



PARK CITY MUNICIPAL CORPORATION  
PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS  
MARSAC MUNICIPAL BUILDING  
JULY 23, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Francisco Astorga, Planner; Christy Alexander, Planner; Ryan Wassum, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

**ROLL CALL**

Chair Worel called the meeting to order at 5:35 p.m. and noted that all Commissioners were present.

**ADOPTION OF MINUTES**

July 9, 2014

MOTION: Commissioner Gross moved to APPROVE the minutes of July 9, 2014 as written. Commissioner Joyce seconded the motion.

VOTE: The motion passed. Commissioners Worel and Strachan abstained since they were absent from the July 9<sup>th</sup> meeting.

**PUBLIC INPUT**

There were no comments.

**STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES**

Director Eddington announced that the Planning Department was hosting a Webinar entitled The Economics of Urbanism on August 7<sup>th</sup>, from noon to 1:30 p.m. He would send the Planning Commission an email with all the details. If more than three Commissioners were interested in attending it would present a quorum and the Webinar would have to be

noticed to the public. A show of hands indicated that a majority of the Commissioners would attend and the event would be publicly noticed.

Director Eddington reported that a special Planning Commission meeting was scheduled on August 6<sup>th</sup> at 5:30 p.m. for discussion and public hearing regarding Form Based Code. The consultants would be in attendance. The Planning Department would provide the Commissioners with a copy of the Draft Form Based Code.

Commissioner Stuard understood that the Utah Chapter of the American Planning Association was conducting a daylong seminar on Form Based Code in either late August or September. He asked if the Staff had an exact date. Planner Alexander stated that the date was Friday, September 19<sup>th</sup>. Commissioner Stuard recalled that the cost was \$250 per person and he asked if there was a less expensive way for public officials to learn the same information. Planner Alexander offered to look into other seminars and conferences. She stated that the Planning Commission was also invited to the Western Planners Conference at the end of September. She would email the details on both the daylong seminar and the Western Planners Conference.

Commissioner Strachan commented on past joint meetings with the Snyderville Basin Planning Commission. He understood that the County was on the brink of some major projects and he suggested that it might be time to have another joint meeting. Director Eddington stated that the County was working on transportation planning initiatives and other projects. He agreed that it might be a good time to schedule another joint meeting. He suggested that they wait until October rather than trying to schedule a meeting during the summer. Commissioner Strachan recalled scheduling issues for previous meetings because it was difficult to find a time when everyone could meet. He thought they should schedule a date far enough in advance so both Planning Commissions could plan around it. Chair Worel concurred. Director Eddington offered to coordinate with the County Planning Staff to schedule a time and location.

Commissioner Stuard requested that extra or special meetings be scheduled in the same week as the regularly scheduled meetings because it works better for those who schedule travel or other events around the Planning Commission meetings. The Commissioners agreed.

Commissioner Strachan recalled that from one of the Legal Training sessions they were going to see if the Property Rights Ombudsman could speak to the Planning Commission. Assistant City Attorney stated that she had mentioned it to City Attorney Harrington after their meeting and he favored the idea. She would follow up to see if a time could be scheduled. Commissioner Strachan found it helpful the last time the Ombudsman spoke to

the Planning Commission and he thought it would be beneficial for the new Commissioners.

**CONTINUATION(S)** – Public hearing and continue to date specified.

1. PCMR Base Area MPD & Woodward Park City and Conditional Use Permit  
(Application PL-13-0215 & PL-13-02136)

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

MOTION: Commissioner Stuard moved to CONTINUE the public hearing for the PCMR Base Area MPD and Woodward Park City and CUP to a date uncertain. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

2. 7379 Silver Bird Drive, Silver Bird Condominiums at Deer Valley First Amendment Condominium Plat Amendment (Application PL-14-02322)

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

MOTION: Commissioner Stuard moved to CONTINUE the public hearing and application for 7379 Silver Bird Drive, Silver Bird Condominiums at Deer Valley First Amendment Condominium Plat Amendment to August 13<sup>th</sup>. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

3. 692 Main Street, 693 Main Street Condominiums – Condominium Plat.  
(Application PL-14-02320)

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

MOTION: Commissioner Stuard moved to CONTINUE the Condominium Plat for 692 Main Street Condominiums to August 13, 2014. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

**REGULAR AGENDA** – Discussion, public hearing, action.

**1. 1102 Norfolk Avenue Subdivision – Plat Amendment  
(Application PL-14-02367)**

Planner Ryan Wassum reviewed the application for a plat amendment for the purpose of removing a lot line between Lot 31 and 32 to create one legal lot of record called the 1102 Norfolk Avenue subdivision. The existing historic structure is located across the lot line separating Lots 31 and 32. Removing the lot line would bring the structure into compliance. The applicant was proposing to preserve the historic structure and add an addition. It would further bring the home into compliance and meet the front and side yard setback, which it currently does not meet.

The Planning Staff finds good cause for this plat amendment as it meets the Land Management Code and creates a legal-conforming structure that is compatible with the HR-1 District. 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.

Planner Wassum reported that the applicant could not move forward with the proposed preservation and addition to the home until the plat amendment has been recorded.

The Staff recommended that the Planning Commission conduct a public hearing for the 1104 Norfolk Avenue Subdivision plat amendment and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

**MOTION:** Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for 1102 Norfolk Avenue based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Phillips seconded the motion.

**VOTE:** The motion passed unanimously.

**Findings of Fact – 1102 Norfolk Avenue Subdivision**

1. The property is located at 1102 Norfolk Avenue and consists of two (2) "Old Town" lots, namely Lots 31 and 32 of Block 8 Snyder's addition to the Park City Survey.
2. The property is located within the Historic Residential (HR-1) zoning district.
3. The property has frontage on Norfolk Avenue and the lot contains 3,750 square feet of area.
4. There is an existing noncomplying historic structure located on the property that straddles the Lot Line between Lots 31 and 32.
5. The existing historic structure does not meet the front yard setback at 2' (west elevation) and the side yard setback at 3.42' (south elevation) but is a valid Complying structure pursuant to LMC 15-2.2-4.
6. The side yard (south elevation) retaining wall, concrete walkway, and wood deck encroach into the 11th Street public right-of-way.
7. The maximum building footprint allowed for 1102 Norfolk Avenue on Lot 31 and 32 is 1,518.75 square feet per the HR-1 LMC requirements and based on the lot size. The proposed maximum building footprint is 1,480 square feet.
8. The existing home has a building footprint of approximately 1,024 square feet.
9. The minimum lot area for a single family lot in the HR-1 zone is 1,875 square feet. The minimum lot area for a duplex in the HR-1 zone is 3,750 sf.
10. The maximum height for a home in the HR-1 zone is 27 feet; the existing home is 15.75 feet.
11. Single family homes are an allowed use in the HR-1 zone.
12. On May 21, 2014, the owner submitted an application for a plat amendment to remove the lot line between Lot 31 and Lot 32, to create one legal lot of record and further making the historic structure legally complying. The application was deemed complete on June 3, 2014.
13. The applicant proposes to renovate the home and add an addition.
14. The home is currently on the Historic Sites Inventory (HSI) listed as a significant

structure.

15. The Lot is subject to the Park City Design Guidelines for Historic Districts and Historic Sites for any new construction on the structure.

16. The proposed subdivision plat amendment does not create any new non-complying or nonconforming situations; removing the lot line makes the historic structure legally complying.

17. The plat amendment secures public snow storage easements across the frontage of the lots.

18. There is good cause to remove the lot line to create one lot and make the historic structure legally complying; the lot size is compatible with lots in the surrounding neighborhood within the HR-1 District.

#### Conclusions of Law – 1102 Norfolk Avenue Subdivision

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 – 1102 Norfolk Avenue Subdivision

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. Approval of an HDDR application is a condition precedent to issuance of a building permit for construction on the lots. Also recordation of the plat is a condition of building permit issuance.

4. Approval of a Steep Slope Conditional Use Permit application is a condition precedent to issuance of a building permit if the proposed development is located on areas of 30% or greater slope and over 1000 square feet per the LMC.

5. Modified 13-D sprinklers will be required for new construction/substantial renovation as required by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.

6. A 10 foot wide public snow storage easement is required along the frontage of the lots with Norfolk Avenue and shall be shown on the plat.

7. Any encroachments on the 11th Street right-of-way will either need an encroachment agreement with the City Engineer or be removed.

8. All prior snow storage and snow shedding easements associated with this property shall be reflected on this plat.

**2. 166 Ridge Avenue – Conditional Use Permit, Construction in City Right-of-Way King Ridge Estates/Ridge Avenue (Application PL-14-02288)**

Planner Christy Alexander stated that the applicant, Thaynes Capital, was represented by Jonathan DeGray, the project architect. The applicant owns the vacant lots located at 158, 162 and 166 Ridge Avenue, and they were requesting a conditional use permit for construction of a platted unbuilt City right-of-way to access their driveways and lots.

Planner Alexander noted that the project has significant history and background as outlined in the Staff report, beginning in October 2006 when the City received an application for the Subdivision Number One Millsite Reservation Plat Amendment, which was the plat for the three lots. It was approved by the City Council on the condition that the applicant would seek a variance or a special exception for the driveway grade and a platted unbuilt City right-of-way prior to proceeding with the conditional use permits for driveway use of the right-of-way. The applicant went before the Board of Adjustment in December 2007 and the special exception was granted to the LMC allowing them to increase the driveway slope to 14%.

Planner Alexander reported that in April 2007 the applicant submitted another conditional use permit to construct the driveway within the unbuilt City right-of-way and it was approved

by the Planning Commission. Construction was delayed and the applicant requested a one-year extension of the CUP approval. The extension was granted. In June 2008 the applicant submitted an application for a Steep Slope CUP for construction on the three vacant lots; however, the Steep Slope CUPs were denied based on the findings to mitigate the criteria. The applicant appealed the Planning Commission's decision to the City Council and the City Council ultimately approved the Steep Slope CUPs.

Planner Alexander pointed out that the applicant did not construct the road or develop the lots and the CUP approvals expired. The applicant was ready to develop the lots, beginning with Lot 1, 166 Ridge Avenue. However, before that was possible the Planning Commission needed to approve a conditional use permit for construction in the platted un-built City right-of-way. Planner Alexander noted that the next item on the agenda was the request for a Steep Slope CUP on Lot 1. Whether or not that application is reviewed by the Planning Commission would depend on the action taken on the CUP for construction in the City right-of-way.

Planner Alexander remarked that the Analysis Section in the Staff report outlined the different standards of review related to this request. The Staff found compliance with the criteria and that there were no unmitigated impacts. The Staff recommended that the Planning Commission conduct a public hearing and consider approving the requested conditional use permit.

Commissioner Strachan understood that this discussion related only to the driveway CUP and that the applicant had submitted a separate Steep Slope CUP application for construction on the lot. Planner Alexander replied that this was correct. She clarified that if the CUP for the road is denied, the applicant could not move forward with the Steep Slope CUP because there would not be access to the lots. Planner Alexander explained that the CUP was not for a private driveway to the home, but rather to construct the platted right-of-way for access to the lots. Commissioner Strachan questioned why the applications could not be combined. Planner Alexander replied that separate applications are required.

Commissioner Campbell asked if the City would have to vacate the right-of-way. Planner Alexander replied that the right-of-way already existed and nothing would need to be vacated. It was platted but never built. Commissioner Campbell wanted to know who would own it once it is built. Assistant City Attorney McLean stated that it would not be a City road. It would be considered a private driveway. Commissioner Campbell clarified that the City would be allowing the applicant to build a private driveway on City property, but the applicant would not own it. Ms. McLean replied that this was correct, but that the applicant would not own the right-of-way. It would also not be dedicated to the City.

City Engineer, Matt Cassel, stated that it would be a private driveway, not a public road. There is already an encroachment agreement allowing the applicant to construct the driveway and it will be theirs to maintain to City standards.

Commissioner Joyce asked if there could ever be a situation where the City might come back and want to build the road. Mr. Cassel replied that the existing agreement indicates that the City might want to put in a road at some point in the future; and that would trump the rights to the private drive. Mr. Cassel did not foresee that occurring because it dead-ends and there is no place to take a road.

Commissioner Stuard asked if the maintenance of the private road was addressed in the CC&Rs or any other document. City Engineer Cassel stated that the encroachment agreement states that the owners of the three lots would be responsible for maintenance. Commissioner Stuard wanted to know how future property owners would be made aware of that requirement and how the maintenance expense would be divided. He asked if the drive would need to be maintained to a certain standard. Mr. Cassel replied that the City would only impose a standard if it becomes a life/safety issue. Otherwise, it would not have to meet City standards in terms of quality of materials, width, curb and gutter, etc. If the drive ends up being substandard, it would never be dedicated to the City in the future. Regarding the question of how the owners would be informed, Mr. Cassel was unsure how that would be done. He assumed the owners could create an HOA to share the maintenance costs.

Commissioner Stuard asked about fire access for the subdivision, particularly Lot 3. City Engineer Cassel stated that a requirement of constructing the road is to make sure it meets fire code requirements. Commissioner Stuard indicated a fire hydrant assembly in front of Lot 3 and asked if the hydrant would be maintained by the City or the lot owners. Mr. Cassel explained that the extension of the water line reaches a point where it is City owned and maintained. The owners take maintenance of the water line at the meters. Commissioner Stuard understood that would occur for the individual water services for each lot, but his question related to the fire hydrant itself. Mr. Cassel believed it would be maintained by the City.

Mr. Cassel pointed out that this request was not uncommon. There are a lot of private drives in the City with public water lines underneath them. Commissioner Stuard asked if that was addressed in the encroachment agreement. Mr. Cassel stated that the existing encroachment agreement addresses the drive and who owns and maintains the driveway. It does not address the water line which is still in the public right-of-way and maintained by the City.

Commissioner Campbell asked if the City would be open to any liability issues, particularly if it is a substandard driveway on City-owned land. He thought measures should be taken to protect the City. Mr. Cassel stated that it was a good question but difficult to answer because the City requires a 10% slope maximum on drives in the right-of-way. A variance was obtained to allow the applicant to go 14%. He was unsure about liability to the City.

Assistant City Attorney McLean stated that the owners are responsible for the maintenance of the driveway. Commissioner Joyce asked if it was actually City-owned land. He was told that it was. Assistant City Attorney McLean stated that this was addressed in a specific section of the Code because constructing driveways in City right-of-ways is not a unique situation. Commissioner Campbell clarified that there were already several private drives in the right-of-ways throughout the City and there would be no liability issues if they approved this application. Ms. McLean answered yes.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Jonathan DeGray representing the applicant noted that the scheme included in the packet showed that the applicant had acquired easement rights to bring all the utilities up from King Road, which eliminates overhead lines or other facilities other than water coming down from Ridge. Using King Road is a much cleaner installation than coming down from Ridge Avenue.

Commissioner Phillips read from Condition of Approval #4 on page 41 of the Staff report, "The City Engineer will review the transition slope to the 15% grade." He understood that the variance was granted for 14% grade. He noted that it also read as 15% in some of the previous Staff reports. Commissioner Gross noted that Finding of Fact #5 said 14% grade. Assistant City Attorney McLean believed it was a typo error from the previous application because the reason for allowing 14% was to transition from the houses to the drive. City Attorney Cassel agreed that it was a typo because 14% is the maximum on any driveway. It is usually 10% grade in the right-of-way and the applicant obtained a variance to 14%. Condition #4 was corrected to reflect 14%.

Commissioner Phillips thought there appeared to be some activity on the site. Mr. DeGray stated that the lower lot off King was being used as staging for construction across the street. There was no activity related to this project.

Assistant City Attorney McLean noted that Condition of Approval #5 states that the maximum height of the retaining wall was not to exceed 6.87' above existing grade. She suggested that it be revised to say "...shall not exceed..." to make it affirmative. She recalled that it was based on older plans but she did believe it had changed.

Condition of Approval #5 was revised to read, "Planning Director and City Engineer will review the final design and materials for the proposed road and any necessary retaining walls. No retaining wall shall exceed four (4) feet unless approved by the Planning Director and City Engineer. The maximum height of the retaining wall **shall not exceed** 6.87 feet above existing grade." The wording, "Per the June 9, 2009 CUP extension request before the Planning Commission..." was removed.

Commissioner Strachan commented on the emergency vehicle access. He read Item 4 from page 37 of the Staff report, "The Fire District has indicated that Ridge Avenue below this development needs to be widened to meet Fire District standards for access. The City Engineer will require the Ridge Avenue Frontage for this subdivision to meet minimum fire district standards." He believed that should be done first. Commissioner Strachan felt it was important to make sure there was adequate fire access before commencing construction.

Mr. DeGray noted that the driveway is less than 150 feet from a fire hydrant, which meets the Fire District requirement. Planner Alexander reported that that future development would be coming forward on 200 Ridge Avenue, and they have proposed to widen Ridge Avenue along that section. She noted that the top area meets the requirements at this point.

City Engineer Cassel stated that Ridge Avenue is substandard and for that reason the Fire District checks periodically to make sure they can access. The Fire District wants 20-feet of hard surface and they can make it up Ridge Avenue. As development occurs on Ridge, the City will obtain whatever is necessary to gain more space to ensure that emergency vehicle can reach the homes that are built. For these three lots and the home being built on Lot 1, the traffic on Ridge is not substantially more than what currently exists and emergency vehicles can access.

Commissioner Strachan asked why the City did not vacate the right-of-way. City Attorney McLean replied that there was never a petition to vacate so it was never considered. Director Eddington explained that the City Council has recently recommended keeping the public rights-of way rather than vacating them because the City may have plans in the future that are unknown at this time. The applicants were investing private money for the road to meet City standards, but it would remain a public right-of-way. Commissioner Strachan stated that when a vacation is done a Finding is made that it is for the public

good. It can be given away because the public no longer needs or uses it. He was concerned about giving it away without that finding. Commissioner Strachan believed the vacation process ensures that the City does not give up public land to private entities and that was not present in this case. The City was privatizing the drive without public gain.

Assistant City Attorney McLean remarked that the rights-of-way are intended for vehicles and this would allow access. The City still maintains the right to install public utilities in the road. However, vacation means that the City abandons square footage of public land that reverts to the landowners and that requires a different process. City Engineer Cassel stated that in his opinion the City technically does not own the right-of-way. The City manages the right-of-ways but the purpose is for access to utilities and homes and emergency access to each individual house. Even though this proposal would construct the driveway in the right-of-way, the right-of-way would still perform its purpose and allow access to the houses.

Commissioner Campbell thought the applicant would be doing the City a favor by paying to construct the road. The City still owns it and they would have the ability to widen it to City standards in the future. If the road is platted he believed they City owed it to the property owners to provide access.

City Engineer Cassel believed that in the late 1980's and 1990's when the City was strapped for cash, a lot of private roads were built so the City would not have to increase the public works operation and costs. They no longer go in that direction and one of the core functions of the City is to maintain the roads within the City. However, this particular situation on Ridge Avenue dates back to 2007 and 2008 and having the applicant construct the road would be a financial benefit to the City.

Commissioner Campbell asked if anything in the driveway design would preclude the City from being able to build a road in the future. Mr. Cassel stated that the City currently has a number of requests for converting private driveways into public rights of way. The downfall is that the private drives that were constructed 20 years ago are reaching their end of life and the neighbors want the driveways to be converted to public. Mr. Cassel clarified that if the road was built substandard, the City would not take it unless it was improved to City standards. Commissioner Campbell understood that the City would not be giving up any rights by allowing the applicant to put a driveway across the right-of way.

Commissioner Strachan felt the City was giving up public access to the hiking and biking trails behind the road. Commissioner Strachan pointed out that if the requested CUP is allowed under 15-3-5 of the LMC the Planning Commission could not stop it. However, he personally thought the vacation process was a better option to get the City what it needs as opposed to a conditional use permit for a driveway that is actually a road.

MOTION: Commissioner Joyce moved to APPROVE the conditional use permit for 166 Ridge Avenue for construction in the City right-of-way, King Ridge Estates/Ridge Avenue, based on the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report and as amended with the changes to Conditions of Approval #4 and #5 previously stated in the discussion this evening. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 166 Ridge Avenue – Construction in ROW

1. The property is located at 158, 162, and 166 Ridge Avenue.
2. The zoning is Historic Residential Low Density (HRL).
3. The approved plat combines lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A Special Exception was granted by the Board of Adjustment to permit a driveway slope up to 14%.
6. A two-tiered retaining wall along the west and north sides will be a maximum of eight feet high (total). The Special Exception granted on December 18, 2007 lowered the wall another 4 feet over the 100 foot length to a maximum height of 4 feet. Retaining walls exceeding 4 feet will need to be approved by the Planning Director and City Engineer.
7. The driveway is 19 feet wide with a two-foot shoulder on the west side. The right of way is 35 feet wide with 15 feet from the edge of curb to the west edge of the right-of-way. With a 14% grade slope, a structural retaining wall at the north end is unnecessary. Grade is met with a sloped boulder wall less than four feet in height. The boulder wall at the north end leaves 22 feet from the edge of asphalt to the north end of the property (extended.)
8. There is adequate snow storage between the driveways (downhill side) on the individual lots as well as at the north end of the driveway. A snow shed easement was recorded at Summit County as Entry # 906401 on September 9, 2010.

9. The driveway will be paved in concrete.

10. The staff findings in the Analysis section are incorporated herein.

#### Conclusions of Law – 166 Ridge Avenue – Construction in ROW

1. The CUP, as conditioned, is consistent with the Park City Land Management Code.

2. The 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.

#### Conditions of Approval – 166 Ridge Avenue – Construction in ROW

1. All Standard Project Conditions shall apply.

2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The plan shall include a phasing, timing, staging, and coordination of construction with adjacent projects to address mitigation of neighborhood impacts due to the volume of construction in this neighborhood.

3. City Engineer review and approval of all construction, including grading, utility installation, public improvements and storm drainage plans, and all construction within the ROW, for compliance with City and Fire District standards, is a condition precedent to building permit issuance.

4. The City Engineer will review the transition slopes to the 14% grade.

5. Planning Director and City Engineer will review the final design and materials for the proposed road and any necessary retaining walls. No retaining wall shall exceed four (4) feet unless approved by the Planning Director and City Engineer. The maximum height of the retaining wall shall not exceed 6.87 feet above existing grade.

6. Snyderville Basin Water Reclamation District review and approval of the utility plans for compliance with SBWRD standards and procedures, is a condition precedent to building permit issuance.

7. A final utility plan is required to be approved by the City Engineer prior to issuance of a building permit.

8. A Historic District Design application shall be submitted prior to submittal of a building permit application for Lots 1, 2, & 3.

9. A building permit will be required to build the road and retaining walls.

10. The City Engineer will review the final construction documents and confirm that all existing utilities will not be impacted and anticipated utilities will be located in accordance with the plans as submitted.

11. A final landscape plan shall be submitted with a Steep Slope Conditional Use Permit or Historic District Design Review for approval by the Planning Department prior to issuance of a building permit for the lots and driveway. The landscaping shall be complete prior to issuance of a final certificate of occupancy for the lots. The landscape plan shall provide mitigation of the visual impacts of the driveway and any retaining walls and mitigation for removal of any existing Significant Vegetation. Prior to removal of any trees, an arborist report shall be provided to the Planning Department for review. The arborist report shall include a recommendation regarding any Significant Vegetation proposed to be removed and appropriate mitigation for replacement vegetation.

12. Parking is restricted to on the driveway.

13. All conditions of approval of the Subdivision No. 1 Millsite Reservation Plat (Ordinance No. 07-74) and the findings of the December 18, 2007 Special Exception approval must be adhered to.

14. The Conditional Use Permit will expire on July 23, 2015, if a building permit has not been granted.

15. The Planning Department and City Engineer will review any proposed guardrail and lighting considerations at time of final design.

**3. 166 Ridge Avenue – Steep Slope Conditional Use Permit  
King Ridge Estates/Ridge Avenue (Application PL-14-02268)**

Planner Alexander handed out an email she received from a nearby property owner who was unable to attend this evening.

Planner Wassum reviewed the application requesting a Steep Slope CUP for a new single family home with a proposed square footage of 2,823 square feet on a vacant, 5,899 square foot lot located at 166 Ridge Avenue. Since the total floor area exceeds 1,000 square feet and the construction is proposed on a slope 30% or greater, Planning Commission approval is required for a Steep Slope CUP.

Planner Wassum provided a brief history of the property regarding the Steep Slope. On June 11, 2008 the Planning Commission held a public hearing on a Steep Slope for 158, 162, and 166 Ridge Avenue to construct single family homes. The Planning Commission denied the CUP as proposed because it did not mitigate the criteria outlined in the LMC. The applicant appealed that decision to the City Council and the Council overturned the Planning Commission and approved the Steep Slope CUP based on modifying the Findings to mitigate the criteria. The CUP eventually expired because a building permit was never obtained.

Planner Wassum reviewed the Analysis contained in the Staff report and noted that the Staff found no unmitigated impacts. However, the Planning Director was requesting that the Planning Commission discuss Criteria 9 relative to the building height. Planner Wassum noted that for tandem garages, the height is allowed to exceed 27' up to 35' on a downhill lot. The applicant was proposing a 34 feet exception for the garage and the circulation attached to the garage. The Planning Commission was asked to review the circulation area and provide input. Planner Alexander explained that the Planning Director can normally approve the height to 35' for circulation only. The applicant has a large area that was initially designed as a storage area; but because they could not have additional living space, the storage was removed and the area was enclosed completely. The Staff felt it was a large area to have at the 35' height. Typically, access is only allowed from the garage door to the elevator or the stairway to go downstairs.

Planner Wassum reviewed the plans showing the entrance to the house and the circulation area.

Jonathan DeGray, the project architect, stated that the plat restriction is 18' of total height for the garage floor to the ridge. They comply with that requirement. Under the current Code a maximum of 35' is allowed and they were proposing 34'. Mr. DeGray stated that the problem with reducing the area is that it has a roof over it. Looking at the building in its entire context, to reduce the area and reduce the roof would create a truncated form connecting to the garage. As an alternative they created attic space and abandoned it as usable space, but allowed the roof to remain so it blends well into the form of the garage and the elevator element, and then steps down into the staircase. Mr. DeGray thought it

made sense from an elevation standpoint. They were not asking for additional living space but it was a way to resolve the roof form and still keep the flow of the building.

Mr. DeGray noted that 7:12 was a maximum pitch in the zone; however, the plat dictates 8:12. They were dealing with steeper roof forms due to the plat requirement. If they were permitted to go to a 7:12 pitch he could bring the roof down approximately 18" inches.

Commissioner Joyce referred to the drawings on pages 120 and 121 of the Staff report and asked Mr. DeGray for clarification. Mr. DeGray identified the different elements, including the closed off area.

Commissioner Stuard asked why an 8:12 pitch was required on the plat. Mr. DeGray replied that it was a criteria that the Planning Staff wrote in 2008. Commissioner Gross asked if 8:12 was the City standard at the time. Mr. DeGray did not believe it was. Commissioner Stuard could understand if for historic context, but the proposed structure was not historic architecture.

Assistant City Attorney McLean stated that the pitch was a condition of approval from the plat. A condition also says that the garage entry must be at the front setback. She asked if that condition had been met. Mr. DeGray believed it was as far forward as possible and still maintain its single car garage door width. He noted that page 116 of the Staff report showed the width of the building as far forward towards the street as possible before it comes to a triangular point.

The Staff requested that the Planning Commission conduct a public hearing and consider approving the conditional use permit for the Steep Slope, as well as the special exception for the height from 27' to 35'.

Commissioner Campbell thought this was the same type of exception that the Planning Commission recently approved for the Rio Grande regarding the elevator. Director Eddington clarified that the exception for the Rio Grande was for non-habitable space that was above a certain height. He believed this scenario was slightly different. Commissioner Campbell understood that the space at 166 Ridge would also be uninhabitable. Director Eddington replied that it would be habitable. Assistant City Attorney McLean remarked that the Steep Slope CUP was subject to different criteria within the Code and they were talking about two different exceptions.

Mr. DeGray commented on the question of whether the space was excessive. He stated that in looking at the entry area, the door swing of the front door, the door swing of the garage, the door swing of the elevator, and the bench provided as a mud room type space, he would be hard pressed to say that it was excessive. He did not believe the entry could

be any smaller given the door swings and the circulation required to move from the staircase to the garage.

Commissioner Campbell asked if the applicant would prefer an exception to lower the roof pitch or if it was better to leave it at 8:12. He wanted to know which way would achieve the best architecture. Mr. DeGray stated that it was about form and he would be comfortable with a lower pitch if it was what the Planning Commission wanted. Assistant City Attorney McLean clarified that the roof pitch was a condition of approval of the plat and it could not be changed without going through a plat amendment.

Mr. DeGray remarked that it was a minor area, but from an aesthetic standpoint the continuation of the ridge makes it a simpler roof form. Commissioner Campbell stated that in his opinion, they give the Planning Director the ability to consider exceptions to encourage good architecture. He encouraged Director Eddington to use the exceptions whenever he finds it appropriate. Director Eddington stated that he wanted Planning Commission input on this particular application because it is the first of three lots that would be requesting a Steep Slope CUP along Ridge. He noted that the Staff prefers steeper pitches in general, and he believed the steeper pitch works better on this particular site.

Mr. DeGray stated that these were big lots. The lot for 166 Ridge Avenue is 5,800 square feet and the plat allows 3,000 square feet of living. They were proposing 2,800 square feet. The footprint allowed for that lot size is 2,117 square feet. They were proposing 1,625. The project meets all the Code criteria in terms of height and setbacks. The plat as laid out provides 30 feet of open space on all three lots for a total of 4,500 square feet open space. There is significant buffer on the downhill side of these lots between the adjacent properties on Daly Avenue going down the hill. The vegetation looking from Daly on to the hillside is all within the 30' of open space on the lot, plus an additional 15 feet further up the hill into the lots. The vegetation will shield the construction from below.

Mr. DeGray noted that part of the history of the property is that the houses proposed in 2008 were very large structures. The current application proposes much smaller homes at a more appropriate scale with single-car garages.

Chair Worel opened the public hearing.

Karleen Riele, a resident at 84 Daly Avenue stated that she lives below and to the side of the proposed lot. She has fought all these projects for many years primarily because of the land slide that comes down. The house currently lives in was actually destroyed when a tanker came down and disturbed the land. It created enough motion to push dirt down and disturb the house. It was a City tanker and the City had to rebuild the house. Ms. Reile

stated that the land is very loose and she hoped Mr. DeGray had a solution to address the problem. She stated that she was unaware of this project going on until she received her notice last week. She wanted to know what the applicant would do to ensure that loose land does not roll down. The slope is very steep and neither she nor her dog can walk it. It comes up to Anchor, which is wide in one spot and narrow in another spot. There is a lilac bush and many trees right in the area where they propose to build. Ms. Reile also had issues with Ridge Road. It is 12' feet across and two vehicles cannot pass. One vehicle has to back down Ridge Road so the other vehicle can get through, and that is a very dangerous safety hazard. The applicant has said they would widen Ridge Road but she did not see how that could be possible. After this project four other projects will be built along the road. Ms. Reile wanted to make sure that either the City or the applicant had a plan to keep the land from sliding down on those who live below. Daly Avenue has always been a different environment and she urged the Planning Commission to think about the potential problems before they make their decision.

Ms. Reile questioned why she had not been noticed. She understood that the project had already been approved and they were only here tonight for a height exception, and this was the first time she had heard about it.

Planner Alexander informed Ms. Reile that the Steep Slope CUP had not yet been approved and it was the application being discussed this evening. Chair Worel assured Ms. Reile that this was the first time the Planning Commission had seen this project. Mr. Joyce explained that this neighborhood had a prior history that tied to the driveway, but previous approval had expired and this was a new application.

Commissioner Stuard told Ms. Reile that while the actual construction process may be frightening, sometimes constructing homes on a steep slope will actually help stabilize the slope. He noted that this particular home will have a tall retaining wall in the middle of the slope. He believed that once all three homes are built it would stabilize the slope.

Richard Eyor, a resident at 61 Daly Avenue, appreciated the smaller house and thanked Mr. DeGray for his design. He lives across the street from Ms. Reile and his breakfast view would be of this new house. He was unsure whether it would directly impact his view, but he would prefer a lower roofline and would appreciate any consideration to lower the roof. Mr. Eyor stated that his biggest concern is his children. They live on Daly and traffic is already a major problem. They have been working with the City Engineer on mitigation measures. Mr. Eyor was not bothered by one house being constructed on Ridge, but in the end there will be eight houses built in the process. That could be eight or nine years of construction vehicles going up and down his street. Mr. Eyor noted that the previous discussion was about fixing Ridge Road, but that would not occur with this house. He understood it was in the subdivision for the five houses.

Planner Alexander replied that the road would be a future project.

Mr. Eyor echoed Ms. Reile in that the road is only 12' wide. The road will not be fixed with the first three homes, but these homes will add to the traffic on the road.

Chair Worel closed the public hearing.

Commissioner Stuard commented on the access area between the garage and the house. He did not find it to be oversized for Park City and he was not bothered by that particular issue.

Commissioner Gross stated that in regards to the roads they run into this problem a lot in Old Town. He thought they either needed to be in agreement on how to improve the roads in the future, or keep the status quo. Commissioner Gross stated that if the City Engineer was comfortable with the issues regarding fire safety and access, he could not see why the Planning Commission would not approve it. Director Eddington stated that the City Engineer has always wanted to improve Ridge Avenue and he hopes that can be accomplished as the City looks at potential changes. Director Eddington acknowledged that currently they were trying to work with what it is until improvements can be made in the future.

Commissioner Campbell thought that building more houses should increase the tax base and generate more money to improve the roads in the future. More homes would give more justification for spending the tax dollars on the roads.

Commissioner Strachan pointed out increased tax revenue was not a criteria under the CUP statute.

Commissioner Joyce was comfortable with the entry area and the height. He believed the area was small enough that the height was a reasonable exception. Commissioner Joyce stated that he would like the ability to comment on construction mitigation issues, but he understood that it was outside of their purview. He agreed that the space would be tight for that many vehicles and he was interested in how the construction mitigation plan would turn out.

Commissioner Strachan thought Commission Joyce made a good point about the construction mitigation plan. He remarked that the Planning Commission has looked at construction mitigation plans in the past on sensitive sites. He believed this site was one where the Planning Commission could be involved with construction mitigation. Commissioner Strachan thought the public comment about mitigating the construction

traffic going up Daly Avenue was valid. He noted that in the past the Planning Commission has limited hours of construction or the hours when trucks can drive up certain streets. They have also limited the size of the trucks. Commissioner Strachan stated that Daly Avenue is a different place. The roads are narrow and the access is substandard. This is a difficult area for construction and when it is difficult, the Planning Commission should step up and delve into the issues a little deeper. Commissioner Strachan remarked that looking at the construction mitigation plan was a start, but he also thought they needed to look at what effects the retaining, the shoring and the excavation might have on the properties below it.

Commissioner Strachan believed this was a situation where a guarantee was necessary due to the steepness of the lot. However, he could not find a guarantee mentioned in the conditions of approval.

Commissioner Strachan stated that the Steep Slope CUP Statute requires all development on steep slopes to be done in an environmentally sensitive way. Usually on lots like 166 Ridge, they see some conditions of approval to address those issues. Again, he could not find conditions of approval stating that the amount of excavation will be minimized, or efforts to save as much existing vegetation as possible. Commissioner Strachan thought this CUP application would be fine for the end result, but the conditions of approval needed to be stricter. The site is very delicate and it will be the test case for the next seven lots to be developed. What the Planning Commission does on this lot will set the precedent. He preferred to be as thorough as possible with this application, and if they miss something on this project they would know what to do differently on the next seven.

Commissioner Strachan recommended that the Planning Commission continue this item and direct the Staff to address the environmentally sensitive issues and what measures are taken to mitigate the environmental impacts; and to state those in the Findings of Fact. He recommended putting in a guarantee and he would have the Planning Commission review the construction mitigation plan.

Chair Worel agreed. This site reminded her of the one on Deer Valley Drive that was so steep. She recalled placing a number of restrictions on that project in terms of construction mitigation. Chair Worel thought they should do the same done for this project.

Commissioner Stuard asked if the Staff had considered any of the issues in Commissioner Strachan's comment. Planner Alexander stated that the Staff was currently in the process of reviewing the Historic District Design Review. The applicant is required to provide a landscape plan showing how they would restore any vegetation that is removed or disturbed. She pointed out that the construction mitigation plan is usually left to the

expertise of the Building Department because they go through the mitigation plan in depth and know what to look for.

Mr. DeGray noted that in the driveway approval there is a storm water pollution preservation plan in the set of drawings showing how the cut slopes and disturbed areas will be treated to prevent erosion and instability.

Commissioner Campbell asked whether Director Eddington was interested in getting involved in construction mitigation. Director Eddington replied that the Planning Department typically works with the Building Department at the time of building permit. He reiterated that this project was going through the HDDR process and they were trying to finalize that design. He noted that this project has a non-disturbed area of 50' in the back and 50' at the bottom. The Staff will also be working with a geo-tech structural engineer, and pursuant to the City Engineer and Building Official, that will be presented as part of the construction mitigation plan. Director Eddington stated that the Staff tried to incorporate as much of that as possible in the Staff report, but most of the issues regarding vehicles, parking, etc. are addressed when an applicant applies for a building permit. Chad Root, the Building Official, has been working closely with the City Council to establish a protocol. Director Eddington stated that the Staff could try to incorporate some of the language in the conditions of approval, but it would be difficult to do until they reach the building permit stage.

Commissioner Campbell liked the idea of requiring a guarantee on these difficult sites to guarantee completion. However, he did not think it was fair to delay this applicant or any other single applicant while the City tries to establish a new policy. He suggested a work session with the City Council or simply forwarding a recommendation for a policy going forward. Since a mechanism is currently not in place to require the guarantee, he did not think it should be passed on to this applicant. Commissioner Campbell asked how they would place a dollar value on the guarantee if they did require it. He was not opposed to a guarantee but he thought they needed time to discuss the policy and how to implement it. Commissioner Campbell was in favor of having that discussion but he did not believe it was fair to ask this applicant to wait for them to do it.

Commissioner Strachan remarked that there was already a mechanism in the Code that addresses guarantees and the Planning Commission already applied that mechanism to the project on Deer Valley Drive. He thought they could at least apply the Code provision to this project. Commissioner Strachan clarified that he was not suggesting that the Planning Commission should approve the construction mitigation plan, but it was not unprecedented for them to place restrictions in the conditions of approval regarding construction vehicles and hours in an effort to mitigate impacts specific to that neighborhood.

Mr. DeGray stated that from a construction standpoint King Road would be a more reasonable approach to the site on Ridge Avenue. Commissioner Strachan replied that if the applicant was willing to agree to only using King Road, he would consider it as a viable alternative. However, he was unsure if the applicant would want that limitation. Mr. DeGray stated that he would not want to limit the applicant, but Daly is a challenging route to reach the lot and he believed most construction workers would prefer to use King Road.

Commissioner Phillips stated that drives up King Road and he is very familiar with Ridge Avenue and Daly Avenue. He could see most construction traffic naturally using King Road because it is the shortest and easiest route. However, there is the possibility that construction vehicles would come in one way and go out the other way. He thought it would be beneficial to add a condition of approval requiring construction vehicles to use King Road.

Commissioner Strachan believed the construction vehicles would have to use both routes because Ridge Avenue is so narrow. If King Road is blocked by the first trucks, the others would have to come up Daly. Commissioner Phillips personally did not want to encourage more trucks using King Road because there is already a significant amount of construction in that neighborhood. Commissioner Strachan believed King Road was a better access point because the density of people was greater on Daly Avenue.

Commissioner Phillips commented on the issue of rocks rolling down the hill. The less trucks that use a substandard road minimizes the chance of rolling rocks.

Chair Worel asked if the Commissioners wanted to send this back to the Staff or whether they wanted to draft language this evening for a vote. Commissioner Strachan asked Assistant Attorney McLean to explain the LMC statute that allows the guarantee.

Assistant City Attorney McLean stated that the statute relates more to construction mitigation as part of the Steep Slope CUP. She agreed that the Planning Commission has added conditions of approval to projects in the past to mitigate the known impacts that would occur due to that construction. She stated that it was permissible, but it is not called out in the Land Management Code. Regarding the guarantee, Ms. McLean stated that most of the guarantees relate to plats and are specific to a specific application. She recalled that the guarantee for the Deer Valley project was discussed in terms of the excavation.

Commissioner Gross recalled that a concern with the Deer Valley project was the potential for damage to adjacent properties and wanting a guarantee in place in the event that occurred. Commissioner Strachan recalled that another reason for the guarantee was to

remediate the site if the excavation was done and the project was stopped for any reason.

Assistant City Attorney McLean stated that if the Planning Commission wanted to include a guarantee they would need to make a Finding regarding the impact and direct the Staff to evaluate what the guarantee should be.

Commissioner Strachan asked about the specifics of the guarantee for Deer Valley Drive. Commissioner Stuard recalled that the guarantee was left to the Building Department and that the Building Official came to a Planning Commission and discussed the issue, but he did not believe the guarantee was every put in place. Commissioner Stuard remarked that the LMC currently requires a vegetation guarantee of 75 cents per square feet, which is insufficient to handle a failed slope. He clarified that his proposal for the Deer Valley Drive project was an amount sufficient to complete the foundation walls with the appropriate retaining walls on the wing walls to stabilize the slope. In his opinion, that amount would be large enough to be an appropriate level of guarantee.

Commissioner Strachan stated that if a guarantee was never put in place for the Deer Valley Drive project, it was a failing on the part of the Planning Commission. However, if the guarantee was put in place, he would like to know what it was because they could use that project as a benchmark to figure out what findings are necessary to determine the amount of the guarantee.

Commissioner Campbell also thought the guarantee for the Deer Valley Drive project was never put in place; but he recalled that the Planning Commissioner was going to recommend that the City Council consider a Code change to put guarantees in place going forward. Commissioner Strachan thought that was the intent in terms of guarantees for all projects and not just steep slopes. Commissioner Campbell did not disagree with the need for that, but he still felt it was unfair to ask an applicant to put their project on hold for an undetermined amount of time while the City considers a new policy.

Chair Worel asked if the Staff could research the guarantee for the Deer Valley Drive project by the next meeting so this application would not be delayed indefinitely. Director Eddington thought they could. He stated that another alternative would be to put a condition of approval on this project noting that a bond guarantee in the amount of the cost of the shoring plan and the foundation walls should be required by the Chief Building Official.

Planner Alexander confirmed that a guarantee was not placed on the Deer Valley Drive project.

Commissioner Strachan suggested that Planning Commissioner could continue this item and direct the Staff to draft findings before the next meeting that support the conditions of approval regarding prohibiting traffic up Daly Avenue and limiting hours. The Staff should do the same for the guarantee. He noted that 15-1-7 addresses internal vehicle and pedestrian circulation, noise vibration, odors, control of delivery and service vehicles. He thought those were enough to give the Planning Commission latitude to condition which streets the construction vehicles could use and the hours.

Commissioner Stuard favored a continuation for the reasons mentioned. He likes the project and the smaller homes, and he thought the architect did a great job fitting the project on a difficult site. However, he would prefer to have the issues addressed before voting on whether or not to approve the Steep Slope CUP.

Mr. DeGray stated that from the standpoint of the applicant, he wanted to make sure that the completion bond was fair across the Board, and that the City has the ability to impose that kind of constraint on a single property owner without an ordinance to support it. He felt it was unreasonable to hold this applicant to a higher standard for a single family home where the impacts were generally confined. He understood their point but he found it somewhat whimsical to set a standard for one applicant that is different from the others. He questioned where they would draw the line.

Commissioner Strachan thought Mr. DeGray had a valid point and he believed the Staff could look into it. If the Staff concludes that it is not appropriate or there is no statutory basis to make it uniform, then he would accept that. However, if there is a statutory basis, the indication from the Planning Commission is to require the bond. If there is no basis, at a minimum the Planning Commission would want to look at the shoring plan and the retaining plan the same as they did on the Deer Valley Drive project.

Commissioner Campbell believed that was the role of the Building Department and not the Planning Commission. Commissioner Strachan thought it was incumbent upon the Planning Commission in the course of the Steep Slope CUP process not to defer to the Staff on everything. When the statute allows the Planning Commission to look at these things, he could not understand why they would not.

Assistant City Attorney McLean thought there was confusion with the terms. She clarified that it would not be a completion bond. It would actually be a remediation bond. If a hole was excavated and the project was never completed, the City would have the funds to fill in the hole and return the site to its original condition. Ms. McLean stated that a remediation bond is less expensive than a completion bond and she recommended that the Staff look at this as a remediation bond. Ms. McLean remarked that it was the same for shoring. Regarding a review of the Geo-Tech and the shoring plan to make sure the construction

does not impact other properties below the site, it is possible that once the review is done by the Building Department the Planning Commission would feel comfortable and not need to see it. Commissioner Campbell noted that review of the shoring plan is standard whenever someone applies for a building permit. Ms. McLean stated that the Planning Commission could request to see that information in association with the impacts of building on a steep slope.

Commissioner Campbell clarified that the Planning Commission could approve the Steep Slope CUP with the condition that the Planning Commission could review the remediation plan approved by the Building Official. Commissioner Strachan pointed out that once the CUP is approved, there would be no reason to review the remediation plan. That was his reason for suggesting a continuance until all the reviews were done. Commissioner Campbell did not believe the Planning Commission was qualified to rule on geo-technical reports. Commissioner Phillips agreed. He recalled going through that on another project and no one on the Planning Commission understood the geo-technical report.

Commissioner Campbell stated that contractors and builders have liability insurance to address the issues of sliding rocks and damage to surrounding properties. The City also has rules and regulations. He believed there were many mechanisms in place for any construction on any type of site to protect the neighbors if their property is damaged. Commissioner Campbell was not opposed to restricting truck access to certain roads and hours. He believed there was agreement among the Commissioners for some type of remediation bond, but it was the purview of the City Council to create that law. Commissioner Joyce pointed out that the law for a remediation bond is already in place at 75 cents per square foot. Commissioner Campbell remarked that Commissioner Stuard was proposing a more suitable amount that would create a fund to return the site to its original condition if necessary. A fund for that amount is not currently in place. Commissioner Campbell agreed with that type of fund, but he did not think they had the right to hold up a specific project until that process occurs with the City Council.

Commissioner Strachan felt the Planning Commission was incumbent under the Code to find a way to mitigate the identified impacts. He personally did not believe adequate mitigation was leaving it up to the liability insurer of the builder. The Planning Commission has the responsibility to make sure the impacts can be mitigated and they should not pass it off to someone else.

Planner Alexander stated that the Analysis in the Staff report outlines the different criteria that the Staff analyzed and determined that there were no unmitigated impacts. She asked Commissioner Strachan which part of the analysis he was concerned with. Commissioner Strachan remarked that all conditional use permits go through Section 15-1-7, which requires the Staff to look at size and location, traffic considerations, internal vehicular,

fencing, screening, usable open space, etc. These are basic CUP requirements that apply to all zones, and he was struggling with mitigating some of those impacts. Planner Alexander asked if the Planning Commission would like the Staff to include the remediation bond for all future steep slope CUPs. Commissioner Strachan thought they should start with this Steep Slope CUP. If they find that there is no way for the Staff to value the guarantee amount, he would accept that and move forward.

Mr. DeGray requested that the Staff also look at whether or not the Planning Commission has the ability to require the guarantee. Commissioner Strachan thought that was also a fair point. Commissioner Campbell emphasized that he agreed that the bond should be in place, but he did not believe the Planning Commission had the right to impose it.

Commissioner Joyce remarked that they had heard the arguments on both sides of the bond issue and he recommended that they let the Staff determine whether or not the Planning Commission has the ability to impose it. Commissioner Campbell noted that if the applicant wanted to build the house this year, delaying it for a full month would be a significant impact to the applicant. Commissioner Stuard suggested that the applicant could continue to work on other aspects of the site while they wait for this decision.

Commissioner Campbell stated one more time for the record that he did not think it was fair to put the entire wishes of what they hoped to accomplish on one project. He thought the Planning Commission as a body should look into it and petition the City Council to add this requirement in a timely manner so it could be applied when the other lots are developed.

Commissioner Gross pointed out that the applicant has been working on this project for seven years and he was not concerned about delaying it further with a continuance. Commissioner Joyce concurred. Mr. DeGray clarified that this was a new applicant and the previous delays were caused by the previous owner. The property was sold and the new owner has been moving through the process. Commissioner Gross noted that the City has spent a lot of time and money reviewing this project over the past seven years and they were trying to do it right as quickly as possible. He suggested that the applicant work with the Staff and recommend what they believe would be a fair and adequate bond amount.

**MOTION:** Commissioner Strachan moved to CONTINUE the Steep Slope Conditional Use permit for 166 Ridge Avenue to August 27, 2014. Commissioner Stuard seconded the motion.

**VOTE:** The motion passed 4-2. Commissioners Stuard, Strachan, Joyce and Gross voted in favor of the motion. Commissioners Phillips and Campbell voted against the motion.

**4. 8200 Royal Street Unit #35, The Stag Lodge  
(Application PL-14-02394)**

Planner Alexander reviewed the application to amend the existing Stag Lodge Phase 2 record of survey plat for Unit #35, which is a detached single family unit. The amendment was a request to enlarge Unit #35 by expanding the garage level and to encompass the entire existing building footprint. It would not enlarge the building footprint. Planner Alexander reported that the previous owner had excavated an unexcavated portion and when the property was surveyed they found various things that the previous property owner had done. The intent is to rectify the problem and show it on the record of survey plat.

Planner Alexander stated that the proposal is to convert the common area to private ownership Area A on the garage level. A portion of that area that includes the proposed expansion is currently designated as common area and this amendment would convert that space to private ownership Area A. Planner Alexander noted that this has been done on previous records of survey plats so there is precedent. The owner is allowed to increase the square footage as long as it does not increase the building footprint. The proposed changes are internal and would not alter the exterior appearance of Unit 35.

The Staff recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council.

Commissioner Joyce asked if there was any penalty for the work that was previously done without a building permit and converted space from common to private. He was not opposed to approving this record of survey amendment, but felt there was no consequence when people do this type of work without authorization. Planner Alexander clarified that the work is allowed, but an amendment to the record of survey is required.

Assistant City Attorney asked if there was a penalty from the Building Department for doing the work without a building permit. Planner Alexander replied that the Building Department was never aware of the changes. It was discovered by the engineer with this application. The new owner was trying to rectify the issue to clean it up before they proceed forward with their proposal. Ms. McLean stated that sometimes the Building Department will double the permit fee as a penalty for building without a building permit. She asked Planner Alexander to find out whether the Building Department took any action in this matter and report back at the next meeting.

Commissioner Campbell pointed out that this was a new owner and he did not think that owner should be penalized for the actions of the previous owner. Assistant City Attorney McLean replied that the current owner is responsible for the property regardless. She was interested in knowing whether the Building Department took any action and under what

circumstance. She noted that the Building Department has a mechanism to penalize people who ask for forgiveness instead of permission.

Commissioner Joyce was concerned about sending the wrong message about the process if they rubber stamp these types of situations. He was comfortable knowing that there were mechanisms in place to address it.

Commissioner Stuard asked if the conversion from common area to private ownership was approved by the HOA. Planner Alexander explained that the HOA has to hold a vote and get more than two-thirds approval in favor. That had already been done and it was approved by the HOA.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

**MOTION:** Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the Third Amended Stag Lodge Phase 2 Condominium Plat for Unit 35, located at 8200 Royal Street East, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as stated in the draft ordinance. Commissioner Joyce seconded the motion.

**VOTE:** The motion passed unanimously.

#### Findings of Fact – 8200 Royal Street

1. The property is located at 8200 Royal Street East, Unit 35.
2. The property is located within the Residential Development (RD) zone and is subject to the Eleventh Amended Deer Valley MPD (DVMPD).
3. The Deer Valley MPD allowed 50 units to be built at the Stag Lodge parcel in addition to the 2 units that existed prior to the Deer Valley MPD. A total of 52 units are allowed per the Eleventh Amended Deer Valley MPD and 52 units exist within the Stag Lodge parcel.
4. The Stag Lodge parcels are all included in the 11th Amended Deer Valley Master plan and are not developed using the LMC unit equivalent formula.

5. Stag Lodge Phase II plat was approved by City Council on January 11, 1989 and recorded at Summit County on January 17, 1989. The First Amended Stag Lodge Phase II plat was approved by City Council on June 6, 2002 and recorded at Summit County on January 17, 2003. The Second Amended Stag Lodge Phase II plat was approved by City Council on July 1, 2004 and recorded at Summit County on May 25, 2005.

6. On June 6, 2014, an application was submitted to the Planning Department for The Third Amended Stag Lodge Phase II record of survey plat for Unit 35. The application was deemed complete on June 16, 2014.

7. The plat amendment identifies additional Garage/Lower Level area for Unit 35 as private area for this unit. The area is currently considered common area.

8. The additional Garage/Lower Level area is located within the existing building footprint and there is no increase in the footprint for this building.

9. Unit 35 is currently platted as 5,017 sf. If approved, Unit 35 increases by 1,789.8 sf. Approval of the Garage/Lower Level as private area and reflecting changes to the Main Level and Entry Level would increase Unit 35 to 6,806.8 sf.

10. As a detached unit, the parking requirement is 2 spaces per unit. The unit has an attached two car garage. The plat amendment does not increase the parking requirements for this unit.

11. The findings in the analysis section are incorporated herein.

#### Conclusions of Law – 8200 Royal Street

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 – 8200 Royal Street

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 other conditions of approval of the Stag Lodge Condominium record of survey plats as amended and the Deer Valley MPD shall continue to apply.
4. The plat shall be recorded at Summit County as a condition precedent to issuance of certificates of occupancy for the interior basement finish work.

**5. 1851 Little Kate Road, Dority Springs Subdivision – Plat Amendment  
(Application PL-12-01733)**

Planner Francisco Astorga from the Planning Department introduced the applicants, Dr. Michael and Kathleen Baker.

Planner Astorga reported that the Planning Commissioner previously reviewed this application on May 14, 2014 and provided specific direction and input regarding a neighborhood analysis that was done by the Staff. The Planning Commission did not support the analysis and directed the Staff to include additional properties on Little Kate Road from Monitor Drive to Lucky John Drive as part of the neighborhood analysis. The Planning Commission also directed the Staff to look at the properties on both sides of the street.

Planner Astorga stated that four existing structures are part of the Park Meadows #5 Subdivision, as well as nine other items that are part of the Holiday Ranchettes. Planner Astorga reviewed the exhibits contained in the Staff report. The Staff report outlined the specific standards of development related to heights, setbacks, lot size, etc. He noted that

the Staff report identified the lot size as 0.999 acres; however, the most recent survey shows that the lot is 1.0 acres, which is consistent with what the applicant has been saying.

Planner Astorga noted that the analysis section in the Staff report talks about the current proposal to subdivide the 1.0 acre into two lots. One lot would be .4 and the other lot would remain at .6 of an acre. The base density is three units per acre as the overall density within subdivisions. Planner Astorga stated that the CC&Rs have provisions prohibiting further subdivision or splitting of lots. However, two clauses taken directly from the CC&Rs, as shown on page 218 of the Staff report, indicate that Lot 83 is part of the subdivision but it is not subject to the CC&Rs. As stated in the clause, Lot 53 is also exempt from the CC&Rs. Planner Astorga clarified that the City does not enforce CC&Rs, but the purpose of the exhibit is to show that there is a unique condition in that Lot 83 does not have to comply with the CC&Rs.

Planner Astorga remarked that Purpose Statement B of the SF District is to allow for single family development compatible with existing development. He recalled that this was the reason why the Planning Commission agreed with the Staff about not including the Racquet Club Condos in the neighborhood analysis. Planner Astorga presented an exhibit submitted by the owner showing the current house that would remain on Lot 83A. He indicated the area in the middle that would be subdivided.

Planner Astorga did not believe there were any issues regarding the delineation for the wetlands area. He reviewed the neighborhood analysis and the exhibits prepared by Staff and included in the Staff report. He also presented an exhibit prepared by Alliance Engineering on behalf of the applicant, which showed an approximate rendering of a site plan. It was not exact and was only intended to be used as a reference. The applicant had also provided an exhibit showing the distance between residential entries on the south side of Little Kate Road. Planner Astorga stated that in addition to the direction from the Planning Commission to include the four lots on Little Kate across the street, the applicant had also requested including the other two lots because they were extremely close in proximity. Based on the analysis, the average lot size on one side of the street was .33 acres. The average lot size on the other side was 1.49, as indicated in the Staff report. Because of these larger lots and the remaining Holiday Ranchettes lots, the Staff did not believe the requested plat amendment was compatible based on lot size.

Another exhibit showed the separation between structures. Planner Astorga remarked that it was more difficult analyzing the averages because a building pad is associated with each lot. If an owner wanted to demolish all or a portion of his structure or shift it on the site, it would be allowed as long as it meets the minimum side yard setback. Planner Astorga noted that the information he provided could change in ten to 20 years depending on what people do with their structures. If the Planning Commission makes a finding that this study

is appropriate in terms of compatibility, he did not believe there would be an issue with the current request.

Planner Astorga presented an exhibit showing the width of each lot at the front property line. He had calculated the numbers for each lot and found that compatibility would not be an issue because this applicant has the widest lot in the neighborhood. Planner Astorga reviewed the front yard setbacks, which is the distance between the front property line and the front of each main building. The Staff found it to be the same scenario as the separation. In looking at the building pad the house could either be in the middle or 25' away from the front property line, which is the minimum standard in the LMC. However, the CC&Rs indicate that it can be 30' from the property line. Planner Astorga did not believe this was an appropriate study because the Staff would not be able to find incompatibility because it would be consistent with the other structures in the neighborhood; and it would meet the CC&Rs and the LMC.

Planner Astorga presented an exhibit showing the lot depth. He pointed out that on a standard block lot the size is determined by the width and the depth of the lot. Planner Astorga remarked that most of the lots are over 500 feet directly adjacent to the structure. Some of the lots are smaller, particularly the lots across the street, because Park Meadows #5 was designed for 1/3 acre lots. The Staff did not find compatibility in terms of the depth of the lot. Planner Astorga stated that the only components they could control from a compatibility standpoint was the width and the depth.

Planner Astorga pointed out that the hill that is located behind the structures is privately owned. It is not a separate lot or deed restricted, and per the CC&Rs it is to remain open area.

Planner Astorga clarified that the issues where the Staff found discrepancies in terms of compatibility was the actual lot. It was platted smaller and it is not as deep as the other lots. The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a negative recommendation to the City Council for the requested Dority Springs Subdivisions plat based on the findings of fact and conclusions of law outlined in the Staff report.

Commissioner Campbell recalled that the Staff was more in favor of this plat amendment at the last meeting. He asked if they had discovered new information since the last meeting that changed their mind. Planner Astorga did not believe the Staff had taken a specific position at the last meeting. He stated that the last meeting was set up as a work session with the intent to present the application and hear feedback from the Planning Commission on certain issues, as well as to clear up confusion on the 300, 600, 900 foot

radius for compatibility. Planner Astorga remarked that based on the research provided, the Staff's professional recommendation was to forward a negative recommendation.

Commissioner Campbell thought Planner Astorga said it was compatible in some of the exhibits and incompatible in others. He remarked that if half of the houses along Little Kate were to be demolished and built closer to the road as the CC&R document shows they could do, the two proposed houses would fit in more rather than less. Planner Astorga agreed with that scenario; however, at the same time all the houses could be pushed back further from the street. Whether or not the houses move forward is uncertain and it is not up to the City through the subdivision process to control those types of parameters. Planner Astorga clarified that the negative recommendation was only based on the facts of lot depth and the size of each lot. The Staff determined that they should not use the compatibility analysis in terms of front yard setback and separation between structures because it could change at any given point and there is no way for the City to control it. Commissioner Campbell asked if width should take precedence over depth if depth could not be used. Planner Astorga replied that the incompatibility was a combination of all three; width, depth and size. Even though the width may be compatible, it is only one of three.

Commissioner Campbell believed people judge compatibility by what they see walking or driving by. The depth would only be an issue from an aerial view. He thought the width should take precedence over depth. Commissioner Gross remarked that the houses sitting up on the upper ledge do not create a visibility impact regardless of whether the setbacks are 25' or 30' because they sit higher. The house at 1851 is proposed to be up on the street, which changes the visibility.

Dr. Baker, the applicant, stated that in his opinion, the home would not look out of place visually or aesthetically. He recalled the long discussion at the last meeting about how to define a neighborhood. In addition to the data provided by the Staff, he consulted with the University of Utah Urban Planning Department to get their professional opinions on how to define a neighborhood. The Urban Planning Department concluded that it was front door to front door. Based on their recommendations, he had Alliance Engineering draw up a potentially large home and do a measurement from front door to front door for the neighborhood. Using plat maps and Google maps the Urban Planning Department defined his neighborhood to the west as the three-way stop in front of the MARC, which is the corner of Monitor and Little Kate Road. To the east it goes to the three-way stop at Lucky John and Little Kate. To the north they said it would be the intersection of Evening Star and where Venus Court cuts off. To the south was the steep hill behind the property.

Dr. Baker stated that according to the parameters defined by the Urban Planning Department, the MARC Building and the Racquet Club condos are all component of the

neighborhood. He noted that when the Planning Commission visited the site they met in the parking lot of the MARC. Due to the close proximity to the site he hoped they would all agree that the MARC and the condos are part of the neighborhood.

Mr. Baker stated that the Urban Planning Department provided their information with the statement that the applicant's request was consistent with current planning practices of taking advantage of existing infrastructure and amenities. Mr. Baker remarked that they are at the fringe of their subdivision where Holiday Ranchettes ends. Three subdivisions meet at that point and there is diversity on the fringes and changes in compatibility. He commented on the different housing types and sizes in that area of the neighborhood. Dr. Baker remarked that when subdivisions merge at the fringes, it is very difficult to define compatibility.

Dr. Baker recalled that Commissioner Strachan was concerned about setting a precedent for subdividing lots. He has lived in his house for 18 years and ten years ago he came to the Planning Department for preliminary information on what would be involved in subdividing the lot. At that time the person he spoke with told him that the CC&Rs did not allow a subdivision. When he later read the CC&Rs he found that his lot was exempt from complying with the CC&Rs. He spoke with City Attorney Mark Harrington and Mr. Harrington confirmed that he was exempt and he had the legal right to apply for a subdivision. Mr. Baker consulted Brenda Lake, whose profession is managing HOAs and enforcing CC&Rs. She wrote a letter for Mr. Baker stating that the CC&Rs would be enforced, including the exemption for Lot 83. Holiday Ranchettes also wrote a letter disagreeing with the subdivision. He understood that the HOA had to disagree, because if it is approved, others might try to subdivide which would not be allowed by the CC&Rs.

Mr. Baker stated that because he has an acre lot, he would be allowed to have two horses and to erect an outbuilding. He had no interest in horses, but he would sell his home someday and he full expected that someone would eventually build a barn. Mr. Baker believed the City would realize more tax revenue from a new home on the lot as opposed to his 2500 square foot home with an outbuilding.

Mr. Baker stated that the Planning Department gave a negative recommendation due to the depth. However, he believed that common sense and the aesthetics of the area shows that people walking or driving down the street look at what is directly in front of them. He agreed with Commissioner Campbell that the depth of the lot was less important.

Chair Worel opened the public hearing.

Brady Rasmussen spoke on behalf of the Holiday Ranch Homeowners Association. He noted that their written objection was included in the Staff report and he wanted to address

some of the key points. Mr. Rasmussen stated that the criteria is compatibility with existing development. The HOA maintains that the requested subdivision was not compatible. He asked the Planning Commission to give this careful consideration. This is within the Holiday Ranch subdivision, which is very different from other subdivisions. As Commissioner Campbell had pointed out, the two sides of the street are very different, and as Dr. Baker pointed out, it is a T of subdivisions. Depending on which way you look you will find different compatibility. Mr. Rasmussen stated that because this is on the north side of the street of Little Kate and part of the Holiday Ranch HOA, he believe the most weighted influence should actually be the structures on the same side of the street that are contiguous and part of the Association. The HOA disagreed with giving any weight to another subdivision on the other side of the street. Mr. Rasmussen believed that compatibility includes how it is viewed from the street. Depending on which way you look, you will have a different view of the compatibility. He also believed that the aerial view was another absolute criteria for compatibility. Mr. Rasmussen was unable to say why this lot was excluded from the CC&Rs; however, his best guess was that the lot was never contemplated to be developed because of the spring.

Hap Seliga, stated that he lives at 1871 Little Kate, which is adjacent to 1851 Little Kate. He has lived there for three years. Mr. Seliga remarked that the Bakers are very good neighbors; but he opposed their request to approve this plat amendment. He stated that the reasons are three-fold. The first is that idea of "shoe horning" something that is inconsistent with the look and feel of the neighborhood. The second is the privacy he enjoys with his lot. However, because of where his house sits, they can hear normal conversations from people sitting on their porches or from the athletic club across the street. He was concerned that squeezing in another house would make the situation more prevalent. In addition, the house would look out of place and invade the privacy to his lot. Mr. Seliga had consulted a number of real estate professionals and their answers were consistent. They all felt that the presence of a house at the base of his lot would materially impact the value and appeal of his home if he ever chose to sell it.

Chair Worel closed the public hearing.

Commissioner Joyce commented on the fundamental question of what is a neighborhood and what should be used for compatibility. He was broke on the 300, 600, 900 feet, and he was equally split on what was showing on the screen this evening. If the logic is that the neighborhood consists of all this space, he questioned why they would exclude anything. Commissioner Joyce had driven the street again and it was easy for him visually to distinguish one neighborhood from another. Closer to the subject property the houses are different and the lots are different sizes and closer together. In his opinion, encompassing everything and calling it a neighborhood is wrong because it is easy to visually identify the separate neighborhoods.

Commissioner Joyce pointed out that the plat map is the neighborhood that all the owners bought into. He remarked that the fact that Lot 83 is exempt from the CC&Rs is irrelevant because the City does not enforce CC&Rs. Commissioner Joyce stated that in looking at the neighborhood and the idea of subdividing one of the smallest lots in the neighborhood into what would become the two smallest, he would need an overwhelming and positive reason to convince him that it should be done. Economic gain for the applicant was not a convincing reason. Commissioner Joyce stated that he could not find good cause for allowing the subdivision.

Commissioner Campbell thought everything to the right felt like it belongs to the smaller houses on the other side. He did not like the idea of saying there was one neighborhood on the left and a different neighborhood on the right because they are 20 feet apart. In his opinion it was all one neighborhood. He used to live in that area and he always assumed it was an empty lot. When the two larger homes were built within the last few years, he expected the next new home to be built on what appeared to be an empty lot. That reason alone gets him from “no” to “why not” in terms of considering the subdivision.

Commissioner Gross disclosed that he is a Holiday Ranchettes homeowner and he was on the Board of Trustees in past years. He lives on Lucky John and during the General Plan discussion the Planning Department wanted to subdivide his backyard and he fought it. Commissioner Gross stated that since the City no longer uses the previous water delivery system through the Holiday Ranchettes to deliver water to the golf course, he believed it left the Baker’s with the ability to do whatever they want with their property. Commissioner Gross agreed with the comments about making a small lot smaller and increasing the density within a subdivision that was set up for 100 homes and 300 acres for ranch style living. He could not support the request to subdivide the lot.

Commissioner Stuard stated that he has known Dr. and Mrs. Baker for a long time and they are outstanding citizens in the community. However, he agreed with Commissioners Joyce and Gross regarding the plat amendment request. Commissioner Stuard pointed out that this topic was vetted through the General Plan update process and there was a resounding “no” from the community for re-subdividing existing subdivisions; and it was taken out of the General Plan update. Commissioner Stuard thought the lot was unique because of its limited depth and the presence of the Dority Spring. To make two lots out of what is already a uniquely shaped and smaller lot does not fit with the neighborhood.

Commissioner Phillips stated that he has been on the fence in making this decision. He began by walking down the neighborhood, and like Commissioner Campbell, he thought it appeared to be an empty lot. However, through the process and looking at the different exhibits and hearing all the comments, he struggled with finding good cause. He agreed

with Commissioner Stuard about having a lot that is already unique from the rest of the neighborhood and dividing it into two even more differentiated lots. Commissioner Phillips thought it was important to take into consideration the neighbor who could be negatively impacted; however, that concern was offset by the fact that the neighbor would be equally impacted if someone were to build a barn on the lot.

Commissioner Strachan concurred with his fellow Commissioners except Commission Campbell. He bikes by this lot nearly every day and he has looked at it really hard. Like Commissioner Phillips, he was borderline, but he could not meet the statutory definition for good cause. Commissioner Strachan offered some direction for defining compatibility in the future. He noted that if the house was being sold they would look at the comps, and the comps would not include the Racquet Club condos. He suggested that as a barometer for defining compatibility in a neighborhood.

Dr. Baker stated that only two lots in Park Meadows are eligible to do this. A fundamental American right is property rights and he has a legal right to apply for this subdivision. He reiterated that his property is on the fringe and there is no compatibility in that area. Dr. Baker stated that like Commissioner Campbell, most people always assume it's an empty lot.

MOTION: Commissioner Joyce moved to forward a NEGATIVE recommendation to the City Council for 1851 Little Kate Road, Dority Springs Subdivision Plat Amendment based on the Findings of Fact and Conclusions of Law found in the Staff report. Commissioner Gross seconded the motion.

VOTE: The motion passed 5-1. Commissioner Campbell voted against the motion.

#### Findings of Fact – 1851 Little Kate Road

1. The property is located at 1851 Little Kate Road within the SF District.
2. The subject property consists of lot 83 of the Holiday Ranchettes Subdivision.
3. According to the plat the lot is 0.999 acres or approx. 43,516.44 square feet.
4. The site contains Dority Springs.
5. The proposed plat amendment creates two (2) lots of record from one platted lot.
6. A SFD is an allowed use.

7. A duplex dwelling is permitted only on lots designated for duplexes on the official subdivision plat. This lot has not been designated as a duplex lot.
8. The maximum density for Subdivisions in the SF District is three (3) units per acre. In terms of density alone, the minimum lot area is 14,520 square feet or 1/3 acre.
9. The minimum front yard setback is twenty feet (20').
10. New front facing garages for SFD must be at least twenty-five feet (25').
11. The minimum rear yard setback is fifteen feet (15').
12. The minimum side yard setback is twelve feet (12').
13. No structure shall be erected to a height greater than twenty-eight feet (28') from existing grade. A gable, hip, or similar pitched roof may extend up to five feet (5') above the zone height, if the roof pitch is 4:12 or greater.
14. A SFD requires a minimum of two (2) parking spaces.
15. Lot 83a would still have the existing family dwelling.
16. Proposed lot 83a would be 0.605 acres or approx. 26,353.8 square feet.
17. Proposed lot 83b would be 0.395 acres or approx. 17,206.2 square feet.
18. Both proposed lots have the ability to meet code requirements under Land Management Code.
19. The City does not enforce any Subdivision Covenants, Conditions, & Restrictions (CC&Rs).
20. Section 2.4 of the Holiday Ranchettes Declarations indicates that the subject site, is not subject to the Subdivision Declaration.
21. Section 6.7 of the Holiday Ranchettes Declarations indicates that the prior owners, Lot 53 and 83, are not subject to the declaration, restrictions, or limitations.
22. The subject site is labeled on the Subdivision Plat as Lot 83 Dority Springs and

as indicated by the applicant the Fire Department used to pump water from the pond.

23. Holiday Ranchettes (HR) was platted in 1974.

24. Holiday Ranchettes contains a total of 102 lots and is 107.98 acres.

25. Holiday Ranchettes is 0.597 units per acre (102 units divided by 170.98 acres), which equates to an average lot size of 1.676 acres per unit.

26. The subject site is located on the outer rim of the subdivision adjacent to the T-intersection of Little Kate Road and Evening Star Drive.

27. The SFD lots across the street belong to the Park Meadows Subdivision No. 5

28. The Park Meadows Subdivision No. 5 which is located directly northeast of the subject site contains lots much smaller than Holiday Ranchettes as they range in size from 0.249 to 0.801 acres.

29. Purpose statement B: indicates that the a purpose of the SF District is to allow for Single Family Development Compatible with existing Developments.

30. Compatibility should not be limited to its own subdivision but to single family dwellings with a specific proximity.

31. Given the direction that the Planning Commission provided on May 14, 2014 Staff concluded several maps/studies which included all of the SFDs on Little Kate Road from Monitor Drive to Lucky John Drive. Staff excluded the multi-unit dwellings, the PC MARC, and the golf course. See Exhibit J-L.

32. The four (4) lots across the street consist of a much smaller lot areas as they are approximately 1/3 of an acre. The average size of these four (4) lots is 0.33 acres.

33. The Holiday Ranchettes Lots, on the same side of the street of the subject site, consist of nine (9) lots, and the average lot size is 1.47 acres.

34. The applicant proposes Lot 83a to be 0.605 acres and lot 83b to be 0.395 acres

35. The Holiday Ranchettes lots are much bigger, almost 3-4 times bigger than the lots in the proposed plat amendment.

36. In terms of compatibility the lots on the same side of the street from Monitor Drive to Lucky John Drive be included in the compatibility comparison as Little Kate Road separates the character of each subdivision ranging from Racquet Club Condos to Park Meadows V to Holiday Ranchettes subdivisions.

37. Across the street the separation from each house ranges between 40 and 28 feet.

38. On the same side of the street, the south side, the separation from each house ranges between 184 and 25 feet.

39. The average separation is 73 feet.

40. The applicant proposes to add a new structure to be separated by approximately 123 feet to the structure on the west and 57 feet from the structure to the east (existing Baker residence).

41. In terms of structure separation there is a wide range in the neighborhood. Staff does not find the proposed separation incompatible.

42. The average lot width on the same side of the street is 143 feet.

43. The average lot width of the lots across the street is 118 feet.

44. The average lot width in both areas is 131 feet.

45. The width of the subject lot is much more than the ones in the neighborhood as the subject site is approximately 233 feet, which is the widest lot.

46. The applicant requests lot 83a to be 133 feet and lot 83b to be 101 feet.

47. In terms of lot width alone staff does not find the width parameter inconsistent with the neighborhood.

48. Staff does not find that this parameter needs to be utilized in determining a plat amendment due to the flexibility that each property owner has to determine the placement of each home which could range from 30 to 190 feet.

49. The average lot depth on the same side of the street is 414 feet.

50.The average lot width of the four (4) lots across the street is 131.75.

51.The existing lot's depth is 141 feet.

52.The average lot depth on both sides of the street is 327 feet.

53.The existing lot is not compatible with the surrounding lots on the same side of the street, or even on its own subdivision in terms of lot depth. The proposed plat amendment splits the existing lots into two (2), it does not increase the lot depth.

54.The property owner hired a wetland consultant to work with the U.S. Army Corps of Engineers as they submitted preliminary jurisdictional wetland delineation.

55.The prepared delineation was accepted by the Corps.

56.The applicant does not request to disturb any of the identified wetland as they request to subdivide the property to build a new SFD. The wetland would not be disturbed by the applicant.

57.Should the owner request to disturb the wetland they would have to file a permit with the U.S. Army Corps of Engineers as well as the state. The applicant would also have to file appropriate permit with the City.

58.The applicant does not request to alter the delineated wetland and does not plan of contesting any water rights associated with Dority Springs as they plan to not disturb any of the delineated wetland.

59.The LMC does not indicate a specific standard of setback protection for wetlands outside the Sensitive Lands Overlay (SLO). The site is not within the SLO.

60.The Water Department brought issues regarding the Dority Spring that have been addressed in the Staff Report. The Water Department also indicated that should the City approve the plat amendment the property owner would be responsible of paying Impact Fees.

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

#### Conclusions of Law – 1851 Little Kate Road

1. The proposed plat amendment is not consistent with the Park City Land

Management Code and applicable State Law regarding lot combinations.

2. The public will be materially injured by the proposed plat amendment as the proposed plat amendment is not compatible with the direct neighborhood in terms of lot size and depth.

3. Approval of the plat amendment does adversely affect health, safety, and welfare of the citizens of Park City.

4. There is Good Cause to deny the proposed plat amendment as the plat does cause undo harm on adjacent property owners because the proposal is not compatible with existing Single Family development (lots) in the near proximity.

**6. 632 Main Street, Silver Queen Condominiums – First Amended Record of Survey (Application PL-14-02301)**

Planner Kirsten Whetstone reviewed the request for an amendment to an existing condominium plat for the Silver Queen Condominiums located at 632 Main Street, at the corner of Heber and Main. The building was constructed in 1982 and a condominium plat was recorded with Summit County in 1995 for 15 residential units and commercial on the ground floor.

Planner Whetstone reported that a Historic District Design Review was approved in 2011 for remodeling the exterior of the building, as well as gutting the interior and reducing the units from 15 residential condominium units to seven units. The commercial on the ground floor was reconfigured. There are existing elevators and stairways within the building and hallways. The building is located in the HCB zones and multi-family is an allowed use. The seven units do not require a master planned development. The commercial is also an allowed use. Planner Whetstone stated that there was no increase in the building footprint and the requested plat would not create any non-complying situations.

Planner Whetstone commented on a change to the table on page 261 of the Staff report. When she calculated the Floor Area Ratio, she inadvertently excluded the hallways, elevators and staircases. Those were added in, which changed the lot size to 5,047 square feet from 5,045, and changed the FAR to 20,188. Adding in the hallways, elevators and staircases also changed the actual gross floor area to 16,332, which is a FAR of 3.24. Planner Whetstone recommended memorializing the changes by adding Finding 16 to say, "The plat reflects an FAR of 3.24 which is less than the maximum allowable FAR of 4.0 in the HCB Zone."

Planner Whetstone stated that an active building permit to create the seven units was approved by the Chief Building Official. Therefore, because it was such a large project, the condominium plat needs to come in after the units are built so they can be surveyed and become an actual record of survey. The Chief Building Official allowed the permit to go forward, but because of the reduction in units from the original plan, a condominium plat is required. Planner Whetstone noted that another difference is that the entire building is owned by one entity, except for Unit 4B, which has a different owner. A vote was taken by the 15 unit owners and only the owner of Unit 4B was opposed.

The Staff recommended that the Planning Commission conduct a public hearing for the First Amended Silver Queen Condominiums Record of Survey Plat for seven residential condominium units and one commercial condominium unit located on the lower floor, and consider forward a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval found in the draft ordinance with the addition of Finding #16.

Steve Bremmer with Elliott Work Group, stated that he had the privilege of representing both the owner of the building and the owners of Unit 4B. Mr. Bremmer explained that the owners of Unit 4B originally opposed the plat as proposed, which showed limited common area on the roof terrace as identified in the exhibit on page 269 of the Staff report. It was later determined by the Building Department that commercial area on the roof would not be allowed. The plan was revised and re-submitted to the Planning Department. The area is now common area on the mezzanine level, which is the rooftop area above Unit 4B. Mr. Bremmer noted that the owners of Unit 4B also modified their unit and made it slightly larger. Based on the revision to the rooftop area, the owners of Lot 4B now fully support the plat as currently proposed.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

**MOTION:** Commissioner Phillips moved to forward a POSITIVE recommendation for the First Amended Silver Queen Condominiums record of survey based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance and as amended with the addition of Finding of Fact #16 stating that the plat reflects an FAR of 3.24 which is less than the maximum allowable FAR of 4.0 in the HCB Zone. Commissioner Joyce seconded the motion.

**VOTE:** The motion passed unanimously.

### Findings of Fact – 632 Main Street

1. The property is located at 632 Main Street at the intersection of Main Street and Heber Avenue. There is an existing four story mixed use building on the property.
2. The existing building, known as the Silver Queen Condominiums, was constructed in 1982.
3. On May 12, 1994, the City Council approved the Silver Queen Condominiums record of survey plat for twelve residential units and one commercial unit. On May 5, 1995, the condominium plat was recorded at Summit County.
4. Seven residential units are platted with this record of survey plat for a total of 11,074 sf of floor area. Units range in size from 1,006 sf to 2,178 sf. Average unit size is 1,582 sf. Unit 4A is a two story unit with a roof top penthouse. Residential units are located on the second, third, and fourth floors. See Exhibit A, proposed plat for all unit numbers and square footages.
5. One 2,973 sf commercial unit is platted on the main floor.
6. Common area for halls, stairs, elevators, outdoor patios and decks are being platted with this record of survey.
7. The building currently is currently being remodeled with an active building permit.
8. The condominium plat is required in order for the units to be sold individually.
9. The building is located in the Historic Commercial Business District (HCB) with access to Main Street and Heber Avenue.
10. Residential and commercial uses are allowed uses within the HCB zoning district.
11. With the exception of one residential unit, existing unit #9, the building is currently owned by one entity.
12. On April 21, 2014, the City received an application for an amended condominium plat. The application was deemed complete on July 2, 2014 when proof of a vote of the HOA was provided indicating that 92.83% of the Silver Queen Condominium HOA ownership approved of the amended plat. The application includes signatures from all owners.

13. The condominium plat is consistent with the Historic District Design Review plans approved by the Planning Staff on September 29, 2011.

14. The property was assessed and paid into the Main Street Parking Improvement District for the twelve units and ground level commercial. Parking requirements for the existing configuration (original plat) are 16.5 (17) for the twelve residential units 6 units less than 650 sf (6 spaces), 3 units at 1,035 sf (6 spaces), and 3 units at 876 sf (4.5 (5) spaces) and 18 for the commercial space for a total of 35 spaces. The proposed unit configuration requires 12 spaces for the seven residential (3 units greater than 2,000 sf (6 spaces), 4 units greater than 1,000 sf (6 spaces) and 18 spaces for the commercial for a total of 30 spaces. Therefore the proposed plat requires fewer spaces than were assessed and paid and no additional parking is required. No parking is provided on site.

15. Commercial space is located at the street along the Main Street frontage and residential units are located on the upper floors. All of the storefront properties are subject to the vertical zoning ordinance.

16. The plat reflects an FAR of 3.24 which is less than the maximum allowable FAR of 4.0 in the HCB Zone.

#### Conclusions of Law – 632 Main Street

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

#### Conditions of Approval – 632 Main Street

1. The City Attorney and City Engineer will review and approve the final form and content of the condominium plat for compliance with State law, the Land Management Code, the recorded subdivision plat, and any conditions of approval, prior to recordation of the plat.

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

3. All conditions of approval of the 632 Main Street Historic District Design Review shall continue to apply.

4. A note shall be added to the plat prior to recordation stating that the units of the Silver Queen Condominiums are served by Common Private Lateral Wastewater lines. The Silver Queen Condominium Association shall be responsible for the ownership, operation and maintenance of all Common Private Lateral Wastewater lines.

5. All required ADA access, required restaurant grease traps, and other specific Building and Fire Code requirements for the units shall be addressed with tenant improvement building permits as the spaces are finished.

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

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



# Planning Commission Staff Report



**Subject:** 317 Ontario Avenue  
**Project #:** PL-14-02258  
**Author:** Francisco Astorga, Planner  
**Date:** August 13, 2014  
**Type of Item:** Administrative – Steep Slope Conditional Use Permit

## **Summary Recommendations**

Staff recommends the Planning Commission hold a public hearing and review a request for a Steep Slope Conditional Use Permit at 317 Ontario Avenue based on the findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

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

## **Description**

**Applicant/Owner:** Paige & Brad Brainard  
represented by Bruce Taylor, architect  
**Location:** 317 Ontario Avenue  
**Zoning:** Historic Residential (HR-1)  
**Adjacent Land Uses:** Residential  
**Reason for Review:** Construction of structures greater than 1,000 square feet on a steep slope requires a Conditional Use Permit

## **Proposal**

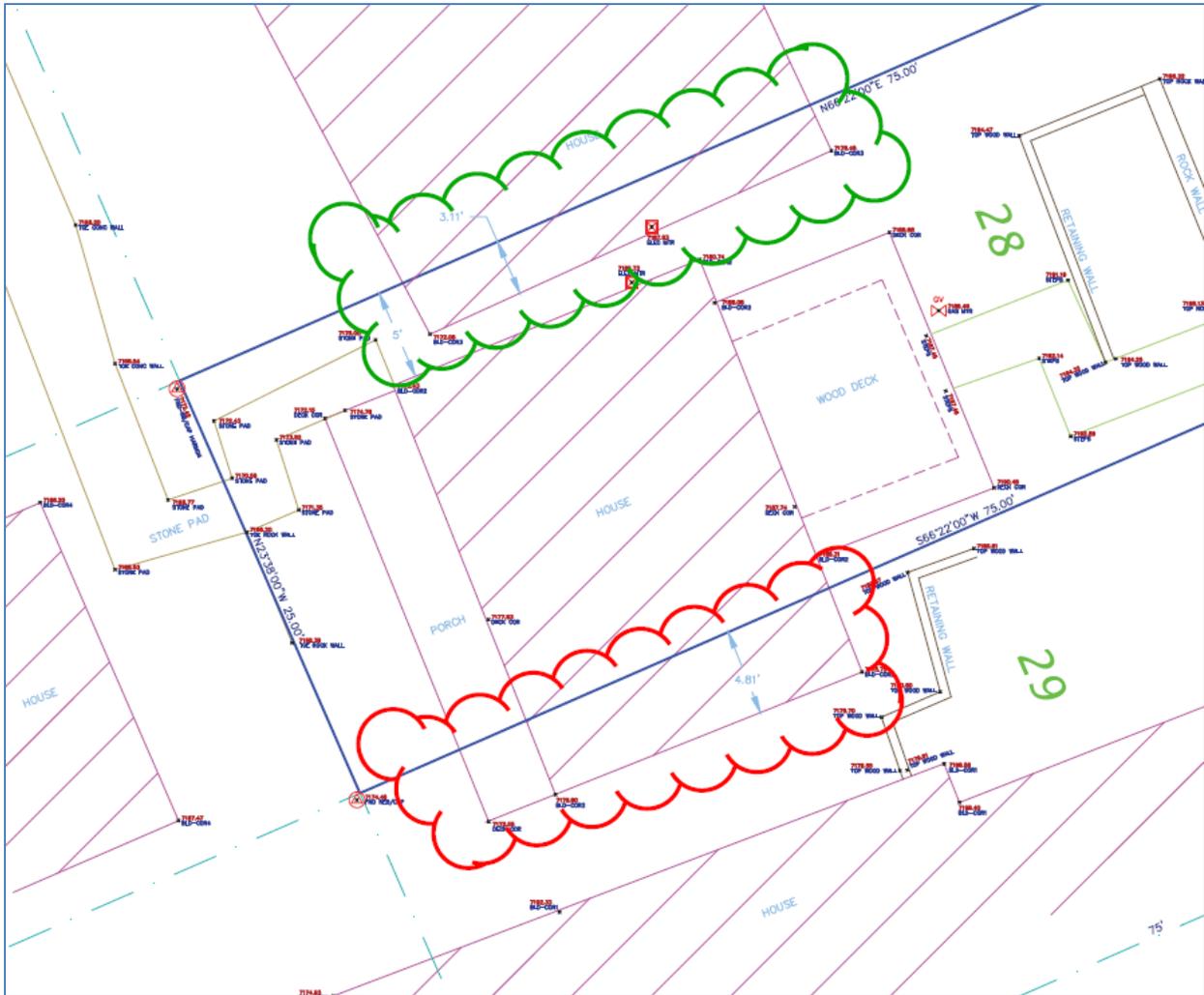
This application is a request for a Steep Slope Conditional Use Permit (CUP) for an addition to a historic structure. The property owner requests to build an addition towards the rear of the historic structure, towards Ontario Avenue. The applicant proposes to remove a non-historic attached storage area and deck behind the structure and construct an addition consisting of three (3) floors and a parking platform towards Ontario Avenue.

## **Background**

On July 15, 2013 the City received updated plans for 317 Ontario Avenue. The property is located in the Historic Residential (HR-1) District. The property, tax identification no. PC-455, is a standard Old Town lot measuring 25 feet in width and 75 feet in depth.

The site is listed on Park City's Historic Site Inventory (HSI) as a Significant Site. The property is known as the *A.W. Webster House* and was built circa 1885. The site is ineligible to be listed as a Landmark site on the HSI and the National Register of Historic Places due to the extent of the building alterations which have diminished its associations with the past.

Approximately 86.3 square feet of the historic structure encroaches onto the neighboring property to the south. See survey below with red-outline of the encroachment:



A portion of the adjacent historic structure to the north, 823 Ontario Avenue, also encroaches on the subject property, show with green-outline above. This neighboring property is listed on the HSI as a Landmark Site. This encroachment is approximate 73.8 square feet.

This application is a request for a Steep Slope CUP for construction of an addition to the historic single-family dwelling. Because the total proposed addition square footage is greater than 1,000 square feet and would be constructed on slopes thirty percent (30%) or greater, the applicant is required to file this Steep Slope CUP application for review and approval by the Planning Commission, pursuant to Land Management Code (LMC) § 15-2.2-6. A Historic District Design Review (HDDR) application is concurrently being reviewed by Staff for compliance with the Design Guidelines for Historic Districts and Historic Sites.

## **Purpose**

The purpose of the 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**

A single-family dwelling is an allowed use in the HR-1 District. The existing structure is approximately 892 square feet. The ground level of the existing structure is 550 square feet and the second level is 342 square feet. The house has a bedroom, kitchen, bathroom, and mechanical/storage space on the lower level (main level). The second level has a living room, half bathroom, and a deck. See Exhibits E & F Existing Conditions Plans and Elevations.

The historic house is a Hall-Parlor with a Victorian-vernacular style. The house has had significant alterations. It appears as though the exterior siding is new material milled to match what was there originally. The porch posts have been altered from the simple square posts and the balustrade has been added. The rear shed extension appears to have been removed/altered and the rear plane is now obscured by a large nearly full-width flat dormer. These changes significantly diminish the historic character.

From east to west, the site is flat where the historic house is located which covers approximately half the site. The slope dramatically changes to over 100% for the next fifteen feet (15'), it then decreases in slope to approx. 20% for the next ten feet (10'), it then increases in slope to approx. 50% for the next 17 feet, which then flattens out to Ontario Avenue.

The applicant requests to remove the non-historic storage area and deck. The proposal includes adding 404.8 square feet to the lower level and remodeling it to contain the kitchen, dining area, sitting area, powder room, as well as storage and mechanical areas. The second level (identified as the mid-level) would also have a 404.8 square foot addition and would be remodeled to have the master bedroom including a master bath, and a bedroom with a bathroom. The new upper level would have a great room, entry area, and a powder room. The new parking level would have a hot tub patio and a covered parking platform. See Exhibit H Lower, Mid, Upper, & Parking Level floor Plans. Staff made the following LMC related findings:

LMC Requirements	Proposed										
<b>Building Footprint:</b> 844 square feet maximum, (based on lot area)	843.4 square feet, <u>complies, see below:</u>  <table border="1" data-bbox="695 291 1360 480"> <thead> <tr> <th>Area</th> <th>Footprint</th> </tr> </thead> <tbody> <tr> <td>Historic house</td> <td>364.8 sf</td> </tr> <tr> <td>Addition</td> <td>404.8 sf</td> </tr> <tr> <td>823 Ontario encroachment</td> <td>73.8 sf</td> </tr> <tr> <td><b>Total</b></td> <td><b>843.4 sf</b></td> </tr> </tbody> </table> See Exhibit K – Footprint Analysis.	Area	Footprint	Historic house	364.8 sf	Addition	404.8 sf	823 Ontario encroachment	73.8 sf	<b>Total</b>	<b>843.4 sf</b>
Area	Footprint										
Historic house	364.8 sf										
Addition	404.8 sf										
823 Ontario encroachment	73.8 sf										
<b>Total</b>	<b>843.4 sf</b>										
<b>Front/Rear Yard Setbacks:</b> 10 feet minimum, 20 feet total	Front (Ontario Avenue): 10 feet, <u>addition complies.</u>  Rear: 10 feet, <u>addition complies.</u> The proposed addition is opposite to the rear setback area as the addition is located towards the front of the lot, Ontario Avenue.  <u>Historic house has a 6 foot front yard setback and is considered a valid complying structure.</u> <sup>1</sup>										
<b>Side Yard Setbacks:</b> 3 feet minimum, 6 feet total	Addition: 7'-9" on the north and 3'-0" on the south, <u>complies.</u>  <u>The historic house does not comply with the south side yard setback and is considered a valid complying structure.</u> <sup>2</sup>										
<b>Building (Zone) Height:</b> No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.	Various heights all under 27 feet, with the exception of the covered parking area. Staff recommends adding a condition of approval to redesign the gable roof opposite to the street to place a shed roof instead to comply with the 27 foot height, <u>complies as conditioned.</u>										
<b>Final Grade:</b> Final Grade must be within four vertical feet (4') of Existing Grade around the periphery [...].	4 feet or less, <u>complies.</u>										
<b>Lowest Finish Floor Plane to Highest Wall Top Plate:</b> A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the	35 feet, <u>complies.</u>										

<sup>1</sup> LMC 15-2.2-4. Existing Historic Structures:

Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height. All Conditional Uses shall comply with parking requirements of Chapter 15-3.

<sup>2</sup> ibid

highest wall top plate [...].	
<b>Vertical Articulation:</b> A ten foot (10') minimum horizontal step in the downhill façade is required [...].	Horizontal step is 15 feet, <u>complies.</u>
<b>Roof Pitch:</b> Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.	Addition: 7:12 roof pitch, <u>complies.</u> <sup>3</sup>
<b>Parking:</b> 2 parking spaces, minimum	1 parking space, <u>complies.</u> <sup>4</sup>

LMC § 15-2.2-6 provides for development on steep sloping lots in excess of one thousand square feet (1,000 sq. ft.) within the HR-1 District, subject to the following criteria:

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

*As viewed on the south elevation, the site is flat where the historic sits towards the front of the lot which covers approximately half the site. The slope dramatically changes to approx. 116% for the next fifteen feet (15'), it then decreases in slope to approx. 20% for the next ten feet (10'), it then increases in slope to approx. 52% for the next 17 feet, which then flattens out to Ontario Avenue.*

*The north elevation reveals similar slopes, again flat at the front where the historic house sits, half the site, it dramatically picks up a positive slope of approx. 118% for the next 14 feet, it then again decreases in slope to approx. 21% for the next 9.5 feet before pick up to 62% slope for the next 16.5 feet, as it flattens out to Ontario Avenue.*

*The proposed addition is limited by several development parameters which include building setbacks, footprint, height, etc. The site also has north property building encroachment which requires a greater separation which makes the design stretch towards Ontario Avenue instead of getting closer to the north property line where the setback is more than what is required; i.e. 7'-9" instead of the minimum of 3'. Even though most of the addition takes place over the steeper slopes, the site as viewed from Ontario Avenue will simply look like the small 14 foot wide covered parking platform and will not be detrimental in terms of size and scale mainly due to the dramatic change in slope which affects the maximum building height.*

<sup>3</sup> ibid

<sup>4</sup> ibid

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 proposed Access, and Building mass and design; and to identified the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities. **No unmitigated impacts.**

*The applicant submitted building elevations showing impacts. As viewed from Ontario Avenue the addition will simply look like the small 14 foot wide covered parking platform and will not be detrimental in terms of size and scale mainly due to the dramatic change in slope which affects the maximum building height.*

*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. As viewed on the photograph below, Exhibit C, the site is engulfed by surrounding development; also the addition takes place fifteen feet (15') behind the roof ridge of the historic structure.*



*The cross canyon view contains a back drop of four (4) plus story buildings. The building is located in a neighborhood of similar structures and is completely surrounded by residential development. The project will be accessed by a concrete slab on grade accessed off Ontario Avenue directly into the covered*

*parking platform. The pedestrian access to the house has been incorporated as an exterior staircase leading down to the upper level.*

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

*The design does not require any terracing as the site will be retained by the foundation of the addition.*

4. **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 proposed addition is located towards the rear of the historic house towards Ontario Avenue. The addition respects a greater setback than the minimum from the north side yard property line due to the location of a neighboring historic house that encroaches on this lot. Pedestrian access is unchanged from the front of the house accessible from Shorty's Stairs. Another pedestrian access is proposed to the upper level floor from an exterior staircase accessed off Ontario Avenue.*

5. **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 main ridge of the addition is perpendicular to Ontario Avenue located on the covered parking platform. The reason the applicant chooses to open this parking area instead of making it a full garage and more like a carport is because enclosing it would make it over footprint. The covered parking platform has openings on each side and does not have a garage door.*

*Again, the development parameters such as building setbacks, footprint, height, etc., highly limit the amount of development due to their combined restrictions, making the size of what can be viewed from Ontario Avenue small in terms of building form and scale.*

*LMC § 1-2.2-3(J) Snow Release, indicates that site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official. It is very likely that a snow shedding agreement will be required on the south of the lot.*

6. **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.**

*The proposed addition is setback ten feet (10) from front property line. The addition is setback three feet (3') from the south property line and 7'-9" from the north property line. The width of the covered parking platform is just over fourteen feet (14).*

7. **Dwelling Volume.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in [LMC Chapter 2.2 – HR-1]. 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 structure is vertically articulated and broken into compatible massing components due to the topography of the site which limit the maximum height. The design includes setback variations and lower building heights for the historic structure. The proposed massing and architectural design components are compatible with both the volume and massing of single family dwellings in the area.*

8. **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, as conditioned. The covered parking area has a small area which does not meet this provision. Staff recommends adding a condition of approval to redesign the gable roof opposite to the street to place a shed roof instead to comply with the 27 foot height. Portions of the addition are less than 27' in height.*

### **Process**

Approval of this application constitutes Final Action that may be appealed to the City Council following the procedures found in LMC § 15-1-18. Approval of a Historic District Design Review for compliance with the Design Guidelines for Historic Districts is also required prior to 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 would have to be addressed during building permit review.

### **Public Input**

No public input has been provided at the time of this report.

### **Alternatives**

- The Planning Commission may approve the Conditional Use Permit for 317 Ontario Avenue as conditioned or amended, or
- The Planning Commission may deny the Conditional Use Permit and direct staff to make Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date uncertain.

### **Significant Impacts**

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

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

The construction as proposed could not occur. The applicant would have to revise their proposal.

### **Recommendation**

Staff recommends the Planning Commission hold a public hearing and review a request for a Steep Slope Conditional Use Permit at 317 Ontario Avenue based on the findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

### **Findings of Fact:**

1. The site is located at 317 Ontario Avenue.
2. The site is located in the Historic Residential (HR-1) District.
3. The property, tax identification no. PC-455, is a standard Old Town lot measuring 25 feet in width and 75 feet in depth.
4. The site is listed on Park City's Historic Site Inventory (HSI) as a Significant Site.
5. The property is known as the A.W. Webster House and was built circa 1885.
6. The site is ineligible to be listed as a Landmark site on the HSI and the National Register of Historic Places due to the extent of the building alterations which have diminished its associations with the past.
7. Approximately 86.3 square feet of the historic structure encroaches onto the neighboring property to the south.
8. A portion of the adjacent historic structure to the north, 823 Ontario Avenue encroaches on the subject property. This neighboring property is listed on the HSI as a Landmark Site. This encroachment is approximate 73.8 square feet.
9. A Historic District Design Review (HDDR) application is concurrently being reviewed by Staff for compliance with the Design Guidelines for Historic Districts and Historic Sites.
10. This application is a request for a Steep Slope Conditional Use Permit (CUP) for an addition to a historic Structure.

11. The property owner requests to build an addition towards the rear of the historic structure, towards Ontario Avenue.
12. The applicant proposes to remove the non-historic attached storage area and deck behind the structure and construct an addition consisting of three (3) floors and a parking platform.
13. A single family dwelling is an allowed use in the HR-1 District.
14. The existing structure is 892 square feet. The ground level of the existing structure is 550 square feet and the second level is 342 square feet.
15. The applicant requests to remove the storage area and deck.
16. The proposed addition includes adding 404.8 square feet to the lower level.
17. The proposed addition includes adding 404.8 square feet to the mid-level.
18. The new upper addition includes adding 381 square feet.
19. The new parking level floor plan would have a hot tub patio and a covered parking platform.
20. The maximum building footprint is 844 square feet.
21. The proposed building footprint is 843.4 square feet.
22. The minimum front and rear yard setbacks are ten feet (10').
23. The proposed front yard setback is ten feet, (Ontario Avenue).
24. The proposed addition is located opposite to the rear setback area, towards Ontario Avenue and meets the rear yard setbacks.
25. The historic house has a 6 foot front yard setback and is considered a valid complying structure per LMC § 15-2.2-4.
26. The minimum side yard setbacks are three feet (3') minimum, 6 feet total.
27. The addition has a 7'-9" side yard setback on the north and a 3'-0" side yard setback on the south property line.
28. The historic house does not comply with the south side yard setback and is considered a valid complying structure per LMC § 15-2.2-4.
29. LMC § 15-2.2-4 indicates that Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures.
30. No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
31. The addition and existing structure contains various heights all under 27 feet, with the exception of the covered parking area. Staff recommends adding a condition of approval to redesign the gable roof opposite to the street to place a shed roof instead to comply with the 27 foot height restrictions.
32. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery [...].
33. The addition complies with the four foot final grade restriction.
34. A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].
35. The maximum height from the lowest finish floor plane to highest wall top plate is 35 feet.
36. Vertical articulation is required in the form of a ten foot (10') minimum horizontal step in the downhill façade.
37. The proposed additions meet the vertical articulation.
38. Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

39. The roof pitch of the addition is 7:12.
40. The roof pitch of the existing historic house is 12:12.
41. Even though most of the addition takes place over the steeper slopes, the site as viewed from Ontario Avenue will simply look like the small 14 foot wide covered parking platform and will not be detrimental in terms of size and scale mainly due to the dramatic change in slope which affects the maximum building height.
42. The applicant submitted building elevations showing impacts.
43. 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.
44. The site is engulfed by surrounding development; also the addition takes place fifteen feet (15') behind the roof ridge of the historic structure.
45. The cross canyon view contains a back drop of four (4) plus story buildings. The building is located in a neighborhood of similar structures and is completely surrounded by residential development.
46. The project will be accessed by a concrete slab on grade accessed off Ontario Avenue directly into the covered parking platform.
47. The pedestrian access to the house has been incorporated as an exterior staircase leading down to the upper level.
48. The design does not require any terracing as the site will be retained by the foundation of the addition.
49. The proposed addition is located towards the rear of the historic house towards the Ontario Avenue.
50. Pedestrian access is unchanged from the front of the house accessible from Shorty's Stairs. Another pedestrian access is proposed to the upper level floor from an exterior staircase accessed off Ontario Avenue.
51. The main ridge of the addition is perpendicular to Ontario Avenue located on the covered parking platform.
52. The covered parking platform has openings on each side and does not have a garage door.
53. The proposed structure is vertically articulated and broken into compatible massing components due to the topography of the site which limit the maximum height.
54. The design includes setback variations and lower building heights for the historic structure.
55. The proposed massing and architectural design components are compatible with both the volume and massing of single family dwellings in the area.
56. Portions of the addition are less than 27' in height.
57. The findings in the Analysis section of this report are incorporated herein.

### **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).
2. The 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.

### **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.
3. A final utility plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers 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 for review and approval by the City Planning Department, prior to building permit issuance.
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 Conditional Use Permit and the Design Guidelines for Historic Districts and Historic Sites.
7. 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.
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.
9. This approval will expire on August 13, 2015, if a building permit has not issued by the building department before the expiration date, unless an extension of this approval has been granted by the Planning Commission.
10. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission, subject to additional changes made during the Historic District Design Review.
11. The applicant shall redesign the gable roof opposite to the street to place a shed roof instead to comply with the 27 foot height restriction.

### **Exhibits**

Exhibit A – Vicinity Map

Exhibit B – Boundary Survey

Exhibit C – Site Photograph from Sandridge Parking Lot (Marsac Avenue)

Exhibit D – Site Photograph from Ontario Avenue

Exhibit E – Existing Conditions Foundation, 1<sup>st</sup> Level, 2<sup>nd</sup> Level, & Roof Plans (A-1.06)

Exhibit F – Existing Conditions Exterior Elevations (A-2.01 existing)

Exhibit G – Photographic Streetscape

Exhibit H – Lower, Mid, Upper, & Parking Level Floor Plans (A-1.01 – A-1.04)

Exhibit I – Roof Plan (A-1.05)

Exhibit J – Exterior Elevations (A-2.01 – A-2.02)

Exhibit K – Footprint Analysis

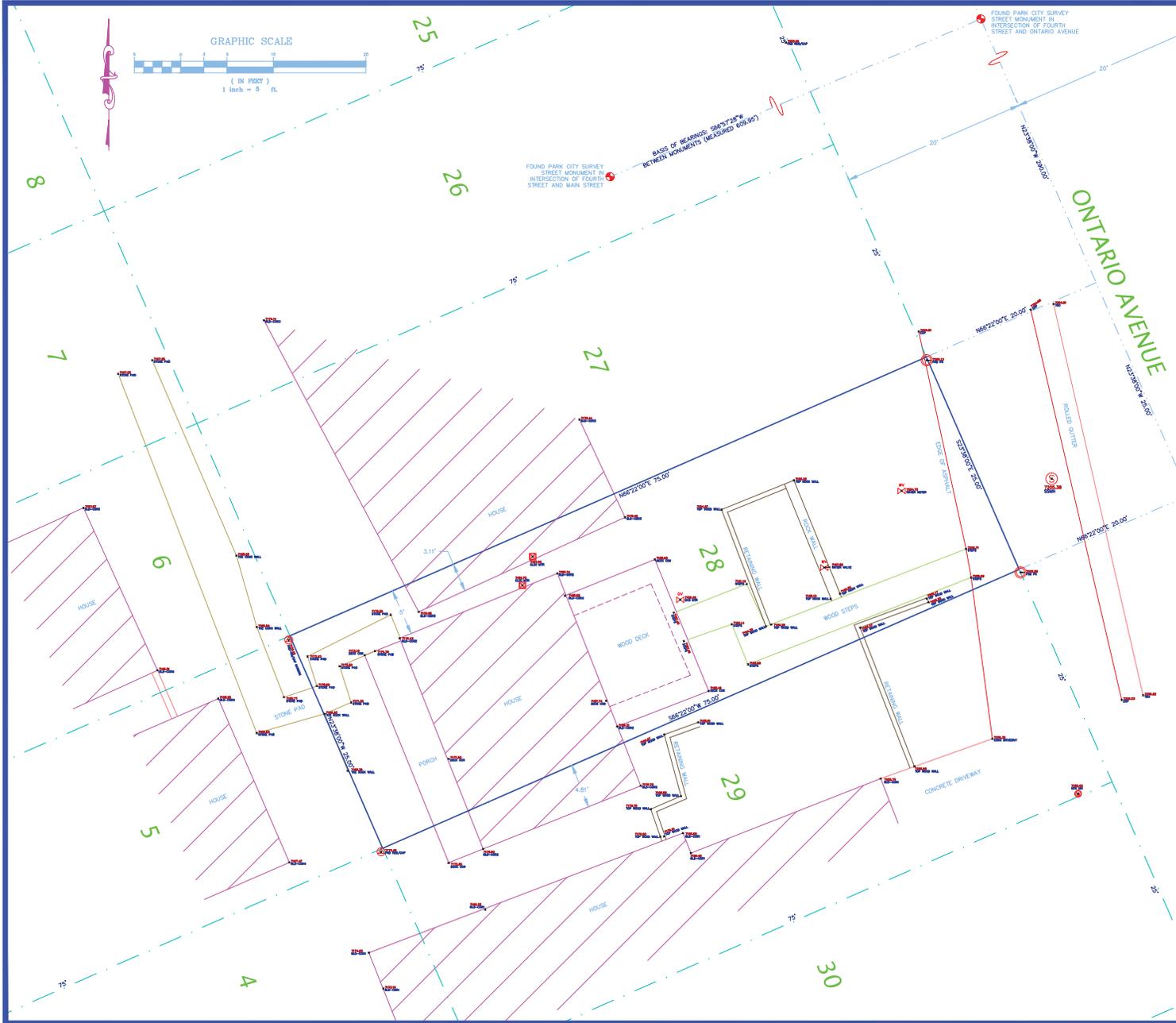
Exhibit A  
317 Ontario Avenue

**Legend**

- Parcels
- Streets
- Park City HSI Significant Site
- Park City HSI Landmark Site



# Exhibit B – Boundary Survey



**SURVEYOR'S CERTIFICATE**

I, BING CHRISTENSEN, CERTIFY THAT I AM LICENSED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH (REG. NO. 142796) IN ACCORDANCE WITH TITLE 24, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT:

- THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY SUPERVISION AT THE INSTANCES OF BING CHRISTENSEN.
- THE LAND SURVEYED LIES WITHIN THE SOUTHEAST ONE-QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND THE SURVEY WAS COMPLETED DURING JULY, 2007.
- THIS PLAT COMPLIES WITH APPLICABLE STATUTES OF THIS STATE AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE SURVEY WAS COMPLETED AND THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH TITLE 17, CHAPTER 23, PARAGRAPH 17, OF THE UTAH CODE.
- THE MONUMENTS DEPICTED AS SET ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED, AND ARE OF SUFFICIENT DURABILITY.

SUBJECT TO AND TOGETHER WITH AN EASEMENT AND RIGHT OF WAY FOR WOOD STAIRS AND DIRT WALKWAY.

**WARRANTY DEED DESCRIPTION**  
**ENTRY NO. 777937 BK 1791 PG 428**

LOT 28, BLOCK 54, AMENDED PLAT OF THE PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS SOUTH 66°22'00" WEST BY A FOUND PARK CITY SURVEY STREET MONUMENT LOCATED IN THE INTERSECTION OF FOURTH STREET AND GRAND AVENUE AND A FOUND PARK CITY SURVEY STREET MONUMENT LOCATED IN THE INTERSECTION OF FOURTH STREET AND MAIN STREET.

**SURVEYOR'S NARRATIVE**

**PURPOSE:**  
 AT THE INSTANCE OF THE CLIENT, THIS SURVEY WAS PERFORMED FOR THE PURPOSE OF DETERMINING THE PHYSICAL LOCATION OF THE SUBJECT PROPERTY'S BOUNDARY AND TO SHOW EXISTING IMPROVEMENTS IN RELATION TO BOUNDARY LINES.

**CONTROLLING ELEMENTS AND CONCLUSIONS:**  
 AS SHOWN HEREON, FOUND AND ACCEPTED PARK CITY SURVEY STREET MONUMENTS WERE USED TO CONTROL THIS SURVEY (SEE PARK CITY MONUMENT CONTROL MAP PREPARED BY BUSH AND GUILD, INC., circa 1985). SURVEY MARKERS WERE FOUND NEAR THE CORNERS OF THE SUBJECT PROPERTY, BUT LYING SOUTHWEST TO SOUTHEASTLY. THIS MAY BE EXPLAINED BY THE USE OF MONUMENTS BY OTHER SURVEYS IN CONTRAST TO THOSE USED TO CONTROL THIS SURVEY. INDEED, THE USE OF AN EXISTING MONUMENT LOCATED IN THE INTERSECTION OF FOURTH STREET AND MARINE AVENUE WOULD SHIRT THE LOT LINES OF BLOCK 54 IN THE SOUTHEASTERLY DIRECTION SOUTHWEST. HOWEVER, IT IS THE OPINION OF THIS SURVEYOR THAT THE EXISTING MONUMENT LOCATED IN THE INTERSECTION OF FOURTH STREET AND MARINE AVENUE IS UNRELIABLE AND INCONSISTENT WITH OTHER PARK CITY SURVEY STREET MONUMENTS.

DATE: \_\_\_\_\_  
 BING CHRISTENSEN  
 REGISTERED LAND SURVEYOR

**GENERAL NOTES**

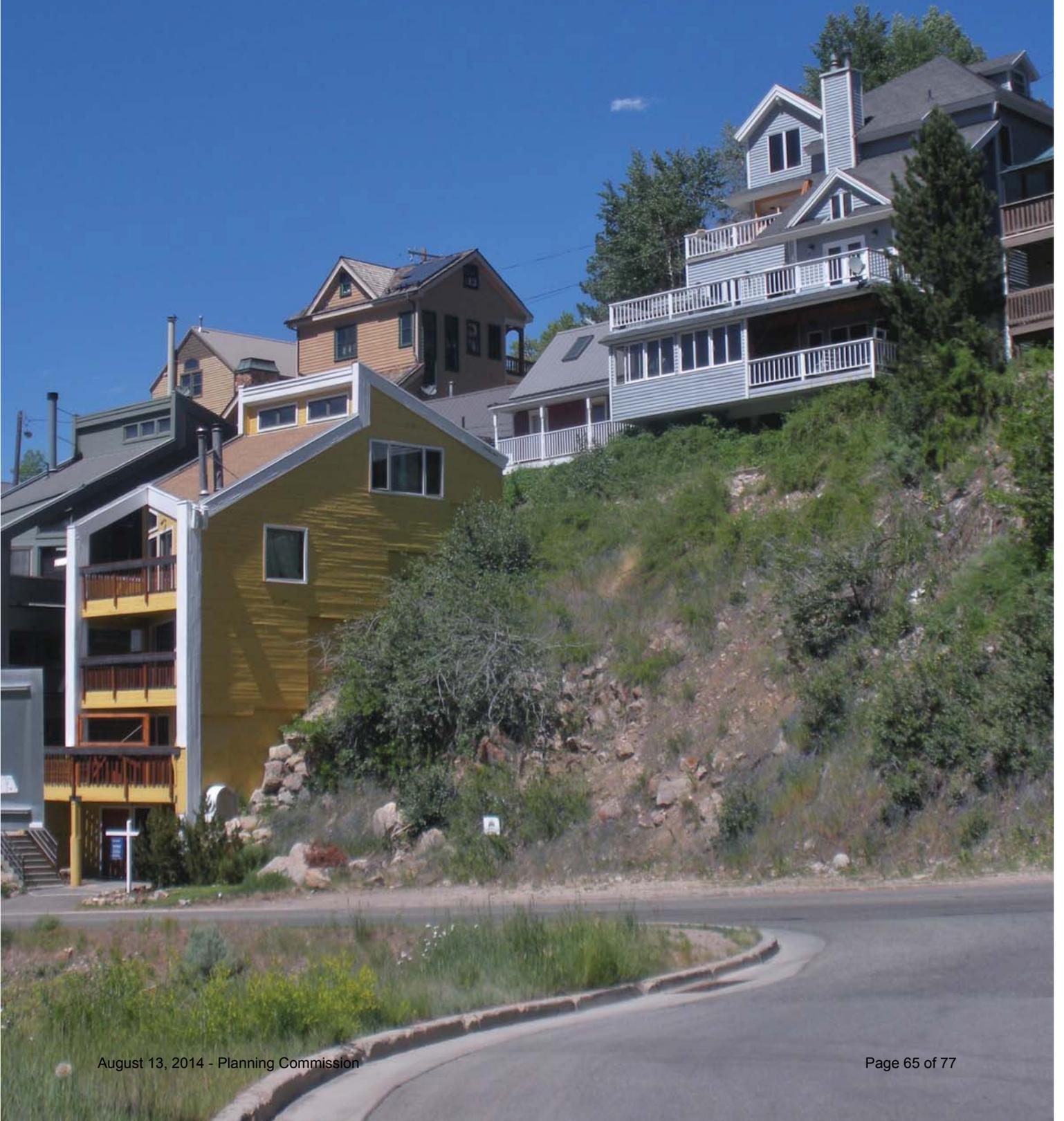
- THIS SURVEY DOES NOT GUARANTEE TITLE TO THE LAND NOR IS IT PROOF OF OWNERSHIP, NOR IS IT A LEGAL INSTRUMENT OF CONVEYANCE. FURTHERMORE, ANY SURVEY MARKERS SET IN CONNECTION WITH THIS SURVEY ARE NOT INTENDED TO REPRESENT EVIDENCE OF OWNERSHIP OF THE SUBJECT PROPERTY OR ITS ADJACENTS. THE GENERAL INTENT OF THIS SURVEY IS TO PORTRAY WHERE POSSIBLE THE RECORD TITLE LINES OF THE SUBJECT PROPERTY AND TO SHOW THEIR RELATIONSHIP TO ANY EVIDENCE OF USE AND/OR POSSESSION.
- IN THE EVENT THAT THIS SURVEY DETERMINES THAT THE CREATION OF A NEW/PROPOSED LEGAL DESCRIPTION IS ADVISABLE AND NECESSARY TO AVOID THE RESOLUTION OF KNOWN BOUNDARY CONFLICTS, IT SHOULD BE UNDERSTOOD THAT SUCH A LEGAL DESCRIPTION, AS MIGHT BE SHOWN AND PROVIDED HEREON, DOES NOT AUTOMATICALLY REPLACE OR EXTINGUISH RECORD TITLE LINES AND SHOULD NOT BE USED IN INSTRUMENTS OF CONVEYANCE BY WARRANTY OR FOR THE DESCRIPTION, AS MIGHT BE PROVIDED HEREON, HAVE BEEN ESTABLISHED AND AGREED UPON BY APPROPRIATE AND LEGAL MEANS BETWEEN RELEVANT PARTIES. TO HELP PREPARE SUCH AGREEMENTS, SOLICITATION OF COMPETENT LEGAL COUNSEL IS STRONGLY RECOMMENDED.
- IN THE EVENT THAT THIS SURVEY WAS PERFORMED FOR THE PURPOSE OF PARCELING PROPERTY ACCORDING TO DIRECTIONS FROM THE CLIENT, UNDER NO CIRCUMSTANCE SHOULD THE PARCELING OF PROPERTY AS MIGHT BE SHOWN HEREON AND DESCRIBED BY LEGAL DESCRIPTION ABOVE BE INTERPRETED AS REPRESENTING A LEGAL SUBDIVISION OF LOTS OR ADJACENTS OR APPROVED BY CITY OR COUNTY GOVERNMENT OFFICES. INDEED, THIS SURVEY AND ANY INFORMATION PROVIDED HEREON ARE INTENDED NEITHER TO CREATE NOR DESTROY LOT OF RECORD STATUS AND ASSOCIATIVE ENTITLEMENTS AND MAKES NO CLAIM AS TO LOT CONFORMANCE BY STATEUTE. PROPERTY OWNERS AND PROSPECTIVE BUYERS ARE ADVISED TO CONTACT CITY AND COUNTY PLANNING OFFICES FOR INFORMATION AND RECORDS PERTAINING TO ISSUES OF LOT CONFORMANCE AND REQUIREMENTS FOR DEVELOPMENT.
- THIS SURVEY REPRESENTS OPINIONS BASED ON FACTS AND EVIDENCE AS THE SURVEYOR RECEIVES THE RIGHT TO MODIFY OR ALTER HIS OPINIONS PERTAINING TO THIS SURVEY ACCORDING TO THIS NEW EVIDENCE.
- SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, UNRECORDED TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. FURTHERMORE, NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.
- THIS SURVEY DOES NOT PURPORT TO DETAIL THE LOCATIONS OF ANY OR ALL EASEMENTS OR RIGHTS-OF-WAY OF RECORD AND USE.
- THIS PLAT MAP DOES NOT PURPORT TO SHOW, EITHER IN FACT OR BY CIRCUMSTANCE, ANY OR ALL UTILITY COMPANY PIPES, WIRES, ETC., EITHER IN SERVICE OR ABANDONED, THAT MAY EXIST ON OR NEAR THE SUBJECT PROPERTY. FURTHERMORE, ANY INDICATION AS TO THE LOCATION OF UNDERGROUND UTILITIES THAT MAY BE SHOWN ON THIS PLAT MAP IS BASED STRICTLY ON OBSERVABLE SURFACE EVIDENCE AND/OR VERBAL EXPLANATIONS. ALSO, FOR THIS SURVEY NO UTILITY MAPS OF RECORD WERE AVAILABLE TO THE SURVEYOR TO HELP DETERMINE THE PROPER LOCATION OF UNDERGROUND UTILITIES. INDEED, ONLY BY EXCAVATION CAN THE EXACT LOCATION OF UNDERGROUND UTILITIES, INCLUDING, CONTRACTORS, BUILDERS, AND EXCAVATORS ARE ADVISED TO VERIFY THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND/OR EXCAVATION BY CONTACTING CORRESPONDING UTILITY COMPANIES (FOR BLUE STAKES OF UTAH CALL 1-800-662-4111).

DATE: 07/09/2007  
 DRAWN BY: BIC  
 REVIEWED BY: BING CHRISTENSEN  
 APPROVED BY: BING CHRISTENSEN  
 FILE NAME: LOT-025-084100

**RECORD OF SURVEY**  
 BLOCK 54 - PARK CITY - SUMMIT COUNTY  
 IN THE SE 1/4 OF SEC 16, T2S, R4E, S16&M

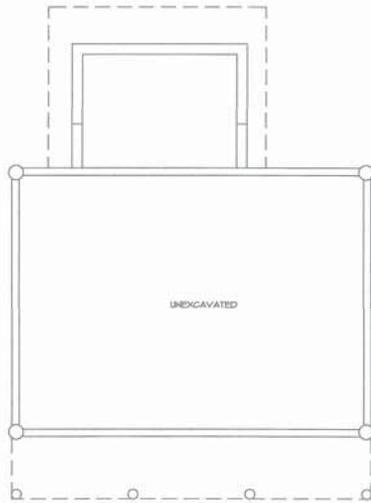
**BRADLEY J. BRAINARD**  
 BOUNDARY SURVEY

PROJECT NO. LOT-025  
 SHEET NO. 1 OF 1

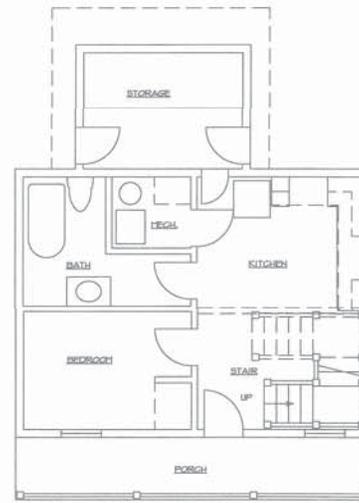




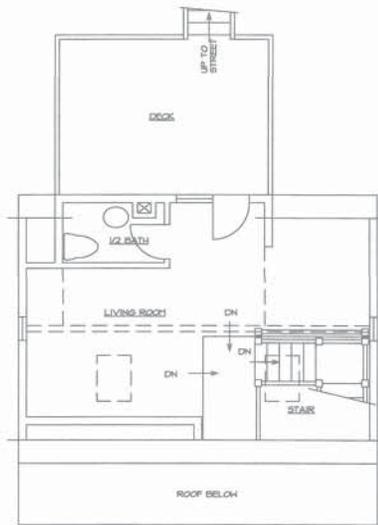
# Exhibit E – Existing Conditions Foundation, 1st Level, 2nd Level, & Roof Plans



1 FOUNDATION PLAN  
A-106 1/4" = 1'-0"



2 FIRST LEVEL FLOOR PLAN  
A-106 1/4" = 1'-0"



3 SECOND LEVEL FLOOR PLAN  
A-106 1/4" = 1'-0"



4 ROOF PLAN  
A-106 1/4" = 1'-0"

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ADDITION / REMODEL FOR  
THE BRAINARD FAMILY  
LOT 928 - BLOCK 54

511 ONTARIO AVENUE  
PARK CITY, UTAH

**summitdesign**  
architecture

p.o. box 68802 park city, utah 84068  
435-641-2055

EXISTING CONDITIONS

DATE	SHEET
15 JUNE 2010	<b>A-1.06</b>
SCALE	
1/4" = 1'-0"	

# Exhibit F – Existing Conditions Exterior Elevations



3 REAR ELEVATION  
A-2.01  
1/4" = 1'-0"



2 RIGHT ELEVATION  
A-2.01  
1/4" = 1'-0"



4 LEFT ELEVATION  
A-2.01  
1/4" = 1'-0"



1 FRONT ELEVATION  
A-2.01  
1/4" = 1'-0"

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ADDITION / REMODEL FOR  
THE BRAINARD FAMILY  
LOT #28 - BLOCK #4

311 ONTARIO AVENUE  
PARK CITY, UTAH

**summitdesign**  
architecture

p.o. box 681302 park city, utah 84068  
435.649.2055

EXISTING CONDITIONS

EXISTING  
EXTERIOR ELEVATIONS

DATE  
5 MARCH 2010

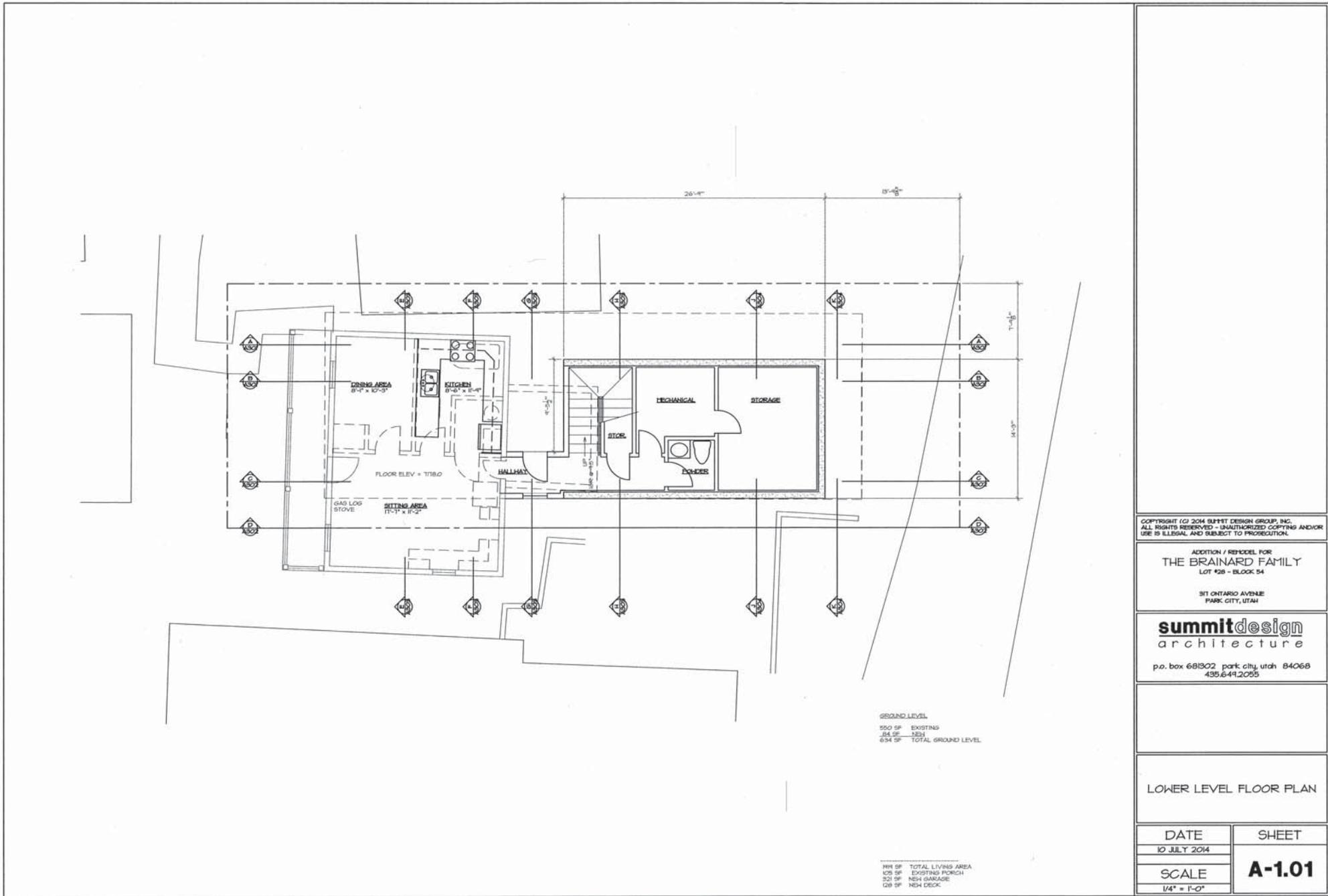
SHEET

SCALE  
1/4" = 1'-0"

**A-2.01**  
EXISTING

Exhibit G – Photographic Streetscape





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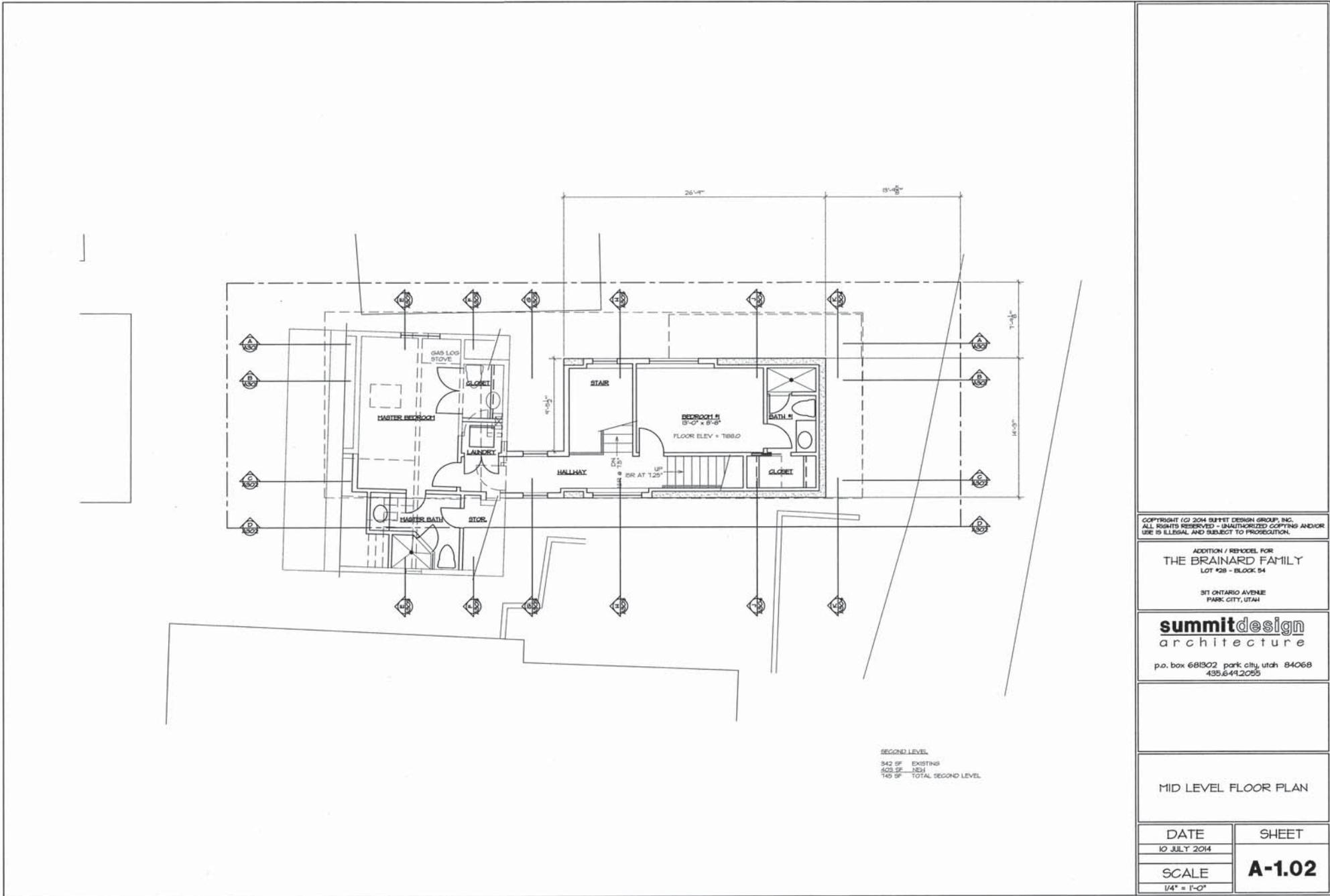
ADDITION / REMODEL FOR  
**THE BRAINARD FAMILY**  
LOT 428 - BLOCK 54  
311 ONTARIO AVENUE  
PARK CITY, UTAH

**summitdesign**  
architecture  
p.o. box 681302 park city, utah 84068  
435.644.2055

LOWER LEVEL FLOOR PLAN

DATE	SHEET
10 JULY 2014	<b>A-1.01</b>
SCALE	
1/4" = 1'-0"	

Exhibit H – Mid-Level Floor Plan



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ADDITION / REMODEL FOR  
**THE BRAINARD FAMILY**  
 LOT #28 - BLOCK 54

311 ONTARIO AVENUE  
 PARK CITY, UTAH

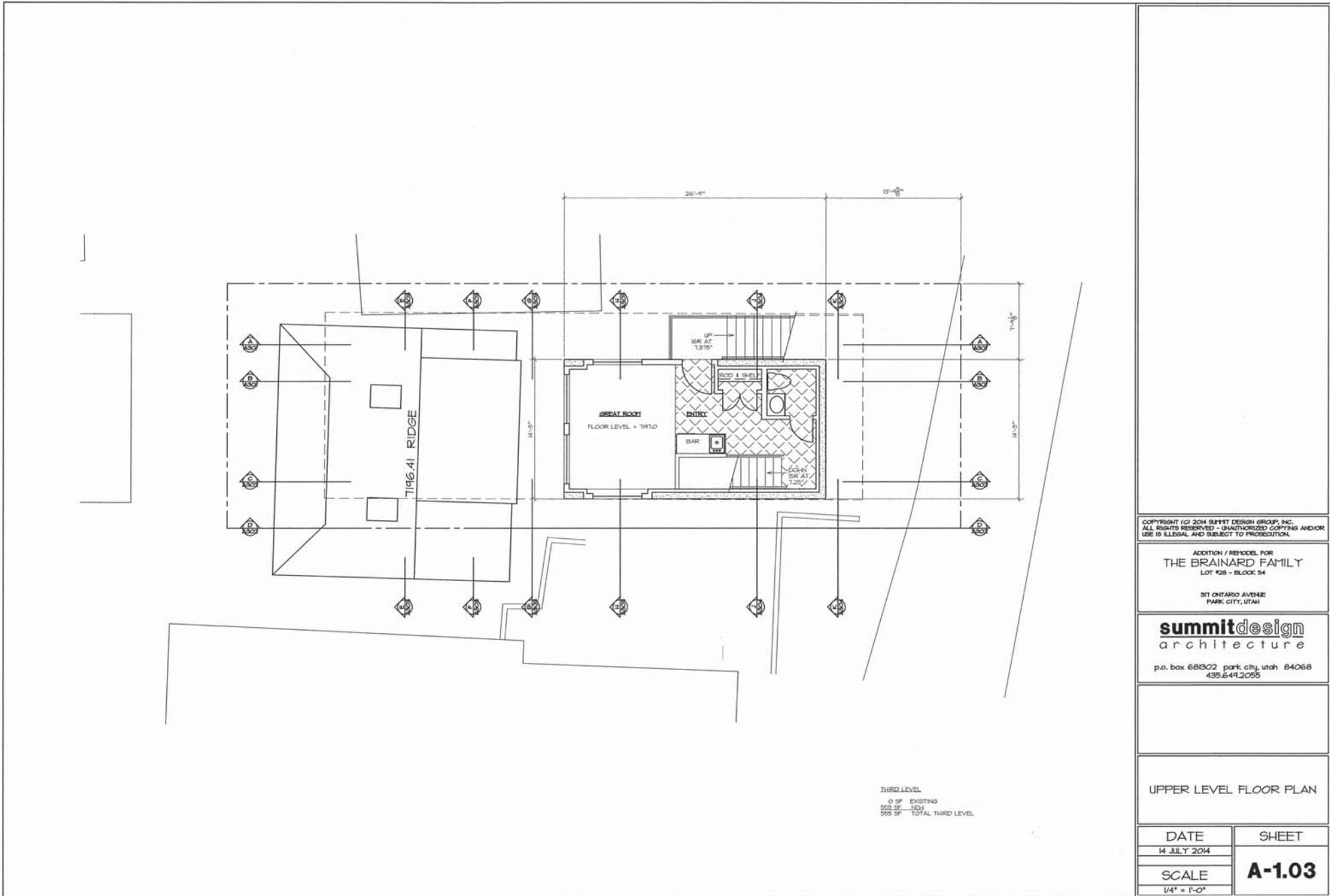
**summitdesign**  
 architecture

p.o. box 681302 park city, utah 84068  
 435.641.2055

MID LEVEL FLOOR PLAN

DATE	SHEET
10 JULY 2014	<b>A-1.02</b>
SCALE	
1/4" = 1'-0"	

Exhibit H – Upper Level Floor Plan



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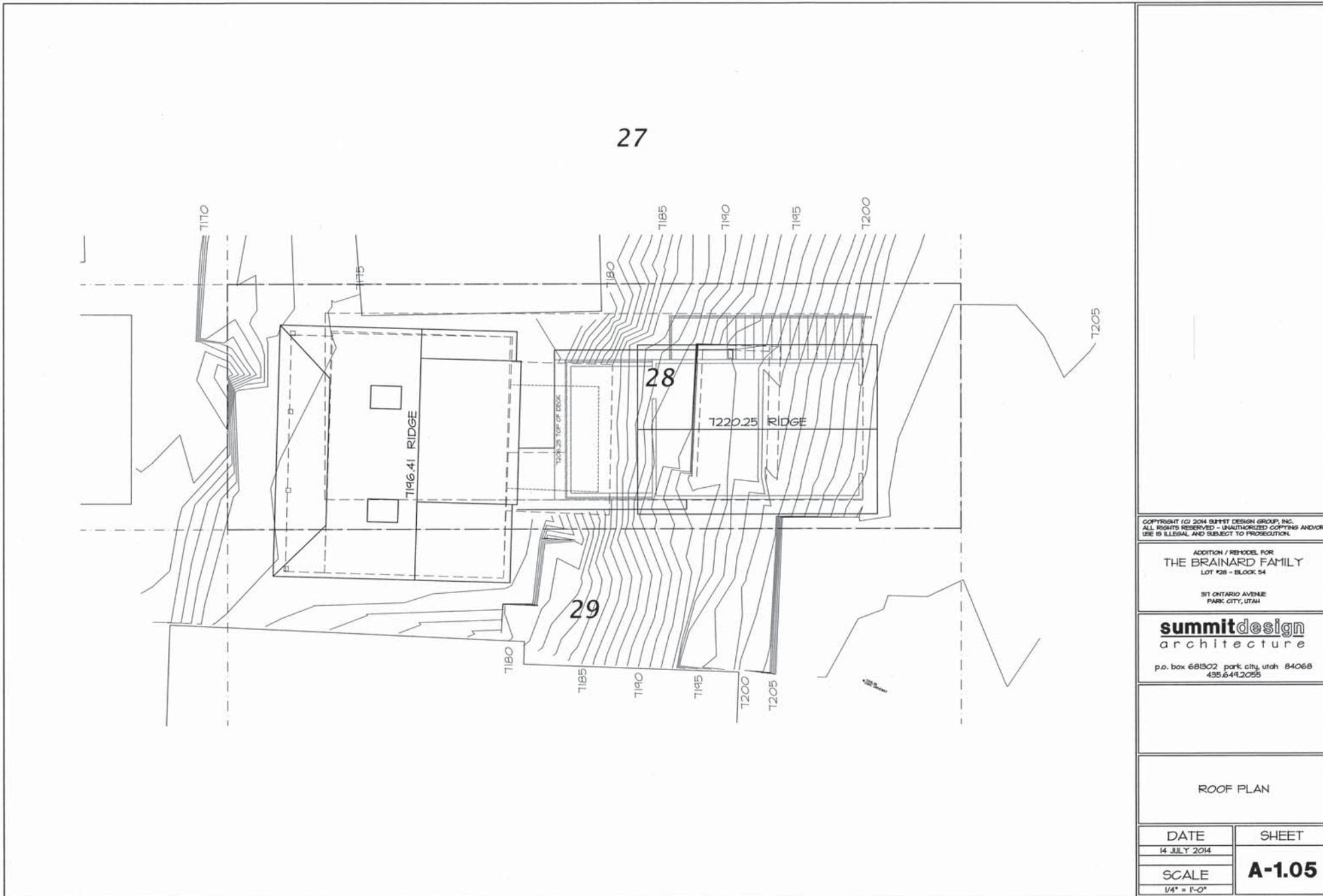
ADDITION / REHABIL FOR  
**THE BRAINARD FAMILY**  
 LOT #28 - BLOCK 54  
 311 ONTARIO AVENUE  
 PARK CITY, UTAH

**summitdesign**  
 architecture  
 p.o. box 681302 park city, utah 84068  
 435.644.2055

UPPER LEVEL FLOOR PLAN

DATE	SHEET
14 JULY 2014	<b>A-1.03</b>
SCALE	
1/4" = 1'-0"	





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ADDITION / REMODEL FOR  
**THE BRAINARD FAMILY**  
LOT #28 - BLOCK 54

371 ONTARIO AVENUE  
PARK CITY, UTAH

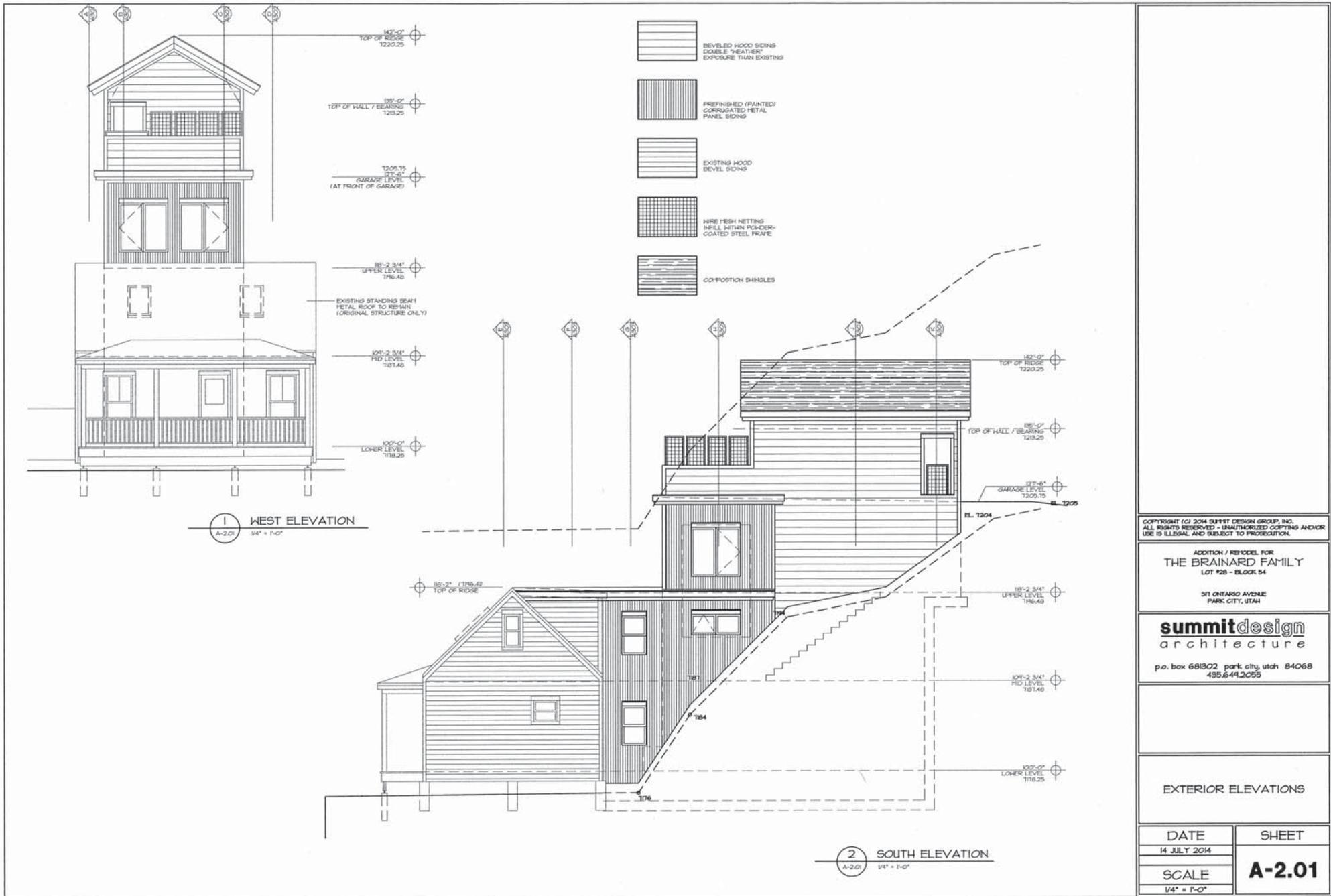
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architecture

p.o. box 681302 park city, utah 84068  
435.649.2055

ROOF PLAN

DATE	SHEET
14 JULY 2014	<b>A-1.05</b>
SCALE	
1/4" = 1'-0"	

# Exhibit J – Exterior Elevations



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ADDITION / REHODEL FOR  
**THE BRAINARD FAMILY**  
LOT #28 - BLOCK 54

311 ONTARIO AVENUE  
PARK CITY, UTAH

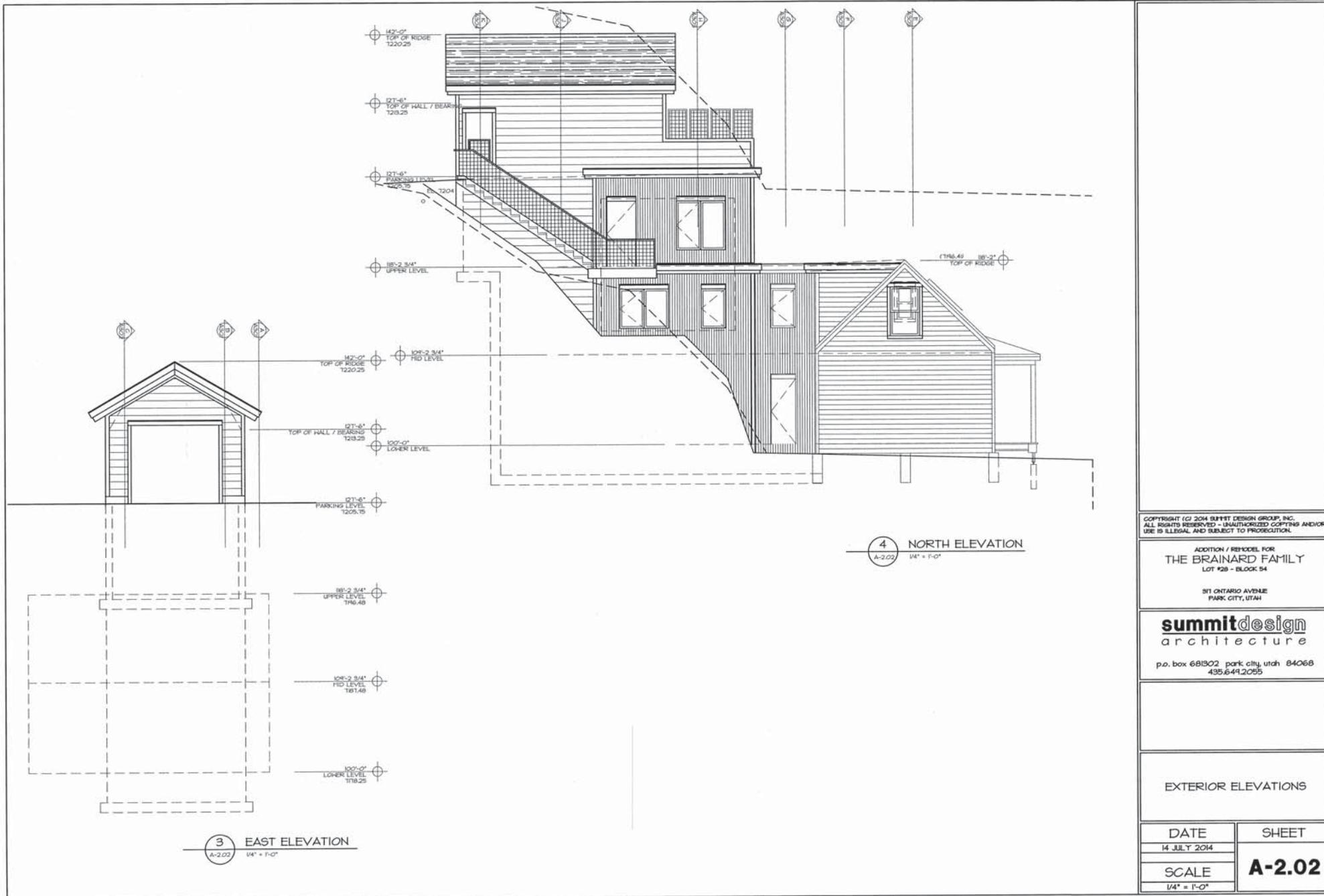
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architecture

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435.641.2055

EXTERIOR ELEVATIONS

DATE	SHEET
14 JULY 2014	
SCALE	<b>A-2.01</b>
1/4" = 1'-0"	

Exhibit J – Exterior Elevations



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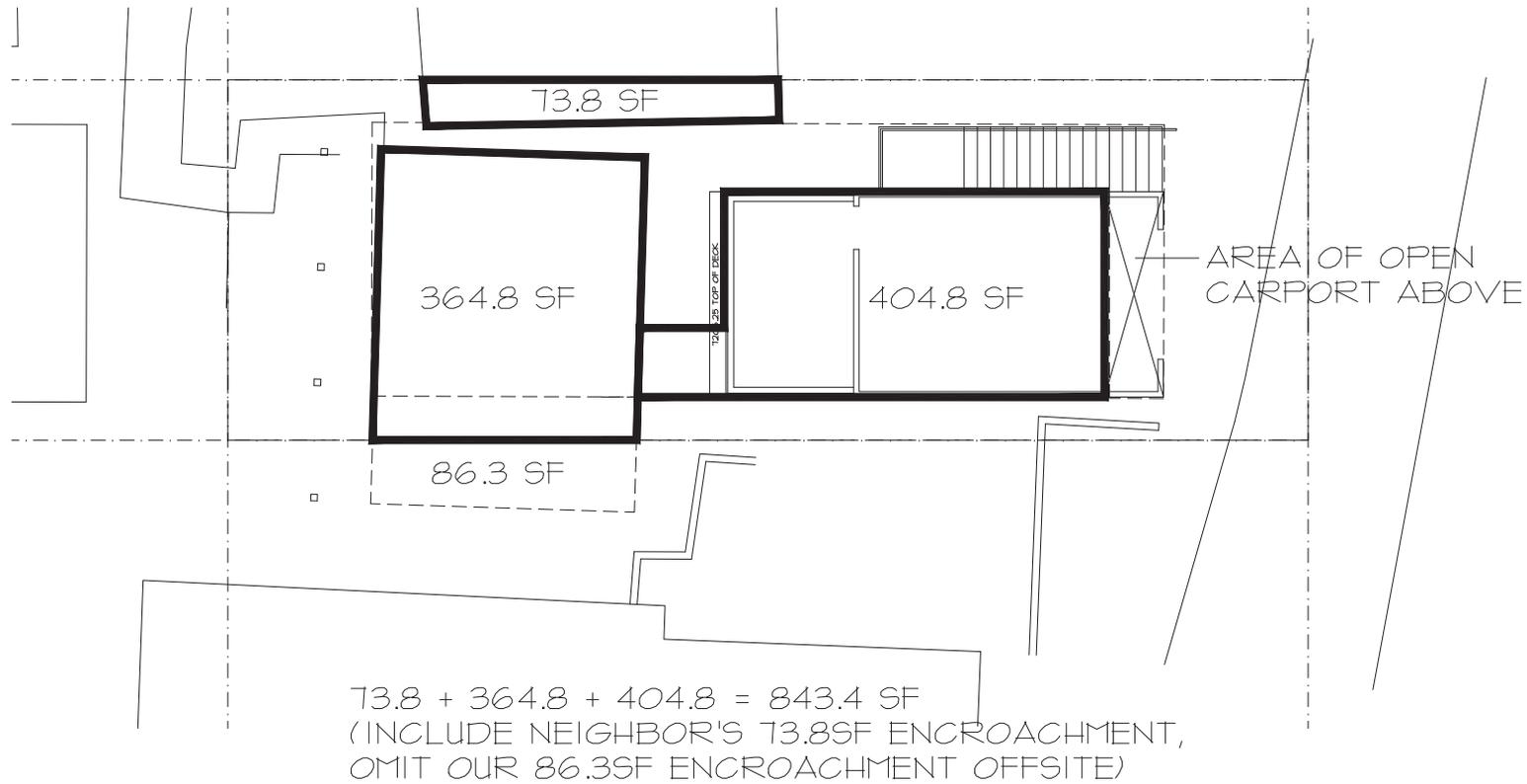
ADDITION / REMODEL FOR  
**THE BRAINARD FAMILY**  
 LOT #28 - BLOCK 54  
 811 ONTARIO AVENUE  
 PARK CITY, UTAH

**summitdesign**  
 architecture  
 p.o. box 681302 park city, utah 84068  
 435.641.2055

EXTERIOR ELEVATIONS

DATE	SHEET
14 JULY 2014	<b>A-2.02</b>
SCALE	
1/4" = 1'-0"	

# Exhibit K – Footprint Analysis



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ADDITION / REMODEL FOR  
**THE BRAINARD FAMILY**  
 LOT #28 - BLOCK 54  
 311 ONTARIO AVENUE  
 PARK CITY, UTAH

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 architecture  
 p.o. box 681302 park city, utah 84068  
 435.649.2055

DATE	SHEET
SCALE	