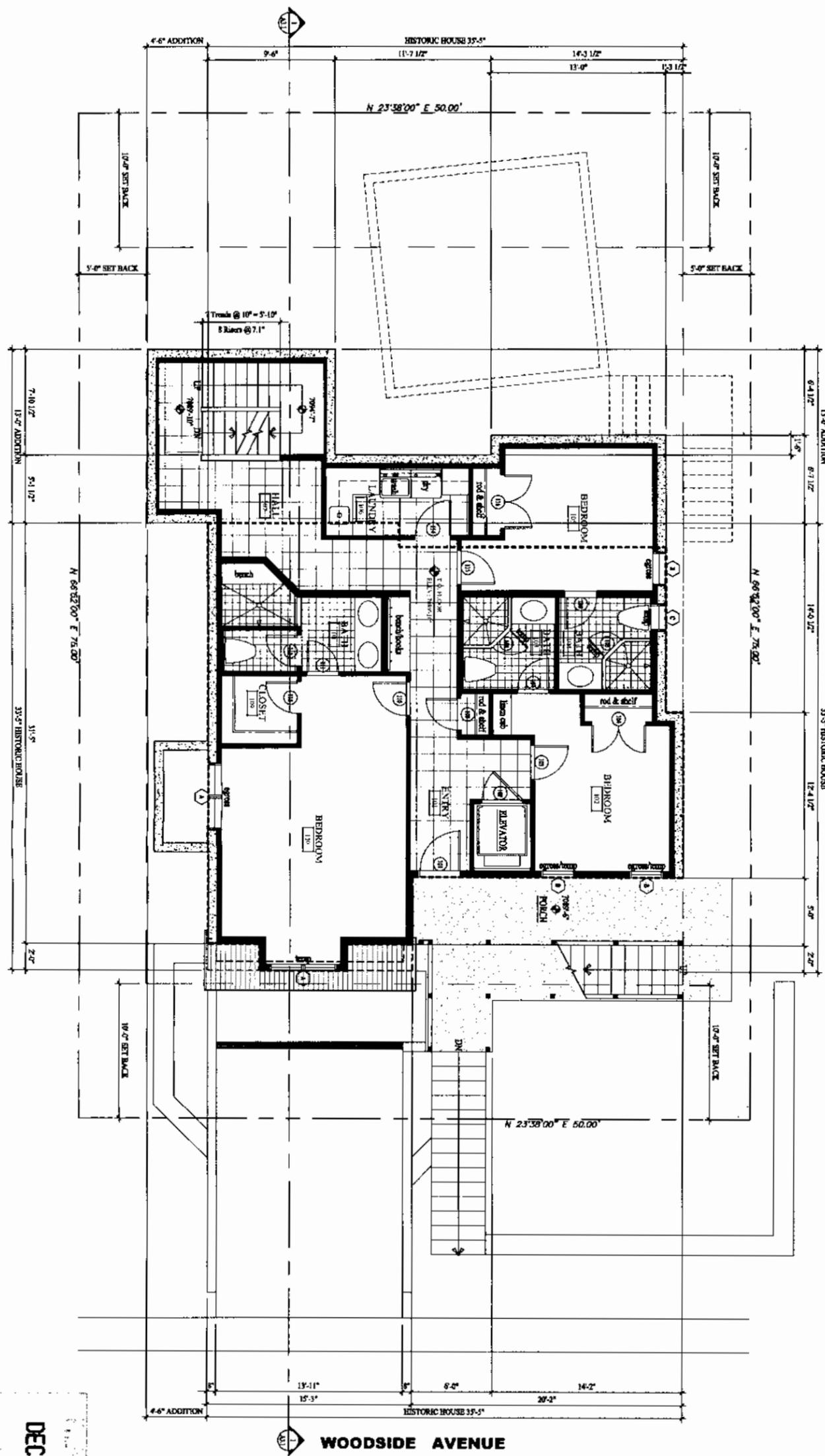


GARAGE LEVEL PLAN
SCALE: 1/8" = 1'-0"

DEC 04 2013

- GENERAL NOTES**
- 1. ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
- KEY NOTES**
- 1. EXISTING STACKED STONE WALL.
 - 2. NEW STACKED STONE WALL.
 - 3. LINE OF EXISTING HISTORIC BUILDING.

<p>A1.1</p>	<p>GARAGE LEVEL PLAN</p>	<p>MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060</p>	<p>Jonathan DeGray Architect</p> <p>P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060 Tel. 435-849-7263, E-mail: deggrayarch@westoffice.net</p>
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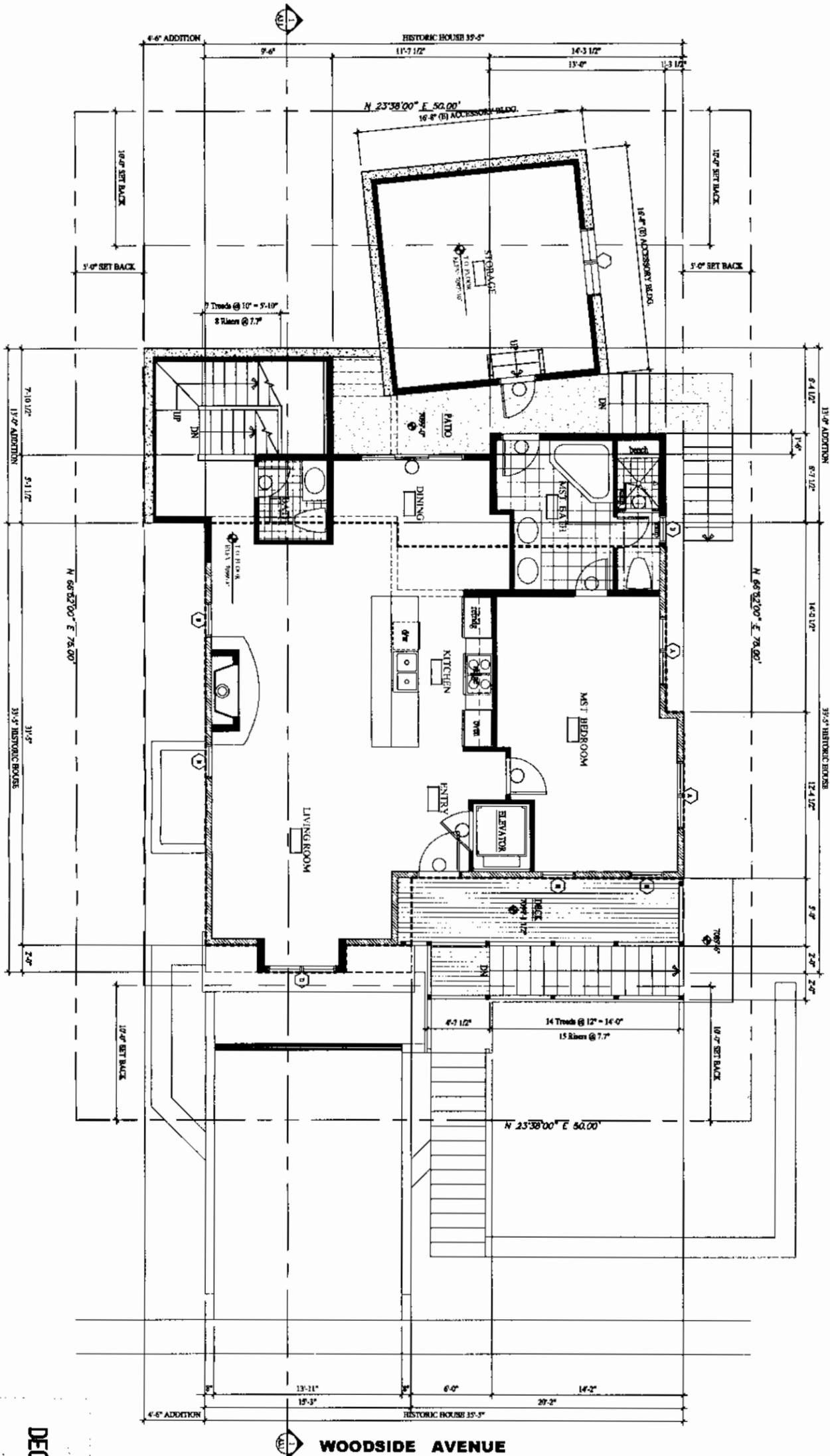
LOWER LEVEL PLAN
SCALE: 1/8" = 1'-0"

DEC 04 2013

GENERAL NOTES
ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
 [Symbol] BEDROOM 21' FINISHED WALL
 [Symbol] KITCHEN 21' FINISHED WALL
 [Symbol] 17/8" CONCRETE WALL

KEY NOTES

A1.2 SHEET NUMBER 1201-01	DATE APRIL 19, 2013	PROJECT NUMBER 1201-01	PROJECT DESCRIPTION LOWER LEVEL PLAN	PROJECT DESCRIPTION MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060	Jonathan DeGray Architect P.O. Box 1874, 814 Main Street, Suite 302, Park City, Utah 84060 Tel. 435-849-7283, E-mail: degrayaroh@westoffice.net
	<p>PLANNING COMMISSION - DECEMBER 11, 2013</p>				

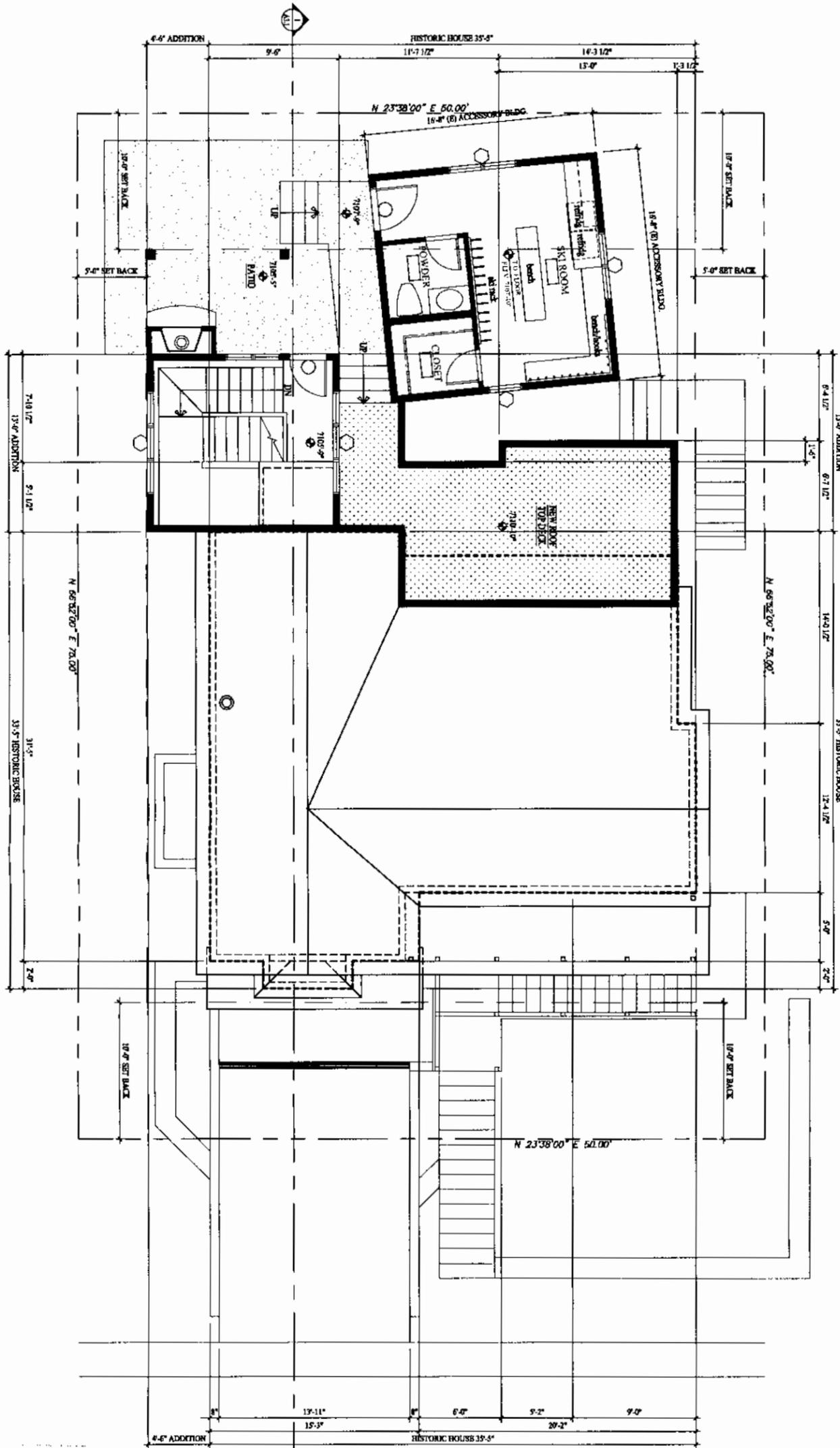


MAIN LEVEL PLAN
SCALE: 1/8" = 1'-0"

DEC 04 2013

GENERAL NOTES
 ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
 EXISTING 2x12 RAISED WALL
 NEW 2x12 RAISED WALL
 NEW 8\"/>

SHEET NUMBER: A1.3	DATE: APRIL 15, 2013	PROJECT NUMBER: 1301-01	SHEET DESCRIPTION: MAIN LEVEL PLAN	PROJECT CLIENT: MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060	Jonathan DeGray Architect P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060 Tel. 435-649-7263, E-mail: deggrayrch@qwestoffice.net
	DATE: APRIL 15, 2013				



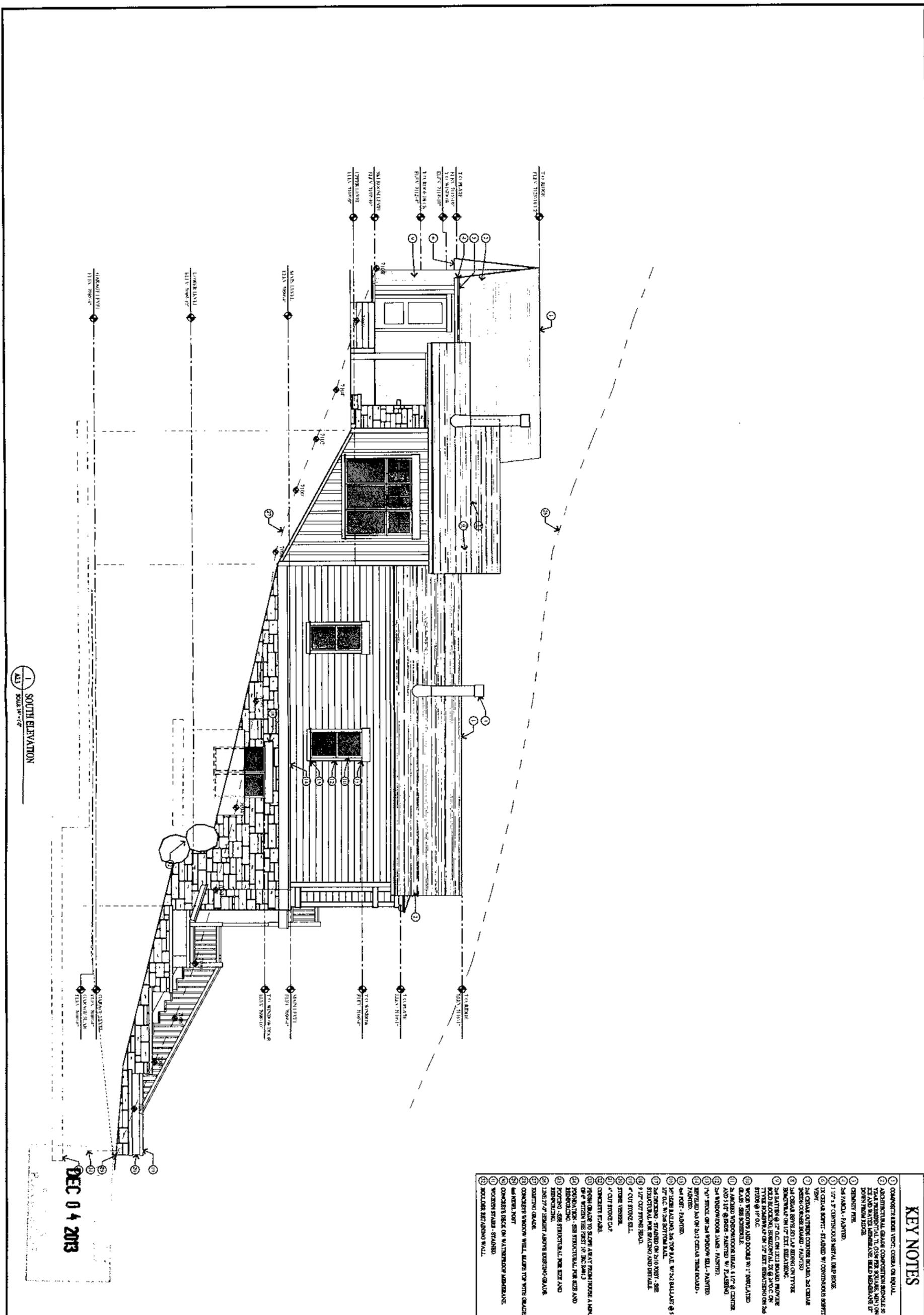
UPPER LEVEL PLAN
SCALE: 1/8" = 1'-0"

DEC 04 2013

GENERAL NOTES
 ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
 SEEING IS BELIEVED WALL
 NEW 2" REINFORCED WALL
 NEW 4" CONCRETE WALL

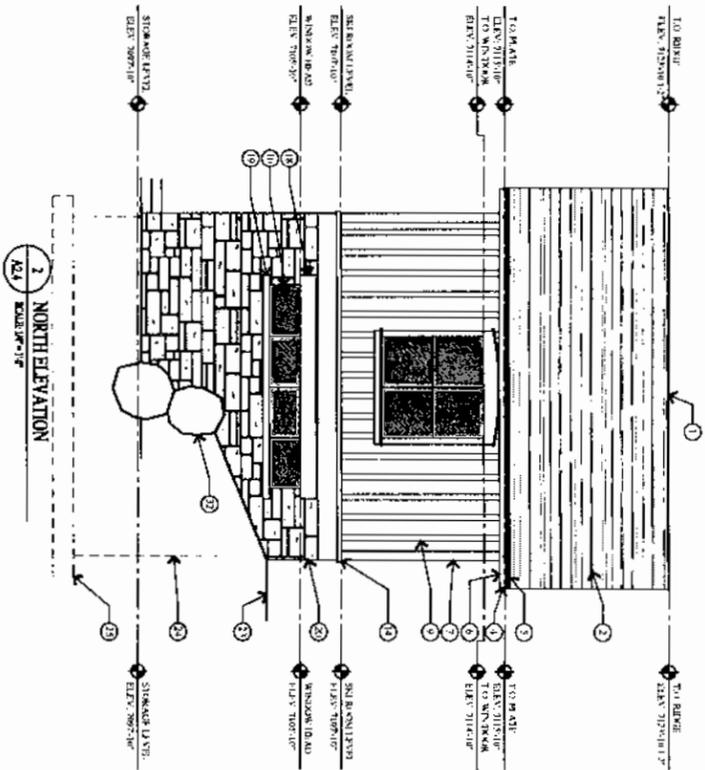
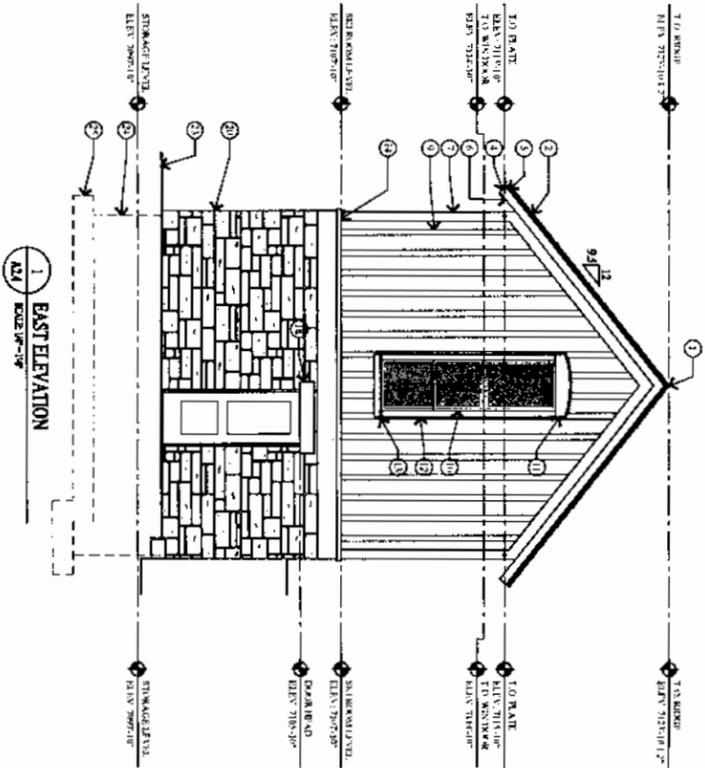
KEY NOTES

A1.4 SHEET NUMBER	DATE: APRIL 19, 2013 PROJECT NUMBER: 1201-01	SHEET DESCRIPTION: UPPER LEVEL PLAN	PROJECT DESCRIPTION: MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060	Jonathan DeGray Architect P.O. Box 1574, 814 Main Street, Suite 302, Park City, Utah 84060 Tel. 435-849-7263, E-mail: degrayarch@qwestoffice.net
	DEC 04 2013			

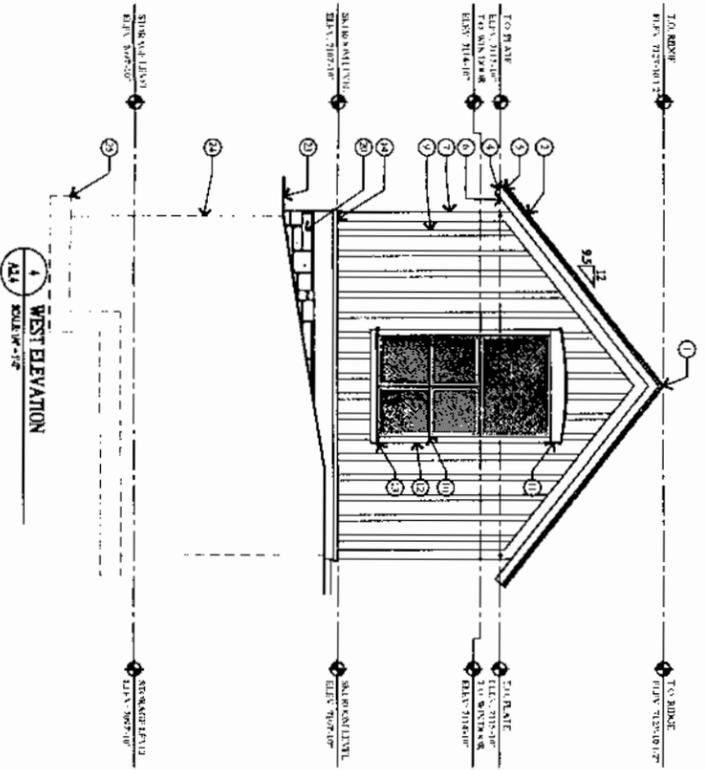
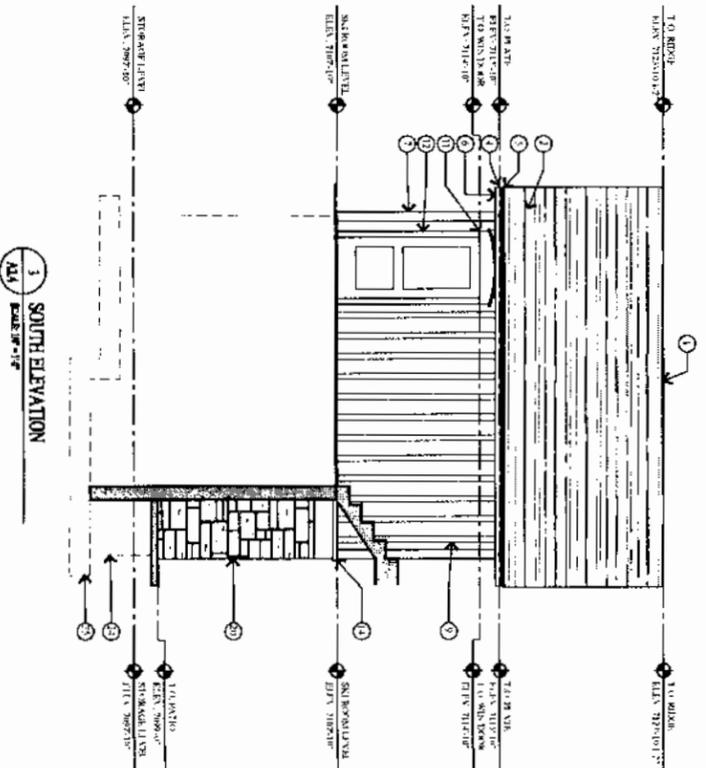


- ### KEY NOTES
- 1 CONCRETE REBAR VERT. CORAL OR EQUAL.
 - 2 ASBESTICATED CEILING COMPOSITE PANELS 5/8" THICK AND WATER RESISTANT FIBER REINFORCED PLASTER FROM EXTERIOR.
 - 3 CHIMNEY PIPE.
 - 4 2x4 PLYWOOD - PAINTED.
 - 5 1" x 2" CONTINUOUS METAL Drip Edge.
 - 6 1x6 CEILING BOARD - STAINED w/ CONTINUOUS SPARTAN VENT.
 - 7 2x4 CEILING OUTSIDE CORNER BOARD - PAINTED.
 - 8 2x4 CEILING BOARD - PAINTED.
 - 9 2x4 CEILING BOARD - PAINTED.
 - 10 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 11 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 12 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 13 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 14 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 15 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 16 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 17 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 18 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 19 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 20 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 21 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.
 - 22 2x4 BATTEN @ 12" O.C. ON THE BOARD ABOVE.

A2.3	SOUTH ELEVATION	MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060	Jonathan DeGray Architect <small>P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060 Tel. 435-649-7263, E-mail: deggrayarch@qwest.com</small>
SHEET NUMBER: A2.3 PROJECT NUMBER: 1391-01 DATE: APRIL 18, 2013 DRAWN BY: [Name] CHECKED BY: [Name]			

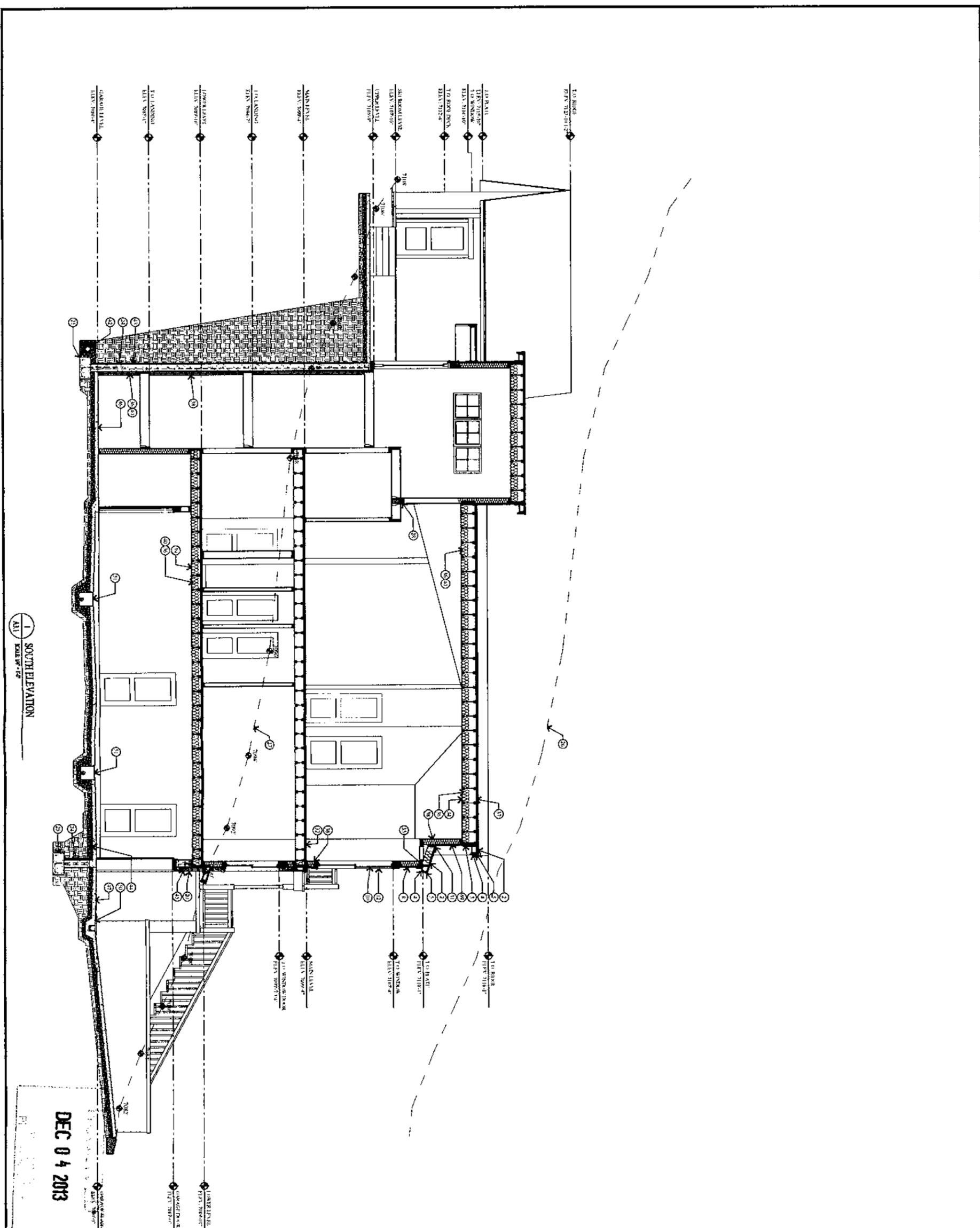


- ### KEY NOTES
1. CONCRETE FLOOR WITH CERAMIC OR EQUAL.
 2. ARCHITECTURAL GRADE COMPLETION SERVICES TO 2" X 4" RESIDENTIAL TYPICAL PER SQUARE FOOT ON EXISTING AND WATER MANAGEMENT. INCLUDES: 1" X 4" ON DOWN FROM EXISTING.
 3. CHIMNEY PIPE.
 4. 2" X 4" PLYWOOD - PAINTED.
 5. 1" X 4" CONTINUOUS METAL BEAM EDGE.
 6. 1" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 7. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 8. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 9. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 10. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 11. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 12. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
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 29. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 30. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 31. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 32. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 33. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 34. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 35. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 36. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 37. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
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 39. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 40. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 41. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 42. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 43. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
 44. 2" X 4" CERAMIC TILE - STAINED BY CONTINUOUS SPIRIT VENT.
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DEC 04 2013
 PLANNING COMMISSION

<p>DATE: APRIL 19, 2013 PROJECT NUMBER: 1201-01 SHEET NUMBER: A2.4</p>	<p>PROJECT DESCRIPTION: ACCESSORY BUILDING ELEVATIONS</p>	<p>PROJECT DESCRIPTION: MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060</p>	<p>Jonathan DeGray Architect P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060 Tel. 435-649-7263, E-mail: dgrayarch@westoffice.net</p>
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KEY NOTES

- 1 CONCRETE BLOCK VENT, CORNER OR EQUAL.
- 2 ARCHITECTURAL GRADE COMPARTMENT SHALL BE MAINTAINED AT 1" ABOVE FINISH FLOOR AND 1" BELOW FINISH CEILING. FINISH FLOOR SHALL BE OPEN FROM RIDGE.
- 3 2x12 BOARD - PAINTED.
- 4 2x8 BRACKET - PAINTED.
- 5 1" x 2" COMPARTMENT WITH ALL LINES EDGE VENT.
- 6 1" x 2" x 2" CORNER BRACKET - STAINED W/ CONCRETE BLOCK TINT.
- 7 2x6 CEILING OUTSIDE CORNER BOARD, 2x2 CEILING INSIDE CORNER BOARD - PAINTED.
- 8 1x4 CEILING BRACKET LAY BRING ON 1" x 2" BRACKET ON 1" x 2" OC ON 1x12 BOARD. FINISH FLOOR SHALL BE MAINTAINED AT 1" ABOVE FINISH FLOOR AND 1" BELOW FINISH CEILING.
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<p>A3.1</p>	<p>BUILDING SECTION</p>	<p>MAXWELL RESIDENCE Historic District Design Review Application 543 WOODSIDE AVENUE PARK CITY, UTAH 84060</p>	<p>Jonathan DeGray Architect</p> <p>P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060 Tel. 435-649-7263, E-mail: deggrayarch@westoffice.net</p>
<p>DATE: APRIL 19, 2013 PROJECT NUMBER: 120141</p>	<p>DESIGNED BY: JONATHAN DEGRAY ARCHITECT</p>	<p>PROJECT DESCRIPTION:</p>	<p>CONTRACTOR: [BLANK]</p>



EXISTING



12/02/2013

PROPOSED



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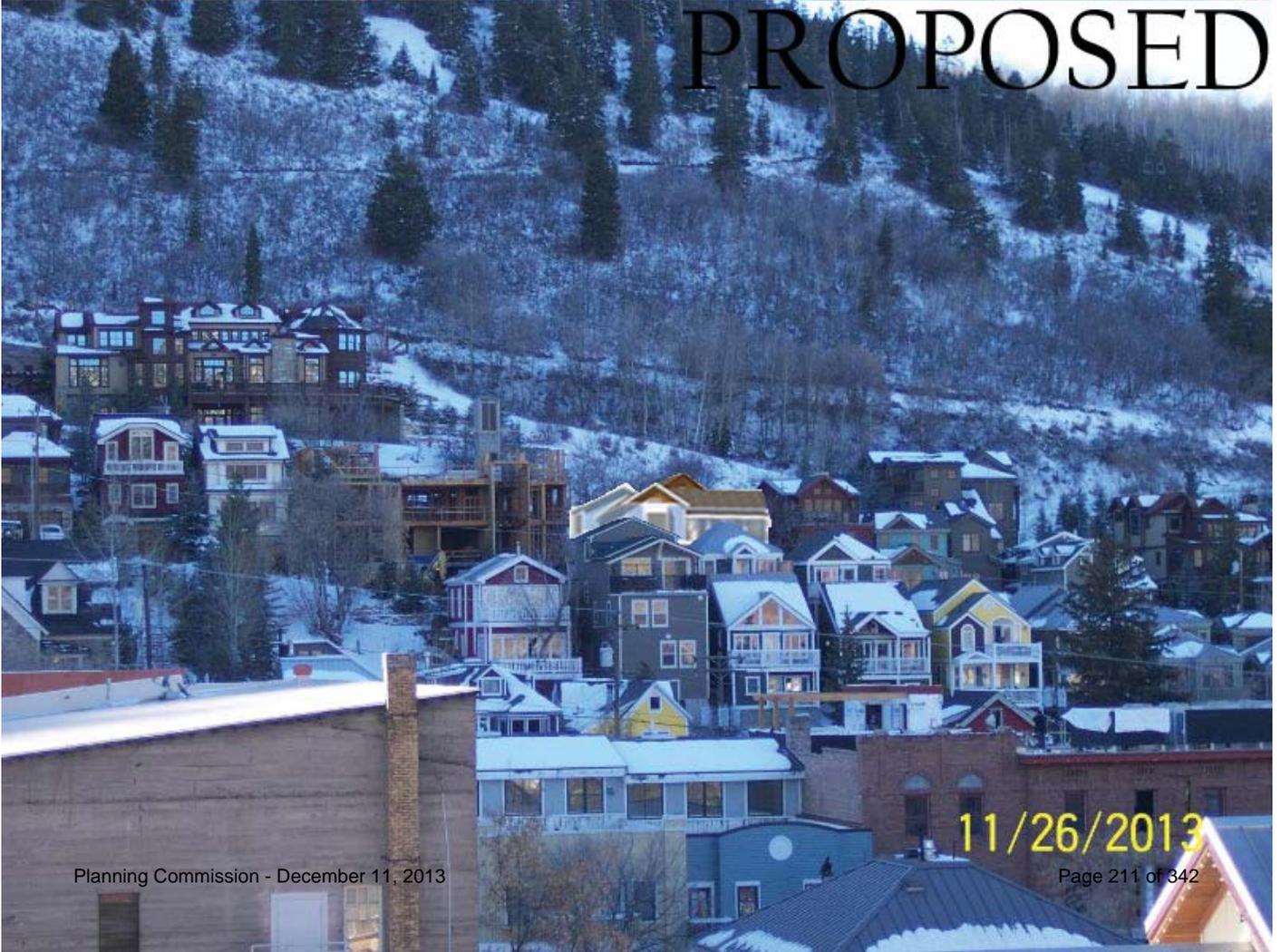


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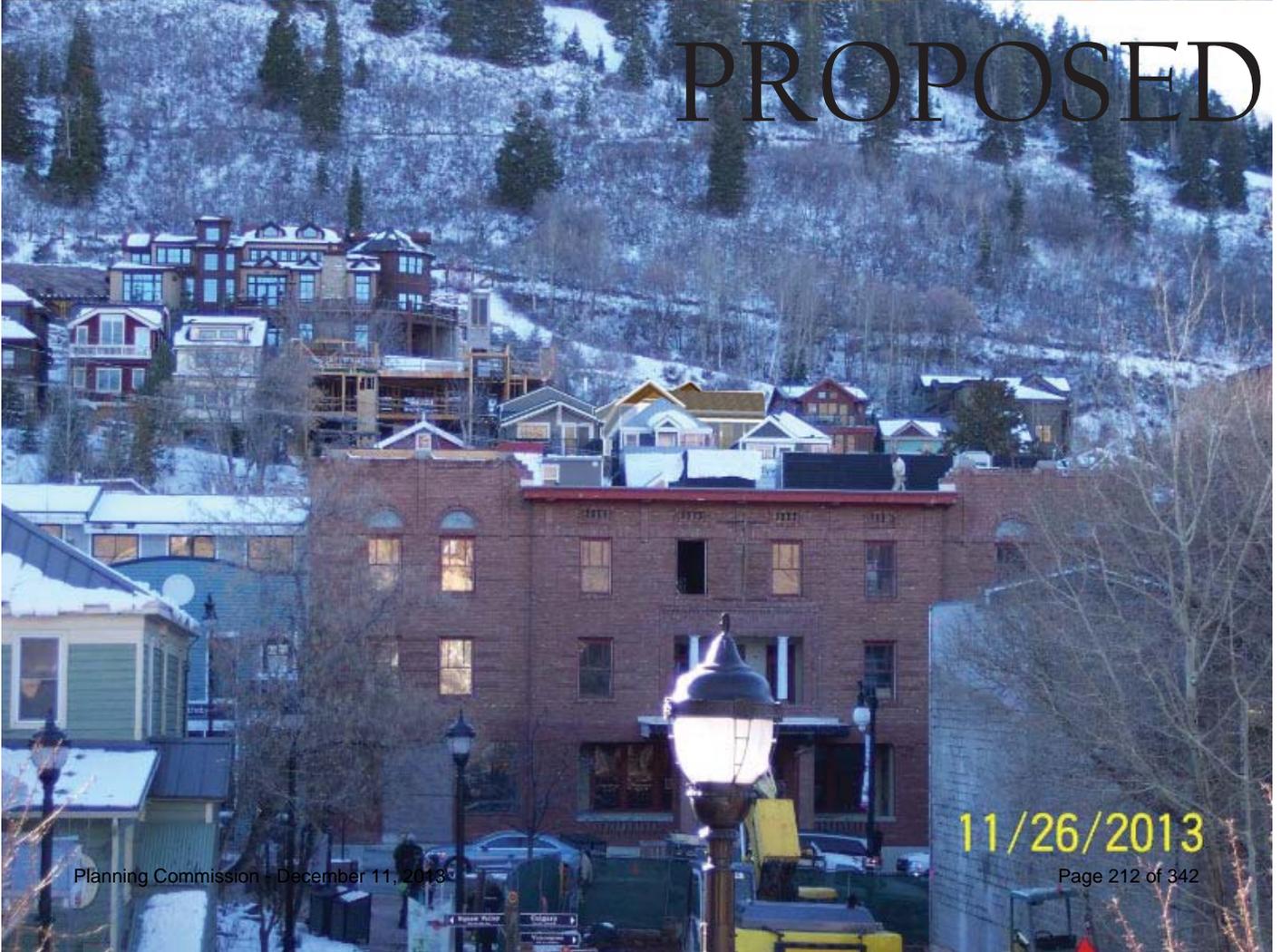
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PROPOSED



11/26/2013

Historic Preservation Plan

Revised 7-23-13

1. PROJECT DESCRIPTION

The existing structure at 543 Woodside is a frame single story home that sits on an unreinforced stacked sandstone lower level/foundation. This home dates to around 1900 as it appears on the 1901 Sandborn Maps. To the rear of the property is a 2 level accessory building. This building appears for the first time on the 1929 Sandborn Maps.

The main home has been modified over the years both on the interior and exterior. On the exterior a bay window was removed from the front gable; the front entry stair has been relocated from the main level to the lower level; an entry deck at grade has been added; There has been an extensive deck area added to the rear of the building; All but 2 windows have been changed and the siding on the building does not appear to be original. On the interior both the main and lower levels floor plans have been altered with interior walls moved and room configurations changed.

Through the renovation and addition of this residence we will bring the exterior appearance back to a more historically accurate look by:

- a. Relocating the entry stair to its historic location
- b. Rebuild the missing bay window
- c. Remove the non-historic front yard deck.
- d. Replace the non-historic windows with period correct units
- e. Rebuild to match the deteriorating lower level masonry walls
- f. Reconstruct the accessory building to a historically accurate appearance.

Based on our existing conditions evaluation and the structural engineers report we propose to proceed with the renovation of the main home as follows:

1. Stabilize the existing wood structure and lift it off the existing sandstone foundation.
2. Save all sandstone and reuse to face the new foundation walls
3. Create a flat pad at the rear of the property to place the building during foundation work.
4. Construct the new foundation
5. Re-install the framed home on top of the new foundation
6. Rebuild the frame home from the inside to meet the structural requirements of code.
7. Finish the new exposed lower level foundation with the reclaimed sandstone to match appearance of original building.

Based on our existing conditions evaluation and the structural engineers report we propose to reconstruct the accessory building. By approaching the project in this way we will be able to:

1. Replace failing material and correct structural modifications that have been made to the exterior and interior, such as the removal of roof and floor structure to accommodate the installation of non-historic window openings.
2. Create the flat pad needed to store the main home during the foundation construction.
3. Build a replication of the existing that is structurally sound and will last another 100 years.

2. DESIGN ISSUES

1. The existing setting has been altered over the years. The historic steps leading to the second level entry have been removed and a new deck and stair case added. The front porch has been walled in with concrete blocks. A bay window that had been a full two stories has been cut down to one level and windows around the home have been replaced over time. Additionally, the front landscape wall along the road has been restacked numerous times and is in need of repair.
2. Through the course of this renovation we will renovate the front porch and remove the concrete block enclosure, restore the stone foundation, bring back the bay window at the living room and correct the non-historic window openings.
3. In order to preserve as much historic material as possible and address the existing failed foundation we will lift the wood structure as a unit, place it at the rear of the site and then go about constructing a new lower level and garage level foundation. Once completed the framed home will be placed on the new foundation and modified from the interior to a minimum level of code compliance. Window and siding replacement will take place at this time as needed to replace non-historic or failed material.
4. As part of this foundation construction we are proposing to add a single car garage accessed by a driveway on the south side of the front elevation, directly under the gable roof form. This addition will be similar to the garage and driveway added to 517 Park Avenue. The 517 Park Avenue project is a landmark home that added the garage and driveway in a similar location on the home as we are proposing. 517 Park was able to make this addition, maintain their landmark status and qualify for the National Register of Historic Places. I have included the Site Form for 517 Park as part of the application material so you can review the photos of the project before and after the garage and driveway were added. With access off the street the drive will slope down to the garage door. There will be stone walls on either side of the driveway to take up the grade. The stone on these new walls will match the front wall that will be rebuilt as part of this renovation.

5. At the rear of the building we are proposing a 363 sq. ft., footprint, additions that will expand the living areas along the rear of the existing home. The north side of the addition will not be visible from the street and the south addition roof will be constructed to appear as an attached shed. The addition area is being added to the rear of the existing building and only requires removal of the rear, west wall on the historic building to accommodate the expansion.
6. The historic entry to this home was by a steep stair that rose up from the street to the main level, a vertical rise of 18'. In order to rebuild these stairs the building official was requiring the construction to meet current code. To achieve a code compliant stair would require constructing retaining walls along the front of the property. To avoid the construction of these walls we are leaving the stair as it currently exists.
7. At the rear of the property there is an existing 16'-8"x16'-8", two story accessory building that is currently an independent living unit. Due to the condition of this structure and site constraints we are proposing to rebuild this building in its exact location. The plan will call for new materials to match the existing building. More historically accurate windows will replace the non-historic existing units. This building is not visible from Woodside Avenue.
8. In summary, the proposed changes outlined here are all intended to bring the home closer to its historic appearance while improving the homes livability. These exterior changes along with the proposed structural improvements yield a finished project that will benefit the historic district for years to come.

3. CONSTRUCTION ISSUES

SITE FEATURES:

A.1 Topography – The site topography will remain the same except for the area of the proposed driveway to access the garage. See physical condition report.

A.2 Landscaping – See landscape plan

A.3 Retaining Walls - The stacked stone retaining walls will be replaced with a reinforced concrete walls. The historic stacked stone will be saved and reused to face the new concrete walls, for historic appearance.

A.5 Fences - None

A.6 Other - None

MAIN BUILDING:

B.1 Roof - The roof will be rebuilt to meet the structural requirements of code and maintain the historic form and appearance.

B.2 – B.5 Exterior Walls – The exterior walls will be modified from the interior to a minimum level of code compliance. Windows, doors and siding replacement will take place as needed to replace non-historic or failed material.

B.6 Foundation – The historic stacked stone foundation will be replaced with a reinforced concrete foundation. The historic stacked stone will be saved and reused to face the new foundation walls, for historic appearance.

B.7 Porches - The front porch will be rebuilt and brought back to its historic form and appearance.

B.8 Dormers/Bays - The bay window will be rebuilt to match the original historic two story bay in the tax photo.

B.9 Additions - We are proposing to add a single car garage accessed by a driveway on the south side of the front elevation, directly under the gable roof form. At the rear of the building we are proposing an addition that will expand the living areas on the rear of the building, additional 363 sq. ft. of footprint. The addition will be partly visible from the street on the south rear corner and will appear as a small shed element. The addition is located on the rear of the existing building. It requires removal of the west wall of the historic building to accommodate the expansion.

B.10 Mechanical System – All mechanical systems will be new and up to code.

B.11 Electrical System – All electrical systems will be new and up to code.

B.12 Structural System - See Structural Engineers Physical Condition Report.

B.13 Hazardous Materials - See Physical Condition Report

B.14 Other - None

MAIN BUILDING - DETAILS:

C.1 Windows - All historic windows have been replaced, see physical condition report. All new windows will be historic in appearance.

C.2 Doors - All historic doors have been replaced, see physical condition report. All new doors will be historic in appearance.

C.3 Trim – All historic trim has been replaced, see physical condition report. All new trim will be historic in appearance.

C.4 Architectural Ornamentation - None

C.5 Other - None

ACCESSORY BUILDINGS:

D.1 – The two story accessory building will be rebuilt in its exact location. The plan will call for new materials to match the existing building. More historically accurate windows will replace the non-historic existing units.

STRUCTURES:

E.1 - None

4. PROJECT TEAM –

1. Architect: Jonathan DeGray Architect, 435-649-7263, degrayarch@qwestoffice.net.
2. Structural Engineer: Shen Engineers, Henry Shen, 801-466-2625, sheneng@msn.com
3. Contractor: None chosen at this phase in the project.

5. SITE HISTORY – See Physical Condition Report

6. FINANCIAL GUARANTEE -

1. Owner will place a lien on the property in favor of the city.

7. ACKNOWLEDGEMENT OF RESPONSIBILITY – See signed/dated application.



Historic Home Analysis – Woodside Avenue Properties

Address	House Size (total sq. ft.)	Garage Size (total sq. ft.)	Footprint (total sq. ft. estimate)	Lot Size (total sq. ft.)
405 Woodside	933	64 (shed)	933	7,405
424 Woodside	2,237	505	2,187	5,625
429 Woodside	3,300	495	1,458	4,356
481 Woodside	2,700	550	950	3,290
501 Woodside	2,500	286	1,181	2,178
505 Woodside	2,266	0	1,030	4,356
563 Woodside	1,522	234	856	1,742
564 Woodside	1,396	0	698	2,613
605 Woodside	6,011	720	1,880	7,162
615 Woodside	6,101	0	1,500	11,153
627 Woodside	3,015	480	1,481	6,098
633 Woodside	2,730	506	1,879	5,269
655 Woodside	1,480	0	1,480	3,920
664 Woodside	2,646	200	1,323	3,920

Average house size is 2,774 sf

Existing house size for 543 Woodside is 1,658 sf

Proposed house size for 543 Woodside is 2,473 sf

Planning Commission Staff Report



Project Number: PL-13-02034
Subject: Stein Eriksen Lodge Residences
(formerly known as North Silver
Lake Lodge)
Author: Francisco Astorga, Planner
Date: December 11, 2013
Type of Item: Administrative – Conditional Use Permit

Summary Recommendations

Staff recommends that the Planning Commission review the proposed Conditional Use Permit Modification request to allow for Lockout Units at Stein Eriksen Lodge Residences, formerly known as North Silver Lake Lodge, and consider approving the requested use based on the findings of fact, conclusion of law, and conditions of approval as found in this staff report.

Description

Applicant: SR Silver Lake LLC represented by Rich Lichtenstein
Location: Lot 2B Subdivision of Lot 2, North Silver Lake
Zoning: Residential Development (RD) District
Adjacent Land Uses: Ski resort and residential
Reason for Review: Conditional Use Permit Modifications are required to be reviewed and approved by the Planning Commission

Proposal

In 2010 the Planning Commission approved a Conditional Use Permit (CUP) consisting of fifty four (54) total units; sixteen (16) detached single family dwellings and four (4) condominium buildings containing thirty eight (38) private units. The conditions of approval for the CUP reflect that lockout units were not requested at that time, and would require Planning Commission approval, if requested in the future. At this time the applicant requests the use of 85 lockout units to be located in the four (4) stacked flats, condominium buildings.

Background

Under the Deer Valley Resort Master Plan Development (MPD) the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial and support space. The approved MPD did not specify a Unit Equivalent limitation other than the 54 residential units. The Deer Valley MPD requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC Section 15-1-10.

The Planning Commission reviewed this application during a work session discussion held on November 06, 2013. During this meeting, the Planning Commission reviewed specific mitigation related to traffic and parking. See Exhibit D – 11.06.2013 Planning Commission work session minutes. The Planning Commission concurred with Staff findings that the proposed modification, the requested Lockout Units, does not require additional mitigation related to the remaining CUP standards which were already addressed in the originally approved CUP.

District Purpose

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

- A. allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
- B. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
- C. allow commercial and recreational activities that are in harmony with residential neighborhoods,
- D. minimize impacts of the automobile on architectural design,
- E. promote pedestrian connections within Developments and between adjacent Areas; and
- F. provide opportunities for variation in architectural design and housing types

2009/2010 Conditional Use Permit

The original CUP application was before Planning Commission on five (5) different occasions: August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009. During the July 8, 2009 review, the Planning Commission approved the application with a three to one vote. One Commissioner abstained.

On July 17, 2009, the neighboring property owners submitted an appeal of the CUP approval for development of the North Silver Lake Subdivision Lot 2B. The City Council reviewed the appeal on October 15, 2009 and again on November 12, 2009. During the November 12, 2009 meeting, the City Council remanded the CUP application to the Planning Commission with specific items to be addressed.

The Planning Commission reviewed the remand during two (2) work sessions on November 11, 2009 and January 13, 2010 and two (2) Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010 to address specific findings of the City Council. The Planning Commission approved the revised CUP with a four to one vote on April 28, 2010.

The approval was appealed by two (2) separate parties. On May 7, 2010, Mr. Eric Lee submitted an appeal on behalf of property owners in the neighborhood and on May 10, 2010, the City received an additional appeal from Ms. Lisa Wilson. The City Council reviewed both appeals on June 24, 2010. All parties stipulated to additional condition of approval #19 that "no lockouts are permitted within this approval". The Council did not

find merit in the notice issues, the compatibility of revised design or other issues raised in Ms. Wilson's appeal. The Council added an additional requirement of an opportunity for neighborhood input prior to approval of the phasing plan(s), but found that the Planning Commission adequately addressed the issues of the remand. Accordingly, the City Council affirmed and denied in part the Planning Commission's decision to approve the North Silver Lake Lot 2B CUP. The City Council findings were ratified on July 1, 2010. The CUP approval included a condition that the approval would expire on July 1, 2011 if no building permits are issued within the development.

First CUP Extension

The Land Management Code § 15-1-10(G) allows for two (2) extensions of an approved CUP. On March 17, 2011, the Planning Department received a Request for Extension of the Conditional Use Permit approval. The Planning Director reviewed the extension request, Staff analyzed the application as provided within the administrative staff report, and public input was considered. On April 28, 2011, the Planning Director approved the Extension of the Conditional Use Permit for an additional year as conditioned.

The Planning Director's approval of the extension was appealed by Ms. Lisa Wilson and on June 8, 2011 the Planning Commission held a public hearing to consider the appeal. After hearing testimony from the appellant, the property owner, and Staff, the Planning Commission, reviewed the matter de novo and rendered a decision to uphold the Planning Director's decision and grant the extension of the Conditional Use Permit to July 1, 2012.

On June 20, 2011, the City Council received a written appeal of the Planning Commission's final action of June 8, 2011, upholding the Planning Director's decision to approve an extension of the Conditional Use Permit for the North Silver Lake Lot 2B development. On July 21, 2011, the appeal was heard by the City Council, who held a quasi-judicial hearing before voting unanimously to uphold the Planning Commission's decision to uphold the Planning Director's issuance of an extension of time for the July 1, 2010 Conditional Use Permit. Because the appeal to uphold the Planning Director's decision was decided on July 21, 2011, the extension of the Conditional Use Permit was extended to July 21, 2012.

The Building Department had previously collected a bond to ensure that the existing impacts of the site will be repaired at the time of first CUP extension. The landscape plan includes re-vegetating the disturbed area including top soil and native grasses, planting eighteen (18') new trees that vary in height from ten to twelve feet (10' – 12'), and installing an irrigation system for the establishment of the grass and ongoing watering of the new trees. This work was completed by July 1, 2011 and complies with the July 1, 2010 City Council conditions of approval. The applicant has continued watering the trees and vegetation as required.

Second CUP Extension

On October 27, 2011, Staff received a complete application to extend the CUP for an additional year, and on January 11, 2012, the Planning Commission heard the

applicants request for an additional and final one-year extension from July 21, 2012 to July 21, 2013. After a public hearing, the Planning Commission voted 4-0 to approve the request for the one-year and final extension to the original CUP for North Silver Lake, Lot 2B.

On February 9, 2012, the City Council received a written appeal of the Planning Commission's final action of January 11, 2012, approving the request for the one-year extension to July 21, 2013 of the CUP for the North Silver lake Lot 2B development.

The second appeal of the second extension was originally scheduled for the March 22, 2012 City Council meeting. The appellant was unable to make it to the meeting due to an accident. The City Council voted to continue the item to the April 5, 2012 City Council meeting and directed Staff not to accept any additional materials from the appellant or the applicant. On April 5, 2012 the City Council conducted a public hearing and voted unanimously to deny the appeal and approve the extension of the CUP and upheld with the following conditions of approval:

1. All conditions of approval of the City Council's July 21, 2011 order continue to apply.
2. This approval will expire July 21, 2013, 12 months from the first extension of the CUP.
3. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.

In March 2013, the applicant received a building permit for the first single family dwelling. This structure will be used as their model home.

LMC Definitions

Dwelling Unit. A Building or portion thereof designed for Use as the residence or sleeping place of one (1) or more Persons or families and includes a Kitchen, but does not include a Hotel, Motel, Lodge, Nursing Home, or Lockout Unit.

Lockout Unit. An Area of a dwelling with separate exterior Access and toilet facilities, but no Kitchen.

Nightly Rental. The rental of a Dwelling Unit or any portion thereof, including a Lockout Unit for less than thirty (30) days to a single entity or Person. Nightly Rental does not include the Use of Dwelling Units for Commercial Uses.

Staff finds that the requested use meets the definition of a Lockout Unit which per the LMC definition above is an area of a dwelling unit and not separate on its own dwelling unit. Staff does not classify the requested use to be hotel/motel. See definitions below:

Hotel/Motel. A Building containing sleeping rooms for the occupancy of guests for

compensation on a nightly basis that includes accessory facilities such as restaurants, bars, spas, meeting rooms, on-site check-in lobbies, recreation facilities, group dining facilities, and/or other facilities and activities customarily associated with Hotels, such as concierge services, shuttle services, room service, and daily maid service. Hotel/Motel does not include Nightly Rental Condominium projects without restaurants, bars, spas, and on-site check-in lobbies. Lockout Units or Bed and Breakfast Inns and Boarding Houses are not Hotels. Hotels are considered a lodging Use and ownership of units may be by a condominium or timeshare instrument[.] Hotel rooms may include a Lockout as part of the Unit.

Hotel Room. A Unit consisting of one (1) room, without a Kitchen, intended for temporary living and sleeping purposes and including a separate, exclusive bathroom.

The proposed use is not a hotel as the Hotel definition above does not include Lockout Units. The site will also have accessory facilities in the development, that are limited to a spa and a dining/lounge/outdoor dining area which are for the exclusive use of the owners and their visitors, e.g. the only patrons allowed to use the spa and the dining areas, etc., are patrons staying at the development through the possible rental of the private units. The Deer Valley Master Planned Development allocated 14,525 square feet of commercial/support commercial for the Silver Lake Community. Per the 2010 approved CUP the applicant requested to accommodate 5,140 square feet of support commercial space. Staff recommends adding a condition of approval that indicates that the support commercial amenities shall be for the exclusive use of the owners, residents, and their guests.

Analysis

Staff finds that the proposal is in substantial compliance with the reviewed and approved CUP plans as the Lockout Units are designed within the existing floor area of each unit formerly reviewed and approved, located in the stacked flats. No Lockout Units are being requested within the sixteen (16) single family dwellings. The number of Lockout Units within each unit range from one to three (1 - 3). The floor plans have had minor alterations. The number of units has not changed and the plans are in substantial compliance with the approved CUP plans. The applicant proposes the following:

- Three (3) units with one (1) lockout each
- Twenty-three (23) units with two (2) lockouts each
- Twelve (12) units with three (3) lockouts each

The Planning Commission reviewed this application during a work session discussion held on November 06, 2013. During this meeting, the Planning Commission reviewed specific mitigation related to traffic considerations and amount of off-street parking. See D – 11.06.2013 Planning Commission work session minutes.

The RD District indicates that a Lockout Unit is an allowed use. Nightly Rentals are also an allowed use. The Nightly Rental of a Lockout Unit requires a Conditional Use Permit

to be reviewed and approved by the Planning Commission. The allotted density of this site, the NSL Subdivision Lot 2B per the Deer Valley Master Plan is fifty four (54) dwellings units. Sixteen (16) units are to be build in the form of single family dwellings or duplexes around the perimeter of the site. The requested Lockout Units within the Multi-unit dwellings do not increase the density as they will be simply part of the units, which does not increase the number of unit equivalents. The Planning Commission must review each of the following items when considering whether or not the proposed conditional use mitigates impacts of and addresses the following items as outlined in LMC § 15-1-10(E):

1. Size and location of the site. **No unmitigated impacts.**

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

The applicant has redesigned the interior layout of the units to accommodate the lockouts. Staff finds that the proposal is in substantial compliance with the reviewed and approved CUP plans as the Lockout Units are designed within the existing floor area of each unit formerly reviewed and approved.

2. Traffic considerations including capacity of the existing streets in the area. **No unmitigated impacts.**

Staff received an updated Addendum to Traffic Impact Analysis prepared by Riley Traffic Consultants, LLC, dated November 2013. This Analysis indicates that under the maximum trip scenario, all traffic is still projected to function at LOS (level of service) A, which is acceptable for a roadway of this classification. The conclusion/recommendations section of the analysis is as follows:

This updated traffic analysis assumes conservatively that 100% of the condominiums will be occupied and further assumes that 100% of the owners will exercise their options to lock out part of their units. In contrast, according to Stein Eriksen Lodge, occupancy during the peak week in 2012 (December 26-31) only reached 89%.

Assuming a maximum 100% occupancy and lockout utilization, along with the maximum number of resort shuttles, airport vans, and limousines, the peak number of additional trips will not exceed 200 per day. Even under this worst case scenario, all traffic is projected to function at LOS (Level of Service) A, which is fully acceptable for a roadway of this classification.

All conclusions from the original study are valid for this revised development proposal.

Staff finds that based on the submitted Traffic Impact Analysis that additional traffic mitigation is not necessary based on the forecasted LOS A. The City

Engineer explained that the City normally does not get concerned until we have indicates that the LOS drops to a lower level such as level D. See table 1 below:

Level of Service Descriptions – Unsignalized Intersections		
Level of Service	Description of Traffic Conditions	Average Delay (seconds/vehicle)
A	Free flow traffic conditions	0 < 10
B	Stable Operations/Minimum	> 10 and < 15
C	Stable Operations/Acceptable Delay	> 15 and < 25
D	Approaching Unstable Flow. Incidents can generate lengthy queues	>25 and < 35
E	Operating conditions at or near the roadway's capacity.	> 35 and <50
F	Breakdown in vehicular flow. Queues form quickly. Unpredictable and unacceptable.	> 50

Table 1

Staff also identifies that the Applicant needs to work with the City Engineer to ensure proper site distance. The 2009 Existing Traffic Counts and Traffic Projections indicate the following under Sight Distance conclusion and Recommendations:

Sight distance for the southwest bound, or right turning traffic out of the proposed development is over 500 feet, which meets AASHTO sight requirements.

Sight distance for the eastbound, or left turning traffic out of the proposed development was measured at 204 feet. This meets the AASHTO sight requirements for passenger cars (187 feet), but not for single unit trucks (228 feet) or combo trucks (288 feet). Clearing and/or grading the property across from the access could improve sight distance. This could also be accomplished by slightly raising the existing profile of the access. The grade of the roadway is less than 4% and does not affect the sight distance requirements at 25mph.

Based on surrounding area the access is typical. Engineering judgment should be used at the time of project opening to further evaluate the exact and perceived sight distance. Actual distance can be affected by grade of access and light conditions.

Special warning signage is recommended during the construction period. Truck traffic should enter the project from the north along Silver Lake Drive, and exit south to Royal Street. This will minimize construction and delivery traffic though the neighborhood and avoiding crossing traffic entering and exiting the site.

Mitigation for the limited sight distance could include a warning sign, or clearing of the slope area across the street.

Staff recommends a conditional of approval that the applicant work with the City Engineer to ensure proper compliance with the recommendations outlined above related to site distance and special warning signage during the construction period.

3. Utility capacity, including storm water run-off. **No unmitigated impacts.**

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010). No additional utility capacity is required for this project from what was approved in 2010. The Lockout Units are simply accommodated by redesigning bedrooms to now serve as Lockout Units. The overall number of bedrooms/bathroom is not increasing.

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

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

5. Location and amount of off-street parking. **No unmitigated impacts.**

Parking for all fifty four (54) units must be provided within the North Silver Lake development. According to the Deer Valley MPD off-street parking requirements shall be determined in accordance with the LMC at the time of application for Conditional Use approval. The North Silver Lake development has a mix of single family dwellings and multi-unit dwellings. When the development was approved each single family dwelling required two (2) off-street parking spaces, multi-unit dwellings greater than 1,000 square feet and less than 2,500 square feet required two (2) parking spaces, and multi-family units greater than 2,500 square feet required three (3) parking spaces.

When the 2010 CUP was approved the Planning Commission requested that a reduction in parking be evaluated for the site. With the proposed unit configurations the applicant was required by the LMC to provide 106 spaces for the multi-unit dwellings within the stacked flats. The applicant proposed a 25% reduction in the parking for the stacked flats. This resulted in a total of 80 spaces and approximately two (2) spaces per unit.

LMC § 15-3-7 allowed the Planning Commission the ability to reduce initial parking requirements to prevent excessive parking and paving if parking uses would overlap, commercial spaces within the project would serve those residing

within the project rather than the general public, or other factors that support the conclusion that the project would generate less parking than the LMC would otherwise require.

There is also support commercial space within the project. No parking is required for the support commercial area. The applicant proposed to limit each unit to (2) two parking spaces, rather than utilize a third (3rd) space for any unit over 2,500 square feet. Due to the single family ownership of each unit, Staff and the Planning Commission found that the two (2) spaces per unit was adequate for the development. The Planning Commission made the final decision to allow the 25% percent deduction in the required parking. Staff included finding of fact #14 from the April 28, 2010 approval, each subsequent appeal denial stated that the Planning Commission supported the 25% reduction in the parking for the stacked flats within the development. This finding was based on the direction provided during the February 25, 2009 meeting.

Finding of Fact #14: The onsite parking requirements for the four stacked flat condominiums have decreased 25% in compliance with section 15-3-7 of the Land Management Code. The Planning Commission supports a 25% reduction in the parking for the stacked flats within the development.

In 2012 the City approved Ordinance 12-37, which reduced the number of parking spaces for multi-unit dwellings. See table 2 below:

Former parking standard for Multi-unit dwellings:		Current parking standard for Multi-unit dwellings (Ord. 12-37):	
Apartment/condo not greater than 650 sf floor area	1 per dwelling unit	Apartment/condo not greater than 1,000 sf floor area	1 per dwelling unit
Apartment/condo greater than 650 sf and less than 1,000 sf floor area	1.5 per dwelling unit		
Apartment/condo greater than 1,000 sf and less than 2,500 sf floor area	2 per dwelling unit	Apartment/condo greater than 1,000 sf and less than 2,000 sf floor area	1.5 per dwelling unit
Apartment/condo 2,500 sf floor area of greater	3 per dwelling unit	Apartment/condo 2,000 sf floor area of greater	2 per dwelling unit

Table 2

With the current standard for multi-unit dwellings, which per the dwelling unit definition includes the Lockout Unit, defined as an area and not a separate unit, the required parking for the multi-unit dwellings is actually seventy six (76) parking spaces without any parking reduction. The applicant proposed to

accommodate the same eighty (80) parking spaces originally approved. The applicant does not request to provide less parking than was originally approved consisting of a minimum seventy six (76). Exhibit H – Parking Requirement per Unit indicates a breakdown of the parking requirement.

6. Internal vehicular and pedestrian circulation system. **No unmitigated impacts.**

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

7. Fencing, screening and landscaping to separate the use from adjoining uses. **No unmitigated impacts.**

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

8. Building mass, bulk, and orientation and the location of buildings on the site, including orientation to buildings on adjoining lots. **No unmitigated impacts.**

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

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

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

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

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

11. Physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing. **No unmitigated impacts.**

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

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

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

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

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

14. Expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities. **No unmitigated impacts.**

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

15. Within and adjoining the site, environmental sensitive lands, physical mine hazards, historic mine waste and Park City Soils Ordinance, steep slopes, and appropriateness of the proposed structure to the existing topography of the site. **No unmitigated impacts.**

The proposed modification, the requested Lockout Units, does not require additional mitigation related to this standard which was not addressed in the originally approved CUP (2010).

Process

The approval of this Conditional Use Permit Modification Request by the Planning Commission 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 put in the Park Record.

Public Input

Public input has been received. See Exhibit J – Public Comments.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The property owner would not be allowed by the City to have any Lockout Units within this development and they would have to move forward with what the 2010 approved CUP.

Recommendation

Staff recommends that the Planning Commission review the proposed Conditional Use Permit Modification request to allow for Lockout Units at Stein Eriksen Lodge Residences, formerly known as North Silver Lake Lodge, and consider approving the requested use based on the findings of fact, conclusion of law, and conditions of approval as found in this staff report.

Findings of Fact

1. The subject property is at 7101 North Silver Lake Drive, Lot 2B of the North Silver Lake Subdivision.
2. The property is known as Stein Eriksen Lodge Residences, formerly known as North Silver Lake Lodge
3. The proposed development is located within the Deer Valley Master Plan Development.
4. Within the Deer Valley Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space.
5. In 2010 the Planning Commission approved a Conditional Use Permit (CUP) consisting of fifty four (54) total units; sixteen (16) detached single family dwellings and four (4) condominium buildings containing thirty eight (38) private units.
6. The conditions of approval for the CUP reflect that lockout units were not requested at that time, and would require Planning Commission approval, if requested in the future.
7. At this time the applicant requests the use of 85 lockout units to be located in the four (4) stacked flats, condominium buildings.
8. The original CUP application was before Planning Commission on five (5) different occasions: August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009. The Planning Commission approved the CUP on July 8, 2009.
9. On July 17, 2009, the neighboring property owners submitted an appeal of the CUP approval. The City Council reviewed the appeal on October 15, 2009 and November 12, 2009. During the November 12, 2009 meeting, the City Council remanded the CUP application to the Planning Commission with specific items to be addressed.
10. The Planning Commission reviewed the remand during two (2) work sessions on November 11, 2009 and January 13, 2010 and two (2) Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010 to address specific findings of the City Council. The Planning Commission approved the

- revised CUP with a four to one vote on April 28, 2010.
11. The April 28, 2010 CUP approval was appealed. The City Council reviewed the appeals on June 24, 2010. All parties stipulated to additional condition of approval #19 that "no lockouts are permitted within this approval". The City Council affirmed and denied in part the Planning Commission's decision to approve the North Silver Lake Lot 2B CUP. The City Council findings were ratified on July 1, 2010.
 12. The Land Management Code § 15-1-10(G) allows for two (2) extensions of an approved CUP.
 13. On March 17, 2011, the Planning Department received a Request for Extension of the Conditional Use Permit approval. On April 28, 2011, the Planning Director approved the Extension of the Conditional Use Permit for an additional year as conditioned.
 14. The Planning Director's approval of the extension was appealed on June 8, 2011. The Planning Commission reviewed the matter de novo and rendered a decision to uphold the Planning Director's decision and grant the extension of the Conditional Use Permit to July 1, 2012.
 15. On June 20, 2011, the City Council received a written appeal of the Planning Commission's final action upholding the Planning Director's decision to approve an extension of the development.
 16. On July 21, 2011, the appeal was heard by the City Council, who held a quasi-judicial hearing before voting unanimously to uphold the Planning Commission's decision to uphold the Planning Director's issuance of an extension of time for the July 1, 2010 Conditional Use Permit. Because the appeal to uphold the Planning Director's decision was decided on July 21, 2011, the extension of the Conditional Use Permit was extended to July 21, 2012.
 17. On October 27, 2011, Staff received an application to extend the CUP for an additional year, and on January 11, 2012, the Planning Commission heard the applicants request for an additional and final one-year extension from July 21, 2012 to July 21, 2013.
 18. On February 9, 2012, the City Council received a written appeal of the Planning Commission's final action of January 11, 2012, approving the request for the one-year extension to July 21, 2013.
 19. The second appeal of the second extension was originally scheduled for the March 22, 2012 City Council meeting. The appellant was unable to make it to the meeting due to an accident. The City Council voted to continue the item to the April 5, 2012 City Council meeting and directed Staff not to accept any additional materials from the appellant or the applicant.
 20. On April 5, 2012 the City Council conducted a public hearing and voted unanimously to deny the appeal and approve the extension of the CUP and upheld with the following conditions of approval:
 - a. All conditions of approval of the City Council's July 21, 2011 order continue to apply.
 - b. This approval will expire July 21, 2013, 12 months from the first extension of the CUP.
 - c. Approval is based on plans reviewed by the City Council on June 24,

2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.

21. In March 2013, the applicant received a building permit for the first single family dwelling. This structure will be used as their model home.
22. The LMC defines a dwelling unit as a Building or portion thereof designed for Use as the residence or sleeping place of one (1) or more Persons or families and includes a Kitchen, but does not include a Hotel, Motel, Lodge, Nursing Home, or Lockout Unit.
23. The LMC defines a lockout unit as an Area of a dwelling with separate exterior Access and toilet facilities, but no Kitchen.
24. The requested use meets the LMC definition of a Lockout Unit, which is an area of a dwelling unit and not a separate dwelling unit.
25. The proposed use is not a hotel because the proposed improvements in the development excluding the private units consists of the spa and a dining/lounge/outdoor dining area for the exclusive use of the owners and their visitors, e.g. the only patrons allowed to use the spa and the dining areas, etc., are patrons staying at the development. Also the Hotel definition indicates that Lockout Units are not hotels.
26. The proposal is in substantial compliance with the reviewed and approved CUP plans as the Lockout Units are designed within the existing floor area of each unit formerly reviewed and approved, located in the stacked flats.
27. No Lockout Units are being requested within the sixteen (16) single family dwellings.
28. The number of Lockout Units within each unit range from one to three (1 - 3).
29. The floor plans have had minor alterations. The number of units has not changed and the plans are in substantial compliance with the approved 2010 CUP plans.
30. The applicant proposes to accommodate three (3) units with one (1) lockout each, twenty-three (23) units with two (2) lockouts each, and twelve (12) units with three (3) lockouts each.
31. The Planning Commission must review LMC § 15-1-10(E) when considering whether or not the proposed conditional use mitigates impacts.
32. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *size and location of the site* which was not already addressed in the originally approved CUP (2010).
33. Regarding traffic considerations including *capacity of the existing streets in the area*, Staff received an updated Addendum to Traffic Impact Analysis prepared by Riley Traffic Consultants, LLC, dated November 2013.
34. The updated 2013 traffic analysis indicates that under the maximum trip scenario, all traffic is still projected to function at LOS (level of service) A, which is acceptable for a roadway of this classification.
35. The Applicant needs to work with the City Engineer to ensure proper site distance per the 2009 Existing Traffic Counts and Traffic Projections which indicates the following under Sight Distance conclusion and Recommendations which indicates that special warning signage is recommended during the

- construction period. Also mitigation for the limited sight distance could include a warning sign, or clearing of the slope area across the street.
36. The proposed modification, the requested Lockout Units, does not require additional mitigation related to utility capacity, including storm water run-off which has already been addressed in the originally approved CUP (2010).
 37. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *emergency vehicle access* which has already been addressed in the originally approved CUP (2010).
 38. Regarding *location and amount of off-street parking*, parking for all fifty four (54) units must be provided within the North Silver Lake development.
 39. According to the Deer Valley MPD off-street parking requirements shall be determined in accordance with the LMC at the time of application for Conditional Use approval.
 40. The North Silver Lake development has a mix of single family dwellings and multi-unit dwellings. There is also support commercial space within the project. No parking is required for the support commercial area.
 41. The current LMC requires 1 parking space per dwelling unit if the apartment or condominium is not greater than 1,000 sf floor area.
 42. The current LMC requires 1.5 parking spaces per dwelling unit if the apartment or condominium is greater than 1,000 sf and less than 2,000 sf floor area.
 43. The current LMC requires 2 parking spaces per dwelling unit if the apartment or condominium is 2,000 sf floor area or greater.
 44. The required parking for the multi-unit dwellings is 76 parking spaces without any parking reduction.
 45. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *the internal vehicular and pedestrian circulation system* which has already been addressed in the originally approved CUP (2010).
 46. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *fencing, screening and landscaping to separate the use from adjoining uses* which has already been addressed in the originally approved CUP (2010).
 47. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *building mass, bulk, and orientation and the location of buildings on the site, including orientation to buildings on adjoining lots* which has already been addressed in the originally approved CUP (2010).
 48. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *usable open space* which has already been addressed in the originally approved CUP (2010).
 49. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *signs and lighting* which has already been addressed in the originally approved CUP (2010).
 50. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing* which has already been addressed in the originally approved CUP (2010).

51. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site* which has already been addressed in the originally approved CUP (2010).
52. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup areas* which has already been addressed in the originally approved CUP (2010).
53. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities* which has already been addressed in the originally approved CUP (2010).
54. The proposed modification, the requested Lockout Units, does not require additional mitigation related to *within and adjoining the site, environmental sensitive lands, physical mine hazards, historic mine waste and Park City Soils Ordinance, steep slopes, and appropriateness of the proposed structure to the existing topography of the site* which has already been addressed in the originally approved CUP (2010).

Conclusions of Law

1. The application is consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. The Use is compatible with surrounding structures in use and circulation.
3. The Use is consistent with the Park City General Plan.
4. The effects of any differences in Use or traffic have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. All conditions of approval of the City Council's July 21, 2011 order shall continue to apply.
3. Approval is based on plans reviewed by the City Council on June 24, 2010 and the Planning Commission on December 11, 2013. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
4. The support commercial amenities shall be for the exclusive use of the owners, residents, and their guests.
5. The applicant shall work with the City Engineer to ensure proper compliance with the recommendations outlined in this staff report regarding site distance and special warning signage during the construction period.

Exhibits

Exhibit A – Applicant's Project Description

Exhibit B – Proposed Plans with Lockout Units

Exhibit C – Approved 2010 CUP Plans
Exhibit D – 11.06.2013 Planning Commission work session minutes
Exhibit E – Traffic Study 2009
Exhibit F – Updated Traffic Study November 2013
Exhibit G – Stein Eriksen TDM Program
Exhibit H – Parking Requirement per Unit
Exhibit I – Substantial Modification Analysis
Exhibit J – Public Comments regarding Lockout Units
Exhibit K – 4.24.2010 Planning Commission Minutes
Exhibit L – 4.24.2010 Planning Commission Action Letter
Exhibit M – 7.21.2011 City Council Ratified Findings, Conclusion, and Conditions
Exhibit N – 4.6.2012 City Council Action Letter

August 15, 2013

Park City Municipal Corporation
Planning Department
445 Marsac Ave. PO Box 1480
Park City, Utah 84060

To Whom It May Concern:

Pursuant to the attached application, we hereby submit a request for modification of our Conditional Use Permit # PL-08-00392 (the CUP).

On April 28, 2010, the Planning Commission approved the CUP for Lot 2B of the North Silver Lake Subdivision. That approval allowed for the development of 54 units consisting of 16 detached houses and four condominium buildings containing 38 condominium units.

The Conclusions of Law at the hearing indicated that the application was:

1. Consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. The Use is compatible with surrounding structures in use, scale, mass and circulation.
3. The Use is consistent with the Park City General Plan.
4. The effects of any differences in Use or scale have been mitigated through careful planning.

The Conditions of Approval for the CUP reflect that lockout rooms were not requested at that time, and would require Planning Commission approval, if requested in the future. Therefore, at this time we hereby request that the Planning Commission modify the exiting CUP approval to include lockouts.

Specifically, our request to modify the CUP is to allow for the inclusion of ⁸⁵~~124~~ lockout rooms within the existing footprint of the project. Additional square footage will not be required, and the parking provided by the project will continue to exceed code requirements. As the attached drawings reflect, rooms within the existing 38 condominium units will be modified to allow for identified entrance and keyed independence from the balance of the units.



August 15, 2013

Park City Municipal Corporation
Planning Department

Page 2 of 2

At the time of our original CUP application, a management plan addressing the matter of lockouts was premature. Subsequently, Regent Properties has developed a management and branding arrangement with Stein Eriksen Lodge (SEL), which provides a unique and unusually qualified team to execute on-site management of the overall condominiums and homes including the lockouts, to be known as the Stein Eriksen Residences.

As you know, SEL has a proven track record and world-class reputation for resort and property management. They have agreed to work with Regent Properties to develop the project, and act as the on-site management team. Similar to the transportation management plan at the Stein Eriksen Lodge (the TDM), which significantly reduces the use of private vehicles with shuttle service, SEL is prepared to implement a TDM for the project for both owners and staff that will result in significant reductions to traffic and parking impacts.

Additionally, we have updated the project's traffic analysis. The result of this update indicate that even at full capacity, the level of service for all affected intersections and roadways remain at an A rating. That is the case even before factoring in the proven results of the TDM. Therefore, with the TDM in place the traffic impacts of the project will be significantly reduced further.

With SEL managing the project, we believe that this modification will allow for a more vibrant and stable development enhancing the public's access and enjoyment of the greater Park City, Deer Valley area.

Respectfully submitted,



Richard Lichtenstein
Owner Representative

Exhibit B – Proposed Plans with Lockout Units



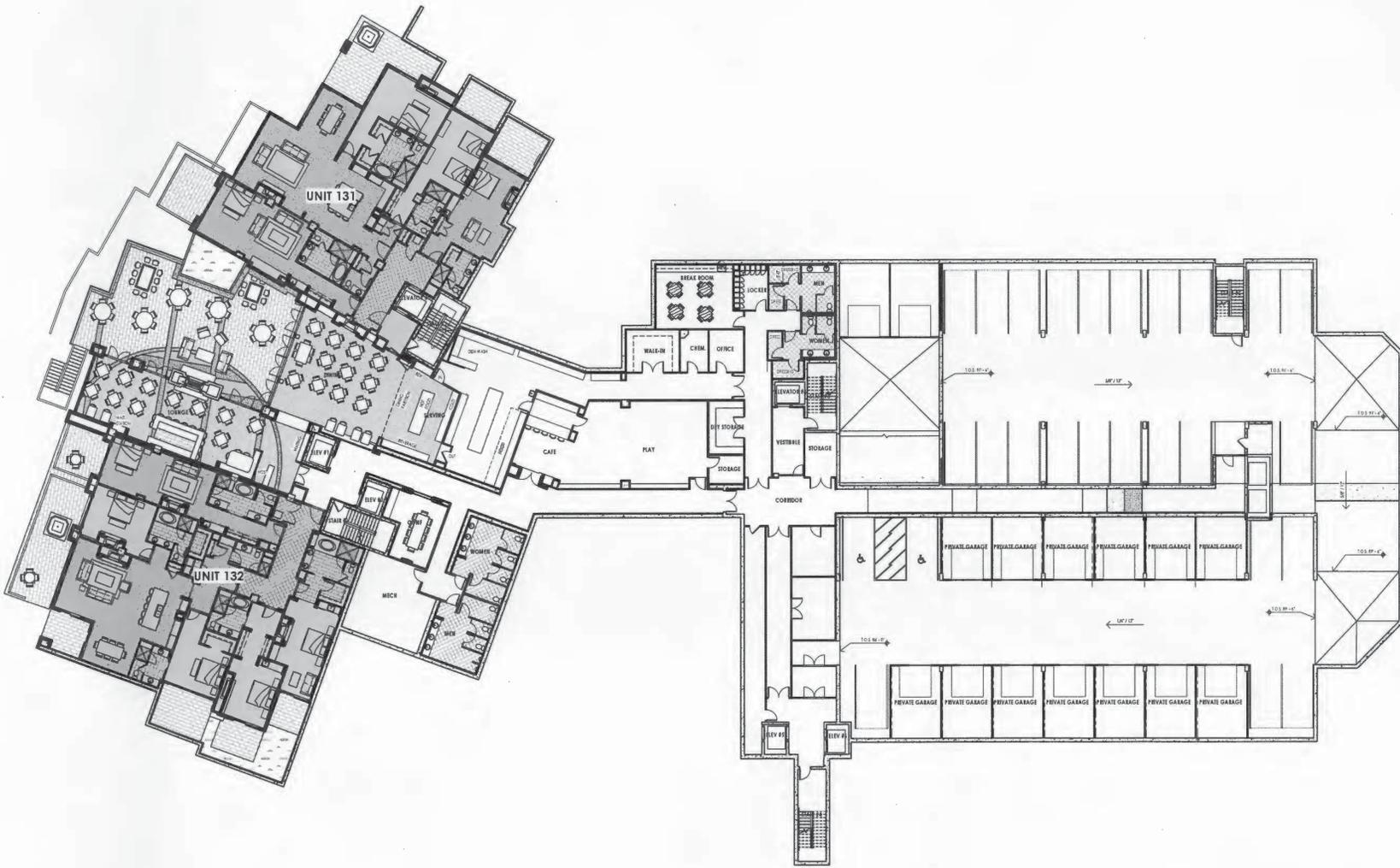
SILVER LAKE LODGE - CONDO BUILDINGS

7101 S. SILVER LAKE DRIVE, PARK CITY, UTAH 84060

LEVEL 0 OVERALL PLAN
1/8\"/>

D100

14 JUNE 2013



LEVEL 1 OVERALL PLAN
3/22 - 1'-0"

SILVER LAKE LODGE - CONDO BUILDINGS

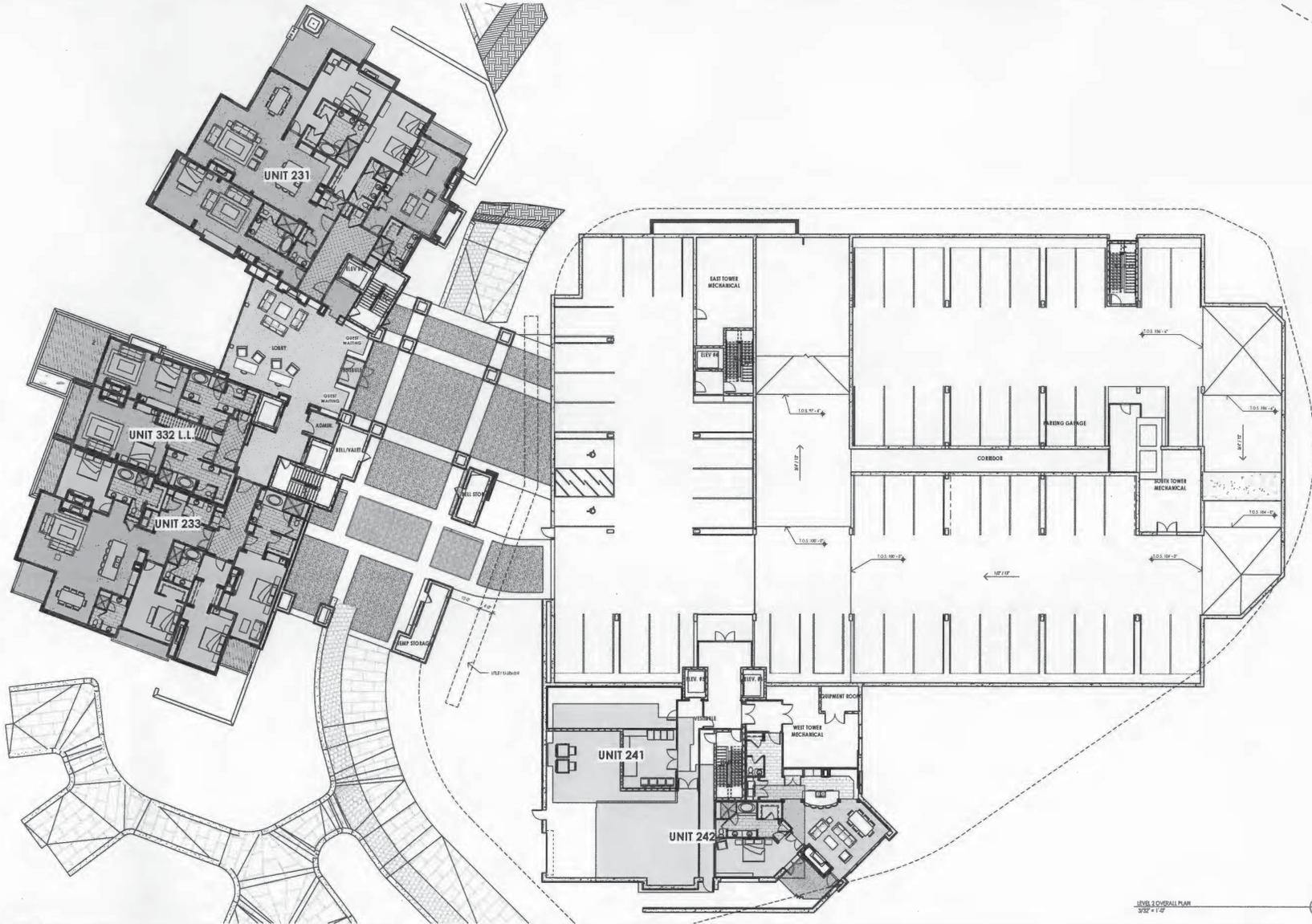
7101 S. SILVER LAKE DRIVE, PARK CITY, UTAH 84060

LEVEL 1 OVERALL PLAN

D101

14 JUNE 2013





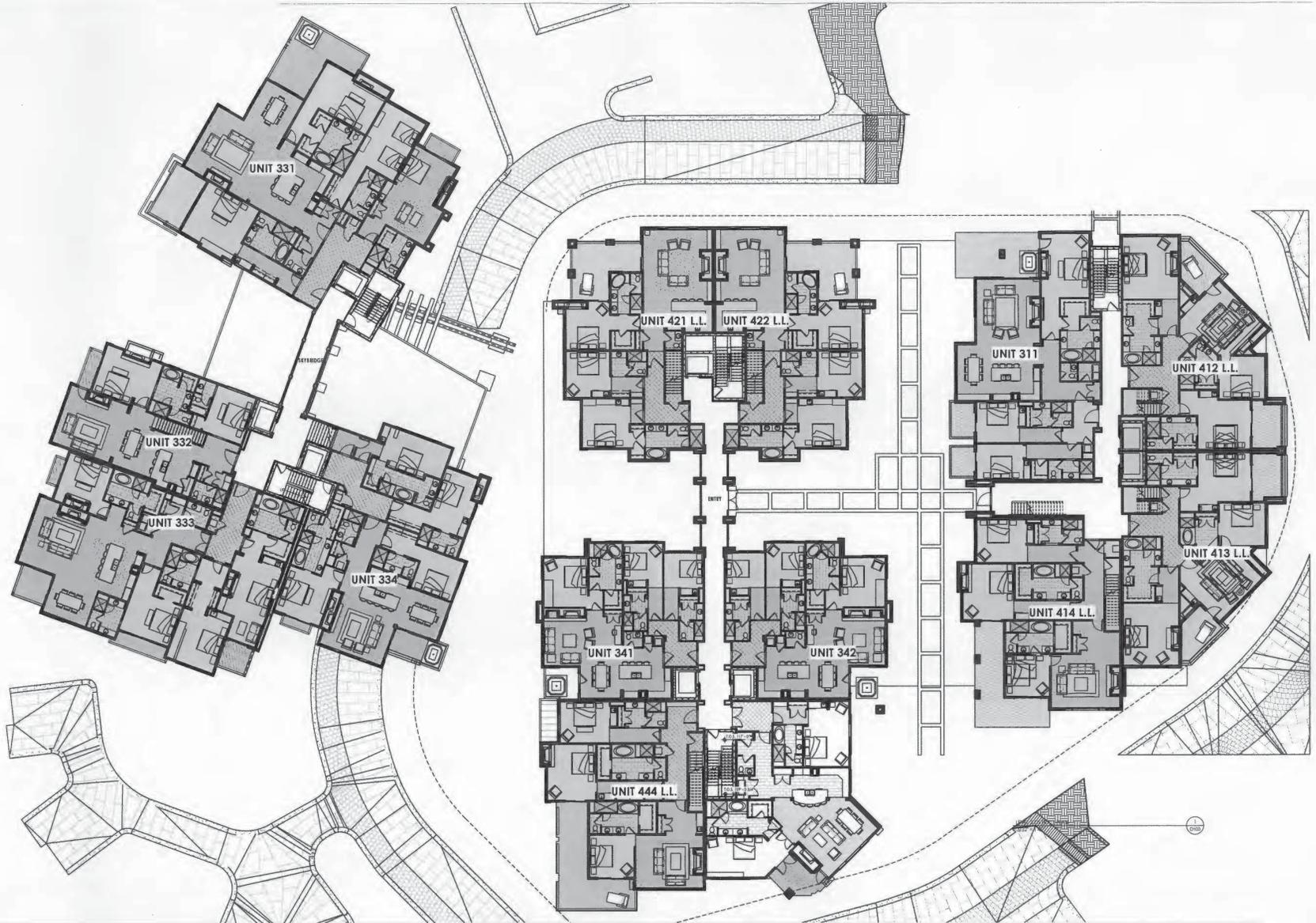
SILVER LAKE LODGE - CONDO BUILDINGS

7101 S. SILVER LAKE DRIVE, PARK CITY, UTAH 84060

LEVEL 2 OVERALL PLAN

D102

14 JUNE 2013



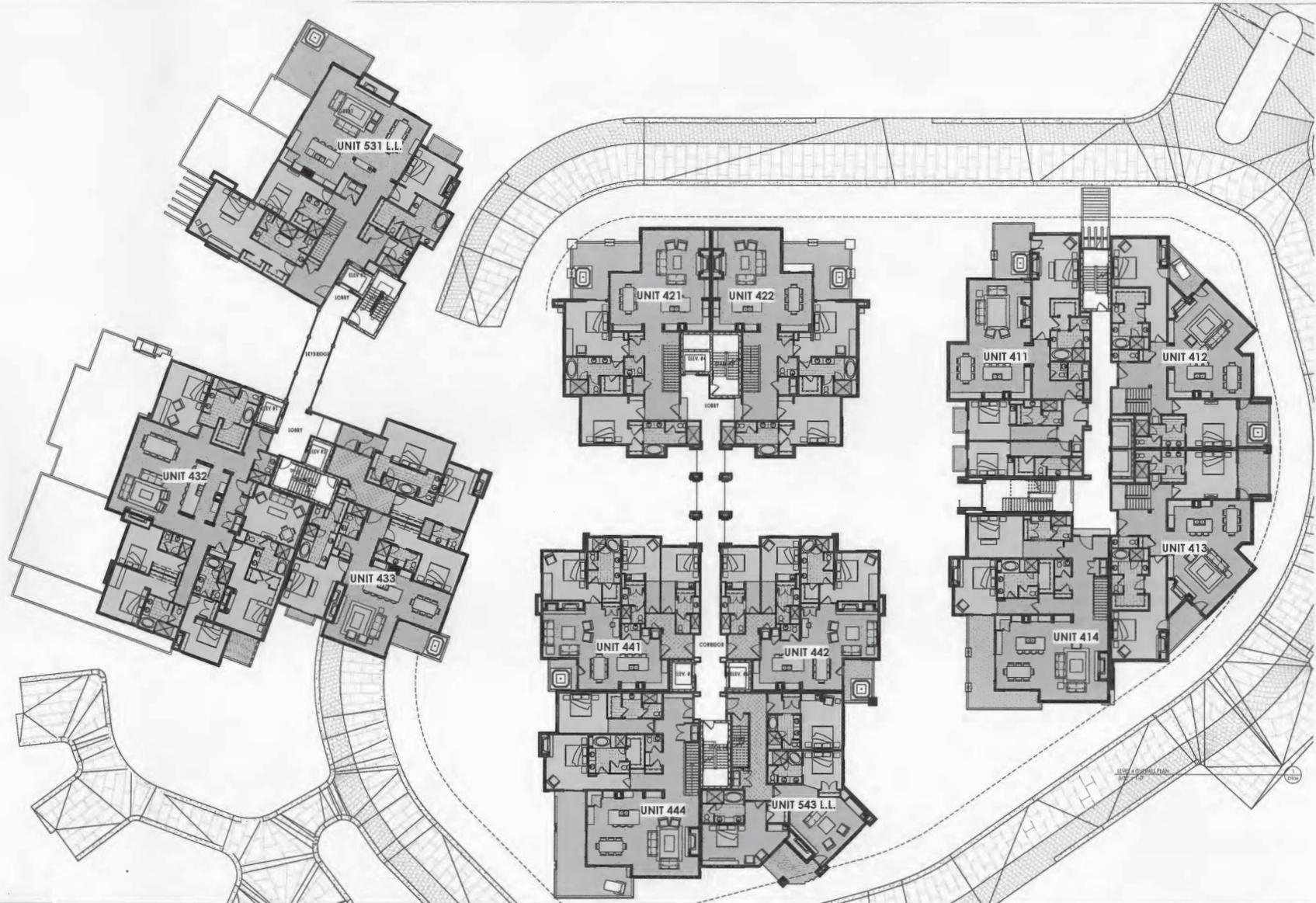
SILVER LAKE LODGE - CONDO BUILDINGS

7101 S. SILVER LAKE DRIVE, PARK CITY, UTAH 84060

LEVEL 3 OVERALL
PLAN

D103

14 JUNE 2013



SILVER LAKE LODGE - CONDO BUILDINGS

7101 S. SILVER LAKE DRIVE, PARK CITY, UTAH 84060

LEVEL 4 OVERALL
PLAN

D104

14 JUNE 2013



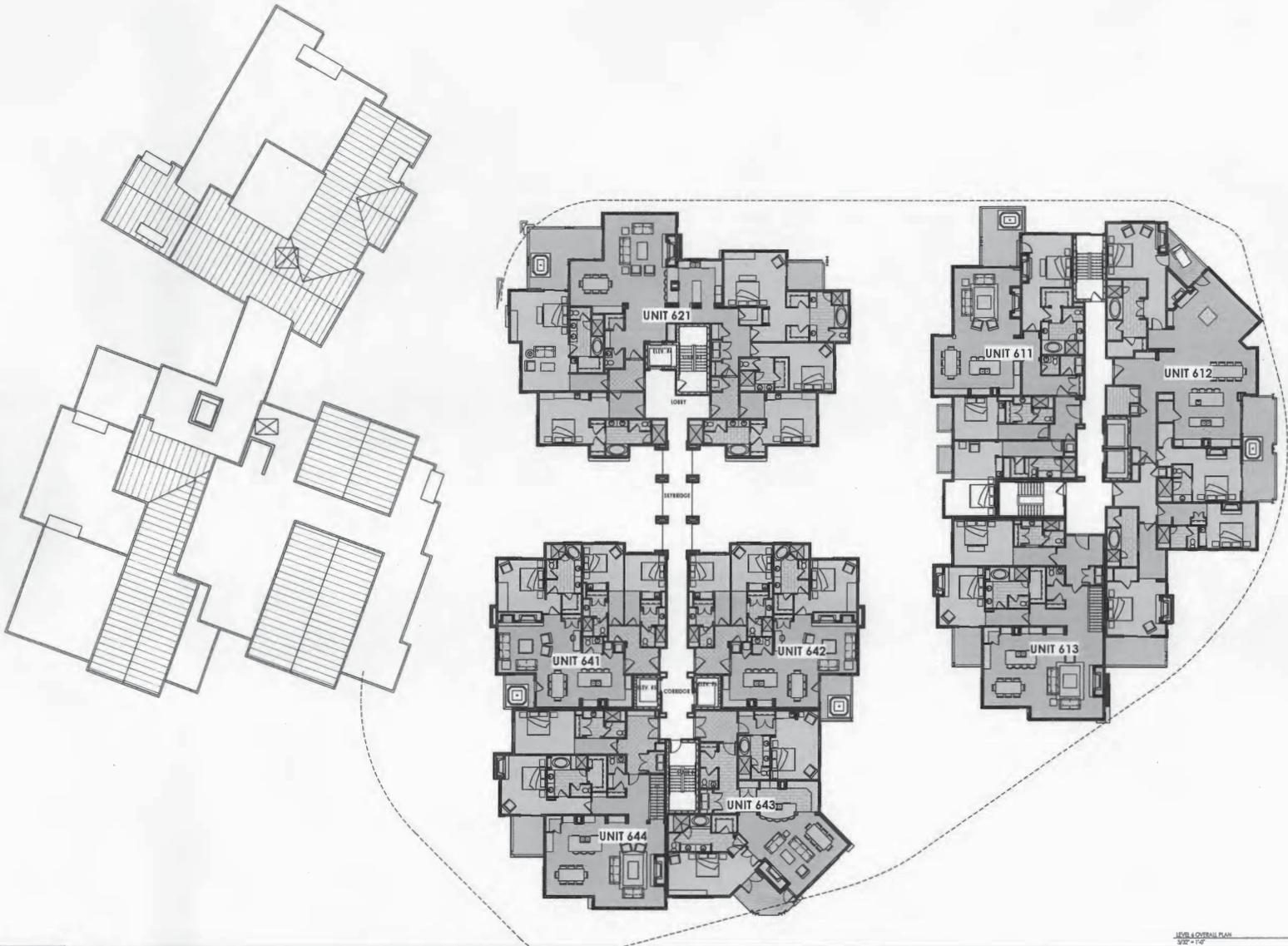
SILVER LAKE LODGE - CONDO BUILDINGS

7101 S. SILVER LAKE DRIVE, PARK CITY, UTAH 84060

LEVEL 5 OVERALL
PLAN

D105

14 JUNE 2013



LEVEL 6 OVERALL PLAN
3/22-1/2'

LEVEL 6 OVERALL
PLAN

SILVER LAKE LODGE - CONDO BUILDINGS

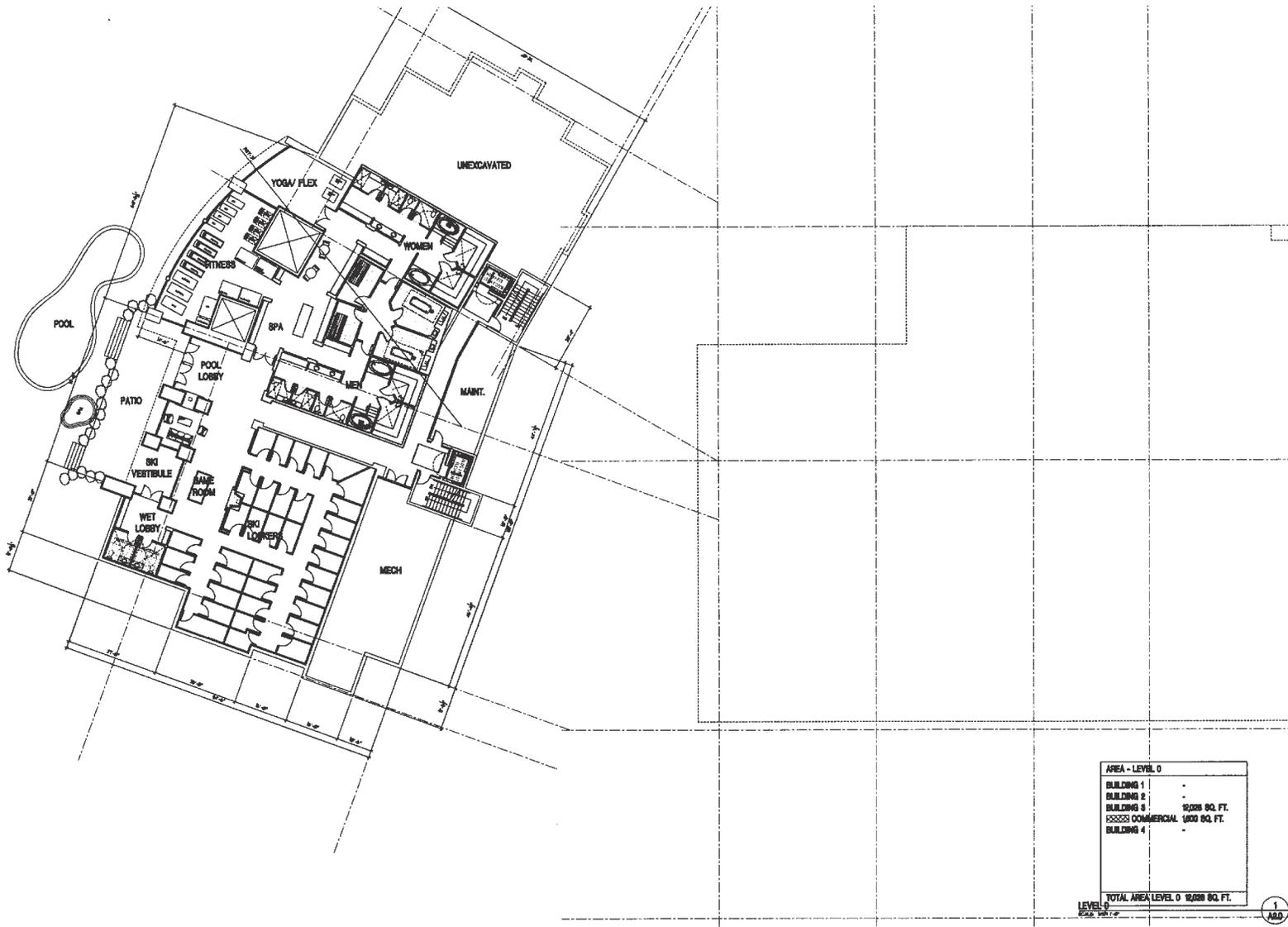
7101 S. SILVER LAKE DRIVE, PARK CITY, UTAH 84060

D106

14 JUNE 2013



Exhibit C – Approved 2010 CUP Plans



CONTRACT

This plan was prepared for the use of the client and is not to be used for any other purpose without the written consent of the architect. The architect is not responsible for any errors or omissions in this plan. The client is responsible for obtaining all necessary permits and approvals from the appropriate authorities. The architect's liability is limited to the professional services rendered. For more information, contact the architect at the address below.

NORTH SILVER LAKE LODGE

NORTH SILVER LAKE, SUBDIVISION LOT 28, DEER VALLEY, UTAH

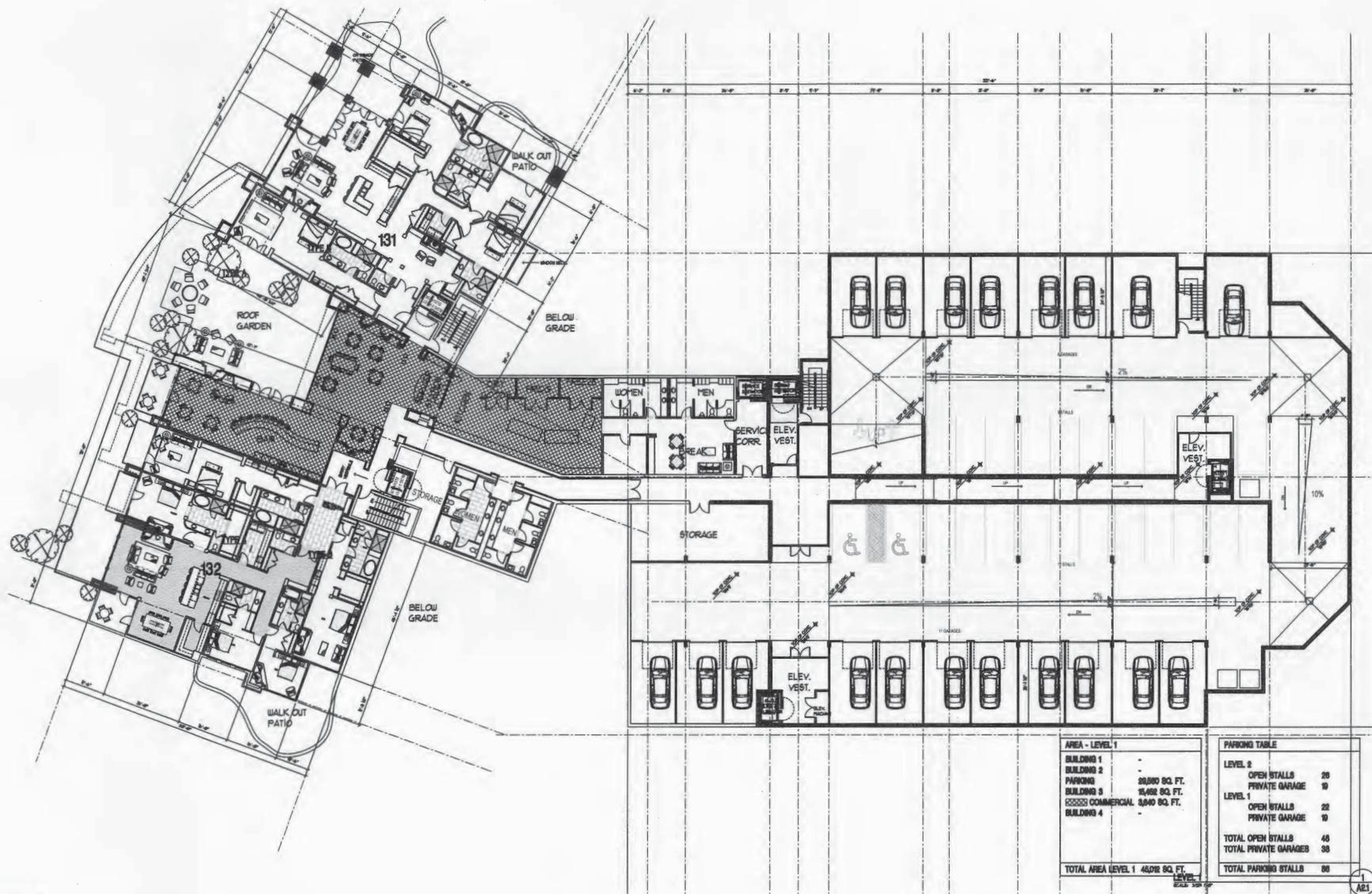
CLIENT
 REGENT PROPERTIES
 11990 SAN VICENTE, SUITE 200
 LOS ANGELES, CA 90049
 310.806.9827

DESIGNER
 JJA ARCHITECTS
 201010 CUP SUBMITTAL
 DATE
 PROJECT NO.
 SHEET

SCHEMATIC PLAN
 LEVEL 00

SD2.0





AREA - LEVEL 1	
BUILDING 1	-
BUILDING 2	-
PARKING	28,800 SQ. FT.
BUILDING 3	15,492 SQ. FT.
COMMERCIAL	3,840 SQ. FT.
BUILDING 4	-
TOTAL AREA LEVEL 1	48,132 SQ. FT.

PARKING TABLE	
LEVEL 2	
OPEN STALLS	20
PRIVATE GARAGE	10
LEVEL 1	
OPEN STALLS	22
PRIVATE GARAGE	10
TOTAL OPEN STALLS	42
TOTAL PRIVATE GARAGES	20
TOTAL PARKING STALLS	62

1
A-E1



CONSULTANT

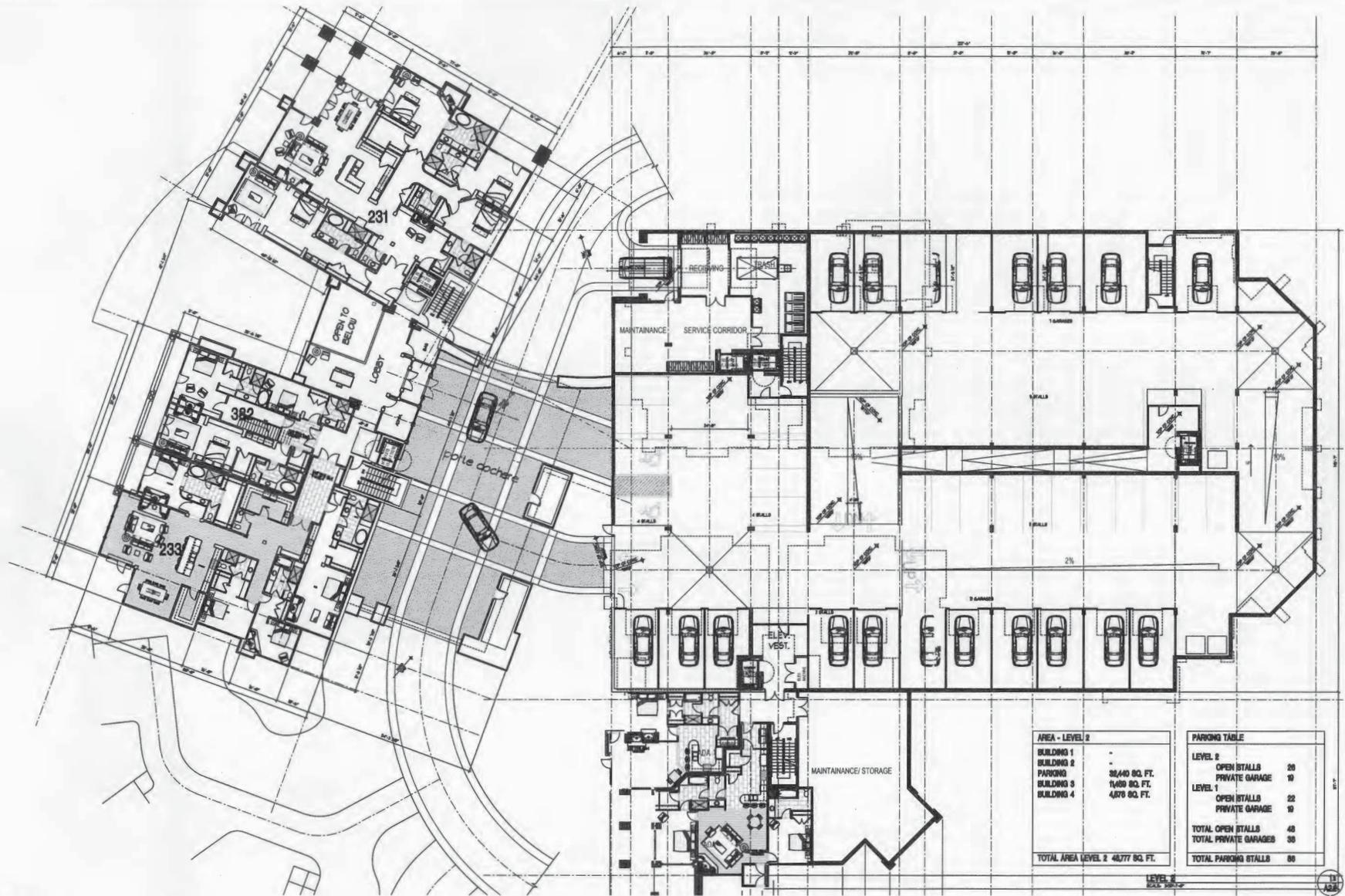
NORTH SILVER LAKE LODGE

NORTH SILVER LAKE SUBDIVISION, LOT 28, DEER VALLEY, UTAH

CLIENT:
REGENT PROPERTIES
11990 SAN VICENTE, SUITE 200
LOS ANGELES, CA 90049
310.806.9827

DESIGNER:
CUP SUBMITTAL SET
PUBLIC CITY PLANNING
DATE:
2013.02.10 CUP SUBMITTAL
PROJECT NO:
0207

SCHEMATIC PLAN
LEVEL 01
SD2.1



AREA - LEVEL 2	
BUILDING 1	-
BUILDING 2	-
PARKING	38,440 SQ. FT.
BUILDING 3	1,488 SQ. FT.
BUILDING 4	4,876 SQ. FT.
TOTAL AREA LEVEL 2	48,777 SQ. FT.

PARKING TABLE	
LEVEL 2	
OPEN STALLS	28
PRIVATE GARAGE	10
LEVEL 1	
OPEN STALLS	22
PRIVATE GARAGE	18
TOTAL OPEN STALLS	48
TOTAL PRIVATE GARAGES	40
TOTAL PARKING STALLS	88



CONSULTANT:
 This drawing is made to the best of our knowledge and belief, and we make no warranty, expressed or implied, in connection with it. We shall not be liable for any loss or damage, including consequential or special damages, arising out of its use or reliance on it, in whole or in part, or for any loss or damage, including consequential or special damages, arising out of its use or reliance on it, in whole or in part, or for any loss or damage, including consequential or special damages, arising out of its use or reliance on it, in whole or in part.

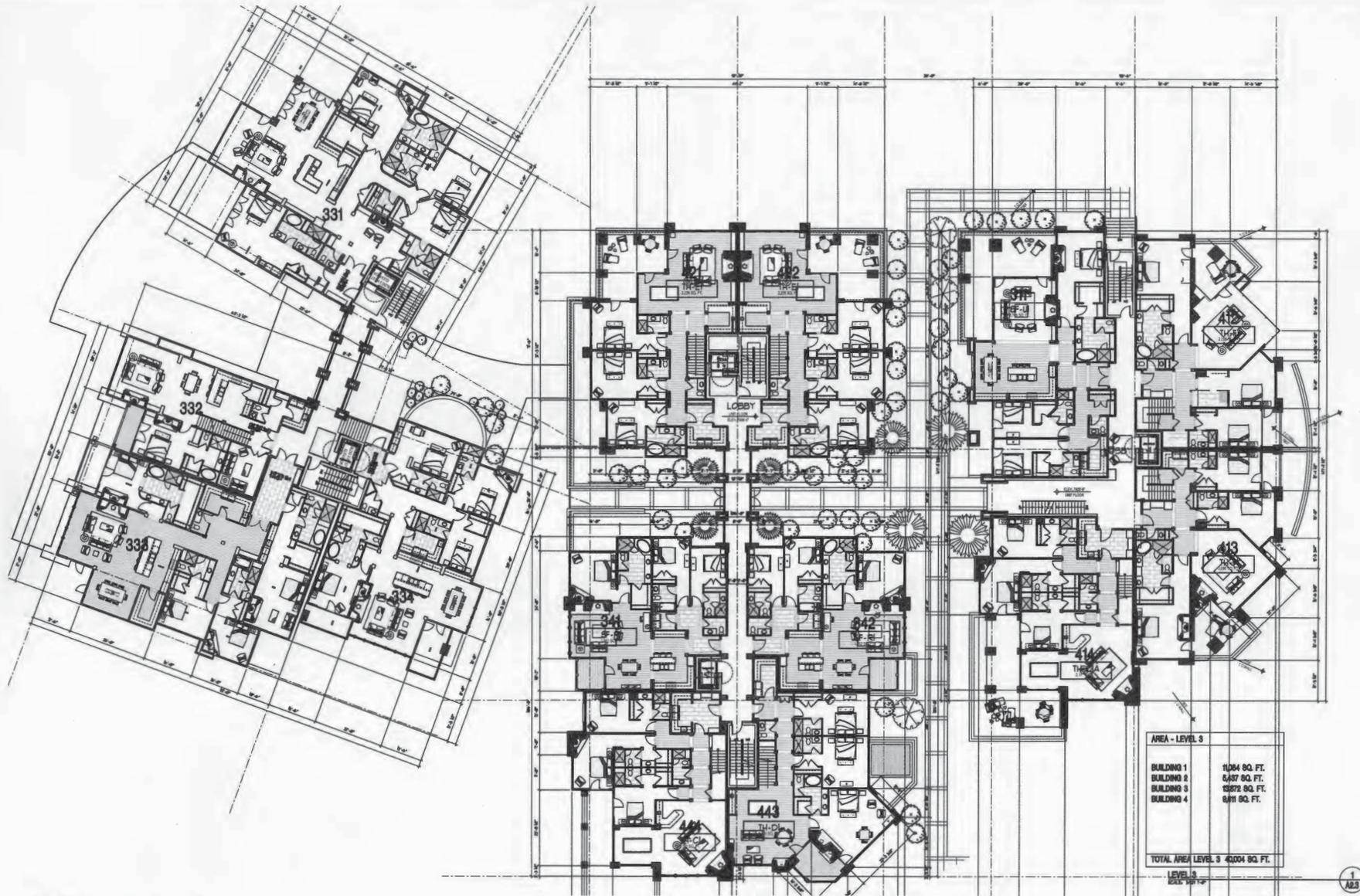
NORTH SILVER LAKE LODGE

NORTH SILVER LAKE SUBDIVISION, LOT 28, DEER VALLEY, UTAH

CLIENT:
 REGENT PROPERTIES
 11990 SAN VICENTE, SUITE 200
 LOS ANGELES, CA 90049
 310.806.9827

PROJECT:
 CIP SUBMITTAL SET
 FAIRFAX CITY PLANNING
 DATE:
 09/10/13 10:00 CIP SUBMITTAL
 PROJECT NO:
 0707

SCHEMATIC PLAN
 LEVEL 02
 SD2.2



1
A&B



CONTRACTORS:

NORTH SILVER LAKE LODGE

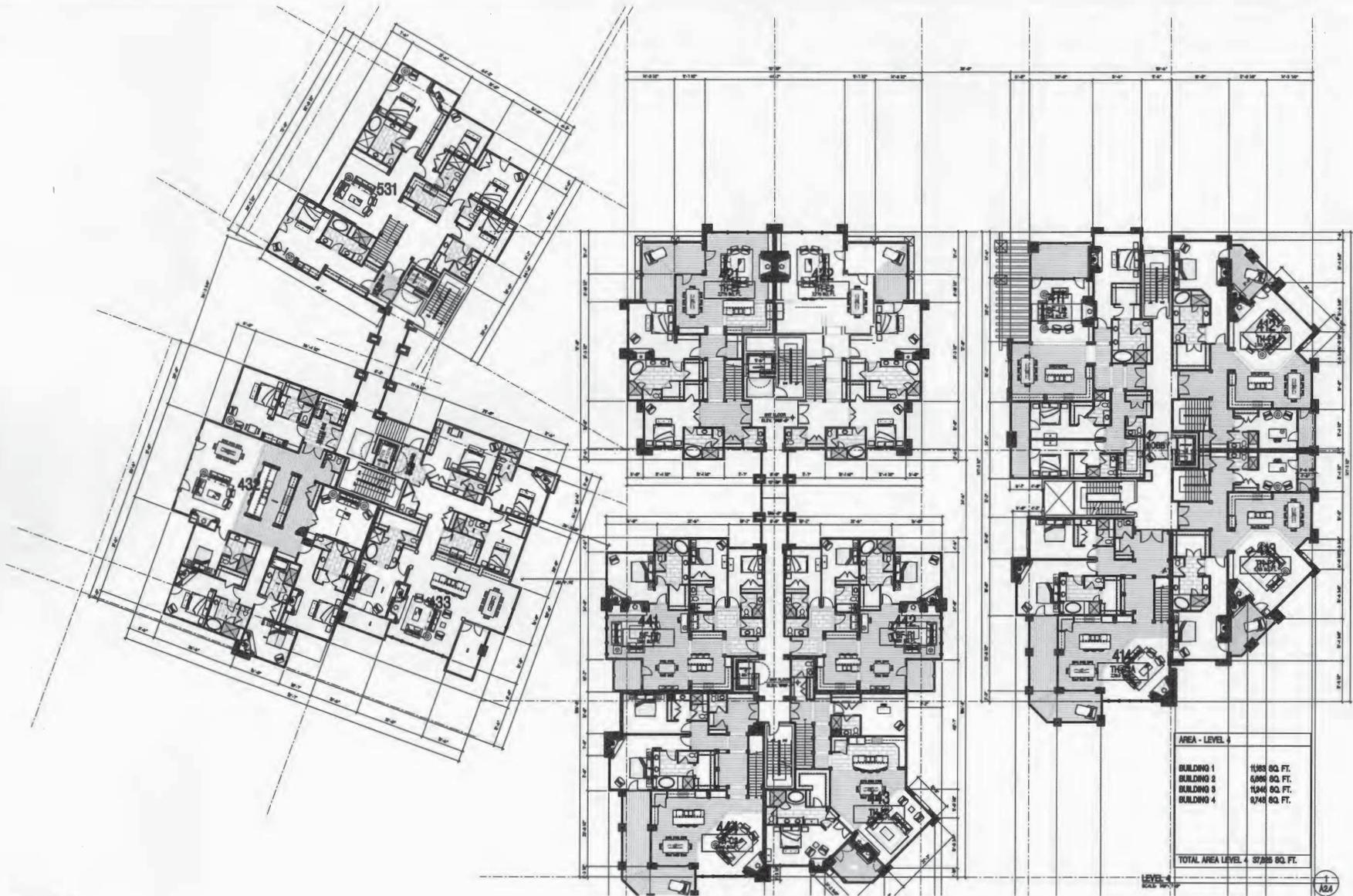
NORTH SILVER LAKE SUBDIVISION, LOT 28, DEER VALLEY, UTAH

CLIENT:
REGENT PROPERTIES
11990 SAN VICENTE, SUITE 200
LOS ANGELES, CA 90049
310.806.9827

PURPOSE:
CIP SUBMITTAL SET
FINAL CIP PLANNING
DATE:
2010.03.10 CIP SUBMITTAL
PROJECT NO:
0700

SCHEMATIC PLAN
LEVEL 03

SD2.3



CONSISTENT

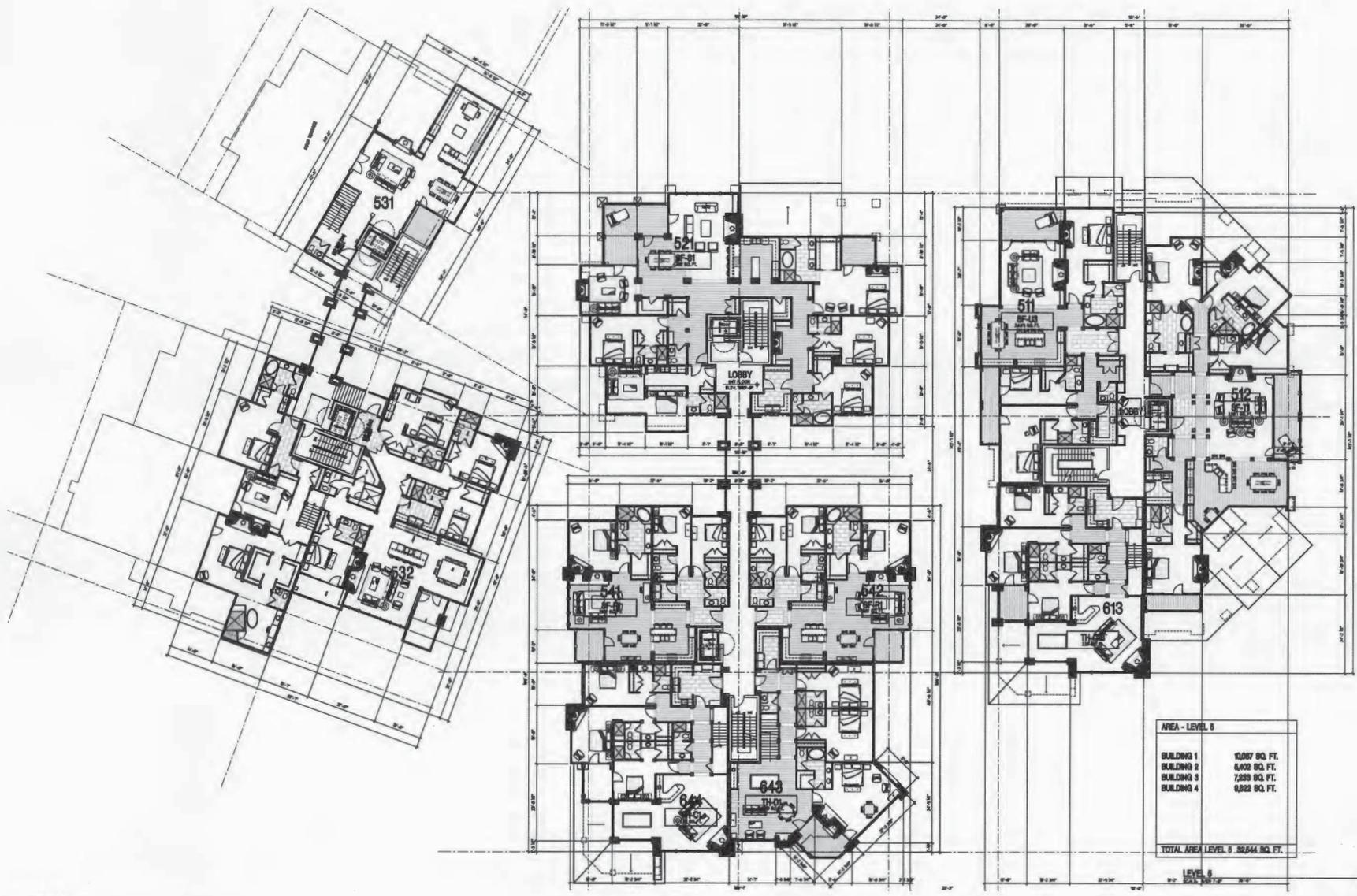
NORTH SILVER LAKE LODGE

NORTH SILVER LAKE SUBDIVISION, LOT 28, DEER VALLEY, UTAH

CLIENT:
 REGENT PROPERTIES
 11990 SAN VICENTE, SUITE 200
 LOS ANGELES, CA 90049
 310.806.9827

ISSUES:
 CIP SUBMITTAL SET
 FINAL CIP PLANNING
 DATE:
 2013.03.10 CIP SUBMITTAL
 PROJECT NO:
 0700

SCHEMATIC PLAN
 LEVEL 04
 SD2.4



ja
jpa architects

The design or sketch is based upon information provided by the client. The architect is not responsible for the accuracy of the information provided. The architect is not responsible for the accuracy of the information provided. The architect is not responsible for the accuracy of the information provided.

CONSULTANTS:

PO: 801.774.2300 6403 South 3000 Trail
Fax: 801.774.2301 Suite 301
www.jpa-llc.com Salt Lake City, UT 84113

NORTH SILVER LAKE LODGE

NORTH SILVER LAKE SUBDIVISION, LOT 28, DEER VALLEY, UTAH

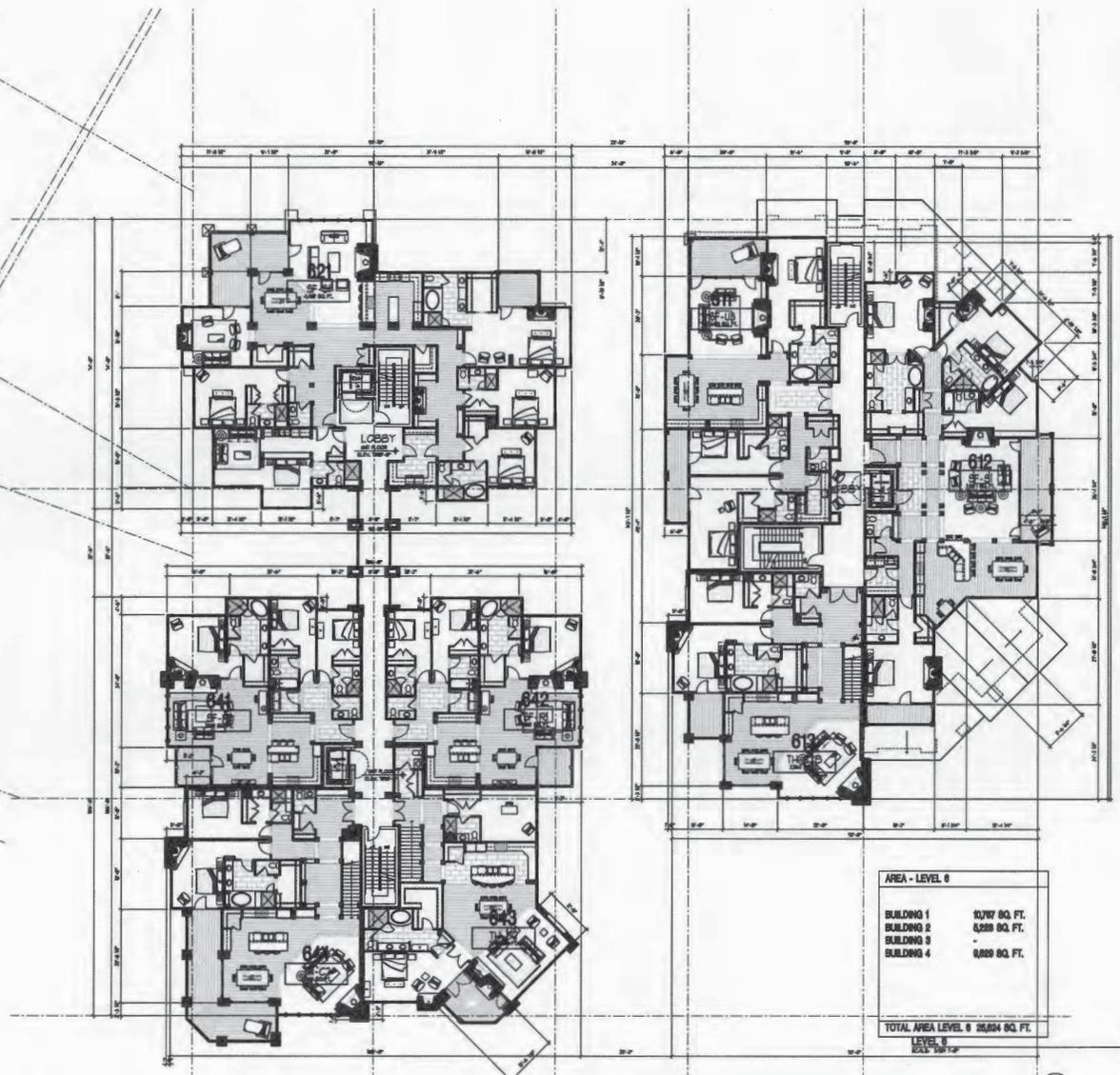
CLIENT:
REGENT PROPERTIES
11990 SAN VICENTE, SUITE 200
LOS ANGELES, CA 90049
310.806.9827

PURPOSE:
CIP SUBMETAL SET
PHASE CIP PLANNING
DATE:
2010.03.10 CIP SUBMETAL
PROJECT NO:
0287

SCHEMATIC PLAN
LEVEL 05
SD2.5

1
A25

NORTH BUILDINGS
8A AND 8B BELOW



1
A2.5



CONSULTANTS:

The design shown and described herein is preliminary and subject to change without notice. It is not to be used for construction purposes without the approval of the architect. The architect shall not be responsible for the accuracy of the information provided by others. The architect shall not be responsible for the accuracy of the information provided by others. The architect shall not be responsible for the accuracy of the information provided by others.

NORTH SILVER LAKE LODGE

NORTH SILVER LAKE SUBDIVISION, LOT 28, DEER VALLEY, UTAH

CLIENT:
REGENT PROPERTIES
11990 SAN VICENTE, SUITE 200
LOS ANGELES, CA 90049
310.806.9827

DESIGNER:
CUP SUBMITTAL LTD
PARK CITY PLANNING
DATE:
2010.05.10 CUP SUBMITTAL
PROJECT NO:
0207

SCHEMATIC PLAN
LEVEL 06

SD2.6

Work Session Minutes
November 6, 2013
Page 2

Exception would not change anything but the height of the sign. He was told that this was correct. Planner Alexander pointed out that the Special Exception for height would apply only if the Planning Director determines that it is feasible.

Commissioner Wintzer recognized that it was not a decision for the Planning Commission; but he was comfortable moving it forward to the City Council. Commissioners Worel, Gross and Hontz concurred. Commissioner Thomas stated that he would be comfortable moving it forward as long as the lighting was addressed.

Chair Worel called for public input.

Tom Bennett, the attorney for the developer of the St. Regis. Mr. Bennett felt it was important to understand that this amendment would not change any other provision of the sign code. It is strictly a height issue. He clarified that the St. Regis was only asking for a mechanism that was similar to a variance mechanism. The Special Exception opens the door for a situation where signage visibility is a problem, and it provides a mechanism to present your case to the Planning Director, if the sign meets all other requirements of the Municipal Sign Code.

7101 Silver Lake Drive, Lot 2B Subdivision of Lot 2 North Silver Lake – CUP for lockout units. (Application PL-13-02034)

Commissioner Thomas stated that due to his involvement with the conceptual design early in the project, he would be recusing himself from this discussion, as he has consistently done throughout the process. Commissioner Thomas left the room.

Planner Francisco Astorga noted that this was a work session discussion and the Staff and applicant were requesting input and direction from the Planning Commission.

Planner Astorga reviewed the application for a conditional use permit modification. The original CUP was approved in 2010. The original approval indicated that if the applicant requested a lockout unit in the future, it would require a conditional use permit request. The applicant has filed the required CUP application with the Planning Department. Planner Astorga noted that there was some discrepancy in the number of lockout units by the applicant. The applicant incorrectly interpreted the definition of a lock out unit and request 124 lockout units. After looking at the definition of a lockout unit, which consists of a habitable room that may include a kitchenette, but not a kitchen, the applicant reduced the number to 85 lockout units to coincide with the 38 approved main units. Planner Astorga wanted to clarify that mistake on the project description.

Planner Astorga stated that the conditional use permit authorized for 38 units. The applicant was requesting to add 85 lockout units to those 38 main units. The proposed plans were in substantial compliance with the original approval with a few modifications. The Staff did not believe the modifications were substantial enough to trigger a full review.

Planner Astorga noted that pages 26 and 27 of the Staff report outlined the details of the conditional use permit approval, the appeals and two extensions.

The Staff requested discussion this evening on two points that relate to the conditional use modification of the lockout unit, which is traffic and parking.

Rich Lichtenstein, representing the applicant, stated that he has been the owner's representative on this project since its inception. He introduced Russ Olsen, the CEO of Stein Eriksen, Steve Brown, the project consultant, and John Shirley, the project architect.

Mr. Lichtenstein stated that the project was approved in 2010 for 54 units; 16 detached homes and 38 condo units. On July 1, 2010, the City Council affirmed that approval. Due to the economic climate they were unable to break ground and came forth with two extensions that were approved. They were finally able to break ground the beginning of this year and expected to have the model home completed by the end of the year. At that point they would begin to take sales reservations for the ski season. Mr. Lichtenstein stated that besides breaking ground, they were also excited to announce a strategic alliance with Stein Erikson.

Mr. Lichtenstein noted that the original CUP did not include lockouts and it was very clear that any opportunity to build lockouts would require a CUP modification approved by the Planning Commission. He stated that the alliance with Stein Eriksen Lodge required them to make that request. Mr. Lichtenstein stated that they were prepared to show that there would be no further impacts or mitigation required on the property with the lockouts. The modification results in no additional square footage, not additional height, no reduction in open space, and the parking continues to be in excess of the Code requirement.

Russ Olsen, representing Stein Eriksen Lodge, was excited about this new project in North Silver Lake for the Stein Eriksen Residence project and the alliance that was formed. He stated that Stein Eriksen is not a developer and they do not have a financial interest in the development per se; however, they are involved because they are interested in the long term viability of the project and how it fits within the business plan and the model of future growth opportunities for Stein Eriksen Lodge. Mr. Olsen named other properties they manage in the North Silver Lake area. He noted that a positive for having Stein Eriksen involved was that they would be here managing the project for the long-term. They would not leave once the project is built. Mr. Olsen commented on parking, traffic and the shuttle service. He was convinced that the transportation service they provide currently for the Chateau and Stein's would translate directly to the Stein Eriksen Residences and eliminate the need for any of the guest to have cars.

In terms of the lockout situation, Mr. Olsen stated that the viability of a project is much greater with lockouts. He noted that a primary concern of having lockouts is the amount of traffic and parking generated, particularly during a large event. He pointed out that the Stein Eriksen Residences more of a country club where it is mainly for the owners who stay there and their guests. It will not have meeting spaces that would drive group business or a public restaurant. Stein Eriksen Residences is a more contained project and development, which is much different than the Chateau and the Stein Eriksen Lodge. Mr. Olsen stated that the impact of transportation would be minimal, but more importantly, the lockouts would help make the project more viable and more attractive to potential buyers. It was also critical in Stein Eriksen's decision to become involved in the project and to move forward with a successful long-term relationship with the owner of the project.

John Shirley, the project architect, reviewed the plans of a typical lockout unit. The areas in red were areas where interior hallways were added in order to create the lockout ability. Within the units themselves, minor changes were made where the kitchenettes were added. Mr. Shirley stated that in working with Mr. Olsen and his Staff in terms of creating the amenity level they needed to meet the Stein standards, the conversion to lockout was quite easy because the units were already close to those standards.

Planner Astorga clarified that the plan Mr. Shirley was presenting was the current condo layout versus the proposed.

Commissioner Wintzer understood that the unit would go from one key to three with the two lockout units. Planner Astorga replied that the units range from 1 to 3 lockouts. The smaller lockouts are 250 square feet and the larger lockouts can be up to 1,000 square feet.

Planner Astorga stated that the first discussion item related to traffic. He noted that the applicant had resubmitted their original traffic study and provided a new updated traffic study indicating the impacts of the lockout units. Per the newly updated document, shown as Exhibit F in the Staff report, in terms of traffic level of survey, it would remain Level of Service A, which is the free-flow traffic conditions best type of scenario. Planner Astorga reported that the Staff found no additional impacts to mitigate related to traffic.

Planner Astorga asked if the Commissioners concurred with the finding regarding traffic.

Mr. Lichtenstein pointed out that when the traffic study was updated they were considering up to 148 lockout units, which was due to a miscalculation. Since they were proposing less lockout units, he believed the traffic would show better if it was updated on the current number of 85 lockout units.

Chair Worel referred to page 69 of the Staff report which states that the study was evaluated assuming 110 additional keys. She asked if the traffic study assumed that everyone would drive rather than use public transportation. Mr. Shirley explained that the assumption on the traffic analysis was 100% occupancy at peak season. Commissioner Wintzer clarified that the study assumed a car for every key, but it was still a Level of Service A.

Commissioner Hontz noted that page 76 of the Staff report talks about not considering the lockouts because each key would cause a separate dwelling unit, which produced an artificially high trip projections. She asked if they had assumed the units as residential condos instead. Commissioner Hontz was confused over whether or not it reflected 100% off of the lockout units. She also recalled language in the Staff report, stating that it was based off of parking stalls rather than the occupancy of the actual rooms. Commissioner Hontz thought a better assumption would be to run at a certain percentage of the expected occupancy at its peak. She believed it would be significantly lower, as evidenced by all the hotels that provide that service. Commissioner Hontz stated that she was confused by some of the statements in the traffic study and if that could be rectified she was comfortable with the study. She reiterated her preference to base the assumption off of the assumed occupancy rather than parking stalls.

Commissioner Wintzer stated that he would like a matrix that identifies number of keys in the worst

case scenario. He thought it was important to know the worst case scenario and make a decision from that. Commissioner Wintzer also requested something that says per Code, how many parking spaces are required. He felt that information was important in order to make a good recommendation.

Planner Astorga stated that parking was the second point for discussion. He noted that the original CUP indicated that the project needed to provide 106 parking spaces, which was without lockouts. The Planning Commission made findings to reduce that by 25%, which took the number to 80 spaces. Planner Astorga stated that the approval also indicated that the parking would be determined per the LMC regulations. He pointed out that last year the City amended the LMC as indicated on page 30 of the Staff report, and the parking requirement was reduced. Planner Astorga stated that the challenge in addressing Commissioner Wintzer's request, is that the Land Management Code provides a parking standard for a lockout unit in terms of a single family dwelling and a duplex. It does not provide a parking ratio for a lockout unit within a multi-unit building. Because of the lack of clarity in the LMC, they were simply saying that the area for the lockout unit would be consumed by the area of the multi-unit dwelling as a whole. Therefore, they do not require additional parking for a lockout unit because it is already counted as part of a multi-unit dwelling. Given the current standard, the Staff's finding is that the lockout unit parking would be a portion of the multi-unit dwelling.

Commissioner Gross asked what the demand would be based on the ratio of one parking space per bedroom. Planner Astorga replied that it would be whatever parking was required for the first 38 main dwelling, and if it was one per bedroom, that would be an additional 85 parking spaces for a total of 123. He clarified that 123 would be assuming they could borrow the standard from a single-family and a duplex, but he was unsure whether that could legally be done because it was not specified in the Code. Assistant City Attorney McLean stated that it would also be the same standard for a hotel of one per room.

Commissioner Wintzer did not believe they needed that much parking and he applauded Stein Eriksen for what they were doing. However, he wanted to be able to justify whatever the Planning Commission does and point to the interpretations, particularly if they were willing to reduce the parking. Commissioner Wintzer thought it was important to take into consideration that all the rooms could be occupied by someone with a car. It becomes a problem for the applicant if parking is not allowed on the street and the project is under parked. He wanted something that would show the basis for a parking reduction.

Planner Astorga reported that the applicant was requesting to provide 96 parking spaces. The original plan had not changed and they were not requesting to reduce that number. Mr. Litchenstein stated that they could provide up to 96 parking spaces, but for many of the reasons being discussed this evening, he thought 80 parking spaces was an appropriate number. He concurred with Commissioner Wintzer on the need to provide justification for reducing the number. Mr. Litchenstein reiterated Mr. Olsen's comment that the Stein Eriksen marketing program discourages people from bringing cars because there is no parking and shuttles are provided. He pointed out that reduced parking to encourage less cars contributes to the City's goal of reducing the carbon footprint.

Commissioner Hontz concurred with Commissioner Wintzer in terms of not setting a precedent. She wanted the project to be successful and that the occupancy would be high. She also hoped the traffic system that Stein Eriksen employs would work and that the parking would not be needed.

Commissioner Hontz wanted justification to show how much was based off of a hotel use and how much they believe it would actually be generated. Commissioner Hontz also wanted conditions to have a successful travel demand system implemented and no office-street parking. She was comfortable considering a reduction because they want to discourage parking and encourage people to use other methods of transportation; however, she needed the requested analysis before she could make that decision.

Commissioner Wintzer stated that every time parking comes up in a project, he requests that the Staff look at the St. Regis, the Montage or other projects that had parking plans, to find out what they were required to build and how much of the parking is actually used. It would provide the Planning Commission with internal data from hard numbers to determine whether they were requiring too much or not enough.

Director Eddington stated that the Planning Commission had reviewed the parking analysis for the Montage and St. Regis four months and both were operating around 55-60% of occupancy. Despite the fact that the parking was reduced, they were still not operating above the 55-60%, even during Sundance and the holiday season. Commissioner Wintzer apologized for not remembering that the Staff had done that analysis. He requested that the Staff include that information in future Staff reports so the Commissioners would have the real data in front of them. Planner Astorga remarked that included in the General Plan is a section called "Rethinking parking", which indicates that most parking ratios are borrowed from suburban developments. They need to do in-house research and analysis related to parking demands as suggested in the General Plan, as well as taking the direction given this evening. Planner Astorga stated that the Staff was aware of the parking issues and they were trying to address that in the General Plan.

Director Eddington remarked that that part of the Best Practices with regard to parking was not management parking through additional asphalt, but rather managing parking through people.

Planner Astorga referred to page 31 of the Staff report and the criteria for a conditional use permit. When the application came in the professional recommendation and agreed to by the applicant, was to focus on traffic and parking related to the lockout units. Planner Astorga clarified that this section of the Staff report was not intended to reopen the approved conditional use permit. He explained that most of the CUP criteria did not apply to lockout units; however, the Staff reported listed the criteria to see if the Planning Commission had additional issues for review.

Commissioner Hontz referred to page 65 of the Staff report, Sight Distance, from the eastbound left turning traffic, and recommendations suggested by the traffic engineer to improve sight distance. She believed the lockouts would result in a traffic increase beyond the previously approved plan, and she could be problematic. Commissioner Hontz thought the recommendations were minor and insignificant, but it would make it easier to turn in and out of the project. She requested that the Staff research the recommendations further.

Chair Worel wanted to know more about the impacts on utility capacity. Planner Astorga noted that

the number of bedrooms was not changing. The only change was how the bedrooms are managed through the plan. The Sewer District did not have any issues with the lockouts because the number of bedrooms remained the same. Planner Astorga offered to do the additional review and provide a better recommendation for that specific criteria.

Chair Worel opened the public hearing.

Bob Dillon, a resident of American Flag, stated that in the past he was the attorney representing a number of neighbors and HOAs. Mr. Dillon stated that this project was not approved as a hotel. It is a multi-unit dwelling. If this is a hotel that has commercial space and support commercial that is open to the public, it is completely different from what was approved. Mr. Dillon explained that as they went through the process, it was presented to the neighbors as large condominiums and that was how the parking was formulated and the traffic plan. Those plans would be different if it is operated as a hotel and the public is allowed to come in and use the parking and the unknown commercial facilities. Mr. Dillon was surprised that condo documents, the plat and the declarations had not been submitted. The Legal Department authorized pulling a building permit on this project when five provisions of the LMC did not allow them to do it. He was surprised that they have to look at lockouts before they apply for a CUP for the condo project. Mr. Dillon wanted to know what this project really is and how it would be operated. He pointed out that he had done all the legal work for the Chateau. He knows how it is constructed and how it is operated. Stein Eriksen is a great manager, but this project is not the Chateau and it is not Stein Eriksen Lodge. Mr. Dillon stated that as soon as the lockouts are approved, it really begins to look like a hotel, and this project was not approved to be a hotel.

Lisa Wilson stated that she has lived in Deer Valley since 1993. She purchased her lot fully aware that there could be a large project someday. They were told it could be a small boutique hotel and that it would be 54 units. Ms. Wilson thought she knew what a unit was. During the public process there was a compatibility argument that went on for year, and the project was deemed compatible because the units were approximately 6,000. Ms. Wilson handed out a document that was written by Katie Cattan, showing that the units would be 6,000 square feet. At one point they were compatible when the project proposed 54 units. Ms. Wilson reiterated that she thought she knew what a unit was, but now the number is as high as 140, and she no longer knows how to define a unit. Ms. Wilson presented a copy of a trust deed.

Commissioner Wintzer informed Ms. Wilson that the issue this evening was the lockout units and not the history of the project.

Ms. Wilson replied that the lockout units would tremendously change the value of the property. Since 2005 the property according to Summit County has been valued at \$1.2 million. There is a trust deed on record for \$85 million. She pointed out that changing to 140 units increases the value far more than \$85 million. Ms. Wilson passed provided the Commissioners with copies of the trust deed. Ms. Wilson commented on the amount of property taxes that have been paid since 2005. He noted that 85% of the property tax revenue should have gone to the teachers, but it did not. Ms. Wilson believed the proposal and the discussion was truly unbelievable. She presented a tax bill prior to 2005 showing that the developer used to pay over \$100,000 in property taxes and now they pay \$6,000. Ms. Wilson remarked that the developer uses ten acres of Deer Valley ski in/ski out

property and their property tax is \$6,000. Deer Valley pays \$55 in property tax for the four acres that used to be a 54 unit condo project, and has now turned into 140 hotel rooms. Ms. Wilson was unsure how it reached this point, and she hoped the Planning Commission could do something to change it. She wanted to make sure that the school district and the City gets the money they lost over the years.

Nancy Dalaska stated that she and her husband live on Royal Street in Deer Valley. They are relatively new to Park City and she had two concerns about this development. When they purchased their property five years they understood that Deer Valley was relatively low density. Having moved from Chicago she know the difference between high and low density. They moved here looking for a place with low density. Ms. Dalaska was not adverse to development and understood that good, responsible development is necessary in order for the community to thrive and they need good operators like Stein's, who she considers to be a good neighbor. However, the master development plan says 54 units were approved. She thought that number was aggressive for the property, but to add in another 85 units basically doubles the size of the project from what was approved. Ms. Dalaska stated that even though this might not be adding additional density, she was concerned about the traffic and the parking. She commended places that have shuttles, however, she has yet to see a shuttle drive by that was actually going 25 miles an hour or slower. There were already traffic issues on a small, curvy two-lane road and the shuttles drive up and down Royal Street way too fast. In addition, since they cannot require their guests to not bring a car, she thought it was reasonable to look at the worst case scenario in terms of traffic. Ms. Dalaska was concerned about the safety issues that come from the traffic and the shuttles. She was also concerned about the precedent this sets. She has seen this project and others approved for a certain scope and number of units. If this were approved with lockouts that would be different; however, to change the nature of the project after it has started seems like a bait and switch. Ms. Dalaska believed that it sets a dangerous precedent for the community. In looking at previous minutes that talked about prohibiting lockouts, she questioned whether this project would have originally been approved in 2010 if it had been presented as a hotel with lockouts. Ms. Dalaska asked the Planning Commission to consider the existing neighbors, the safety on Royal Street and the economic viability of the entire neighborhood; and not just the people buying in to this new project.

Chair Worel closed the public hearing.

For the next meeting, Commissioner Wintzer asked Planner Astorga to talk about what the Deer Valley MPD approved and whether this proposal would change the original MPD in terms of number of units. Planner Astorga stated that he would research the Deer Valley MPD and provide that information. He explained that a lockout and nightly rental were allowed uses in the District. However, a lockout nightly rental requires a conditional use permit in the District. Planner Astorga pointed out that the 2010 approval indicated that if the applicant wanted a lockout, they would have to come back to the Planning Commission for a CUP.

The Work Session was adjourned.

Existing Traffic Counts and Traffic Projections

Exhibit E – Traffic Study 2009

Silver Lake Condominium Project
Deer Valley, Utah

Submitted to:
JSA Architects
Park City

February 2009



Sara R. Colosimo



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1. INTRODUCTION

1.1. Purpose of Report and Study Objectives

The purpose of this report is to document the results of a study undertaken to identify the existing traffic and traffic projections that would result from the development of the proposed Silver Lake Condominium Project at approximately 7570 Silver Lake Drive in the Deer Valley area of Park City Utah.

The proposed site plan is shown in *Figure One*.

1.2. Existing Traffic Counts

Traffic is evaluated by looking at daily traffic, occurring in a 24-hour period and during a peak period. In this location, the peak traffic period occurs on a weekday afternoon from approximately 3:00pm to 5:00pm.

Riley Transportation Consultants performed traffic counts for the proposed development in the area of Deer Valley in Park City on October 16, 2008 – October 20, 2008 and January 31, 2009 – February 3, 2009. The area of Deer Valley in Park City is a tourist destination that experiences its peak season during the winter months. It was necessary to perform different traffic counts during the different seasons in order to compare and contrast results.

After evaluation of the traffic counts that were done in both the off and peak seasons, the following was established:

- Compared to the existing off-season traffic volume, the winter peak season traffic volume increased nearly 150%, in a 24-hour period.
- Saturdays during the peak winter season produced the highest traffic volume.
- The peak hours for traffic volumes on Saturdays were from 9 AM – 10 AM and from 5 PM – 6PM.

The existing peak hour and 24-hour traffic volumes for the studied site are shown in *Figures Two and Three*.

Figure One – Site Plan



Figure Two – Existing (Winter) Peak Hour Traffic Volume



Figure Three – Existing Average Daily Saturday Traffic (ADT)



2. PROJECTED SITE GENERATED TRAFFIC

2.1. Projected Peak Hour Counts

The *ITE Trip Generation Manual* was used to project traffic volumes that the proposed development, which contains 40 condominium units and 20 recreational homes, would produce. The "Residential Condominium/Townhouse" description was used along with its ITE code (230) to project the peak hour traffic volume of the proposed 40 condominium units. Consistent with the *ITE Trip Generation Manual*, the directional distribution of the projected traffic volumes was 56% entering and 44% exiting (See **Table One**). In addition, the "Recreational Homes" description was used along with its ITE code (260) to project the peak hour traffic volume of the proposed 20 recreational homes. Consistent with the *ITE Trip Generation Manual*, the directional distribution of the projected traffic volumes was 48% entering and 52% exiting (See **Table One**).

Table One – Projected Trip Generation and Directional Distribution

Recreational			
Entering =	48%	Exiting =	52%
Number of Units =		20* (16 homes)	
Generated Traffic =		46	
Entering =	22	Exiting =	24
Condominiums			
Entering =	56%	Exiting =	44%
Number of Units =		40* (38 condo units)	
Generated Traffic =		40	
Entering =	22	Exiting =	17
Total			
Entering =		44	
Exiting =		41	

*Rounded up to nearest 5 for conservative traffic estimate

The summation of the two results for the condominium and recreational home traffic volumes were used to project the total site generated traffic volume of the proposed development during the peak hour (See **Figure Four**).

According to the *ITE Trip Generation Manual*, two methods could be used to project the peak hour traffic volumes. These two methods consisted of a rate and a fitted equation. The later was used because it yielded a greater value.

Figure Four – Site Generated Peak Hour Traffic



3. TOTAL PROJECTED SITE TRAFFIC

3.1. Trip Generation Analysis

Existing traffic volumes were used as the background traffic. Total traffic volumes were obtained by adding the site generated traffic volumes to the existing background traffic. The total estimated traffic volumes for the proposed development are shown in **Figure Five**.

Figure Five – Total Projected Peak Traffic Volume



Note: Traffic schematic only. See site plan for location of access.

3.2. Capacity Analysis

The analysis has been conducted in accordance with the Highway Capacity Manual 2000 guidelines using *Synchro Version 7* software. It was determined that the Level of Service (LOS) for the intersections within the influence area of the proposed development is a LOS A. Although Traffic will be noticeably higher, it is projected to be well within normal traffic on a rural or suburban local or collector street.

Table Two –Level of Service (LOS) Descriptions

Level of Service Descriptions – Unsignalized Intersections		
Level of Service	Description of Traffic Conditions	Average Delay (seconds/vehicle)
A	Free flow traffic conditions	$0 \leq 10$
B	Stable Operations/ Minimum	> 10 and ≤ 15
C	Stable Operations/Acceptable Delay	> 15 and ≤ 25
D	Approaching Unstable Flow. Incidents can generate lengthy queues	>25 and ≤ 35
E	Operating conditions at or near the roadway's capacity.	> 35 and ≤ 50
F	Breakdown in vehicular flow. Queues form quickly. Unpredictable and unacceptable.	> 50

4. ZONING AND SAFETY ANALYSIS

4.1. Existing Site Conditions

The existing sight distance from the proposed development access was measured and is shown in **Figures Six and Seven**.

Figure Six – Projected Sight Distance Access Outbound Left Turn

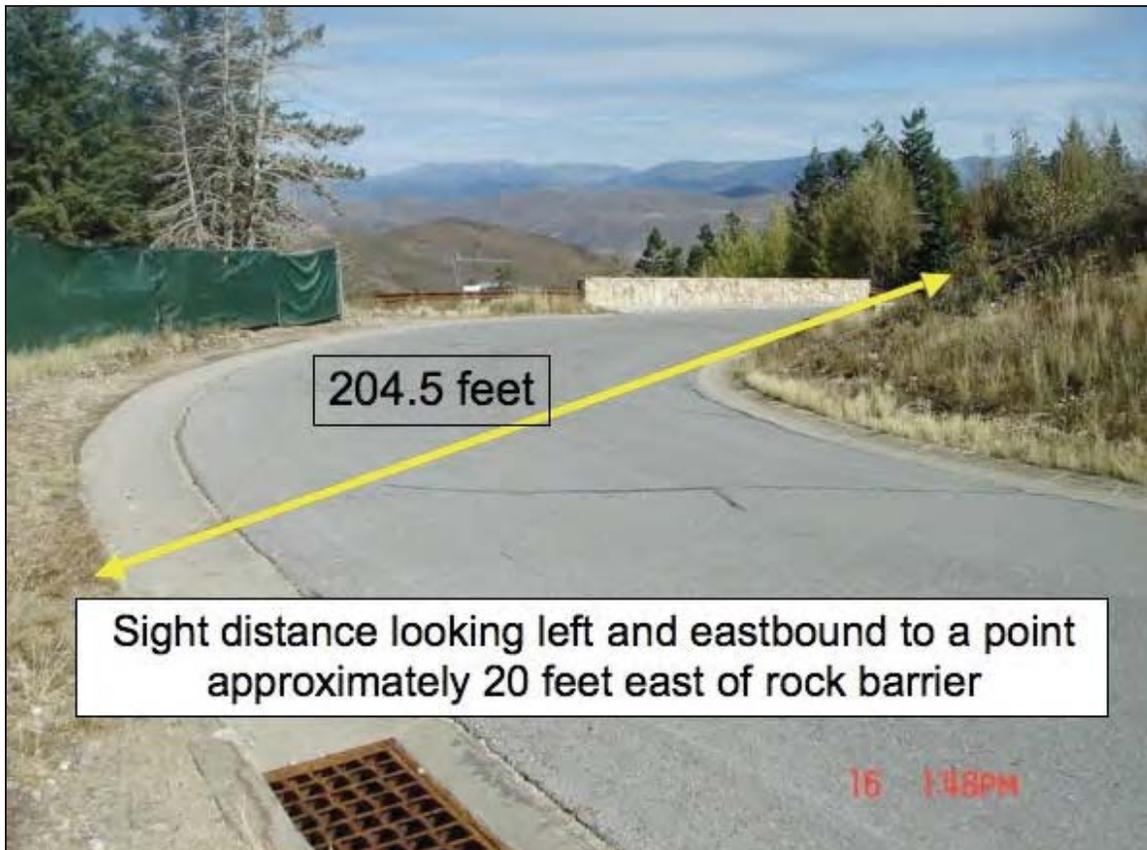


Figure Seven – Projected Sight Distance Access Outbound Right Turn



4.2. Adjacent Roadway Conditions

Silver Lake Drive in this vicinity is a two-directional road providing access to residential home and condominiums. The roadway is 25 feet wide and not striped. The speed limit along this segment is not posted but assumed to be 25 mph, based on Utah law. The grade of the roadway is approximately flat (0%) to the southwest and about a 3% downgrade to the east.

4.3. Zoning

The area is zoned for residential.

5. CONCLUSIONS AND RECOMMENDATIONS

Sight Distance

Sight distance for the southwest bound, or right turning traffic out of the proposed development is over 500 feet, which meets AASHTO sight requirements.

Sight distance for the eastbound, or left turning traffic out of the proposed development was measured at 204 feet. This meets the AASHTO sight requirements for passenger cars (187 feet), but not for single unit trucks (228 feet) or combo trucks (288 feet). Clearing and/or grading the property across from the access could improve sight distance. This could also be accomplished by slightly raising the existing profile of the access. The grade of the roadway is less than 4% and does not affect the sight distance requirements at 25mph.

Based on surrounding area the access is typical. Engineering judgment should be used at the time of project opening to further evaluate the exact and perceived sight distance. Actual distance can be affected by grade of access and light conditions.

Special warning signage is recommended during the construction period. Truck traffic should enter the project from the north along Silver Lake Drive, and exit south to Royal Street. This will minimize construction and delivery traffic through the neighborhood and avoiding crossing traffic entering and exiting the site.

Mitigation for the limited sight distance could include a warning sign, or clearing of the slope area across the street.

Traffic and Capacity

Existing traffic is relatively low, even during the winter months. During the existing peak traffic period, there is approximately 1 vehicle every 2 minutes. Traffic is projected to increase to slightly more than 1 car per minute.

Both the roadway and all affected intersections are projected to remain at an LOS (Level of Service) A.

Addendum to Traffic Impact Analysis

**North Silver Lake Lodge
Deer Valley
Park City, Utah**

*Submitted to:
Think Architecture
Park City Corporation*

November 2013



Sara R. Crossin
11-27-2013



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1. INTRODUCTION AND SUMMARY

1.1. Purpose of Report and Study Objectives

The purpose of this addendum is to document and update the conclusions of a study undertaken to identify the traffic impacts of the proposed North Silver Lake Lodge project at approximately 7101 Silver Lake Drive in the Deer Valley area of Park City, Utah. The original study was approved in 2009. The original study was undertaken and submitted in 2009 for a development of 16 single family and 38 condominium residential units.

This report is in response to the November 5, 2013 Planning Commission hearing, where an updated addendum was requested that reflects the inclusion of 85 lockout units within the 38 condominium units. This creates a total of 125 keys on site within the same 241,814 square foot approved plans.

1.2. Executive Summary

Traffic levels in the project vicinity are assumed to be the same or less than levels recorded in 2009. The Utah Department of Transportation (UDOT) traffic statistics indicate that traffic in Park City, and specifically the Deer Valley area, have remained the same or decreased.

This analysis assumes a peak 100% occupancy of all condominiums and all condominium owners exercising their option to lock out part of their unit. According to Stein Eriksen Lodge, the peak week of occupancy in 2012 was 89% from December 26 to December 31.

The overall average daily traffic (ADT) with this revised concept is expected to be less than that of an independent condominium and home development, due in large part to the amenities and shuttle services to be provided by the property manager, Stein Eriksen Lodge, via their successful Transportation Demand Management (TDM) Program. TDM programs focus on changing or reducing travel demand, particularly at peak commute hours, instead of increasing roadway supply. Thus, TDM makes more efficient use of the current roadway system by reducing auto trip through providing a shift from single-occupant vehicles (SOV) to non-SOV transportation options. Assuming maximum occupancy and lockout utilization, and the maximum number of resort shuttles, airport vans, and limousines, a total of 415 trips per day could be expected, or 200 trips with Travel Demand Management (TDM). Even under maximum trip scenario, all traffic was still projected to function at LOS (Level of Service) A, which is acceptable for a roadway of this classification.

All conclusions from the original study are valid for this revised site plan. This section of the 2009 report is reprinted in the conclusions section of this report.

2. PROPOSED PROJECT

2.1. Proposed Project

The North Silver Lake project was approved for 16 single family and 38 condominium residential units. The property owner is now requesting to include 85 lockout units within the 38 condominium units. The “lockout” potential would allow individual owners to rent out one or two bedrooms using a separate door and key. A total of 125 keys could exist if the full lockout capability was used. This change was evaluated including traffic for an assumed 85 additional keys.

In the original approvals, The Planning Commission requested a reduction in parking required under the Land Management Code. A total of 76 spaces were required by code and an additional 4 were provided for a total of 80 stalls approved for the proposed density. Since the density is not changing, the owner is proposing no change to the number of parking stalls. Stein Eriksen Lodge, the managing entity for The Stein Eriksen Residences plans to utilize their existing TDM program, which provides shuttle service for guest staying in their managed properties. This program is outlined in greater detail in a report to be provided.

This project will have ski-in-ski out capability which when coupled with the existing TDM program significantly mitigates the need for guest use of private vehicles. Deer Valley and Park City attractions will be accessible by skis or resort shuttle. Stein Eriksen Lodge has provided a transportation analysis during the peak period that documented the rate of vehicle usage for both condominiums and lockout units.

For the purpose of this study, the highest expected vehicle traffic was estimated to evaluate the overall traffic impact on the project.

Figure 1 – Site Location & Surrounding Area



3. STUDY AREA CONDITIONS

3.1. Site Area Buildout 2009-2012

The study area has been impacted, since 2009, by economic conditions. Scheduled construction projects did not go as planned. Conditions are similar to 2009, as shown in Figures 2 and 3, which show the area buildout from 2007 to 2011.

Figure 2 – Site Area 2007 (With 2009 Project Shown)



Figure 3– Site Area 2011



4. ANALYSIS OF EXISTING CONDITIONS

4.1. Analysis of Existing Conditions

Given the economic slowdown, traffic volumes in the Park City/Deer Valley area have remained constant or have declined. No new developments have opened in the area since the study was completed. An excerpt from the publication *Traffic on Utah Highways*, prepared by the Utah Department of Transportation, is included and shows traffic from 2009 to 2011.

2011 Traffic on Utah Highways

ROUTE NAME	BEG. ACCUM. MILEAGE	END ACCUM. MILEAGE	LOCATION DESCRIPTION	2011 AADT	2010 AADT	2009 AADT
0224	4.664	5.554	Deer Valley Drive	13,910	13,955	20,750
0224	5.554	5.737	Bonanza Drive	18,575	18,630	18,705
0224	5.737	6.040	Park Avenue	19,720	19,780	19,860

5. PROJECTED TRAFFIC

5.1. Travel Demand Management (TDM)

The following planned amenities will significantly reduce trips from the proposed development.

Stein Eriksen TDM analysis is a part of a separate report to be provided.

Ski-In/Ski-Out Access

This figure shows the ski-in ski-out access from the project. Ski access is provided to Silver Dollar, Last Chance, and Success Ski Runs. From here, access is available to the Carpenter Express or Silver Link ski lifts.

Figure 4– Ski-In/Ski-Out Access



5.2. Trip Generation

Using current trends and future traffic projections, projected trip generation was determined. These values are summarized in the following table and were compared with the Institute of Transportation Engineers, (ITE) 9th Edition *Trip Generation Manual*. The manual includes the following land use categories (ITE Codes) for trip generation.

Recreational Homes - (ITE Code 260)- ITE *Trip Generation Manual* defines this category as the following: “Recreational homes are usually located in a resort containing local services and complete recreational facilities. These dwellings are often second homes used by the owner periodically or rented on a seasonal basis.” Trips for the single-family luxury homes in the project are generated using this data.

Residential Condominiums -(ITE Code 230)- ITE *Trip Generation Manual* defines this category as the following. “Residential condominiums/townhouses are defined as ownership units that have at least one other owned unit within the same building structure. Both condominiums and townhouses are included in this land use.” Trips from this land use are generated using the following variables: dwelling units (DU's), persons, and vehicles.

Lockout Units - ITE does not include a category for lockout unit condominiums. The “Residential Condominium” is still the land use, which best describes the project function. In the case of lockout utilization, the overall square footage, number of beds, and number of parking spaces remain the same. One method of analysis would be to simply assume each key would be a separate dwelling unit; however, in this case, that method would produce an artificially high trip projection.

The other two variables used to evaluate trips are the number of persons and the number of vehicles. In the case of lockout utilization, the overall same square footage, number of beds and number of parking spaces remains constant. This data for each condominium unit are shown in the Appendix, North Silver Lake Lodge, Unit Analysis.

When evaluating the project with lockouts or without lockouts, using the parking space or vehicle variable, produces the most intuitive results. While full lockout utilization may produce more trips, it will not produce three times the trips, as a single-party occupied condominium.

Tables 1 and 2 show the projected peak trips generated by the project as a standalone project, and with TDM managed by Stein Eriksen Lodge.

Table 1 – Projected Peak Trip Generation - Without TDM
9th Edition ITE Trip Generation Manual

Development	ITE Code	Development Units (DU)	Variable (Dwelling Units or Vehicles)	ADT	PM Peak Hour		
					Total	In	Out
Recreational Homes	260	16	NA	51	4	2	2
			Dwelling Units				
Residential Condominiums*	230	38	38	221	20	13	7
			Vehicles				
Residential Condominiums (All Keyed Units including Lockouts)	230	125	80	267	26	17	9
Total *			80	318	30	19	11

* The lesser trip generation rate, Residential Condominiums by dwelling units, was not used; lockout condominium rate by vehicles was used.

Table 2 - 2013 Projected Peak Trip Generation- With TDM
9th Edition ITE Trip Generation Manual

Development	ITE Code	Development Units (DU)	% Using Vehicle	Adjusted Variable Vehicles	ADT	PM Peak Hour		
						Total	In	Out
Recreational Homes	260	16	NA		51	4	2	2
Condominiums 2, 3, 4 & 5 Bedroom Units	230	38	33.33%*	13	43	4	3	2
Lockout Condominium Units	230	85	10%*	9	30	3	2	1
Resort Shuttles*					30	4	2	2
Airport Van/Limo*					20	2	1	1
Maintenance/ Staffing*					19	4	3	1
Total					193	21	13	9

*Data from Stein Eriksen Lodge Management Group

6. TRAFFIC ANALYSIS

6.1. Capacity Analysis

The Intersection analyses have been conducted in accordance with the *Highway Capacity Manual* 2000 guidelines, using *Synchro Version 7* software. The following table shows the existing Level of Service (LOS) and delay for the intersections within the influence area of the proposed development. Delay is listed for worst approach leg and the intersection. Where there is a free movement at an unsignalized intersection (no stop is required), intersection LOS is not calculated by the software. Approach LOS for the stopping traffic is shown in parentheses. This analysis uses the peak trip generation, as shown in Table 1, without TDM.

Table 3 – Projected Capacity Analysis Results

Intersection	PM Peak Hour	
	Average Delay (secs)	Intersection Approach LOS
Silver Lake Drive and Project Access	5.6	A(A)
Silver Lake Drive and Royal St.	3.4	A(A)

7. CONCLUSIONS AND RECOMMENDATIONS

This updated traffic analysis assumes conservatively that 100% of the condominiums will be occupied and further assumes that 100% of the owners will exercise their options to lock out part of their units. In contrast, according to Stein Eriksen Lodge, occupancy during the peak week in 2012 (December 26-31) only reached 89%.

Assuming a maximum 100% occupancy and lockout utilization, along with the maximum number of resort shuttles, airport vans, and limousines, the peak number of additional trips will not exceed 200 per day. Even under this worst case scenario, all traffic is projected to function at LOS (Level of Service) A, which is fully acceptable for a roadway of this classification.

All conclusions from the original study are valid for this revised development proposal.



Stein Eriksen Lodge has always been committed to conservation of our natural resources as well as reducing our overall carbon foot print. In particular we have been effective in reducing vehicular trips thorough our Transportation Demand Management Program (TDM) which encourages our employees to take public transit and ride share and our guest to use our much heralded Shuttle System. When we assumed Management responsibilities for The Chateaux we effectively integrated that property into our TDM Program. It is our full intent to extend this program to the Stein Eriksen Residences once completed and operational.

Stein's successful TDM Program starts with our "coordination" and "information" efforts. Both through our reservation system and concierge services we recommend that ALL guests use private modes of transportation to and from the Airports serving our Community. Our current tracking shows that over 90% of our guests, staying at Stein Eriksen Lodge or The Chateaux, arrive and depart without use of their own vehicle (or car rental).

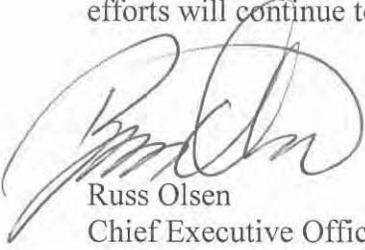
	Units	Lockouts	Total Keys	50% Occup.	80% Occup.	>95% Occup.
Stein Eriksen Lodge (actual)	65	119	184	7	9	18
% of Guest Drive Vehicles				7.6%	5,5%	10.3%
Stein Eriksen Residences projected with Shuttle Service	38	85	125	5	6	12
Stein Eriksen Residences projected without Shuttle Service	38	85	125	46	69	92

Once on Property all guests are encouraged to use our complimentary shuttle service to all destinations in the greater Park City area such as Old Town, PCMR, Deer Valley and the Canyons. Due to the conscious limitation of parking in the Deer Valley and Park City area, our guests overwhelmingly prefer to be shuttled back and forth to ski areas, restaurants, and shops. Shuttles leave the hotel every half hour (or more often when requested). Pickups are also convenient and are either pre-arranged or by call to the Concierge 24/7.

"Ridesharing" and "carpooling" is the other focus of our TDM Program and principally applies to our employees. Nearly all our employees either arrive at our Property via Carpools (carrying two to five persons), Vanpools (carrying six or more persons) or via mass transit (city bus system). This applies for not only our employees with relatively fixed schedules (i.e. office staff) but retail and residential service employees as well, regardless if working year round or seasonally. While it is anticipated that some additional staffing will be required at the Stein Eriksen Residences when fully built out, most of the additional grounds and housekeeping services will be undertaken by existing employees.

As we did when we took over management of The Chateaux, all employees once arriving in North Silver Lake area, will be shuttled as necessary between the Properties.

Stein Eriksen Lodge continues to commit itself to implementing a TDM plan that will effectively reduce peak period and daily auto usage in and around its Properties. We are confident that our efforts will continue to yield success for our residents, guests, and neighbors.

A handwritten signature in black ink, appearing to read "Russ Olsen", written in a cursive style.

Russ Olsen
Chief Executive Officer

Exhibit H – Parking Requirement per Unit

Unit Number	Unit Area (SF)	Required Number of Parking Spaces	Square Footage by Type of Area	Type of Area: Main (M) or Lockout (L)	Number of Keys
S-311	2,506	2.0	1,764	M	3
			359	L	
			383	L	
S-411	2,508	2.0	1,766	M	3
			359	L	
			383	L	
S-414	4,362	2.0	2,455	M	4
			867	L	
			614	L	
			426	L	
S-412	4,207	2.0	2,378	M	4
			453	L	
			753	L	
			623	L	
S-413	4,207	2.0	2,378	M	4
			453	L	
			753	L	
			623	L	
S-511	2,666	2.0	1,780	M	3
			359	L	
			527	L	
S-512	3,718	2.0	2,756	M	3
			377	L	
			585	L	
S-611	2,666	2.0	1,780	M	3
			359	L	
			527	L	
S-613	4,411	2.0	2,498	M	4
			428	L	
			614	L	
			871	L	
S-612	3,717	2.0	2,756	M	3
			584	L	
			377	L	
E-421	4,390	2.0	2,424	M	4
			450	L	
			345	L	
			1,171	L	
E-422	4,390	2.0	2,424	M	4
			450	L	
			345	L	
			1,171	L	
E-521	4,383	2.0	2,661	M	4
			693	L	
			546	L	
			483	L	

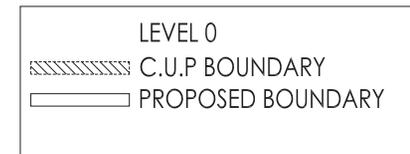
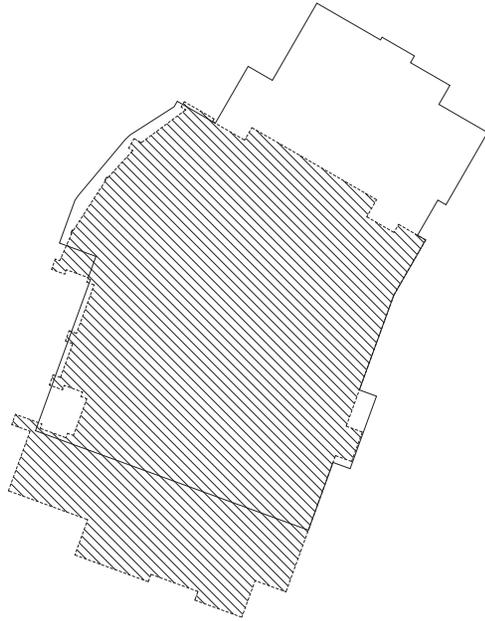
E-621	4,389	2.0	2,661	M	4
			699	L	
			546	L	
			483	L	
NE-131	4,005	2.0	2,775	M	3
			654	L	
			576	L	
NW-132	4,451	2.0	2,528	M	4
			525	L	
			614	L	
			784	L	
NE-231	4,077	2.0	2,634	M	3
			815	L	
			628	L	
NW-233	3,582	2.0	2,428	M	3
			525	L	
			629	L	
NE-331	3,880	2.0	2,635	M	3
			617	L	
			628	L	
NW-332	3,441	2.0	1,970	M	3
			674	L	
			797	L	
NW-333	3,581	2.0	2,421	M	3
			525	L	
			635	L	
NW-334	2,390	2.0	1,846	M	2
			544	L	
NW-432	3,955	2.0	3,955	M	1
NW-433	3,018	2.0	2,104	M	3
			449	L	
			465	L	
NE-531	4,815	2.0	3,626	M	3
			541	L	
			648	L	
NW-532	4,932	2.0	3,969	M	3
			465	L	
			498	L	
W-241 (ADA)	1,442	1.5	1,532	M	1
W-341	1,978	1.5	1,377	M	3
			307	L	
			294	L	
W-342	1,978	1.5	1,377	M	3
			307	L	
			294	L	
W-343 (ADA)	2,048	2.0	1,582	M	2
			466	L	
W-441	1,978	1.5	1,377	M	3
			307	L	
			294	L	

W-444	4,410	2.0	2,523	M	4
			865	L	
			621	L	
			401	L	
W-442	1,978	1.5	1,377	M	3
			307	L	
			294	L	
W-541	1,978	1.5	1,377	M	3
			307	L	
			294	L	
W-542	1,978	1.5	1,377	M	3
			307	L	
			294	L	
W-543	4,026	2.0	2,348	M	4
			409	L	
			728	L	
			541	L	
W-641	1,978	1.5	1,377	M	3
			307	L	
			294	L	
W-644	4,398	2.0	2,523	M	4
			865	L	
			610	L	
			400	L	
W-643	2,046	2.0	1,580	M	2
			466	L	
W-642	1,978	1.5	1,377	M	3
			307	L	
			294	L	
		75.5			125

Current Code	per DU
1,000 SF or less	1
1,000 SF - 2,000 SF	1.5
more than 2,000 SF	2

Summary:	
Private units:	38
Common ADA units:	2
Required parking spaces:	76
Lockout units:	85
Keys:	125

Exhibit I – Substantial Modification Analysis



Architecture
Interior Design
Landscape Architecture
Land Planning
Construction Management

2121 South 400 East, Suite 200
Salt Lake City, UT 84111
Ph: 801.268.0535
Fax: 801.268.1422
www.thinkak.com

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NORTH SILVER LAKE
PARK CITY, UTAH

PROJECT NO. 13021
DATE: JAN 1, 2013
REVISIONS: ES

LEVEL 0
BOUNDARIES
SHEET TITLE:

SHEET NUMBER:
REVIEW BUILDING



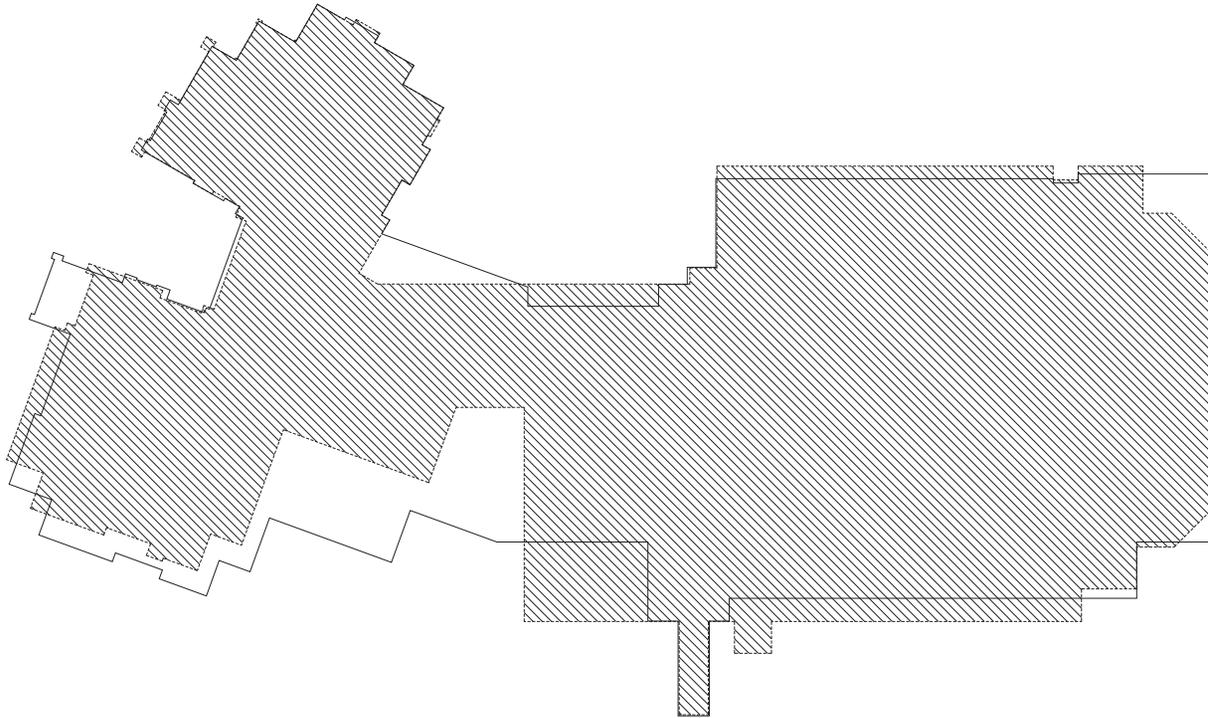
Think
Architecture

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NORTH SILVER LAKE
PARK CITY, UTAH

PROJECT NO. 13021
DATE JAN 1, 2013
REVISIONS: JES

LEVEL 1
C.U.P. BOUNDARY
PROPOSED BOUNDARY

LEVEL 1
BOUNDARIES
SHEET TITLE:

SHEET NUMBER:
REVIEW BUILDING



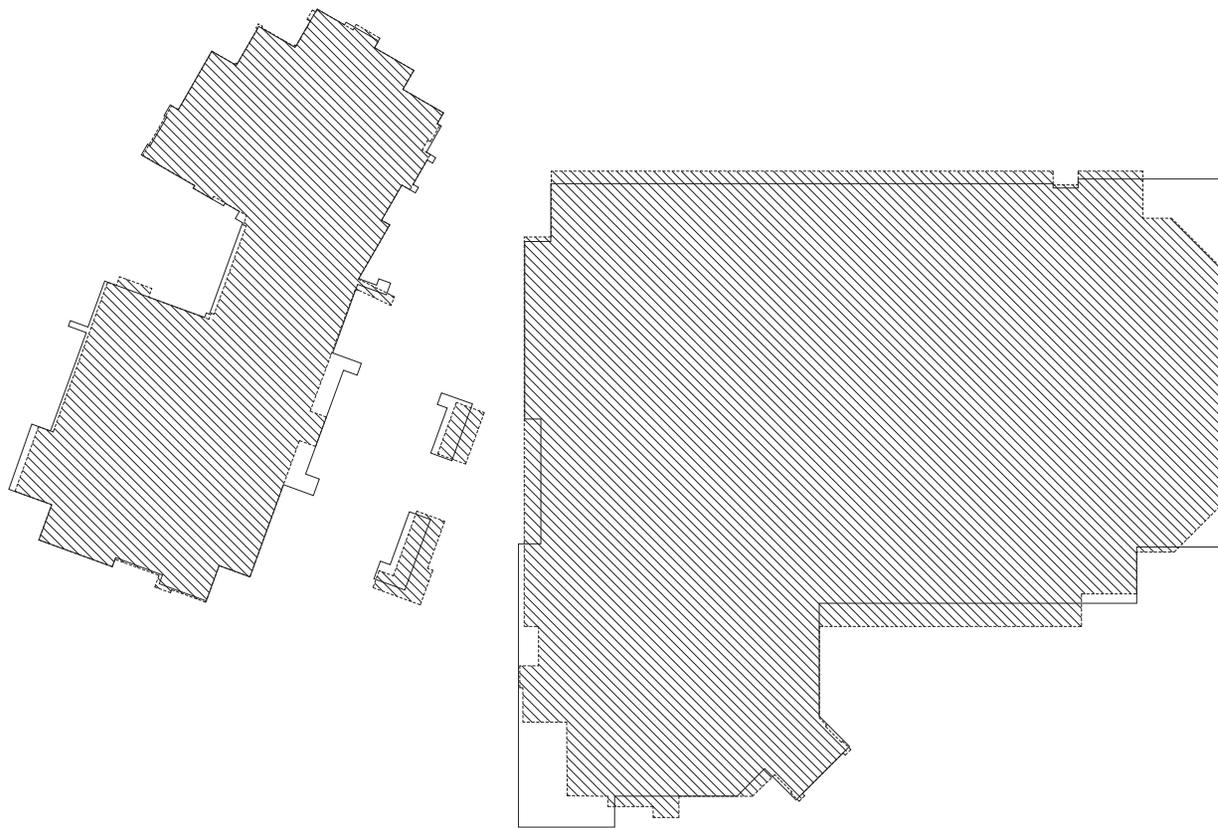
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LEVEL 2
 C.U.P BOUNDARY
 PROPOSED BOUNDARY

SITEN ERICKSON LODGE
NORTH SILVER LAKE
PARK CITY, UTAH

PROJECT NO. 13021
DATE JAN 1, 2013
REVISIONS: JES

LEVEL 2
BOUNDARIES
SHEET TITLE:

SHEET NUMBER:
REVIEW BUILDING



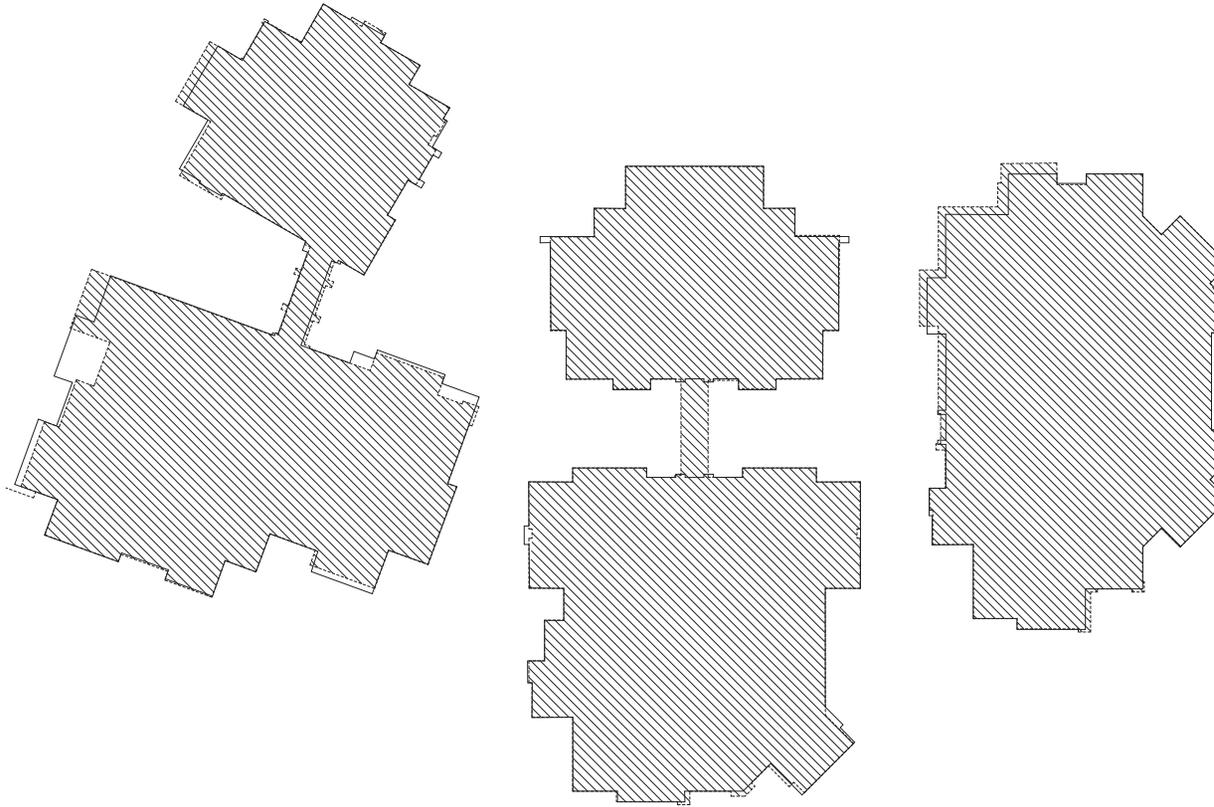
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PROJECT NO. 13021
DATE JAN 1, 2013
REVISIONS: JES

LEVEL 3	
	C.U.P. BOUNDARY
	PROPOSED BOUNDARY

LEVEL 3
BOUNDARIES

SHEET TITLE:

SHEET NUMBER:

REVIEW
--
BUILDING

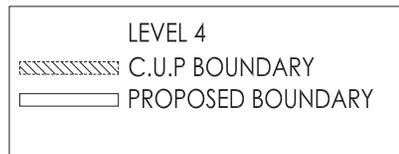
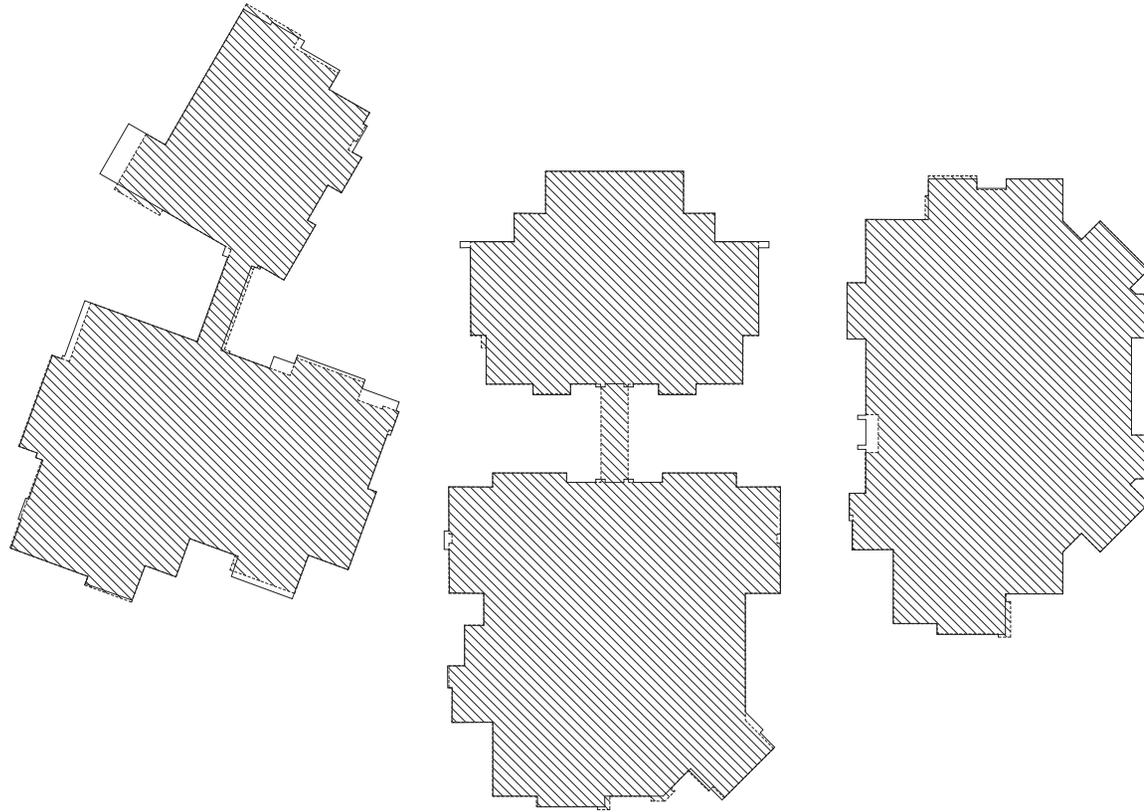


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NORTH SILVER LAKE
PARK CITY, UTAH

PROJECT NO. 13021
DATE: JAN 1, 2013
REVISIONS: JES

LEVEL 4
BOUNDARIES
SHEET TITLE:

SHEET NUMBER:
REVIEW BUILDING



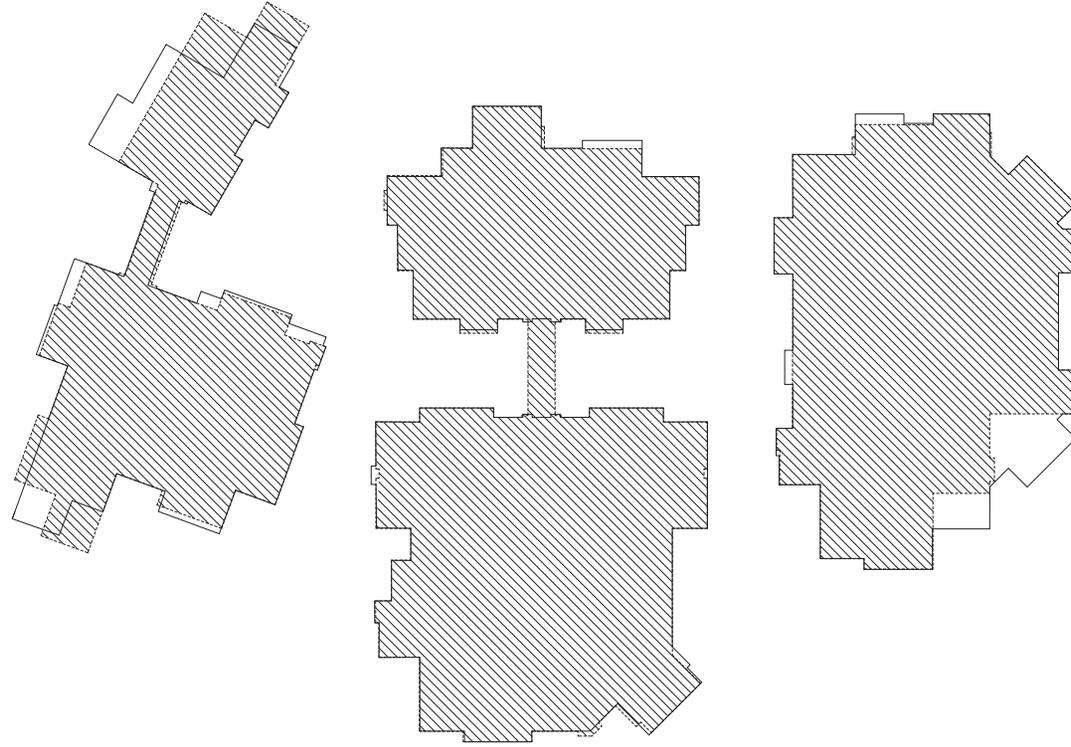
Think
Architecture

Architecture
Interior Design
Landscape Architecture
Land Planning
Construction Management

2117 South 900 East, Suite 200
Salt Lake City, UT 84111
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LEVEL 5	
	C.U.P BOUNDARY
	PROPOSED BOUNDARY

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NORTH SILVER LAKE
PARK CITY, UTAH

PROJECT NO. 13021
DATE JAN 1, 2013
REVISIONS: JES

LEVEL 5
BOUNDARIES
SHEET TITLE:

SHEET NUMBER:
REVIEW BUILDING



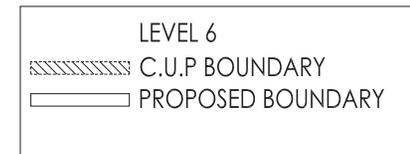
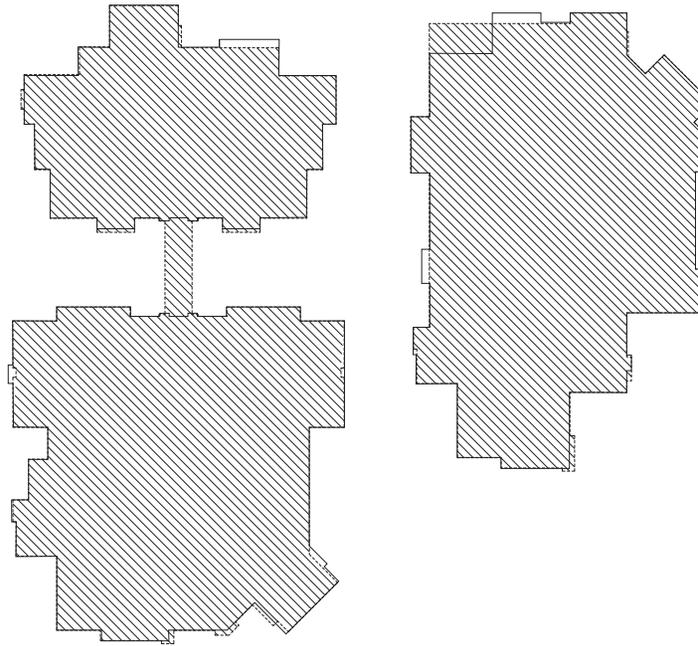
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NORTH SILVER LAKE
PARK CITY, UTAH

PROJECT NO. 13021
DATE JAN 1, 2013
REVISIONS: 05

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BOUNDARIES
SHEET TITLE:

SHEET NUMBER:
REVIEW
BUILDING

Exhibit J – Public Comments regarding Lockout Units

Lockouts/North Silver Lake Lodge

tabailey [tabailey12@aol.com]

Sent: Friday, October 25, 2013 5:03 PM**To:** planning

As a full time resident of Park City at 7013 Silver Lake Drive, we are adamantly opposed to granting the lookout request submitted by the developers of the North Silver Lake lodge on Silver Lake Dr. It has been our understanding throughout this process that no lockouts would be allowed and that the developer agreed to this. I am both astounded and deeply disappointed by this request and urge that no lockouts be approved. To approve this would be yet another example of the City's seeming disregard throughout the approval process for the interests of the established residents of Evergreen and the adjacent communities in favor of the economic interests of the developer, Deer Valley ski resort, the city coffers, and now Stein Erikson Lodge. Please disapprove this egregious overreach.

Thomas A. Bailey and Mary Frances Bailey

7013 Silver Lake

Park City, UT

435-901-8848

North SilverLake Lodge lock out units

Gib Myers [gmyers1@mac.com]

Sent: Friday, October 25, 2013 7:33 PM**To:** planning; Mathew Evans

I live on Perseverance Court and want to second the email that Tom Boone has sent to the planning commission. This is a country build on laws and agreements among its people and institutions. I am shocked that after all the discussions and agreements about the size and shape of this project that the developer would come back to ask for these lock outs. I strongly urge the council to reject this request. Already, the modern looking tower, presumably demo units, that they have built is completely out of character for the neighborhood. Enough is enough. Do your job and do not let them escalate this project further.

sincerely, gib myers
#6 Perseverance Court

NSLL Lockout Units 10-25-13.docx

Isaac Stein [isaac@steinfamily.com]

Sent: Friday, October 25, 2013 6:11 PM**To:** planning**Cc:** Mathew Evans**Attachments:** NSLL Lockout Units 10-25-13.docx (13 KB) ; ATT00001.txt (124 B)

To the Planning Commission,

My wife and I, who have been homeowners in Park City for more almost 35 years, want to join in Tom Boone's memorandum (a copy of which is attached). While we have seen a lack of planning integrity at the county level, we believed that Park City tried to maintain an honest and objective approval process. Under such a process, it is hard to imagine that the NSLL Developer's request for lockout units could be approved!

Such a request runs directly contrary to the entire discussion we have had about this project. Your prior approval explicitly stated that there would be no lockout units. This, of course, made sense because it would take a project that was already not compatible with our neighborhood and turn that project into a major disaster for our community.

I understand that Park City wants more tax revenue and Deer Valley wants more beds but that is not a justification to ignore your legal responsibility to maintain compatibility with the rest of our single home neighborhood. Please do not ignore your obligations.....

Sincerely,

Isaac Stein

6696 Silver Lake Drive

North Silver Lake project

Benjamin Schapiro [BSchapiro@questm.com]

Sent: Sunday, October 27, 2013 3:35 PM

To: planning

Dear Sirs and Madams, I have lived in the Silver Lake area of Deer Valley for 25 years. First in a townhouse called Trailside and for the past 18 years at 15 Bellevue Court.

I receive the Park Record when I am in Baltimore and read about the developpeers of the North Silver Lake project attempting to increase the density by including 125 lock out units in the condo development. I know that with the input of neighbors and others you were careful to limit the number of residential units in this new project. Now, it seems kind of strange that the developer can come back and try to increase the units post fact.

Pleas know that I am opposed to the increase and hope that the Planning Commission recognizes the request for what it is and rejects it as it is not withing what our neighborhood has been or what we want it to be going forward.

Ben

Benjamin S. Schapiro

QuestMark Partners

bschapiro@questm.com

410-895-5811

North Silver Lake Lodge

Michael Warren [MichaelW@nuwi.com]

Sent: Monday, October 28, 2013 10:36 AM**To:** planning; Mathew Evans**Attachments:** image001.jpg (3 KB)

To: Planning Commissioners

Re: North Silver Lake Lodge

7101 Silver Lake Drive

During the approval process, we were told that the 16 single family homes would act as a buffer to the 38 condominiums and that the condominiums were of a size and quality to be compatible with our surrounding neighborhood. In addition, **from the first review in 2008 until the final approval, a stated Condition of Approval of the project was that there would be no lockout units.** It was always clear that this condition was accepted by the developer as a way to make the project more tolerable to our community and therefore the Planning Commission.

We have now learned that the developer wants approval for 125 lockout units within the 38 condominiums. We have been asked to believe that this substantial change in the use of the property can be more than fully mitigated through an effective van pool/shuttle program. It is obvious that the creation of 163 rental units versus the approved 38 condominiums positively changes the economic model for the developer, the City and Deer Valley. However, it is not what was approved after years of discussion and review.

Furthermore, the parking provided in the original approved plan is grossly inadequate if the number of units is effectively more than tripled by creating the lockout units.

North Silver Lake, as it has been developed, is a quiet single family community. As a result of a Master Plan that did not appropriately evolve as the community was developed we have been required to accept a project that is of a mass and scale that is not compatible with the neighborhood. Now we are being asked to accept a use and occupancy that is clearly not compatible with the surrounding community and specifically identified as an unacceptable condition in the project's approval.

The developer's creation of a vision of a project that was compatible with the surrounding neighborhood, during the approval process, is totally contradictory to their current request. I therefore request that the Planning Commissioners' do not approve this application and require the developer to comply with the no lockout unit condition of the project's approval.

Thank you for your consideration.

Michael Warren

8240 Woodland View Drive

MICHAEL WARREN

PRINCIPAL

NEW URBAN WEST, INC

1733 OCEAN AVENUE, SUITE 350 SANTA MONICA, CA 90401

TEL: 310.566.6362 FAX: 310.394.6872 CEL: 310.345.4690

October 25, 2013

To: Planning Commissioners
Re: North Silver Lake Lodge
7101 Silver Lake Drive

I have stated to my neighbors and Regent Properties, that I was done challenging the North Silver Lake Lodge project. The Planning Commissioners and City Council have repeatedly heard the neighbors' objections to the mass and scale of this project, and despite our concerns, approved the project. The City accepted the changes to the project's design as adequate mitigations of the project's 350,000 square feet notwithstanding the fact that its mass and scale bears little relationship to the surrounding community. The neighbors were told that the 16 single family homes would act as a buffer to the 38 condominiums and that the condominiums were of a size and quality to be compatible with our surrounding neighborhood. In addition, **from the first review in 2008 until the final approval, a stated Condition of Approval of the project was that there would be no lockout units.** It was always clear that this condition was accepted by the developer as a way to make the project more tolerable to our community and therefore the Planning Commission.

I was therefore very disappointed to learn that the developer now wants approval for 125 lockout units within the 38 condominiums. We have been asked to believe that this substantial change in the use of the property can be more than fully mitigated through an effective van pool/shuttle program. It is obvious that the creation of 163 rental units versus the approved 38 condominiums positively changes the economic model for the developer, the City and Deer Valley. However, it is not what was approved after years of discussion and review.

North Silver Lake, as it has been developed, is a quiet single family community. As a result of a Master Plan that did not appropriately evolve as the community was developed we have been required to accept a project that is of a mass and scale that is not compatible with the neighborhood. Now we are being asked to accept a use and occupancy that is clearly not compatible with the surrounding community and specifically identified as an unacceptable condition in the project's approval.

As a result of the materially adverse impact that 163 nightly rental units will have on our neighborhood, I could not allow this application to go unchallenged. The developer's creation of a vision of a project that was compatible with the surrounding neighborhood, during the approval process, is totally contradictory to their current request. I therefore request that the Planning Commissioners' do not approve this application and require the developer to comply with the no lockout unit condition of the project's approval.

Thank you for your consideration.

Tom Boone
7051 Silver Lake Drive

Francisco Astorga

From: Erin Hofmann <erhofmann@gmail.com>
Sent: Tuesday, November 05, 2013 2:22 PM
To: Francisco Astorga
Subject: Lockouts at Stein Residences

Dear Park City Planning Department,

I'm a resident in Old Town and am writing to support Stein Eriksen Residences' application to build lockouts in their new units. I work for a company in Salt Lake City that hosts conferences in Park City, and we find that lockout units make it easier to find suitable accommodations for those attending our meetings. I'm also a fan of Stein Eriksen Lodge and am pleased they will be offering our community another great product.

Sincerely,

Erin Hofmann
1013 Woodside Avenue
Park City, UT 84060
801.597.4694

Francisco Astorga

From: Rachel Sharwell <RSharwell@hotelparkcity.com>
Sent: Tuesday, November 05, 2013 11:22 AM
To: Francisco Astorga
Subject: Lockout

Dear PC Planning Dept.,

I am writing to express my support to grant approval to Stein Eriksen Residences for their application to seek approval for lockouts.

I'm aware there are many developments in Deer Valley that also offer lockout units. As a hotel industry professional in Park City, I see firsthand that lockouts provide greater convenience for both our visitors and our properties. We provide a greater service to our guests by giving them the flexibility to rent units that can be adjusted to meet their needs based on the size of their group. I often frequent Stein Eriksen Lodge, and I know they will do a great job in managing this new addition to Silver Lake's lodging offerings.

Sincerely,

Rachel Sharwell
3348 S. Forest Meadow Road
Wanship, Utah 84017
801.792.3101



Rachel Sharwell
Director of Conferences and Event Sales
HOTEL PARK CITY
2001 Park Avenue
Park City, UT 84068
Office: 435 940 5011
fax: 435-940-5002
rsharwell@hotelparkcity.com

Francisco Astorga

From: Ryan Walsh <rpw3174@gmail.com>
Sent: Tuesday, November 05, 2013 3:42 PM
To: Francisco Astorga
Subject: Stein Ericksen Residences Lockouts

> I live in Park City, ski at Deer Valley and frequent Stein's for apres ski.

>

>

>

> I understand other properties like the Residences feature lockouts and this allows more flexibility, benefitting both visitors and owners, so I am writing to express support for building lockouts in the Stein Eriksen Residences.

>

>

>

> Thank you,

>

>

>

> Ryan

>

Francisco Astorga

From: Lisa Wilson <lisa@winco.us>
Sent: Wednesday, November 06, 2013 3:53 PM
To: Francisco Astorga
Subject: tonights meeting

Dear Planning Commission,

The developer has requested a major change to the Deer Valley MPD at the North Silver Lake Lodge site or new Stein Erickson Lodge location according to the Park Record.

Is it ethical for the City to more than double the entitlements on one lot from 54 units to 125 units?

Are the Development Rights stated in a Master Plan Development that buyers rely on meaningless?

The Deer Valley MPD states the entitlements on 7101 Silver Lake Drive are to be a maximum of 54 units. If the Planning commission permits lock-outs, will the project no longer comply with the Deer Valley MPD?

125 units is a huge change in entitlements from 54 units. The developers request is not simple a variance but a radical change from the Deer Valley Master Plan.

Public Process for the North Silver Lake Lodge

During the public process that began around 2008, the North Silver Lake Lodge developer suggested the project would be compatible with the existing built out residential neighborhood. During multiple public hearings developers council stated the average unit size would be approximately 6,000 sq. ft. The surrounding neighborhood consists of built-out residential single family homes that are approximately 6,000 sq. ft. or more.

The following was provided as a break down by the Park City Planning Department to demonstrate the 6,000 sq. ft. average unit size in the North Silver Lake Lodge etc.

May I have the square footage of the project broken down.
a. total square footage
b. total common area
c. total square footage below grade
d. square footage of each of the towers above and below grade e. which towers are connected by a bridge above or below grade?

A. Total Square Footage : 332,493

Condos: 241,814
Homes: 90,679
Totals: 332,493

B. Common Area: 100,521

241,814 (entire condos) – 141,293 (residential) = 100,521 total Common Area including the commercial space

Of the 100,521 sf of common area, 62,000 sf is parking.

C. Total Square footage below grade: 77,452 sf

Parking Level 1	29,560
Parking Level 2	32,440 (partially below grade)
Building 3 Level 00	15,452
TOTAL	77,452

D.

Building 1.	42,238 sf
Building 2	22,496 sf
Building 3	70,358 sf (level 00 is below grade 15,452)
Building 4	44,722 sf

Parking under buildings 1, 2, and 4 is underground in level 1 (29,560 sf) and partially underground. (32,440 sf).

The connection located between building 2 and building 4 is 9 feet wide by 28.5 feet and is located above grade.

The parking garage is connected to building 3 below grade.

It appears now the developer would like to make the project **incompatible** with the surrounding neighborhood. Instead of approximately 6,000 sq. ft, lock-outs would make the unit size average around 2,000 sq. ft. Over 100 units averaging 2,000 sq. ft. is incompatible with the surrounding neighborhood and contrary to what was discussed during public hearings.

Conclusion

The change would significantly increase the number of units within the Deer Valley MPD and North Silver Lake. Allowing lock-outs would change the compatibility argument used by the developer throughout the

public process to gain approval. Property owners within the Deer Valley MPD have not been notified of a major change to the Master Plan.

FYI - The Ritz tried to move unit density from the Deer Valley Parking Lot to the same site years ago. The request to transfer density failed. Lot 2B is not a receiving zone. Units were moved off the parcel years ago, presumably to make the unit size larger.

Allowing one developer to significantly increase unit entitlements beyond what is stated in the Master Plan is a dangerous precedent.

If the developer no longer desires the units size to be around 6,000 sq. ft, **the building foot print will need to dramatically decrease.**

Sincerely,
Lisa Wilson

Francisco Astorga...please make this letter part of the public record for this meeting.

Francisco Astorga

From: Eleanor Padnick <epadnick@roadrunner.com>
Sent: Tuesday, November 12, 2013 9:26 PM
To: planning; Mathew Evans; Francisco Astorga
Cc: Glenn Padnick
Subject: Stein Eriksen Lodge (formerly North Silver Lake Lodge)

Dear Members of Park City Planning Commission,

My house is located at 8 Bellemont Court, directly adjacent to the development at 7101 Silver Lake Drive.

I was stunned to learn that the developer is trying to get approval for 125 lockout units. It was my understanding that lockout units were NOT allowed as part of receiving approval for this development.

These lockout units would **quadruple** what was approved by the Planning Commission. **38** condominiums would become **163** rental units. The project was argued as being compatible with the single family homes surrounding it. It is unconscionable to now argue that a 400% increase in rentals would not negatively impact the surrounding community, and that shuttles would prevent any negative effect.

I ask that the members of the Park City Planning Commission stand by what they approved originally and not agree to this increase.

Thank you for your consideration.

Eleanor Padnick

Francisco Astorga

From: Thomas A Bailey <tabailey12@aol.com>
Sent: Tuesday, November 19, 2013 1:56 PM
To: Francisco Astorga
Subject: Re: Public Hearings - Stein Eriksen Lodge Residences project aka North Silver Lake

Mr. Astorga,

Thank you for keeping us informed.

I remain adamantly opposed to the additional lockouts. It seems that this project has turned into a hotel which makes the interpretation of the existing CUP unintelligible. Frankly, I am totally confused as to what is going on. Hopefully, you can make some sense out of this and restore the project to a density that is compatible with the neighborhood.

Tom Bailey
Cell: 435-901-8848

Sent from my iPad

On Nov 19, 2013, at 1:08 PM, Francisco Astorga <fastorga@parkcity.org> wrote:

Concerned resident,

Thank you for submitting public comment and/or showing an interest in the Stein Eriksen Lodge Residences project, formerly known as North Silver Lake. The Planning Commission had a work session discussion (no action taken) on November 6, 2013 regarding their filed Conditional Use Permit (CUP) Modification request to allow 85 Lockout Units to be accommodated within the approved four (4) stacked flats, condominium buildings. The draft minutes are to be reviewed and adopted by the Planning Commission tomorrow night, see the following link
<http://www.parkcity.org/index.aspx?page=14&recordid=2128>.

The other two submitted applications are further subdivisions of Lot 2B, in accordance with the terms and conditions of a Conditional Use Permit approved on April 28, 2010, consisting of a total of 54 units, 16 single-family dwellings and duplexes, and 38 condominiums (multi-unit) in four (4) stacked flats:

- The Subdivision Plat divides Lot 2B into: 16 lots of record, Parcel A to consist of the 38 condominiums units, Parcel B which is not intended for development; and a Road Parcel which serves as the access drive for each of the lots as well as the condominium project.
- The Condominium Record of Survey Plat covers the area designated as Parcel A on the Subdivision Plat. This condominium plat creates the 38 stacked condominium units. It shows each of the four multi-story buildings to be included in the condominium project and designates the boundaries for each of the 38 condominium units, together with all common areas, limited common areas and other areas designated for joint use. This property is currently encumbered by a Record of Survey Plat for North Silver Lake Lodge that was recorded on April 19, 2005. That plat would be terminated of record immediately prior to the recordation of the condominium plat submitted with this application.

We noticed public hearings for the three (3) items to take place tomorrow Wednesday November 20, however, the Planning Commission will not be reviewing any of the requested applications tomorrow night. The items will be simply continued to the next Planning Commission meeting which is to take place on Wednesday December 11. See attached agenda. If you submitted written public comment, it will be added to the staff report, packet, with its accompanying full review and public hearing. Let me know if you have any questions.

Sincerely,

Francisco Astorga | Planner
Park City | Planning Department
(p) 435.615.5064 | (f) 435.658.8940

445 Marsac Avenue | PO Box 1480
Park City, UT 84060-1480

<PL-13-02034 NSL - CUP Mod. PC Staff Report & Exhibits 11.06.2013.pdf>

<Planning Commission Agenda 11.20.2013.pdf>

Francisco Astorga

From: Ron Kirk <rkirk@kirkhorse.com>
Sent: Wednesday, November 20, 2013 10:51 AM
To: Francisco Astorga
Subject: CUP modification to allow 85 lock-out units

I live at 4 Lucky Star Drive on the corner of Silver Lake Drive, so my home is one of the most affected by the (over) development of 7101 Silver Lake Drive.

I am opposed to your granting permission for 85 lock-out units. I do not believe the rental activity this would foster was ever envisioned for this location.

Ronald K. Kirk

859-321-0099

Dear Bellemont Neighbor,

It was announced this week that Regent Properties, the developer of North Silver Lake, has entered into an alliance with Stein Eriksen Lodge Deer Valley to manage their 54 luxury residences. The development will now be called **Stein Eriksen Residences**. I wanted to share this information with you because I believe it's a great step forward, not only for the development, but for the community as a whole and brings to a close the many years of planning, discussion and uncertainty associated with the parcel in close proximity to us.

In addition to managing Stein Eriksen Lodge the lodge management already also manages the Chateaux Deer Valley. They have done a fantastic job there and I am sure will do the same with The Stein Eriksen Residences.

As many of you know I have been associated with discussions about this parcel for many, many years. Like many of you my opinions have been both favorable and negative with the various proposed owners and plans. I initially had some reservations about the current Regent development proposal for this property. But now having had a chance to see the plans and the quality and care that has not only gone into the construction but the preservation of the surrounding land, Nancy, my wife, and I are fully supportive of the project as it is currently being executed. I believe if they execute what is now being planned, that this development will positively affect the values of our properties over the coming years.

Since Regent acquired the property they have been open and accessible to the community. The alliance with Stein Eriksen Lodge will insure that they fully understand the soul and character of Park City, and that a project will be completed that is consistent with our neighborhood. Stein Eriksen Lodge's involvement will also ensure a long term commitment from a local operator whom we know and trust.

As an owner at Stein Eriksen Lodge and Bellemont, I couldn't be more excited about the new partnership between Stein Eriksen and Regent, and I hope you'll join me in welcoming the North Silver Lake project to the Stein Eriksen family. I look forward to Stein Eriksen Lodge and Regent sharing more of their plans and schedule with all of us.

Enjoy the rest of your summer. We hope to see you in the fall and when the snow flies!!

Sincerely,

Carm Santoro

Planning Commission Meeting
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Conditions of Approval - 1985 Sidewinder Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the amended record of survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the amended record of survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

REGULAR AGENDA/PUBLIC HEARINGS

3. North Silver Lake - Conditional Use Permit
(Application #PL-08-00392)

Planner Katie Cattan reported that the Planning Commission previously approved this application in July 2009. The approval was appealed to the City Council and the Planning Commission is currently reviewing the remand order that came from the City Council in November.

Planner Cattan noted that the remand had three orders: 1) The height, scale, mass and bulk of Building 3 shall be further reduced to meet the compatibility standard; 2) Further specificity regarding the final landscape plan and bond in consideration for Wild Land Interface regulations shall be reviewed and/or further conditioned; 3) Construction phasing and additional bonding beyond public improvement guarantee is to be required.

Planner Cattan focused her presentation on items 2 and 3. She noted that during the last meeting the Planning Commission had requested copies of the recording and the minutes from the November City Council meeting. That material had been provided and she believed it was helpful in clarifying that the City Council wanted the Building Department to be in charge of construction phasing and additional bonding for the North Silver Lake Development. Planner Cattan noted that the Planning Commission had also requested more specifics on exactly what the applicant was being asked to improve.

Planner Cattan stated that the Staff had drafted conditions of approval #16, 17 and 18. Condition #16 addressed the Wild Land Interface regulations. Condition #17 requires a phasing and bonding plan to insure site restoration in conjunction with building phasing beyond a public improvement guarantee to be improved by the Building Department. The plan shall include re-vegetation for perimeter enhancement and screening into the project, soil capping for any new disturbance and previous disturbance of the site, and clean-up of all staging areas.

Planner Cattan reported that currently the site is a pit. She noted that the Chief Building Official, Ron Ivie, felt that if a building permit is not pulled within a year, the neighbors should not have look into that pit any longer. The actual pit itself should be capped with soil and re-vegetated with grass. In addition, trees should be planted at the entry way to cover the view into the pit.

Ron Ivie addressed the Planning Commission. He has been in Park City since 1980 and in those thirty years the City was forced to sue on three projects relative to public nuisance complaints for unfinished product. He noted that the City was awarded settlement on all three projects. Mr. Ivie stated that most people generally complete their projects in an acceptable time limit, but there are exceptions. He was not opposed to bonding or making appropriate conditions for site improvements and site stabilization, which is the traditional process. However, his question was whether or not the City should go beyond that process and require a completion guarantee. After hearing arguments on both sides, he believed it was a policy question that needed to be addressed by the Planning Commission and the City Council. Mr. Ivie personally felt that the City has been served well by prior policies.

NOTE: Due to problems with the recording equipment, the applicant's presentation was not recorded. The meeting was stopped until the problem was resolved.

John Shirley, the project architect, concurred with the Staff findings. Mr. Shirley presented slides showing minute changes that had been made since the last meeting.

Commissioner Luskin arrived at 7:35.

Chair Wintzer opened the public hearing.

Bob Dillon stated that he was an attorney representing 30 adjacent homeowners in the American Flag HOA who still object to Building 3. Mr. Dillon noted that the analysis section in the Staff report talks about Building 3 and he could not dispute that the current plan was better than what the applicants originally presented. However, from the standpoint of compatibility on mass, scale and size, it is still not compatible. Mr. Dillon recalled hearing something about a 29% height reduction, but he understood from the Staff report that the height was reduced from 79 to 72 feet. He noted that the side elevations were still showing 5 to 6 stories.

Mr. Dillon commented on the size of Building 3, which he had addressed in a letter he submitted in early April, explaining why this was such a difficult process. Part of the problem is that the applicants have expressed their intent for condominiums, but they have never presented a condominium plan. Mr. Dillon pointed out that every review session he has attended with both the Planning Commission and the City Council, there have always been questions but no answers. He believed the only way they could get an answer from the applicant was to require the condo plans and a map.

Mr. Dillon referred to construction phasing section in the Staff report and language stating that the staff, the Planning Commission, the City Council did not require a phasing plan for the proposed development. He believed that statement was absolutely wrong because the order from the City Council requires a phasing plan. Mr. Dillon expressed regrets that Ron Ivie was leaving because the community has benefitted from his expertise and administration of the City building codes. He noted that Ron Ivie made the comment that timing and phasing is critical. Mr. Dillon addressed the completion bond issue. He understood that bonding would go to mitigation in the event of a failure to complete. However, the critical part of this process is timing and phasing. Mr. Dillon commented on the idea that suddenly the City Council wants to

delegate issues to the Building Department. He had listened to the audio from the City Council meeting and he believes that the Council wanted the Planning Commission to establish conditions of approval for phasing and bonding. Mr. Dillon thought it was appropriate to seek advice from the Building Department on the timing of the phasing or the amount of the bonds. However, input should be given for approval by the Planning Commission pursuant to a phasing plan and bonding plan that is mandated as a condition of approval. Mr. Dillon objected to the Building Department managing the bonding.

Mr. Dillon commented on location and amount of off-street parking and objected to the recommendation for a 25% reduction in parking spaces. He noted that the reduction was being done on the basis of a mystical unit size and configuration. It is mystical because the applicant has not submitted a condominium plat and plans. It is unknown what they will bring forward for the CUP. Mr. Dillon noted that the previous condition of approval #12, which prohibited the use of lockouts, has disappeared from the current conditions of approval. He believed that prohibiting lockouts should be added back in as a condition.

Mr. Dillon objected to Condition #7 because there has been limited discussion regarding retention areas. He was disappointed that Ron Ivie had already left the meeting because he had wanted Mr. Ivie's opinion on whether the proposed water method on the site was a workable solution.

Mr. Dillon objected to the language in Criteria 14 of the Staff analysis that talks about expected ownership and management of the project. Without a condo plan, there is no way to know what the applicant will do. Mr. Dillon questioned why two ADA units were not included as part of the 54 units. Given that they are not included, he believes they are support commercial rather than common space, because they are used in support of commercial renting. He believes they should count towards the 14,525 square feet of support commercial. By not including the ADA units in the square footage allows the applicant to blow up the scale of Building 3. Again, there are no condo plans.

Chair Wintzer clarified that the Planning Commission would not see condo plans until there were construction drawings. The applicant cannot do construction drawings until the issues of the remand are resolved. Chair Wintzer explained that a plat has never been recorded before seeing construction drawings, and the Planning Commission has always approved projects with this level of sophistication of plans. He emphasized that there would not be a condominium plat prior to this approval.

Mr. Dillon objected to Conclusions of Law 1, 2 and 4. He understood why the dates were changed in the conditions of approval, but he questioned whether that could be done, since it gives the applicant an additional six or seven months to commence construction. Mr. Dillon stated that there is no real question of law that they can impose conditions of approval requiring phasing and bonding. The Planning Commission has broad authority to administer the mitigation of compatibility problems once they have been established. He noted that the City Council in its Conclusion of Law #2 stated that "The Planning Commission erred in applying Land Management Code 15-1-10-(D)(2 and 4) and LMC 15-1-10(E)(7, 8 and 11) by failing to mitigate the height, scale, mass and bulk of building three and maintain or enhance the context

of the neighborhood, failing to consider a specific landscape plan in relation to restrictions of Wild Land interface, to better separate the use from adjoining site and failing to mitigate visual and construction impacts by requiring a specific construction phasing plan.” Mr. Dillon pointed out that the last sentence was key to support his comments.

Mr. Dillon noted that earlier in the day he had submitted a short letter of response. He apologized for getting it in late, but he had not been able to read the Staff report until 5:30 that morning. He thought it was clear that as a matter of law, the City Council has told the Planning Commission that construction use is within the defined use of the Land Management Code. He pointed out that the uniqueness of this project is that the MPD and development have been delayed for 25 years. If this project had moved forward while the surrounding residential neighborhoods were being built, the compatibility of construction use would be non-existent. However, when everything builds out around the site and the developer has the benefit of building a project in the middle of these mature neighborhoods, at that point, construction use become a compatibility issue. Mr. Dillon stated that the Planning Commission cannot let construction use adversely impact these mature, built neighborhoods without mitigation. Mitigation is construction phasing and timing and bonding. It is the required mitigation and that is the reason why the City Council directed the Planning Commission to establish conditions of approval that address phasing and bonding requirements.

Mr. Dillon reiterated that the problem with developing phasing requirements is that the Planning Commission does not know what the applicant intends to build. He remarked that as a condition of the phasing, the Planning Commission can require that prior to any construction start, the applicant needs to submit condo plans for whatever phase is specified so they can understand what will be built.

Mr. Dillon clarified that the neighbors are not concerned with when construction begins. Their concern is knowing what would be built, how much would be built, and if there is a time limit for completion.

Mr. Dillon showed that the previous condo plat was convertible land sprinkled with a few units. In order to preserve their CUP, the applicant dug a hole and for years have pursued extensions to the CUP claiming that the project had started on time. He thought the Planning Commission should make the applicant show what they intend to build and that the Planning Commission should require that the project be phased with a timing start and completion from the date the permit is pulled. Mr. Dillon clarified that the neighbors want the project built. They have been looking at a pit for nine years and do not want to look at foundations for another nine years. Mr. Dillon suggested that the Planning Commission make building the foundations for Building 3 and six of the perimeter units as Phase I. The applicants should be required to present the condo plans and map. Once that is platted, the applicants can begin to sell the units.

Mr. Dillon pointed out that this is a hard market and timing is critical. The neighbors want this project to succeed if it is allowed to start. He explained that the intent for requesting these conditions is to allow the applicant to pre-sell so they can obtain financing.

Lisa Wilson stated that she is a Park City mom and she has lived on the slopes of Deer Valley

since 1993. She purchased a lot in Silver Lake in 1994. Ms. Wilson commented on the pit in the Spring. She drives by it everyday and there is fencing around it. Sometimes when she hikes by she sees deer that have somehow managed to jump the fence. The deer get stuck but they always find their way out. Ms. Wilson stated that when she drove by today the gate to the fence was flipped over and the green netting around the fence was flipped over. The sign announcing this public hearing has been on the ground for nearly two weeks. Ms. Wilson thought the pit needed to be covered because it is unsightly.

Ms. Wilson noted that she also owns a lot in Deer Crest. Due to the number of homes have stopped construction, at the last homeowners meeting the decision was made to change the CC&Rs to require bonding. Ms. Wilson believed the Planning Commission needed to consider more than just Building 3 when looking at the height. She noted that Building 3 is at the bottom, and the second and third tower are above that. She stated that from the bottom the building will terrace up the slope and it will look like one contiguous building. It will be very visible from Main Street.

Mr. Wilson stated that during the City Council meeting, Council Member Hier spoke about the mistakes that were made the last time. She has been attending Planning Commission meetings for a long time and everyone was left with the impression that a vested right existed for density under the 2001 CUP and it was approximately 460,000 square feet. They assumed there was nothing they could do about this project. Ms. Wilson noted that Council Member Hier made it very clear that this was not the case. The Harrison Horn CUP has expired and the vested density no longer applies. In looking at this project, a 25% reduction in one building has not made much of a difference in the size of the project.

Ms. Wilson stated that during the appeal process, there was 123,000 square feet of common area. She was unsure where that would be. Using the Treasure Hill website as an example, Ms. Wilson requested a summary of residential units by size and a summary of building area by use for this project so they can understand where the 123,000 square feet of common area is located. When she purchased her lot in 1994 it was bought based on entitlements. She understood there was a lot with potentially 54 units and 14,000 square feet of commercial. However, this project meets none of those parameters. To date, what is being proposed in their neighborhood is a hotel with a spa and a restaurant. Ms. Wilson stated that the area in the restaurant is commercial. She indicated a space identified as common area, but that space is where the public would go to eat. Ms. Wilson referred to language in the LMC that defines commercial space to emphasize the fact that money would be exchanged in all the "common space" areas as defined in this project. She noted that by definition, common area is for the use and enjoyment of the residents. She pointed out that the spa, restaurant and hotel lobby would be for the public and not just for residents.

Ms. Wilson wanted to see a project like the one she understood would be built when she purchased her property, which is 54 units, 60% open space and 14,000 square feet of commercial. Ms. Wilson pointed to a new area in the LMC called accessory uses, which allows buildings to become unlimited, and noted that areas such as lobbies no longer count towards the entitlement.

Ms. Wilson stated that per State Statute, notification must be given to the affected property

owners if the size of the structure is modified or the use is changed. Her property will be affected, but she was not notified that the changes to the MPD would increase the development in her area by 123,000 square feet.

Chair Wintzer requested that Ms. Wilson focus her comments on the three issues of the remand.

Ms. Wilson was concerned that the project has grown because of the accessory uses. She would like to see something that breaks down the square footage. She noted that Council Member Hier admitted that mistakes were made and the project became so large because it was approved without knowing the actual numbers. Ms. Wilson urged the Planning Commission not to make that same mistake again.

Chair Wintzer closed the public hearing.

Doug Clyde, representing the applicant, noted that many of the comments this evening were not germane to the appeal. He has been practicing the Land Management Code in Park City over twenty years and none of those definitions have changed. He has never worked on a project where accessory uses and common areas were treated different from the way they are treated in this project. Mr. Clyde noted that he has never seen a situation where the plat was tied to the CUP.

Mr. Clyde remarked that the ADA uses have been treated as common area in all the projects in Empire Pass, as well projects outside of Empire Pass. The City has adopted that practice as a uniform way to deal with ADA units. Regarding issues related to bonding and phasing, Mr. Clyde concurred with the Staff report and believes it represents what was instructed by the City Council.

Mr. Clyde showed the change they were talking about in terms of the 29% reduction in facade. He compared the first Building 3 with the current Building 3 to show the difference.

Tom Bennett, Counsel for the applicant addressed Ms. Wilson's concern that the project would balloon in size. He noted that Condition of Approval #15 specifically requires that the final condominium plat not exceed the square footage for all the various components that have been submitted. That condition should alleviate her concern.

Mr. Bennett addressed Mr. Dillon's concern that the project would not be completed and the neighbors would be left with an eyesore. Mr. Dillon offered a solution to require that buildings be completed within a specific time frame or for the Planning Commission to approve a phasing plan. Mr. Bennett stated that once construction is started, the International Building Code has provisions that cause the project to continue without interruption. He referred to Ron Ivie's comment earlier this evening that in the past 30 years there have been three instances where the City had to file an action because an incomplete building became a nuisance. Mr. Bennett recalled Mr. Ivie saying that the procedures that are currently in place with the Building Department to review construction, construction phasing and mitigation plans have worked well over the years. Mr. Bennett read Item #3 of the Order of the City Council, "Construction phasing

and additional bonding shall be addressed with respect to site restoration.” He believed that issue had been addressed in the Staff report and in the added conditions of approval with respect to bonding. Mr. Bennett clarified that addressing the bonding issue does not mean that the Planning Commission is the body to require it. That is the responsibility of the Building Department.

Mr. Clyde commented on the statement about hidden commercial uses in this project. He noted that the applicant has requested a specific number of square feet for a commercial use. Every commercial use requires a business license. Part of the business license process is for the Planning Department to verify whether or not the license application corresponds with the approval.

Planner Cattan reported that there was a letter from Bob Dillon on her email just prior to this meeting. She would email copies of his letter to the Commissioners.

Planner Cattan stated that the ADA units are consistent with how ADA units are platted throughout Empire Pass and throughout town. The purpose allows someone with ADA needs to have access to a common unit that cannot be rented separately.

Planner Cattan explained that she had two sets of plans on her desk. If the CUP is approved, they would be stamped as the approved set of plans. The plans outline all residential areas, commercial areas, and all of the common areas. Once the CUP is approved, the applicants cannot increase the density or unit size and they cannot increase the commercial space. Planner Cattan clarified that the applicants were not requesting a blind approval.

Commissioner Strachan remarked that the plans have not changed since the last meeting. His concerns relating to the amount of excavation still remain. Commissioner Strachan did not believe the comparison between the surrounding homes and this building was fair, since the existing homes are single family and this project is a multi-unit dwelling. The height comparison was fair but it did not support compatibility. Commissioner Strachan could not find compatibility because the MPD is not compatible with the surrounding neighborhoods. In his opinion, it would be difficult to build anything on that site in compliance with the MPD that would be compatible. Therefore, he could not support Conclusions of Law 1, 2, 3 and 4. Since the project has been recommended for approval by Staff and if the Planning Commission votes to approve, he suggested revising Condition #15 to specify a total square footage ceiling and require standard compliance with that ceiling. The applicant has presented a 70,350 square foot ceiling for the North Building 3A and that should be incorporated into Condition of Approval #15. He realized that as-built conditions might not reflect that square footage, but the Planning Commission should require substantial compliance.

Commissioner Peek believed the specific items in the Order from the City Council had been addressed in the re-design of Building 3, as well as in Conditions of Approval 2, 4, 5, 7, 14, 16, 17 and 18.

Commissioner Pettit noted that Mr. Dillon had referenced a condition in the original approval regarding lock out units. Planner Cattan also recalled that it was in the original conditions and

she was unsure why it was left out. She offered to locate it on her computer so the Planning Commission could re-adopt it with this approval. Commissioner Pettit stated that the issue had been raised and if it was in the original approval they needed to make sure it was not inadvertently left out.

Commissioner Pettit concurred with Commissioner Peek, given that the Planning Commission review was limited to three issues that were remanded back from the City Council. She agreed that based on the re-design of Building 3, the applicant has met the issues of concern regarding mitigation and compatibility. Commissioner Pettit also found that the other issues remanded back with respect to the final landscape plan and the Wild Land Interface regulations had been satisfactorily addressed. She also agreed that the added conditions of approval with respect to construction phasing met the intent of the City Council. Commissioner Pettit was inclined to vote in favor of the CUP.

Commissioner Hontz stated that considering the review constraints, she agreed with Commissioners Pettit and Peek. Commissioner Hontz stated that after reviewing her comments from March 10th, she was disappointed that the Planning Commission had not seen a new staging/phasing map that identified how this would occur on site with the buildout. She did not want time frames, but she felt this important piece of information would have met what she believed the Planning Commission was required to see as part of Condition #28 from the City Council. She thought it would have benefitted the applicant to think that through as well. Her disappointment aside, Commissioner Hontz was willing to make findings and vote in favor of this application.

Commissioner Luskin appreciated the efforts of the applicant to revised this project. While he has seen a lot of improvements, he echoed Commissioner Strachan's comments. Commissioner Luskin stated that he was still troubled by a previous issue that was not mentioned this evening, which was the use of Royal Street. He reiterated his previous concern that Royal Street is continuously terrorized by the use of big trucks. It is a common recreational street that has become extremely dangerous. He understood the difficulty of walking on Marsac with construction vehicles, but Marsac does not have the same type of recreational use. Commissioner Luskin requested that the Planning Commission further discuss the matter.

Commissioner Strachan clarified that his comments directly related to Building 3A.

Regarding the issue of Royal Street versus Marsac, Chair Wintzer felt it was a toss up because construction traffic coming off a mountain is dangerous anywhere. He understood Commissioner Luskin's concerns but it would be unfair to the residents to put a hundred percent of the traffic on Marsac.

Chair Wintzer appreciated the applicant's effort to improve Building 3 and the project. He thought the project was better than it was before it was remanded back from the City Council. He applauded the City Council for their decision. Chair Wintzer remarked that being the last one in the neighborhood is never easy and it is a difficult problem to solve. He sympathized with the neighbors, but this site was always anticipated to have this type of use. Chair Wintzer believed it was time to let the project move forward.

Commissioner Pettit stated that the Marsac residents already bear adverse impacts that are borne by that neighborhood. She felt that the building department had a better understanding to determine where the flow of construction vehicles should occur. Commissioner Pettit thought it was unfair for the Planning Commission to make that determination as a condition of approval.

Planner Cattan had drafted a condition of approval to address lock out units. "Lock out units have not been included within the current conditional use permit application. The addition of lock out units would be a substantial deviation from the current plan and must be approved by the Planning Commission." She clarified that she was unable to find the exact language but recollected that it was close to the wording drafted this evening.

Chair Wintzer clarified that lock outs would be allowed, but only with Planning Commission approval. Planner Cattan stated that the applicant would have to come back to the Planning Commission to request approval of lock out units.

Commissioner Strachan asked if a request for lockout units would open the CUP for re-review. Assistant City Attorney McLean replied that it would be an amendment to the CUP. Without an actual application, it was difficult to comment on the scope of review. Commissioner Strachan stated that if a lockout would change the use, it would be different from what the Planning Commission approved. Ms. McLean clarified out that the request would be to amend the use. Commissioner Strachan pointed out that the project would already be built. Ms. McLean replied that Planning Commission could deny the amendment if it did not meet the criteria.

Planner Cattan noted that the amendment would need to occur prior to building the units to create lock out units. Therefore, it would come back to the Planning Commission before it was built.

Commissioner Strachan pointed out that nothing in the Staff report prohibits lock out units. Ms. McLean stated that the condition of approval drafted by Planner Cattan states that lock out units cannot occur without coming back to the Planning Commission for an amendment to the CUP. If that occurred, the Planning Commission would evaluate it for the lock out units, but it would not re-open the entire project. The review would be limited to the scope of the lock out units and whether or not it met the criteria of the CUP.

Commissioner Pettit requested that Planner Cattan read the drafted condition again for the record. Planner Cattan read, "Lock out units have not been included within the current conditional use permit application. The addition of lock out units would be substantial deviation from the current plan and must be approved by the Planning Commission".

MOTION: Commissioner Pettit moved to APPROVE the North Silver Lake Lodges Conditional Use Permit in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended with respect to adding Condition of Approval #19 as read into the record. Commissioner Luskin seconded the motion.

Commissioner Peek referred to Condition of Approval #17 and corrected "sight" to "site".

Commissioner Pettit amended her motion to include the spelling change in Condition #17.

VOTE: The motion passed 4-1. Commissioner Strachan voted against the motion.

Mr. Clyde informed Commissioner Hontz that they had heard her request. The final site plan was produced, but it was inadvertently left out of the package. He noted that Ron Ivie had reviewed the final plan.

Findings of Fact - North Silver Lake CUP

1. The subject property is at 7101 North Silver Lake Drive. This property is also known as Lot 2B of the North Silver Lake Subdivision.
2. The proposed development is located within the Deer Valley Master Plan Development.
3. Within the Deer Valley Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space.
4. The applicant has applied for a conditional use permit for the development of 54 units located on Lot 2B of the North Silver Lake Subdivision. The applicant has included 5140 square feet of support commercial space within this application. The project consists of 16 detached condominium homes and four condominium buildings containing 38 condominium units. The remaining commercial units are not transferable.
5. The North Silver Lake Subdivision Lot 2B is 5.96 acres in area.
6. The Deer Valley Master Plan requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC Chapter 15-1-10.
7. The Deer Valley MPD determines densities on parcels as an apartment unit containing one bedroom or more shall constitute a dwelling unit and a hotel room or lodge room shall constitute one-half of a dwelling unit. The Deer Valley MPD does not limit the size of units constructed provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations.
8. Within the Deer Valley MPD development parcels exhibit there is a note for the NSL Subdivision Lot 2D Open Space stating, "This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B." Lot 2D is 4.03 acres in size.
9. Within the original North Silver Lake Subdivision, the Bellemont subdivision was allowed to also utilize Lot 2B towards the 60% open space requirement. The Bellemont Subdivision utilized 1/4 acre of the Lot 2B parcel to comply with the open space

requirement.

10. The current application site plan contains 70.6% of open space on the site, including the remainder 3.78 acres of open space on Lot 2D.
11. The property is located in the Residential Development zoning district (RD) and complies with the Residential Development ordinance.
12. The property is within the Sensitive Lands Overlay Zone and complies with the Sensitive Lands Ordinance.
13. The height limit for Lot 2B was established at 45 feet within the Deer Valley Master Plan. The development complies with the established height limit utilizing the exception of five feet for a pitched roof.
14. The onsite parking requirements for the four stacked flat condominiums have decreased 25% in compliance with Section 15-3-7 of the Land Management Code. The Planning Commission supports a 25% reduction in the parking for the stacked flats within the development.

Conclusions of Law - North Silver Lake - CUP

1. The application is consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. The use is compatible with surrounding structures in use, scale, mass and circulation.
3. The use is consistent with the Park City General Plan.
4. The effects of any difference in use or scale have been mitigated through careful planning.

Conditions of Approval - North Silver Lake - CUP

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. This plan must address mitigation for construction impacts of noise, vibration, and other mechanical factors affecting adjacent property owners. The Arborcare Temporary Tree and Plant Protection Plan dated April 2, 2009 must be included within the construction mitigation plan.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

4. The Arborcare Temporary Tree and Plant Protection Plan dated April 2, 2009 must be adhered to. A member of the Planning Staff and Planning Commission will be invited to attend the pre-installation conference. Prior to operating any excavation machinery, all operators of any excavation machinery must sign off that they have read, understand, and will adhere to the Temporary Tree and Plant Protection plan.
5. A landscape plan is required with the building permit. The landscape plan must reflect the site plan and existing vegetation plan as reviewed and approved by the Planning Commission on April 28, 2010.
6. The developer shall mitigate the impacts of drainage. The post-development run-off must not exceed the pre-development run-off.
7. Fire Marshall review and approval of the final site layout for compliance with City standards is a condition precedent to building permit issuance. The proposed development shall comply with the regulations of the Urban Wild Land Interface Code. A thirty-foot defensible space will be mandatory around the project, limiting vegetation and mandating specific sprinklers by rating and location. The Fire Marshal must make findings of compliance with the Urban Wild Land Interface regulations prior to issuance of a building permit.
8. Approval of a sign plan is required prior to installation of any signs on the property.
9. Staff review and findings of compliance with the lighting regulations of LMC Section 15-5-5(l) are required prior to the issuance of an electrical permit.
10. This approval will expire April 28, 2011, 12 months from April 28, 2010, if no building permits are issued within the development. Continuing construction and validity of building permits is at the discretion of the Chief Building Official and Planning Director.
11. Approval is based on plans reviewed by the Planning Commission on April 28, 2010. Building permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
12. The SWCA wildlife mitigation plan dated April 15, 2009 must be included within the construction mitigation plan and followed.
13. The two ADA units are to be platted as common space and cannot be separately rented without renting another unit.
14. The Sustainable Design Strategies created by Living Architecture as reviewed by the Planning Commission on April 28, 2010 must be adhered to within the building permit process. Any substantial deviation from this plan must be reviewed by the Planning Commission.

15. The final condominium plat for North Silver Lake Lot 2B may not exceed the square footage for common space, private space and commercial space as shown in the plans approved by the Planning Commission on April 28, 2010.
16. A bond shall be collected prior to issuance of a grading or building permit to cover the cost of the landscape plan as approved.
17. A phasing and bonding plan to ensure site restoration in conjunction with building phasing beyond a public improvement guarantee must be approved by the Building Department. The plan shall include re-vegetation for perimeter enhancement and screening into the project, soil capping for any new disturbance and previous disturbance of the site, and clean-up of all staging areas.
18. A bond shall be collected at the time of Conditional Use Permit Approval to ensure that the existing impacts of the site will be repaired at the time of CUP expiration or extension. The existing rock area of the site shall be capped with soil and re-vegetated and new landscaping along the perimeter entrance shall screen the view into the project. If a building permit is issued within one year, this bond shall be released.
19. Lock out units have not been included within the current conditional use permit application. The addition of lock out units would be substantial deviation from the current plan and must be approved by the Planning Commission.
2. 1150 Deer Valley Drive - Conditional Use Permit
(Application #PL-09-00858)

Planner Francisco Astorga reviewed the conditional use permit application for construction within the Frontage Protection Zone at 1150 Deer Valley Drive, Snow Country condos. The applicant wishes to build two parking spaces to their existing parking lot. Planner Astorga stated that this proposal resulted from an amendment to a record of survey that the Planning Commission heard in October 2009. At that time the Planning Commission agreed with the Staff recommendation of not supporting the plat amendment, because it would increase the degree of the existing non-compliance due to the lack of parking mandated by the LMC. During the October meeting, the Planning Commission recommended that the applicant consider other options to mitigate the non-compliance issue.

Planner Astorga reported that based on that direction, the applicant decided to build two new parking spaces. He presented a site plan of the plat and noted that the LMC prohibits construction in the 0-30 foot no-build zone. Any construction beyond 30 feet to the next 100 foot requires a conditional use permit. Planner Astorga remarked that the proposal to construct two parking spaces would decrease the level of non-compliance.

The Staff report contained the Staff analysis regarding the CUP criteria. The impacts were all mitigated as described by the criteria.

Planner Astorga noted that the next item on the agenda this evening would be the amendment



Building • Engineering • Planning

April 28, 2010

North Silver Lake Lodges, LLC
11990 San Vicente, Suite 200
Los Angeles, CA 90049

NOTICE OF PLANNING COMMISSION ADMINISTRATIVE ACTION

Project Address: **Lot 2B of North Silver Lake Subdivision**
Project Description: **Conditional Use Permit**
Date of Action: **April 28, 2010**

Action Taken By Planning Commission: Approved in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval as written below:

Findings of Fact

1. The subject property is at 7101 North Silver Lake Drive. This property is also known as Lot 2B of the North Silver Lake Subdivision.
2. The proposed development is located within the Deer Valley Master Plan Development.
3. Within the Deer Valley Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space.
4. The applicant has applied for a conditional use permit for the development of 54 units located on Lot 2B of the North Silver Lake Subdivision. The applicant has included 5140 square feet of support commercial space within this application. The project consists of 16 detached condominium homes and four condominium buildings containing 38 condominium units. The remaining commercial units are not transferable.
5. The North Silver Lake Subdivision Lot 2B is 5.96 acres in area.
6. The Deer Valley Master Plan requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC chapter 15-1-10.
7. The Deer Valley MPD determines densities on parcels as an apartment unit containing one bedroom or more shall constitute a dwelling unit and a hotel room or lodge room shall constitute one-half a dwelling unit. The Deer Valley MPD does not limit the size of units constructed provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations.

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, Utah 84060-1480
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8. Within the Deer Valley MPD development parcels exhibit there is a note for the NSL Subdivision Lot 2D Open Space stating "This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B." Lot 2D is 4.03 acres in size.
9. Within the original North Silver Lake Subdivision, the Bellemont subdivision was allowed to also utilize Lot 2B towards the 60% open space requirement. The Bellemont Subdivision utilized ¼ acre of the Lot 2B parcel to comply with the open space requirement.
10. The current application site plan contains 70.6% of open space on the site including the remainder 3.78 acres of open space on Lot 2D.
11. The property is located in the Residential Development zoning district (RD) and complies with the Residential Development ordinance.
12. The property is within the Sensitive Lands Overlay Zone and complies with the Sensitive Lands Ordinance.
13. The height limit for Lot 2B was established at 45 feet within the Deer Valley Master Plan. The development complies with the established height limit utilizing the exception of five feet for a pitched roof.
14. The onsite parking requirements for the four stacked flat condominiums have decreased 25% in compliance with section 15-3-7 of the Land Management Code. The Planning Commission supports a 25% reduction in the parking for the stacked flats within the development.

Conclusions of Law

1. The application is consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. The Use is compatible with surrounding structures in use, scale, mass, and circulation.
3. The Use is consistent with the Park City General Plan.
4. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. This plan must address mitigation for construction impacts of noise, vibration, and other mechanical factors affecting adjacent property owners. The Arborcare Temporary Tree and Plant Protection Plan dated April 2, 2009 must be included within the construction mitigation plan.

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3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. The Arborcare Temporary Tree and Plant Protection Plan dated April 2, 2009 must be adhered to. A member of the Planning Staff and Planning Commission will be invited to attend the pre-installation conference. Prior to operating any excavation machinery, all operators of any excavation machinery must sign off that they have read, understand, and will adhere to the Temporary Tree and Plant Protection plan.
5. A landscape plan is required with the building permit. The landscape plan must reflect the site plan and existing vegetation plan as reviewed and approved by the Planning Commission on *April 28, 2010*.
6. The developer shall mitigate impacts of drainage. The post-development run-off must not exceed the pre-development run-off.
7. Fire Marshall review and approval of the final site layout for compliance with City standards is a condition precedent to building permit issuance. The proposed development shall comply with the regulations of the Urban Wild Land Interface Code. A thirty foot defensible space will be mandatory around the project, limiting vegetation and mandating specific sprinklers by rating and location. The Fire Marshal must make findings of compliance with the urban wild land interface regulations prior to issuance of a building permit.
8. Approval of a sign plan is required prior to installation of any signs on the property.
9. Staff review and findings of compliance with the lighting regulations of LMC Section 15-5-5(1) are required prior to the issuance of an electrical permit.
10. This approval will expire *April 28, 2011*, 12 months from *April 28, 2010*, if no building permits are issued within the development. Continuing construction and validity of building permits is at the discretion of the Chief Building Official and Planning Director.
11. Approval is based on plans reviewed by the Planning Commission on *April 28, 2010*. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
12. The SWCA wildlife mitigation plan dated April 15, 2009 must be included within the construction mitigation plan and followed.
13. The two ADA units are to be platted as common space and cannot be separately rented without renting another unit.
14. The Sustainable Design Strategies created by Living Architecture as reviewed by the Planning Commission on April 28, 2010 must be adhered to within the building permit process. Any substantial deviation from this plan must be reviewed by the Planning Commission.

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15. The final condominium plat for North Silver Lake Lot 2B may not exceed the square footage for common space, private space, and commercial space as shown in the plans approved by the Planning Commission on April 28, 2010.
16. A bond shall be collected prior to issuance of a grading or building permit to cover the cost of the landscape plan as approved.
17. A phasing and bonding plan to ensure sight restoration in conjunction with building phasing beyond a public improvement guarantee must be approved by the Building Department. The plan shall include re-vegetation for perimeter enhancement and screening into the project, soil capping for any new disturbance and previous disturbance of the site, and clean-up of all staging areas.
18. A bond shall be collected to at the time of Conditional Use Permit Approval to ensure that the existing impacts of the site will be repaired at the time of CUP expiration or extension. The existing rock area of the site shall be capped with soil and re-vegetated and new landscaping along the perimeter entrance shall screen the view into the project. If a building permit is issued within one year, this bond shall be released.
19. Lockout units have not been included within the current CUP application. The addition of lockout units would be a substantial deviation from the current plan and must be approved by the Planning Commission. (Added during April 28, 2010 meeting).

Respectfully,

A handwritten signature in black ink, appearing to read "K. Cattan".

Katie Cattan
Planner

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, Utah 84060-1480
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**PARK CITY COUNCIL, SUMMIT COUNTY, UTAH
FINDINGS OF FACT, CONCLUSIONS OF LAW, CONDITIONS OF
APPROVAL AND ORDER FOR THE NORTH SILVER LAKE APPEAL
JULY 21, 2011**

At its regularly scheduled meeting of July 21, 2011, the Park City Council unanimously affirmed the Planning Commission decision to uphold the Planning Director's approval and grant the one year extension for the Conditional Use Permit (North Silver Lake CUP) with minor typographical corrections, specifically to Findings #3 and #9 as underlined and according to the following findings of fact, conclusions of law and conditions of approval.

Findings of Fact

1. The subject property is at 7101 North Silver Lake Drive. This property is also known as Lot 2B of the North Silver Lake Subdivision.
2. The proposed development is located within the Deer Valley Master Plan Development.
3. Within the Deer Valley Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial and support space.
4. The applicant has applied for a conditional use permit for the development of 54 units located on Lot 2B of the North Silver Lake Subdivision. The applicant has included 5102 square feet of support commercial space within this application. The project consists of 16 detached condominium homes and four condominium buildings containing 38 condominium units. The remaining commercial units are not transferable.
5. The North Silver Lake Subdivision Lot 2B is 5.96 acres in area.
6. The Deer Valley Master Planned Development (MPD) requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC chapter 15-1-10.
7. The Deer Valley MPD determines densities on parcels as an apartment unit containing one bedroom or more shall constitute a dwelling unit and a hotel room or lodge room shall constitute one-half a dwelling unit. The Deer Valley MPD does not limit the size of units constructed provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations.
8. Within the Deer Valley MPD parcels exhibit there is a note for the NSL Subdivision Lot 2D Open Space stating "This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B." Lot 2D is 4.03 acres in size.
9. Within the original North Silver Lake Subdivision, the Bellemont subdivision was allowed to also utilize Lot 2D towards the 60% open space requirement. The Bellemont Subdivision utilized $\frac{1}{4}$ acre of the Lot 2D parcel to comply with the open space requirement.

10. The current application site plan contains 70.6% of open space on the site including the remainder 3.78 acres of open space on Lot 2D.
11. The property is located in the Residential Development zoning district (RD) and complies with the Residential Development ordinance.
12. The property is within the Sensitive Lands Overlay Zone and the project complies with the Sensitive Lands Ordinance.
13. The height limit for Lot 2B was established at 45 feet within the Deer Valley Master Plan. The development complies with the established height limit, with the allowance of five feet for a pitched roof.
14. The onsite parking requirements for the four stacked flat condominiums have decreased 25% in compliance with section 15-3-7 of the Land Management Code. The Planning Commission supports a 25% reduction in the parking for the stacked flats within the development.
15. The Planning Commission held public hearings on August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009.
16. The Planning Commission approved the CUP on July 8, 2009.
17. An appeal of the CUP approval was received July 17, 2009 within ten days per LMC 15-1-18.
18. The City Council reviewed the appeal of North Silver Lake lot 2B on October 15, 2009 and on November 12, 2009.
19. On November 12, 2009, the City Council remanded the Conditional Use Permit back to the Planning Commission with three specific items to be addressed within the order.
20. The Planning Commission reviewed the North Silver Lake Conditional Use Permit remand on November 11, 2009 and January 13, 2010 and two Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010. The Planning Commission approved the revised Conditional Use Permit on April 28, 2010.
21. The Conditional Use Permit was appealed by two separate parties within ten days of the Planning Commission approval.
22. The design for Building 3 decreased the overall square footage of the Building 3 twenty-five percent (25 %), reoriented the building on the site, and divided the original single building into two interconnected buildings of smaller scale and size than the original single building.
23. The landscape plan was modified to comply with the Wild Land Interface regulations.
24. Construction phasing and additional bonding beyond a public improvement guarantee has been required.
25. On July 1, 2010, the City Council approved the North Silver Lake Lot 2B Conditional Use Permit. The approval is scheduled to expire on July 1, 2011 if no building permits are issued within the development.
26. On March 17, 2011, the Planning Department received a complete application for an extension of the Conditional Use Permit. No permits for development have been issued or applied for at time of application. The extension request was submitted prior to the expiration of Conditional Use Permit.
27. The Conditional Use Permit Criteria within LMC section 15-1-10 has not changed since the July 1, 2010 City Council approval.

28. The Conditional Use Permit application for North Silver Lake Lot 2B has not changed since the July 1, 2010 City Council Approval. There are no changes in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or Land Management Code.
29. Within the July 1, 2010 approval, Condition of Approval #18 states "A bond shall be collected at the time of Conditional Use Permit Approval to ensure that the existing impacts of the site will be repaired at the time of CUP expiration or extension. At such time, the existing rock area of the site shall be capped with soil and re-vegetated and new landscaping along the perimeter entrance shall screen the view into the project. If a building permit is issued within one year, this bond shall be released." This requirement had not been completed at the time of extension submittal. The work was completed by July 1, 2011, and therefore the approved extension will not be void due to incompleteness on condition of approval #18 from the July 1, 2010 City Council action.
30. The building department collected a bond to ensure that the existing impacts of the site will be repaired at the time of CUP extension. The landscape plan includes re-vegetating the disturbed area including top soil and native grasses, planting eighteen (18') new trees that vary in height from 10 to 12 feet, and installing an irrigation system for the establishment of the grass and ongoing watering of the new trees. This work was completed by July 1, 2011 and complies with the July 1, 2010 City Council conditions of approval.
31. The Planning Director granted a one year extension to the Conditional Use Permit on April 28, 2011 to July 1, 2012.
32. An appeal to the Planning Commission of the Planning Director's approval was submitted on May 9, 2011.
33. On June 8, 2011 the Planning Commission held a public hearing to consider the appeal filed. After hearing testimony from the appellant, the property owner, and staff, the Planning Commission, after reviewing the matter de novo, rendered a decision to uphold the Planning Director's decision and grant the extension of the Conditional Use Permit.
34. On June 20, 2011, the City received a written appeal pursuant to Chapter 15-1-18(A) of the Land Management Code. The appeal is of the Planning Commission final action of June 8, 2011, upholding the Planning Director's decision to approve an extension of the Conditional Use Permit for the North Silver Lake Lot 2B development.

Conclusions of Law

1. The application is consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. The Use is compatible with surrounding structures in use, scale, mass, and circulation.
3. The Use is consistent with the Park City General Plan.
4. The effects of any differences in Use or scale have been mitigated through careful planning.

5. No change in circumstance is proposed within the extension that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. This plan must address mitigation for construction impacts of noise, vibration, and other mechanical factors affecting adjacent property owners. The Arborcare Temporary Tree and Plant Protection Plan dated April 2, 2009 must be included within the construction mitigation plan.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. The Arborcare Temporary Tree and Plant Protection Plan dated April 2, 2009 must be adhered to. A member of the Planning Staff and Planning Commission will be invited to attend the pre-installation conference. Prior to operating any excavation machinery, all operators of any excavation machinery must sign off that they have read, understand, and will adhere to the Temporary Tree and Plant Protection plan.
5. A landscape plan is required with the building permit. The landscape plan must reflect the site plan and existing vegetation plan as reviewed and approved by the Planning Commission on April 28, 2010.
6. The developer shall mitigate impacts of drainage. The post-development run-off must not exceed the pre-development run-off.
7. Fire Marshall review and approval of the final site layout for compliance with City standards is a condition precedent to building permit issuance. The proposed development shall comply with the regulations of the Urban Wild Land Interface Code. A thirty foot defensible space will be mandatory around the project, limiting vegetation and mandating specific sprinklers by rating and location. The Fire Marshal must make findings of compliance with the urban wild land interface regulations prior to issuance of a building permit.
8. Approval of a sign plan is required prior to installation of any signs on the property.
9. Staff review and findings of compliance with the lighting regulations of LMC Section 15-5-5(I) are required prior to the issuance of an electrical permit.
10. This approval will expire July 21, 2012, 12 months the date of this decision, if no building permits are issued within the development. Continuing construction and validity of building permits is at the discretion of the Chief Building Official and Planning Director.
11. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
12. The SWCA wildlife mitigation plan dated April 15, 2009 must be included within the construction mitigation plan and followed.
13. The two ADA units are to be platted as common space and cannot be separately rented without renting another unit.

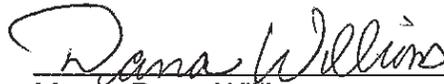
14. The Sustainable Design Strategies created by Living Architecture as reviewed by the Planning Commission on April 28, 2010 must be adhered to within the building permit process. Any substantial deviation from this plan must be reviewed by the Planning Commission.
15. The final condominium plat for North Silver Lake Lot 2B may not exceed the square footage for common space, private space, and commercial space as shown in the plans reviewed by the City Council on June 24, 2010.
16. A bond shall be collected prior to issuance of a grading or building permit to cover the cost of the landscape plan as approved.
17. A phasing and bonding plan to ensure site restoration in conjunction with building phasing beyond a public improvement guarantee must be approved by the Building Department. The plan shall include re-vegetation for perimeter enhancement and screening into the project, soil capping for any new disturbance and previous disturbance of the site, and clean-up of all staging areas. Prior to building department action on approving each phase of the phasing plan, the developer and building department shall conduct a neighborhood meeting, with minimum courtesy mailed notice to both appellants, each appellant's distribution list as provided to planning staff, and any HOAs registered with the City within the 300 foot notice area.
18. No lockout units are permitted within this approval.
19. The conditions of approval of the original July 1, 2010 Conditional Use Permit approval continue to apply.

Order

1. The appeal is denied in whole. The Conditional Use Permit extension is approved with the amended Finding of Fact, Conclusions of Law and Conditions of Approval as stated above.

PASSED AND ADOPTED this 21st day of July, 2011.

PARK CITY MUNICIPAL CORPORATION



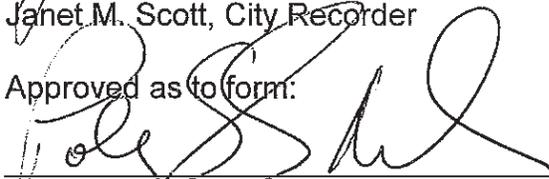
 Mayor Dana Williams

Attest:



 Janet M. Scott, City Recorder

Approved as to form:



 Polly McLean Samuels, Assistant City Attorney





April 6, 2012

Lisa Wilson
P.O. Box 1718
Park City, Utah 84060

NOTICE OF CITY COUNCIL ACTION

Project Description: Appeal of Planning Commission decision to approve one-year extension
Project Numbers: PL-12-01474
Project Address: North Silver Lake Lot 2B
Date of Final Action: April 5, 2012

Action Taken: The City Council conducted a public hearing and voted unanimously to deny the appeal of Planning Commission action to approve an extension of the Conditional Use Permit for the North Silver Lake Lot 2B development and upheld the approval based on the findings of fact, conclusions of law and conditions of approval:

Findings of Fact:

1. The subject property is at 7101 North Silver Lake Drive. This property is also known as Lot 2B of the North Silver Lake Subdivision.
2. The proposed development is located within the Deer Valley Master Plan Development.
3. Within the Deer Valley Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial and support space.
4. The North Silver Lake Subdivision Lot 2B is 5.96 acres in area.
5. The Deer Valley Master Planned Development (MPD) requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC chapter 15-1-10.
6. The property is located in the Residential Development zoning district (RD) and complies with the Residential Development ordinance.
7. The property is within the Sensitive Lands Overlay Zone and complies with the Sensitive Lands Ordinance.
8. The Planning Commission held public hearings on the original CUP on August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009 and approved the CUP on July 8, 2009.
9. The Planning Commission approval of the CUP was appealed to the City Council and on November 12, 2009, the City Council remanded the Conditional Use Permit back to the Planning Commission with three specific items to be addressed within the order.
10. The Planning Commission approved the revised Conditional Use Permit on April 28, 2010.

11. The revised CUP was appealed to the City Council and on July 1, 2010, the City Council approved the North Silver Lake Lot 2B Conditional Use Permit
12. On March 17, 2011, the Planning Department received a complete application for an extension of the Conditional Use Permit. The extension request was submitted prior to the expiration of Conditional Use Permit. On April 28, 2011 the Planning Director approved the one year extension to July 1, 2012.
13. An appeal of the Planning Director's approval was heard on June 8, 2011 by the Planning Commission. The Planning Commission voted to uphold the Planning Directors decision to grant the extension of time as requested by the applicant.
14. The Planning Commission's decision was appealed to the City Council and on July 21, 2011 the City Council voted to uphold the Planning Commission's decision and approve the extension until July 21, 2012.
15. Within the July 21, 2011 approval, Condition of Approval #18 states "A bond shall be collected at the time of Conditional Use Permit Approval to ensure that the existing impacts of the site will be repaired at the time of CUP expiration or extension. At such time, the existing rock area of the site shall be capped with soil and re-vegetated and new landscaping along the perimeter entrance shall screen the view into the project. If a building permit is issued within one year, this bond shall be released." This condition was met as of July 1, 2011, which was prior to the first extension request, and the applicant has since capped the rock area with soil and has re-vegetated the area with new landscaping along the perimeter entrance as required.
16. The building department collected a bond to ensure that the existing impacts of the site will be repaired at the time of CUP extension. The landscape plan includes re-vegetating the disturbed area including top soil and native grasses, planting eighteen (18') new trees that vary in height from 10 to 12 feet, and installing an irrigation system for the establishment of the grass and ongoing watering of the new trees. This work has been completed, and the Building Department has released the bond.
17. On October 27, 2011 the applicant submitted a request for an additional one year extension until July 21, 2013 of the Conditional Use Permit which is currently set to expire on July 21, 2012.
18. On January 11, 2012, the Planning Commission granted the request for the one-year and final extension to the original CUP for North Silver Lake, Lot 2B, allowing the Conditional Use Permit to extend to July 21, 2013.
19. The Planning Commission may grant an additional one (1) year extension (of the Conditional Use Permit) when the Applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. Change of circumstance includes physical changes to the Property or surroundings. The Conditional Use Permit Criteria within LMC section 15-1-10 has not changed since the July 21, 2010 City Council approval.
20. The Conditional Use Permit application or plans for North Silver Lake Lot 2B has not changed since the July 21, 2010 City Council Approval.
21. There are no changes in circumstance including no physical changes to the Property or surroundings that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or Land Management Code.
22. There have been no changes to the application or the approved plans since the first

extension of time was granted on June 8, 2011 by the Planning Commission (and upheld by the City Council on July 21, 2011).

Conclusions of Law

1. The application is consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. There are no changes in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or Land Management Code.
3. The Planning Commission did not err in granting a 12 month extension of the CUP approval.

Conditions of Approval

1. All conditions of approval of the City Council's July 21, 2011 order continue to apply.
2. This approval will expire July 21, 2013, 12 months from the first extension of the CUP.
3. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.

If you have any questions or concerns regarding this letter, please do not hesitate to contact me. I can be reached at 435-615-5063 or via e-mail me at mathew.evans@parkcity.org.

Sincerely,

Mathew W. Evans
Senior Planner