

Planning Commission
Updated Staff Report

Subject: King’s Crown
Author: Francisco Astorga, AICP, Senior Planner
Project #: PL-17-03515, PL-17-03566, & PL-17-03567
Date: 10 January 2018
Type of Item: Administrative – Master Planned Development
 Administrative – Conditional Use Permit
 Legislative – Re-Subdivision

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing and review the submitted Master Planned Development (MPD), Conditional Use Permit (CUP), and Re-Subdivision applications. Staff recommends that the Planning Commission approve the MPD and CUP as conditioned, and forward a positive recommendation of the Re-Subdivision to the City Council as conditioned, based on the listed Findings of Facts, Conclusions of Law, and Conditions of Approval in the staff report and the draft ordinance.

Description

Applicant: CRH Partners, LLC represented by Rory Murphy, Hans Fuegi, and Chuck Heath
 Evergreen Engineering represented by Andrew Moran
 WOW Atelier represented by Chimso Onwuegbu

Location: 1201-1299 Lowell Avenue, Park City, Utah 84060

Zoning: Recreation Commercial (RC) District, Recreation And Open Space (ROS) District, and Sensitive Land Overlay (SLO) Zone

Adjacent Land Uses: Trails, skiing, open space, and residential.

Reason for Review: MPDs and CUPs applications require Planning Commission public hearing / review / final action.
 Re-Subdivisions applications require Planning Commission public hearing / review / recommendation to the City Council, and City Council public hearing / review / final action.

Background

MPD application - Any residential project with ten (10) or more lots or ten or more residential unit equivalents (20,000 square feet) requires an MPD. The applicant proposes the construction of thirty (30) units totaling 80,963 square feet within three (3) separate multi-unit dwellings, fifteen (15) deed-restricted affordable housing units totaling 16,520 square feet in a separate multi-unit dwelling, and twenty-seven (27) single-family dwelling lots equating to approximately 71,880 square feet. The applicant requests a total of 57 residential units (condos/townhouses/houses) totaling

approximately 152,843 square feet.

CUP application - Multi-unit dwellings are listed as a conditional use in the RC District. The applicant proposes the construction of four (4) multi-unit dwelling buildings which includes one (1) building housing the affordable housing units that exceeds the required affordable housing requirements. MPDs are also listed as conditional uses within the RC District.

Re-Subdivision application - The reconfiguring of the proposed lots require final action of a Re-Subdivision by the City Council. The applicant proposes a total of 32 lots of record from the existing 247 lots platted Old Town lots, within Snyder's Addition to the Park City Survey. Applicant proposes the following:

- Three (3) lots to accommodate the four (4) Multi-Unit Dwelling buildings (to be later re-plated via Condominium Plat): proposed Lot 1, 2, and 30.
- Twenty-seven (27) single-family dwelling lots: proposed Lot 3 - 29.
- Two (2) open space lots: proposed Lot 31 - 32.

Background

The Planning Commission had an initial discussion with the applicant during the July 26, 2017 Planning Commission meeting, the staff report is found [here](#) and the adopted meeting minutes are found [here](#). Staff met with the applicant several times after this Planning Commission meeting and plans were updated and submitted on September 29, 2017. On October 13, 2017, staff requested clarification regarding the preliminary site plan, preliminary utility plan, preliminary grading plan, construction mitigation, and snow storage. On October 27, 2017 plans were updated and an electronic model was submitted to staff which included the massing of the potential 27 single-family dwellings in addition to the massing of the multi-unit dwellings.

The Planning Commission held a public hearing and reviewed the updated submittals during the November 29, 2017 Planning Commission meeting, the staff report is found [here](#) and the adopted meeting minutes are found [here](#). During this meeting staff requested direction from the Planning Commission regarding the proposed density, setback reduction, type of open space, and preliminary/final Subdivision Plat approval. On December 6, 2017 the following exhibits were submitted to the City for the Planning Commission work session addressing the issues raised at the November 29, 2017 meeting:

- Letter from the Applicant dated December 1, 2017 received on December 6, 2017
- Potential fill location aerial photograph
- Proposed export fill placement
- Existing conditions survey
- Proposed Plat (updated)

A work session discussion with the Planning Commission took place on December 13, 2017 which was limited to the construction mitigation aspects of the proposal. This staff

report is found [here](#) and the drafted meeting minutes are found [here](#).

Proposal

The subject site is located at 1201 – 1299 Lowell Avenue. The subject site is within the RC, ROS, and SLO District. The proposed development takes place roughly over 30% of the property, all contained within the RC District located adjacent to Lowell Avenue towards the northeast of the subject site. No units are proposed within the ROS District or within the SLO.

The applicant proposes to build three (3) multi-unit buildings with access off Lowell Avenue, a private road/drive to be known as Rothwell Road, and a townhouse building with access off Rothwell Road. The proposed private road/drive begins at the 12th Street / Lowell Avenue intersection which then curbs up to a hammer-head turn around located near the northwest corner of the property. Rothwell Road climbs up approximately sixty feet (60') and is approximately 548 feet long.

The applicant also proposes to develop 27 single-family lots, 4 of which would be accessed off Lowell Avenue, and the remaining 24 would be accessed off Rothwell Road (15 on the west side of the private road and 8 on the east side of the private road). The applicant does not plan on building the 27 houses, but to develop the lots to be able to sell them individually.

The MPD includes the following:

- A total of 32 lots.
- Seven (7) deed restricted affordable housing condominium units (8.55 affordable unit equivalents).
- Eight (8) additional non-required deed restricted affordable housing condominium units (9.07 affordable unit equivalents).
- 11.2 acres of platted open space in the form of large tracts of contiguous natural open space that does not include open space area around the units, equating to 74.6%. The total open space percentage is 83.9.
- Market rate units
 - 23 condominiums
 - 7 townhomes
 - 27 single-family lots (detached houses)

Building A - Affordable Housing

- Multi-unit dwelling, conditional use
- 15 residential affordable housing units
- Square footage
 - Residential: 16,520
 - Mechanical: 256
 - Internal circulation (hallways and stairs): 1,833
 - Parking and vehicular circulation: 5,571
 - Overall: 24,180
- 18 parking spaces located in an enclosed underground parking garage

- Vehicular access off Lowell Avenue through one (1) driveway
- 5 stories above the parking garage
- Located on proposed Lot 1
- Affordable housing residential units do not count towards residential Unit Equivalents

Building B/C

- Multi-unit dwelling, conditional use
- 12 residential units
- Square footage
 - Residential: 28,253 (14.13 residential Unit Equivalents)
 - Mechanical: 375
 - Internal circulation (hallways, stairs, and elevator): 1,133
 - Parking and vehicular circulation: 9,305
 - Overall: 39,066
- 21 parking spaces located in enclosed underground parking garages
- Vehicular access off Lowell Avenue through two (2) separate driveways
- 4 stories above the parking garage
- Located on proposed Lot 2

Building D

- Multi-unit dwelling, conditional use
- 11 residential units
- Square footage
 - Residential: 24,590 (12.30 residential Unit Equivalents)
 - Mechanical: 166
 - Internal circulation (hallways, stairs, and elevator): 1,827
 - Parking and vehicular circulation: 8,313
 - Overall: 34,896
- 22 parking spaces located in an enclosed underground parking garage
- Vehicular access off Lowell Avenue through one (1) driveway
- 4 stories above the parking garage
- Located on proposed Lot 2

Townhomes Building

- Multi-unit dwelling, conditional use
- 7 residential units
- Residential square footage: 29,005 (14.50 residential Unit Equivalents)
- 14 parking spaces, 2 within each parking garage
- Vehicular access off proposed private drive through individual driveways
- 3 stories above the garage level
- Located on proposed Lot 30

Single-Family Residential Lots

- Single-family dwellings, allowed use

- 27 lots accommodate one (1) single-family dwelling on each lot
- Approximate buildable square footage: 71,880 (35.94 residential Unit Equivalents)
- 54 parking spaces, 2 within each lot as required
- Vehicular access off proposed private drive through individual driveways
- Located on proposed Lots 3-29

Open Space Lots

- 2 lots to be re-platted as open space
- Proposed open space lot 31:
 - Square footage: 2,106.4
 - Proposed retaining walls and stair access to adjacent property to the south
- Proposed open space Lot 32:
 - Square footage: 487,798.29 (11.2 acres)
 - No improvements on this lot
 - Proposed accessory building, 750 square feet, consisting of restroom and lockers for the exclusive use of property owners. Accessory buildings are an allowed use with the RC District. Restrooms/lockers are considered residential accessory space and do not count towards Unit Equivalents.
 - Contains an existing pedestrian access easement for Nastar, LLC.

In addition to plans showing existing conditions and proposed plans ([General Drawings](#), [Civil Drawings \(ALTA & Slope\)](#), [Proposed Plat \(updated\)](#), [Survey](#), [Civil Drawings](#), [Landscape Drawings](#), [Architectural Site Drawings](#), [Site Compliance Drawings](#), [Architectural Graphics Drawings](#), [Architectural Drawings](#), [Material Board](#), [Townhome Rendering](#)), the applicant submitted the following letters and reports:

- [Exhibit A - Applicant's MPD Letter](#)
- [Exhibit B - Applicant's General Plan Letter](#)
- [Exhibit C - Prior Agreements](#)
- [Exhibit D - Applicant's CUP Letter](#)
- [Exhibit E - Applicant's Re-Subdivision Letter](#)
- [Exhibit F - Construction Mitigation Plan](#)
- [Exhibit G - Affordable Housing Letter](#)
- [Exhibit H - 2017.08.03 Planning Commission and Staff Questions and Concerns Letter](#)
- [Exhibit I - 2017.12.01 Planning Commission Response Letter \(submitted on 2017.12.06\)](#)
- [Exhibit J - Applicant's Traffic Studies and Transportation Master Plan](#)
- [Exhibit K - Vegetation Study](#)
- [Exhibit L - Geotechnical Investigation](#)
- [Exhibit M - City Traffic Study](#)
- [Exhibit N - King's Crown Traffic Study](#)
- [Exhibit O - Cultural Survey](#)

- [Exhibit P - Environmental Survey](#)
- [Exhibit Q - Mine Site Studies](#)
- [Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#)
- [Exhibit S - SFD Approximate Excavation Quantities](#)

Analysis - Master Planned Development

[Land Management Code § 15-6-5](#) indicates that all MPDs shall contain the following minimum requirements:

A. Density.

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

The site contains a total of 653,860 sf. (15.01 acres) broken down in the following manner:

- RC District: 199,867 sf. (4.59 acres)
- RC District within the SLO Zone: 78,654 sf. (1.81 acres)
- ROS District: 84,194 sf. (1.93 acres)
- ROS District within the SLO Zone: 291,145 sf. (6.68 acres)

The applicant proposes to build solely within the zoning boundaries of the RC District (4.59 acres). The applicant does not request to build within the boundary of the RC District/SLO, or within the ROS District, and these areas would be dedicated as open space.

Within the RC District, sites with multi-unit dwellings receive a maximum floor area ratio (FAR) of 1.0. The portion of the site in the RC District has a maximum floor area of 199,867 sf. for multi-unit dwellings. The RC District does not provide a FAR standard for single-family dwelling lots, but rather, a minimum lot area requirement of 1,875 sf. The proposal contains a total FAR of 0.41 (80,963 ÷ 199,867) for multi-unit dwellings. In applying the FAR at its maximum, the site would have a remaining 118,904 sf. in density (199,867 - 80,963). In applying the floor area not used for multi-unit dwelling for single-family dwellings, this would create approximately 63 residential lots (applying the minimum lot area of 1,875 square feet) without any sort of internal road layout/access. The applicant requests to re-subdivide 27 single-family lots in conjunction with their 80,963 sf. of multi-unit dwellings.

A residential Unit Equivalent is 2,000 square feet. The applicant proposes the construction of the following 30 residential units and the allotment of 27 lots:

- 12 units (flats) within multi-unit Building B/C totaling 27,683 square feet (13.84 residential Unit Equivalents)

- 11 units (flats) within multi-unit Building D totaling 24,255 square feet (12.13 residential Unit Equivalents)
- 7 townhouses within the Townhome Building totaling 29,005 square feet (14.50 residential Unit Equivalents)
- 27 lots to accommodate one (1) future single-family dwelling on each lot which would be approximately 71,880 square feet (35.94 residential Unit Equivalents)

Complies. The applicant requests a total of 57 residential units in the form of flats, townhouses, and future houses totaling approximately 152,843 square feet (76.41 residential Unit Equivalents) within the RC District non-SLO zone which is 199,867 square feet. The site also contains 78,654 square feet of area in the RC District within the SLO Zone; however, the applicant does not seek to transfer any of that density into the development as allowed in the SLO Regulations. The proposed Density of the MPD does not exceed the maximum Density in the zone.

If the applicant was requesting to solely build multi-unit dwellings only utilizing RC District non-SLO zone which is 199,867 square feet, it would trigger a maximum density of 199,867 square feet, 99.94 residential Unit Equivalents, based on the Districts FAR of 1.0. If the applicant was requesting to solely build single-family dwellings only utilizing RC District non-SLO zone which is 199,867 square feet, it would trigger a maximum density of 106 residential units based on the minimum lot size of 1,875 square feet.

B. Maximum Allowed Building Footprint for Master Planned Developments within the HR-1 and HR-2 Districts.

Not applicable. The site is not located in the HR-1 or HR-2 District.

C. Setbacks.

LMC 15-6-5(C) states the following:

(1) The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels one (1) acre or larger in size. The Planning Commission may decrease the required perimeter Setback from twenty five feet (25') for MPD applications one (1) acre or larger to the zone required Setback if it is necessary to provide desired architectural interest and variation.

[...]

(4) In all MPDs, for either the perimeter setbacks or the setbacks within the project, the Planning Commission may increase Setbacks to retain existing Significant Vegetation or natural features or to create an adequate buffer to adjacent Uses, or to meet historic Compatibility requirements.

(5) The Planning Commission may reduce Setbacks within the project boundary,

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

Complies, pending Planning Commission approval of requested Setbacks. The applicant request to maintain the MPD setback of 25 feet around the perimeter of the entire development, with the exception of seven (7) future single-family residential Lots 3-7 and 21-22. Applicant seeks the following setback reductions as allowed by the Code, to be granted by the Planning Commission:

1. Proposed Lots 3-7 front setback reduction to ten feet (10').
2. Proposed Lot 21 side setback reduction to twenty feet (20').
3. Proposed Lot 22 side setback reduction to ten feet (10').

The proposed setback reduction as described above matches the abutting zone setbacks, all aspect of the project will comply with applicable Building and Fire codes, it does not increase project density, and maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria.

Staff recommends applying the RC District minimum setbacks as requested as the adjacent single family dwellings did not go through the master planned process as their setbacks are based on the minimum zone setback. Proposed Lots 3-7 are directly across the street from lots with typical minimum front yard setback. Lots 21 and 22 are tucked all the way at the end of the private drive, which their requested setback reduction is opposite to the location of the private driveway. Staff recommends granting the setback reduction based on the RC District applicable minimum setback.

D. Open Space.

All Master Planned Developments shall contain a minimum of sixty percent (60%) open space as defined in LMC Chapter 15-15 [...].

LMC Definition of Open Space.

- A. Open Space, Landscaped.** *Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hard-scaped plazas, and public pedestrian amenities, but excluding Buildings or Structures.*
- B. Open Space, Natural.** *A natural, undisturbed Area with little or no improvements. Open space may include, but is not limited to, such Areas as Ridge Line Area, Slopes over thirty percent (30%), wetlands,*

Stream Corridors, trail linkages, Subdivision or Condominium Common Area, or view corridors.

C. Open Space, Transferred Development Right (TDR). *That portion of a Master Planned Development, PUD, Cluster Plan or other Development plan from which Density is permanently Transferred. This Area may be either Natural or Landscaped Open Space.*

Complies. The MPD site contains a total of 653,759 square feet. The MPD site contains 17,012 square feet of hard-scaped plazas equating to 2.6% of the site and 531,519 square feet (12.20 acres) equating to 81.3% of natural open space.

The Planning Commission shall designate the preferable type and mix of open space for each Master Planned Development. This determination will be based on the guidance given in the Park City General Plan. Landscaped open space may be utilized for project amenities such as gardens, greenways, pathways, plazas, and other similar Uses. Open space may not be utilized for Streets, roads, driveways, Parking Areas, commercial Uses, or Buildings requiring a Building Permit. Staff finds that the requested open space designation of natural open space best suits the site based on the site's natural undisturbed Area. The applicant proposes to designate the use of the two (2) open space lots on the proposed Re-Subdivision (plat).

Applicant indicated on their latest letter ([Exhibit I – 2017.12.01 Planning Commission Response Letter \(submitted on 2017.12.06\)](#)) a list of prohibited uses and restrictions in the protected open space followed by a list of allowed and reserved uses:

Prohibited uses and restrictions:

- *Any industrial, commercial, or for-profit recreational activity (downhill skiing is expressly permitted).*
- *No construction of any structures or impervious paving. [except for residential accessory building, 750 sf. within the RC District and stairs/retaining walls to the structure to the south].*
- *No recreational improvements, except hiking/biking trails and ski-related trails and associated equipment, are permitted.*
- *Subdivision.*
- *Mining.*
- *Alteration of topography.*
- *Dumping.*
- *Manipulation of water.*
- *Roads and impervious surfaces.*
- *Vehicles (expressly permitted are vehicles associated with ski maintenance on the ski run trails only).*
- *Plant removal or introduction.*
- *Density [units]*
- *Hunting.*

- *Perimeter fencing.*
- *Haying and grazing.*

Allowed and reserved uses:

- *Skiing.*
- *Ski-related equipment on the ski runs.*
- *Ski maintenance vehicles.*
- *Conveyance of the property is allowed.*
- *Buried utilities on the ski runs.*
- *Signs as necessary.*
- *Public access.*
- *Hiking/biking trails.*
- *Preservation, restoration or enhancement of conservation values.*
- *Native species may be restored.*

Applicant submitted [Exhibit K - Vegetation Study](#), regarding potential impacts of the proposed development. The study provides recommendation an objective opinion regarding the impacts on the tree canopy of the proposed development.

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

The applicant does not request to decrease the required number of off-street parking spaces; therefore, no parking analysis has been submitted. See building by building requirement:

- Affordable Housing Building A requires 18 parking spaces based on the size of the units. The proposed building contains 18 parking spaces.
- Building B/C requires 21 parking spaces based on the size of the units. The proposed building contains 21 parking spaces.
- Building D requires 21 parking spaces based on the size of the units. The proposed building contains 22 parking spaces.
- Townhome building requires 14 parking spaces based on the size of the units, two (2) parking spaces per unit. Proposed building contains 14 parking spaces.
- Single-family dwelling residential lots requires 54 parking spaces, based on unit count. These 27 residential lots would require a minimum of 2 parking spaces per unit.

Complies.

F. Building Height.

- a. Multi-unit dwellings: No Structure shall be erected to a height greater than

thirty-five feet (35') from Existing Grade. Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

- b. Single-family dwellings: No Single Family shall be erected to a height greater than twenty-seven feet (27'). Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. Additional height requirements apply (mimics HR-1 District).

Complies. *The proposal complies with the provisions of the building height parameters for multi-unit buildings listed under LMC § 15-2.16-4 Building Height and single-family dwellings listed under LMC § 15-2.16-5 Special Requirements For Single Family And Duplex Dwellings (subsection L-M), including all applicable height exceptions as allowed in the LMC. **The applicant does not seek additional height under the MPD parameters listed under LMC § 15-6-5 MPD Requirements, subsection F.***

G. Site Planning.

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

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

Complies. The project has been designed to maintain the existing neighborhood development pattern, with the larger scale buildings tucked alongside the existing multi-family.

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

Complies. The proposed plan uses the massing of the buildings to mitigate the need for retaining walls by burying the buildings into the hillside. The balance of the required retaining walls has been stepped in shorter wall sections to reduce/eliminate tall retaining walls.

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

Complies. Roads and utility lines are proposed to work with the existing

grades to the greatest extent possible, as indicated on the civil site and grading plans. Areas of the deepest cuts are mitigated by using the townhome buildings to step up the hill.

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

Complies. All trails proposed with the MPD are incorporated into open space elements and in some areas are maintained and improved in their existing locations. Trail easements will be platted on the final recorded subdivision plats. Staff recommends adding a public recreation easement on Rothwell Road (private road) connecting to trail network on the mountain.

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

Complies. Rothwell Road (private drive) and its specifications has been worked out in conjunction with the Park City Fire District, Park City Planning, and Park City Engineering Departments.

The City requests to secure a recreational public access easement from Lowell Avenue, up the roadway to the stairwell shown on the plans, to allow for public trail access. The City requests to prepare a public trail plan for the open space parcel, provide for trail 'corridors' subject to final alignment, which would be part of the recorded development agreement. The applicant stipulates to this condition of approval.

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

Complies. There are sufficient areas adjacent to the streets, driveways, and parking areas to store snow.

- 7. It is important to plan for refuse storage and collection and recycling facilities. The Site plan shall include adequate Areas for dumpsters and recycling containers. These facilities shall be Screened or enclosed. Pedestrian Access*

shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests.

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

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

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

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

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

Complies as conditioned. The MPD shall comply with the trash storage and collection and recycling regulations contained herein.

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

Complies. There are no commercial or non-residential uses with this project, and all off-street parking requirements are met within the project. The bus stop/ transportation area is located yards away from the project at the resort base. The applicant is considering placing an e-bike sharing station on site on Lowell Avenue for public use.

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

Complies. No commercial service and delivery are included in this MPD as

the entire project is 100% residential.

H. Landscape and Street Scope.

A complete landscape plan must be submitted with the MPD application. The landscape plan shall comply with all criteria and requirements of LMC Section 15-5-5(M) LANDSCAPING.

All noxious weeds, as identified by Summit County, shall be removed from the Property in accordance with the Summit County Weed Ordinance prior to issuance of Certificates of Occupancy.

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

Complies. The submitted landscape plans specify the maximum area allowed for lawn or turf is limited to fifty percent (50%) of the total Area allowed to be disturbed and not covered by Buildings and other hard surfaces. Drought tolerant species and species native to the area are stipulated in the Guidelines. Native rock and boulders are stipulated.

Lighting is proposed to comply with requirements of LMC Chapter 15-5, Architectural Review and is further spelled out in the Guidelines.

In conjunction with the construction of the multi-unit buildings, the applicant is also proposing to build a sidewalk on Lowell Avenue on the west side of the road adjacent to their development. The City Engineer has reviewed the proposal and requires a five foot sidewalk extending from the Marriot MountainSide to the end of the Multi-Unit Dwellings.

I. Sensitive Lands Compliance.

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

Complies. No development within the MPD is located within the SLO with the exception of trails, which are an allowed use in the SLO.

J. Employment/Affordable Housing.

MPD Applications shall include a housing mitigation plan which must address employee Affordable Housing as required by the adopted housing resolution in effect at the time of Application.

Complies. Kings Crown MPD includes 200% of the required Affordable Housing as required by the current housing resolution (03-2017). The current affordable housing proposal, which is developed through the Affordable Housing Staff and the Affordable Housing Authority (The City Council), is shown in the proceeding table. The Staff and the Affordable Housing Authority retain the final say on these

figures, however, and the final decision is made subsequent to the MPD approval.

Table 1. Type of Unit/AMI Target/Price

Unit Type	AMI Target	Price
Three bedroom	60%	\$240,250
Two bedroom	60%	\$216,225
Two bedroom	60%	\$216,225
One bedroom	60%	\$192,153
Two bedroom	70%	\$252,262
Two bedroom	70%	\$252,262
Two bedroom	80%	\$288,300
Two bedroom	80%	\$288,300
Three bedroom	100%	\$400,416
Two bedroom	100%	\$360,375
Three bedroom	120%	\$480,499
Three bedroom	120%	\$480,499
Two bedroom	120%	\$432,449
Two bedroom	120%	\$432,449
Two bedroom	120%	\$432,449

K. Child Care.

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

Not applicable. Staff does not find that the project creates additional demands for child care.

L. Mine Hazards.

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

Not applicable. An environmental survey ([Exhibit P - Environmental Survey](#)) was prepared revealing no environmental contaminants on the property. A mine site study ([Exhibit Q - Mine Site Studies](#)) was conducted and determined that there were no mining related activities on the property.

M. Historic Mine Waste Mitigation.

For known historic mine waste located on the property, a soil remediation mitigation plan must be prepared indicating areas of hazardous soils and proposed methods of remediation and/or removal subject to the Park City Soils Boundary Ordinance requirements and regulations. See Title Eleven Chapter Fifteen of the Park City Municipal Code for additional requirements.

Not applicable. An environmental survey ([Exhibit P - Environmental Survey](#)) was prepared revealing no environmental contaminants on the property. A mine site study ([Exhibit Q - Mine Site Studies](#)) was conducted and determined that there were no mining related activities on the property.

N. General Plan Review.

All MPD applications shall be reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding.

Complies. Staff finds that the proposal fulfills the following goals and objectives of the General Plan:

Small Town

- [Goal 1: Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods.](#)
Objective 1A - 1D
- [Goal 2: Park City will emphasize and preserve our sense of place while collaborating with the Wasatch Back and Slat Lake County regions through regional land use and transportation planning.](#)
Objective 2A - 2D
- [Goal 3: Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small-town character.](#)
Objective 3A – 3C

Natural Setting

- [Goal 4: Open Space: Conserve a connected healthy network of open space for continued access to and respect for the natural setting.](#)
Objective 4A - 4E
- [Goal 5: Environmental Mitigation: Park City will be a leader in energy efficiency and conservation of natural resources reducing greenhouse gas emissions by at least fifteen percent \(15%\) below 2005 levels in 2020.](#)
Objective 5A - 5D.
- [Goal 6: Climate Adaptation: Park City will implement climate adaption strategies to enhance the City's resilience to the future impacts of climate change.](#)
Objectives 6A - 6D

Sense of Community

- [Goal 7: Life-cycle Housing: Create a diversity of primary housing opportunities to address the changing needs of residents.](#)
Objectives 7A - 7E
- [Goal 8: Workforce Housing: Increase affordable housing opportunities and associated services for the work force of Park City.](#)
Objectives 8A - 8C
- [Goal 9: Parks and Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.](#)
Objective 9A - 9C
- [Goal 10: Park City will provide world-class recreation and public infrastructure to host local, regional, national and international events that further Park City's role as a world-class multi-seasonal destination resort while maintaining a balance with our sense of community.](#)

- Objective 10A - 10C
- [Goal 12: Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City.](#)
- Objectives 12A - 12C
- [Goal 13: Arts & Culture: Park City will continue to grow as an arts and culture hub encouraging creative expression.](#)
- Objective 13A - 13C
- [Goal 14: Living within limits: the future of Park City includes limits \(ecological, qualitative and economic\) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region.](#)
- Objective 14A – 14D

O. Historic Sites

All MPD Applications shall include a map and inventory of Historic Structures and Sites on the Property and a Historic Structures Report, as further described on the MPD application. The Historic Structures Report shall be prepared by a Qualified Historic Preservation Professional.

Not applicable. A cultural survey ([Exhibit O - Cultural Survey](#)) was prepared revealing the only significant historical element on site was the Crescent Tramway, which will remain as the existing ski/ bike trail on the property. There are no historic structures on site. An environmental survey ([Exhibit P - Environmental Survey](#)) was prepared revealing no environmental contaminants on the property. A mine site study ([Exhibit Q - Mine Site Studies](#)) was conducted and determined that there were no mining related activities on the property.

Analysis – Conditional Use Permit

Multi-unit dwellings and Master Planned Developments are listed as a conditional use in the RC District. The applicant proposes the construction of four (4) multi-unit dwelling buildings which includes one (1) building housing the affordable housing units that exceeds the required affordable housing requirements.

There are certain uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. The RC District lists multi-unit dwellings as a conditional use. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.

1. **Size and location of the Site.** The project is located on Lowell Avenue, between 12th and 13th Street. The four (4) multi-unit dwellings are located at the lower portion of the subject site. Based on the maximum FAR of the RC District, the minimum paper density would be approximately 200,000 square feet when only considering the RC District of the subject site. The applicant proposes the

construction of thirty (30) multi-unit dwellings totaling 80,963 square feet within three (3) separate multi-unit dwellings and fifteen (15) deed-restricted affordable housing units totaling 16,520 square feet in a separate multi-unit dwelling. The applicant also requests twenty-seven (27) single-family dwelling lots equating to approximately 71,880 square feet. The applicant requests a total of 57 residential units (condos/townhouses/houses) totaling approximately 152,843 square feet.
No unmitigated impacts.

2. Traffic considerations including capacity of the existing Streets in the Area.

A traffic study (Triton Engineering, June, 2017) was provided by the applicant and reviewed by the City indicating that study intersections are anticipated to continue operating at acceptable levels of service. Capacity of existing streets can handle anticipated normal traffic especially based on the fact that maximum density is not being pursued by the applicant. See the following submitted exhibits:

- [Exhibit J - Applicant's Traffic Studies and Transportation Master Plan](#)
- [Exhibit M - City Traffic Study](#)
- [Exhibit N - King's Crown Traffic Study](#)

No unmitigated impacts.

3. Utility capacity, including Storm Water run-off. Utilities necessary for these proposed uses are available at or near the site. Final utility plans, including grading and storm water run-off plans will be required at time of building permit review.

Extensions of utilities or utility upgrades to the development site are required. A utility plan has been developed with this submittal in coordination with the required utilities and Park City Engineering Department. A final utility plan will be submitted with the final construction documents to be reviewed by the City and utility service providers. City Staff will provide utility coordination meetings to ensure that utilities are provided in the most efficient, logical manner and that comply with best practices, including consideration of aesthetics in the location of above ground utility boxes.

No unmitigated impacts.

4. Emergency vehicle Access. The proposed plans have been reviewed by the City and the Park City Fire District for compliance and meet the requirements for emergency vehicle access based on the close proximity to Lowell Avenue and the direct connection of the private drive.

No unmitigated impacts.

5. Location and amount of off-Street parking. The applicant does not request to decrease the required number of off-street parking spaces; therefore, no parking analysis has been submitted. See proposed location and amount of parking:

- The affordable housing Building A requires 18 parking spaces based on the size of the units. The proposed building contains 18 parking spaces in the proposed parking garage, lower level.
- Building B/C requires 21 parking spaces based on the size of the units. The proposed building contains 21 parking spaces in the proposed parking garage, lower level.
- Building D requires 21 parking spaces based on the size of the units. The proposed building contains 22 parking spaces in the proposed parking garage, lower level.
- Townhome building requires 14 parking spaces based on the size of the units, two (2) parking spaces per unit. Proposed building contains 14 parking spaces within each proposed unit/private garage, lower level.

No unmitigated impacts.

6. **Internal vehicular and pedestrian circulation system.** The internal circulation plan incorporated on the site plan showing proposed access to existing trails as well community access point to the trails and ski runs.

No unmitigated impacts.

7. **Fencing, Screening, and landscaping to separate the Use from adjoining Uses.** Adjoining uses mirror the uses proposed in this project, and no separation is required. In fact, the project is providing community access through to adjacent open space.

No unmitigated impacts.

8. **Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots.** The project has been designed to mirror the existing neighborhood development patterns. The larger mass buildings are located adjacent to the larger buildings on Lowell, and the project homes mirror the East side of Lowell, with the townhomes continuing the townhome pattern as well.

No unmitigated impacts.

9. **Usable Open Space.** As designed, approximately 82 percent of the project is contiguous open space, with access to skiing and bike trails.

No unmitigated impacts.

10. **Signs and lighting.** All signs and lighting for the project will be approved through the Master Sign Plan application process and through building department review for compliance with the LMC.

No unmitigated impacts.

11. **Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing.** The physical design of the proposed additions and new buildings, in terms of mass, scale, style, design and architectural detailing, complies with LMC §15-5-5 Architectural Design. The

proposed buildings complement the existing neighborhood in architectural character, materials, colors, mass and scale. Proposed materials consist of metal and membrane roofing, wood and metal siding, natural stone and other elements consistent with the existing buildings.

No unmitigated impacts.

- 12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site.** This project will not create any of the conditions listed that are not normally associated in the residential nature of the proposed use.

No unmitigated impacts.

- 13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas.** There will be no delivery or service vehicles to the project as the entire project is residential. Trash and Recycling will mirror the existing Old Town pattern and usage with small residential trash bins, and shall comply with the required regulation listed under Master Planned Developments.

No unmitigated impacts.

- 14. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities.** All condominiums will be sold as wholly owned condominiums and be required to follow local guidelines relative to other uses, the same applies to the single-family dwellings. The affordable units will be sold per the affordable housing agreement with the city. Nightly rentals are an allowed use in the Recreation Commercial District but will not be allowed for the affordable units.

No unmitigated impacts.

- 15. Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site;** This developed portion of the site is not within any of the above mentioned designation other than the steep slopes found throughout the site. The applicant has chosen to develop over the non-SLO portion of their subject site. The overall proposal, both Multi-Unit Dwellings (conditional use) and single-family detached houses (allowed use) takes place over approximately 30% of the entire site. An environmental survey ([Exhibit P - Environmental Survey](#)) was prepared revealing no environmental contaminants on the property. A mine site study ([Exhibit Q - Mine Site Studies](#)) was conducted and determined that there were no mining related activities on the property.

Proposed Export Fill Placement of Multi-Unit Buildings/Road

Applicant represent the figures/exhibits for the placement, volume and height of on-mountain waste rock on a map showing the placement areas for waste rock,

see [Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#), based on conversations they have had with the Park City Mountain representatives. The exhibit also shows the proposed study of the corresponding volumes and depths of the waste material. All waste material must be certified as environmentally clean, compacted in no more than 2-foot lifts (to achieve a 90%+ compaction) covered with six inches (6") of topsoil, seeded with a native grass mix and sod placed over the grass seeds. Maximum depth would be 5 feet, tapering off to 0 feet.

Applicant explains that in the highly unlikely case that they are unable to secure a written agreement with the Park City Mountain, the excavation material would be disposed of by the traditional method used in the vast majority of construction projects. The applicant estimates 14,400 cubic yards of material (includes swell) which would equate to 1,440 truckloads (at 10 yds. / truck). As a Condition of Approval, the applicant has indicated that they would not undergo excavation or footings and foundation work on the multi-family buildings or the access road during the winter season from Christmas through April 1st. Applicant feels that this is a very significant concession and one that has not been offered by any project in the Park City area. The idea is to prevent large fleets of trucks from causing conflicts during the very busy winter ski season on a parcel of property adjacent to the resort.

Applicant has indicated that they will instruct construction staff to keep delivery trucks off the streets during the peak busy times of between 8:30 am and 10:00 am as well as the peak afternoon times of 3:30 pm through 4:30 pm, but cannot guarantee this as it is a function of many different suppliers, multiple subcontractors and various, unpredictable trucking schedules. Applicant agrees to not deliver materials during the busiest tourist times of Christmas week, MLK weekend, Sundance week, MLK weekend, President's Day weekend, Arts Fest, July 4th weekend, Miner's Day weekend, and Tour de Utah.

Proposed Export Fill Quantity of Single-Family Dwellings

Applicant has provided the approximate excavation quantities of the 27 single-family dwellings. The applicant is not planning on building these houses. The applicant estimates approximately 7,500 cubic yards, see [Exhibit S - SFD Approximate Excavation Quantities](#). While staff discussed with the applicant to possibility of mandating that this fill material be accommodated on the neighboring property (ski resort) the applicant was unwilling to concede to this as they do not have a commitment from the adjacent neighbor for this quantity. The applicant request that these excavation quantities follow standard City protocol regarding removal of material.

Construction Mitigation Plan

The Chief Building official has studied the applicant's preliminary Construction Mitigation Plan and finds that the proposal is in general terms with current

Building Department policies. Construction Mitigation Plan will be finalized by the Building Dept. once building permits are submitted by the applicant.

No unmitigated impacts, as conditioned. See the following submitted exhibits:

- [Exhibit F - Construction Mitigation Plan](#)
- [Exhibit I – 2017.12.01 Planning Commission Response Letter \(submitted on 2017.12.06\)](#)
- [Exhibit L - Geotechnical Investigation](#)
- [Exhibit P - Environmental Survey](#)
- [Exhibit Q - Mine Site Studies](#)
- [Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#)
- [Exhibit S - SFD Approximate Excavation Quantities](#)

16. Reviewed for consistency with the goals and objectives of the Park City

General Plan; however such review for consistency shall not alone be binding.

Consistent. See Master Plan Development Section regarding General Plan consistency. In addition to the submitted letter regarding to consistency with the General Plan the applicant also submitted a letter regarding compliance with the City's Transportation Master Plan:

- [Exhibit B - Applicant's General Plan Letter](#)
- [Exhibit J - Applicant's Traffic Studies and Transportation Master Plan](#)

Analysis - Re-Subdivision

The site is within the Snyder's Addition to the Park City Survey which requires the reconfiguring the entire site, 653,860 sf. (15.01 acres), into the proposed 32 lots. The applicant proposes the following lots:

- Three (3) lots to accommodate the four (4) Multi-Unit Dwelling buildings: proposed Lots 1, 2, and 30.
- Twenty-seven (27) single-family dwelling lots: proposed Lot 3 - 29.
- Two (2) open space lots: proposed Lot 31 - 32.

The three (3) proposed multi-family lots would in the future platted with a Condominium Plat into their individual units, allowing the property owner the ability to sell each unit individually. The development proposes the re-configuring of 27 single-family lots to house one single-family dwelling each. The development also proposes the re-configuring of two (2) open space lots that would be owned and maintained by the development homeowner's association (HOA).

The City vacated internal Rights-of-Way (ROW) in 1966. [See Exhibit C - Prior Agreements - 1966 Ordinance.](#) This Re-Subdivision in conjunction with this MPD request removes all platted lots within the development.

Land Management Code Section [15-7.1-5 Preliminary Subdivision Plat](#), specifically sub-section D and E indicates the following:

D. Planning Commission Review of Preliminary Plat. *The Planning Commission shall study the Preliminary Plat and the report of the Staff, taking into consideration requirements of Land Management Code, any Master Plan, site plan, or Sensitive Land Analysis approved or pending approval on the subject Property. Particular attention will be given to the arrangement, location and width of Streets, their relation to sewerage disposal, drainage, erosion, topography and natural features of the Property, location of Physical Mine Hazards and geologic hazards, Lot sizes and arrangement, the further Development of adjoining lands as yet un-subdivided, and the requirements of the Official Zoning Map, General Plan, and Streets Master Plan, as adopted by the Planning Commission and City Council. The Planning Commission shall make a finding as to whether there is Good Cause in approving the preliminary plat.*

E. PUBLIC HEARINGS. *The Planning Commission shall hold a public hearing on the Preliminary Plat Application. Such hearings shall be advertised in accordance with the requirements of Section 15-1-12 of the Land Management Code and in the same manner as the subsequent public hearings of the final Subdivision Plat; except, however, that the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final Subdivision Plat approval.*

During the November 29, 2017 Planning Commission meeting Staff recommended that the Planning Commission combine the required hearings for both preliminary and final Subdivision Plat approval. Staff does not see a benefit at this time to have a review and public hearing for preliminary subdivision plat at Planning Commission to then have the applicant come back with another application to hold another review and public hearing for final subdivision plat at Planning Commission with a recommendation to the City Council with the sub-sequent review and public hearing at City Council. The Planning Commission agreed with staff in that the combination of preliminary and final plat review.

The proposed final plat includes the following lot no, lot size, and specific use:

<u>Lot#:</u>	<u>Size:</u>	<u>Use:</u>
1	18,381.29 sf.	Multi-Unit Dwelling (future Bldg. A, affordable housing)
2	41,773.16 sf.	Multi-Unit Dwellings (future Bldg. B/C and D)
3	1,875.0 sf.	SFD
4	1,875.0 sf.	SFD
5	1,875.0 sf.	SFD
6	2,062.5 sf.	SFD
7	2,576.56 sf.	SFD
8	2,677.79 sf.	SFD
9	2,004.92 sf.	SFD
10	2,326.52 sf.	SFD
11	2,182.2 sf.	SFD

12	2,015.91 sf.	SFD
13	2,049.98 sf.	SFD
14	2,041.91 sf.	SFD
15	2,017.33 sf.	SFD
16	1,995.8 sf.	SFD
17	1,991.28 sf.	SFD
18	2,603.19 sf.	SFD
19	2,921.39 sf.	SFD
20	2,269.58 sf.	SFD
21	5,644.75 sf.	SFD
22	3,184.94 sf.	SFD
23	3,548.63 sf.	SFD
24	2,820.0 sf.	SFD
25	2,820.0 sf.	SFD
26	2,356.33 sf.	SFD
27	2,370.46	SFD
28	2,342.39 sf.	SFD
29	2,343.03 sf.	SFD
30	19,903.68 sf.	Multi-Unit Dwellings (future Townhouses, 7 units)
31	2,106.40 sf.	Open Space
32	487,892.55 sf.	Open Space

The minimum lot area for single-family dwellings in the RC District is 1,875 square feet. All of the SFD lots meet the minimum lot area requirements. The RC does not have a minimum lot area for lots with multi-unit dwellings. Some lots are big enough to house a duplex with a minimum lot area of 3,750 square feet; however, the applicant has indicated that they will not seek to build (sell) duplex lots. A note shall be added to the plat indicating that development on each SFD lot is limited to one (1) single-family dwelling.

The proposed final plat shall in compliance with criteria outlined under the LMC § 15-7.3 Requirements for Improvements, Reservations, and Design which includes the following, as applicable: general subdivision requirements, general lot design requirements, road requirements and design, drainage and storm sewers, water facilities, sewer facilities, sidewalks, hiking trails, bike paths, and horse trails, public uses, preservation of natural features and amenities. All plats are reviewed by the City Engineer for these and other applicable standards. The applicant has filed a Line Extension Agreement with the Snyderville Basin Water Reclamation District. The City Engineer has reviewed preliminary utilities which comply as conditioned.

Staff finds Good Cause for this Re-Subdivision (Final Plat) as it allows the development based on the MPD and CUP, which allow a significant portion of the site to not be disturbed and which places development at the lower portions of subject site.

Process

Approval of these applications by the City constitutes Final Action that may be appealed

following the procedures found in LMC § 1-18. A Building Permit is publicly noticed by posting of the permit.

Significant Impacts

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

Department Review

This project has gone through an interdepartmental review at a Development Review Committee meeting.

Significant Impacts

There are no significant impacts to the City or adjacent neighborhoods as a result of this proposal that have not been addressed with plan revisions and conditions of approval

Notice

On December 27, 2017, the property was posted and public hearing courtesy notices were mailed to property owners within three hundred feet (300'). Legal notice was published in the Park Record two weeks prior to the scheduled public hearing.

Public Input

Staff received two (2) public input letters from adjacent property owners. Ms. Kravtin indicates general concerns with the Old Town character of the portion of Lowell Avenue. Marriott MountainSide indicates concerns with traffic during construction and on-going traffic, proximity to property, privacy, construction noise and possible long term noise, and dust issues. The submitted public input letters are found [here](#).

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing and review the submitted Master Planned Development (MPD), Conditional Use Permit (CUP), and Re-Subdivision applications. Staff recommends that the Planning Commission approve the MPD and CUP as conditioned, and forward a positive recommendation of the Re-Subdivision to the City Council as conditioned, based on the listed Findings of Facts, Conclusions of Law, and Conditions of Approval in the staff report and the draft ordinance.

Master Planned Development & Conditional Use Permit

Findings of Fact

1. The subject site is located at 1201 – 1299 Lowell Avenue.
2. The subject site is within the RC, ROS, and SLO District.
3. The proposed development takes place roughly over 30% of the property, all contained within the RC District located adjacent to Lowell Avenue towards the northeast of the subject site.
4. The applicant proposes to build three (3) multi-unit buildings with access off Lowell Avenue, a private road/drive to be known as Rothwell Road, and a townhouse building with access off Rothwell Road.
5. The proposed private road/drive begins at the 12th Street / Lowell Avenue

- intersection which then curves up to a hammer-head turn around.
6. Rothwell Road climbs up approximately sixty feet (60') and is approximately 548 feet long.
 7. The applicant also proposes to develop 27 single-family lots, 4 of which would be accessed off Lowell Avenue, and the remaining 24 would be accessed off Rothwell Road (15 on the west side of the private road and 8 on the east side of the private road).
 8. The applicant does not plan on building the 27 houses, but to develop the lots to be able to sell them individually.
 9. The MPD includes a total of 32 lots.
 10. The MPD includes seven (7) deed restricted affordable housing condominium units (8.55 affordable unit equivalents).
 11. The MPD includes eight (8) additional non-required deed restricted affordable housing condominium units (9.07 affordable unit equivalents).
 12. The MPD includes 11.2 acres of platted open space in the form of large tracts of contiguous natural open space that does not include open space area around the units, equating to 74.6%. The total open space percentage is 83.9.
 13. The MPD includes 23 market rate condominiums, 7 market rate townhomes, and 27 market rate single family detached houses.
 14. Building A is a multi-unit dwelling, listed as a conditional use.
 15. Building A has 15 residential affordable housing units.
 16. Building A has the following square footage:
 - a. Residential: 16,520
 - b. Mechanical: 256
 - c. Internal circulation (hallways and stairs): 1,833
 - d. Parking and vehicular circulation: 5,571
 - e. Overall: 24,180
 17. Building A has 18 parking spaces located in an enclosed underground parking garage.
 18. Building A has vehicular access off Lowell Avenue through one (1) driveway.
 19. Building A has 5 stories above the parking garage.
 20. Building A is on proposed lot 1.
 21. Affordable housing residential units do not count towards residential Unit Equivalents.
 22. Building B/C is a multi-unit dwelling, listed as a conditional use.
 23. Building B/C has 12 residential units.
 24. Building B/C has the following square footage:
 - a. Residential: 28,253 (14.13 residential Unit Equivalents)
 - b. Mechanical: 375
 - c. Internal circulation (hallways, stairs, and elevator): 1,133
 - d. Parking and vehicular circulation: 9,305
 - e. Overall: 39,066
 25. Building B/C has 21 parking spaces located in enclosed underground parking garages.
 26. Building B/C has vehicular access off Lowell Avenue through two (2) separate driveways.

27. Building B/C has 4 stories above the parking garage
28. Building B/C is on proposed lot 2
29. Building D is a multi-unit dwelling, listed as a conditional use.
30. Building D has 11 residential units
31. Building D has the following square footage:
 - a. Residential: 24,590 (12.30 residential Unit Equivalents)
 - b. Mechanical: 166
 - c. Internal circulation (hallways, stairs, and elevator): 1,827
 - d. Parking and vehicular circulation: 8,313
 - e. Overall: 34,896
32. Building D has 22 parking spaces located in an enclosed underground parking garage.
33. Building D has vehicular access off Lowell Avenue through one (1) driveway.
34. Building D has 4 stories above the parking garage.
35. Building D is on proposed lot 2.
36. Townhomes Building is a multi-unit dwelling, listed as a conditional use.
37. Townhomes Building has 7 residential units
38. Townhomes Building is 29,005 (14.50 residential Unit Equivalents).
39. Townhomes Building has 14 parking spaces, 2 within each parking garage.
40. Townhomes Building has vehicular access off proposed private drive through individual driveways.
41. Townhomes Building has 3 stories above the garage level.
42. Townhomes Building is on proposed lot 30
43. Single-family dwellings are an allowed use within the District.
44. The applicants request to plat 27 lots to accommodate one (1) single-family dwelling on each lot.
45. The approximate buildable square footage of the single family dwellings is 71,880 (35.94 residential Unit Equivalents).
46. The single-family dwellings require 54 parking spaces, 2 within each lot as required.
47. The single-family dwellings have vehicular access off proposed private drive through individual driveways and four (4) off Lowell Avenue.
48. The single family lots are on proposed lots 3-29.
49. The applicant proposed two (2) lots to be re-platted as open space.
50. Proposed open space Lot 31 is 2,106.4 square feet with retaining walls and stair access to adjacent property to the south.
51. Proposed open space Lot 32 is 487,798.29 square feet (11.2 acres).
52. Proposed open space Lot 32 is to house an accessory building, 750 square feet, consisting of restroom and lockers for the exclusive use of property owners.
53. The proposed accessory building on Lot 32 is located on the RC District.
54. Accessory buildings are an allowed use with the RC District.
55. Restrooms/lockers are considered residential accessory space and does not count towards Unit Equivalents.
56. The site contains a total of 653,860 sf. (15.01 acres) broken down in the following manner:

- a. RC District: 199,867 sf. (4.59 acres)
 - b. RC District within the SLO Zone: 78,654 sf. (1.81 acres)
 - c. ROS District: 84,194 sf. (1.93 acres)
 - d. ROS District within the SLO Zone: 291,145 sf. (6.68 acres)
57. The applicant proposes to build solely within the zoning boundaries of the RC District. The applicant does not request to build within the boundary of the RC District/SLO, or within the ROS District, and these areas would be dedicated as open space.
 58. Within the RC District, sites with multi-unit dwellings receive a maximum floor area ratio (FAR) of 1.0.
 59. The portion of the site in the RC District has a maximum floor area of 199,867 sf. for multi-unit dwellings.
 60. The RC District does not provide a FAR standard for single-family dwelling lots, but rather, a minimum lot area requirement of 1,875 sf.
 61. The proposal contains a total FAR of 0.41 ($80,963 \div 199,867$) for multi-unit dwellings.
 62. In applying the FAR at its maximum, the site would have a remaining 118,904 sf. in density ($199,867 - 80,963$).
 63. In applying the floor area not used for multi-unit dwelling for single-family dwellings, this would create approximately 63 residential lots (applying the minimum lot area of 1,875 square feet).
 64. The applicant requests to re-subdivide 27 single-family lots in conjunction with their 80,963 sf. of multi-unit dwellings.
 65. A residential Unit Equivalent is 2,000 square feet.
 66. The applicant proposes the construction of the following 30 residential units and the allotment of 27 lots:
 - a. 12 flats within multi-unit Building B/C totaling 27,683 square feet (13.84 residential Unit Equivalents).
 - b. 11 flats within multi-unit Building D totaling 24,255 square feet (12.13 residential Unit Equivalents).
 - c. 7 townhouses within the Townhome Building totaling 29,005 square feet (14.50 residential Unit Equivalents).
 - d. 27 lots to accommodate one (1) future single-family dwelling on each lot which would be approximately 71,880 square feet (35.94 residential Unit Equivalents).
 67. The applicant requests to maintain the MPD setback of 25 feet around the perimeter of the entire development, with the exception of seven (7) future single-family residential Lots 3-7 and 21-22.
 68. Applicant seeks the following setback reductions as allowed by the Code, if granted by the Planning Commission:
 - a. Proposed Lot 3-7 front setback reduction to ten feet (10').
 - b. Proposed Lot 21 side setback reduction to twenty feet (20').
 - c. Proposed Lot 22 side setback reduction to ten feet (10').
 69. The proposed setback reductions as described above matches the abutting zone setbacks and all aspect of the project will comply with applicable Building and Fire codes. The reductions do not increase project density, maintain the

- general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and they meet open space requirements of the MPD.
70. The proposed setback reduction are in compliance with LMC MPD provisions.
 71. All Master Planned Developments shall contain a minimum of sixty percent (60%) open space as defined in LMC Chapter 15-15 [...].
 72. The site contains a total of 653,759 square feet. The site contains 17,012 square feet of hard-scaped plazas equating to 2.6% of the site and 531,519 square feet (12.20 acres) equating to 81.3% of natural open space.
 73. The applicant proposes to designate the use of the two (2) open space lots on the proposed Re-Subdivision (plat).
 74. The applicant does not request to decrease the required number of off-street parking spaces; therefore, no parking analysis has been submitted. See building by building requirement:
 - a. Affordable Housing Building A requires 18 parking spaces based on the size of the units. The proposed building contains 18 parking spaces.
 - b. Building B/C requires 21 parking spaces based on the size of the units. The proposed building contains 21 parking spaces.
 - c. Building D requires 21 parking spaces based on the size of the units. The proposed building contains 22 parking spaces.
 - d. Townhome building requires 14 parking spaces based on the size of the units, two (2) parking spaces per unit. Proposed building contains 14 parking spaces.
 - e. Single-family dwelling residential lots require 54 parking spaces, based on unit count. These 27 residential lots would require a minimum of 2 parking spaces per unit.
 75. The proposal complies with the provisions of the building height parameters for multi-unit buildings listed under LMC § 15-2.16-4 Building Height and single-family dwellings listed under LMC § 15-2.16-5 Special Requirements For Single Family And Duplex Dwellings (subsection L-M), including all applicable height exceptions as allowed in the LMC.
 76. The applicant does not seek additional height under the MPD parameters listed under LMC § 15-6-5 MPD Requirements, Sub-section F.
 77. The project has been designed to maintain the existing neighborhood development pattern, with the larger scale buildings located alongside the existing multi-family.
 78. The proposed plan uses the massing of the buildings to mitigate the need for retaining walls by burying the buildings into the hillside. The balance of the required retaining walls has been stepped in shorter wall sections to reduce/eliminate tall retaining walls.
 79. Roads and utility lines are proposed to work with the existing grades to the greatest extent possible, as indicated on the civil site and grading plans. Areas of the deepest cuts are mitigated by using the townhome buildings to step up the hill.
 80. All trails proposed with the MPD are incorporated into open space elements and in some areas are maintained and improved in their existing locations. Trail easements will be platted on the final recorded subdivision plats. Staff

- recommends adding a public recreation easement on Rothwell Road (private road) connecting to trail network on the mountain.
81. The City requests to secure a recreational public access easement from Lowell Avenue, up the roadway to the stairwell shown on the plans, to allow for public trail access.
 82. The City requests to prepare a public trail plan for the open space parcel, provide for trail 'corridors' subject to final alignment, which would be part of the recorded development agreement. The applicant stipulates to this condition of approval.
 83. There are sufficient areas adjacent to the streets, driveways, and parking areas to store snow.
 84. The MPD shall comply with the trash storage and collection and recycling regulations contained herein.
 85. There are no commercial or non-residential uses with this project, and all off-street parking requirements are met within the project. The bus stop/ transportation area is located yards away from the project at the resort base. The applicant is considering placing an e-bike sharing station on site on Lowell Avenue for public use.
 86. The submitted landscape plans specify the maximum area allowed for lawn or turf is limited to fifty percent (50%) of the total Area allowed to be disturbed and not covered by Buildings and other hard surfaces.
 87. Drought tolerant species and species native to the area are stipulated in the Guidelines. Native rock and boulders are stipulated as allowed within the LMC.
 88. Lighting is proposed to comply with requirements of LMC Chapter 15-5, Architectural Review and is further spelled out in the Guidelines.
 89. No development within the MPD is located within the SLO with the exception of trails, which are an allowed use in the SLO.
 90. The proposal includes 200% of the required Affordable Housing as required by the current housing resolution (03-2017).
 91. The current affordable housing proposal, which is developed through the Affordable Housing Staff and the Affordable Housing Authority (The City Council), is shown on a table within this staff report. The Staff and the Affordable Housing Authority retain the final say on these figures.
 92. The proposal does not create additional demands for child care.
 93. An environmental survey (Exhibit P - Environmental Survey) was prepared revealing no environmental contaminants on the property.
 94. A mine site study (Exhibit Q - Mine Site Studies) was conducted and determined that there were no mining related activities on the property.
 95. The proposal fulfills the following goals and objectives of the General Plan.
 96. A cultural survey (Exhibit O - Cultural Survey) was prepared revealing the only significant historical element on site was the Crescent Tramway, which will remain as the existing ski/ bike trail on the property. There are no historic structures on site.
 97. LMC § 15-6-4 (G) states that once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement and shall be submitted to the Planning Department within six (6) months of MPD

- approval, for ratification by the Planning Commission..
98. Multi-unit dwellings and Master Planned Developments are listed as a conditional uses in the RC District.
 99. The applicant proposes the construction of four (4) multi-unit dwelling buildings which includes one (1) building housing the affordable housing units that exceeds the required affordable housing requirements.
 100. There are certain uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.
 101. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.
 102. The project is located on Lowell Avenue, between 12th and 13th Street.
 103. The four (4) multi-unit dwellings are located at the lower portion of the subject site.
 104. A traffic study (Triton Engineering, June, 2017) was provided by the applicant and reviewed by the City indicating that study intersections are anticipated to continue operating at acceptable levels of service.
 105. Capacity of existing streets can handle anticipated normal traffic especially based on the fact that maximum density is not being pursued by the applicant.
 106. Utilities necessary for these proposed uses are available at or near the site.
 107. Final utility plans, including grading and storm water run-off plans will be required at time of building permit review.
 108. The proposed plans have been reviewed by the City and the Park City Fire District for compliance and meet the requirements for emergency vehicle access based on the close proximity to Lowell Avenue and the direct connection of the private drive.
 109. The proposed conditional use meets all LMC parking regulations.
 110. The internal circulation plan incorporated on the site plan showing proposed access to existing trails as well community access point to the trails and ski runs.
 111. Adjoining uses mirror the uses proposed in this project, and no separation is required. In fact, the project is providing community access through to adjacent open space.
 112. The project has been designed to mirror the existing neighborhood development patterns.
 113. The larger mass buildings are located adjacent to the larger buildings on Lowell, and the project homes mirror the East side of Lowell, with the townhomes continuing the townhome pattern as well.
 114. As designed, approximately 82 percent of the project is contiguous open space, with access to skiing and bike trails.
 115. All signs and lighting for the project will be approved through the Master Sign Plan application process and through building department review for compliance with the LMC.
 116. The physical design of the proposed additions and new buildings, in terms of

- mass, scale, style, design and architectural detailing.
117. The proposed buildings complement the existing neighborhood in architectural character, materials, colors, mass and scale.
 118. Proposed materials consist of metal and membrane roofing, wood and metal siding, natural stone and other elements consistent with the existing buildings.
 119. This project will not create any of the conditions listed that are not normally associated in the residential nature of the proposed use.
 120. There will be no commercial delivery or service vehicles to the project as the entire project is residential. Typical residential delivery service will utilize residential streets and driveways.
 121. Trash and Recycling will mirror the existing Old Town pattern and usage with small residential trash bins, and shall comply with the required regulation listed under Master Planned Developments.
 122. All condominiums will be sold as wholly owned condominiums and be required to follow local guidelines relative to other uses, the same applies to the single-family lots.
 123. The proposed development is not within any environmentally sensitive lands, physical mine hazards, historic mine waste, or Park City Soils Ordinance.
 124. The site is within steep slopes found throughout the site.
 125. The overall proposal, both Multi-Unit Dwellings (conditional use) and single-family detached houses (allowed use) takes place over approximately 30% of the entire site.
 126. The Applicant provided Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations, with the placement, volume and height of on-mountain waste rock on a map showing the placement areas for waste rock
 127. Applicant indicates a verbal agreement with Park City Mountain representatives to place the material from the multi-unit buildings and road construction on Park City Mountain.
 128. Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations also shows the proposed study of the corresponding volumes and depths of the waste material on adjacent property.
 129. Applicant indicates that all waste material must be certified as environmentally clean, compacted in no more than 2-foot lifts (to achieve a 90%+ compaction) covered with six inches (6") of topsoil, seeded with a native grass mix and sod placed over the grass seeds.
 130. Applicant demonstrates that the maximum depth would be 5 feet, tapering off to 0 feet.
 131. Applicant proposes to transport the excavated material to the neighboring property without the necessity of using City streets. It is the Applicant's responsibility to seek such permission with the neighboring site.
 132. Applicant explains that in the highly unlikely case that they are unable to secure a written agreement with the Park City Mountain, the excavation material would be disposed of by the traditional method used in the vast majority of construction projects to be approved by the City prior to issuance of building permits.
 133. The applicant estimates 14,400 cubic yards of material (includes swell) which

- would equate to 1,440 truckloads (at 10 yds. / truck).
134. As a Condition of Approval, the applicant has indicated that they would not undergo excavation or footings and foundation work on the multi-family buildings or the access road during the winter season from Christmas through April 1st.
 135. Applicant has indicated that they will instruct construction staff to keep delivery trucks off the streets during the peak busy times of between 8:30 am and 10:00 am as well as the peak afternoon times of 3:30 pm through 4:30 pm.
 136. Applicant agrees to not deliver materials during the busiest tourist times of Christmas week, MLK weekend, Sundance week, MLK weekend, President's Day weekend, Arts Fest, July 4th weekend, Miner's Day weekend, and Tour de Utah.
 137. Applicant has provided the approximate excavation quantities of the 27 single-family dwellings which would be approximately 7500 cubic yards.
 138. The applicant does not plan on building the 27 single-family dwellings but plans to sell the lots to individuals and/or builders.
 139. The Chief Building official has studied the applicant's preliminary Construction Mitigation Plan and finds that the proposal is in compliance with current Building Department policies.
 140. Construction Mitigation Plan will be finalized by the Building Dept. once building permits are submitted by the applicant.
 141. The applicant stipulates to the conditions of approval.
 142. The discussion in the Analysis section is incorporated herein.

Master Planned Development

Conclusions of Law

- A. The MPD, as conditioned, complies with all the requirements of the Land Management Code;
- B. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 herein;
- C. The MPD, as conditioned, provides the highest value of Open Space, as determined by the Planning Commission;
- D. The MPD, as conditioned, strengthens and enhances the resort character of Park City;
- E. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
- F. The MPD, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;
- G. The MPD, as conditioned, provides amenities to the community so that there is no net loss of community amenities;
- H. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
- I. The MPD, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;

- J. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and
- K. The MPD has been noticed and public hearing held in accordance with this Code.
- L. The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application.
- M. The MPD, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.
- N. The MPD, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.
- O. The MPD, as conditioned, addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

Conditional Use Permit

Conclusions of Law

1. The proposal satisfies the Conditional Use Permit review criteria as established by the LMC's Conditional Use Review process (§15-1-10(E), Criteria 1-16).
2. The proposal complies with all requirements of this LMC.
 1. The Uses will be Compatible with surrounding Structures in Use, scale, mass and circulation.
 2. The effects of any differences in Use or scale have been mitigated through careful planning.

Master Planned Development & Conditional Use Permit

Conditions of Approval

1. All standard project conditions shall apply.
2. A Construction Mitigation Plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, as a condition precedent to issuance of any grading or building permits. The CMP shall be updated as necessary to identify impacts and propose reasonable mitigation of these impacts on the site, neighborhood, and community due to construction of this project. The CMP shall include information about specific construction phasing, traffic, parking, service and delivery, stock-piling of materials and staging of work, work hours, noise control, temporary lighting, trash management and recycling, mud and dust control, construction signs, temporary road and/or trail closures, limits of disturbance fencing, protection of existing vegetation, erosion control. Storm-water management, and other items as may be required by the Building Department. The immediate neighborhood and community at large shall be provided notice at least 24 hours in advance of construction work impacting private driveways, street closures, and interruption of utility service.
3. A storm water run-off and drainage plan shall be submitted with the building plans and approved prior to issuance of any building permits. The plan shall

follow Park City's Storm Water Management Plan and the project shall implement storm water Best Management Practices. Post development drainage shall not exceed predevelopment drainage conditions and special consideration shall be made to protect any wetlands delineated on and adjacent to the site.

4. The project is over 1.0 acres and will be required to meet the requirements of Park City's municipal separate storm sewer system (MS4) storm-water program.
5. Final utility plans, consistent with preliminary utility plans reviewed by the Planning Commission during the MPD review, shall be submitted with the final subdivision plat.
6. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the area provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping.
7. The Snyderville Basin Water Reclamation District's review and approval of the utility plans and final subdivision plat, for conformance with the District's standards for review, is a condition precedent to plat recordation and building permit issuance.
8. An Affordable Housing Plan shall be approved by the Park City Housing Authority prior to issuance of any building permits for units within the MPD and deed restrictions shall be recorded.
9. As a condition precedent to receiving a certificate of occupancy for any market rate unit the City shall be provided with proof of compliance with the approved Affordable Housing Plan.
10. A master sign plan for the project shall be submitted, reviewed for compliance with the Park City Sign Code, and approved by the City, as a condition precedent to issuance of any individual sign permits.
11. Approval of this Master Planned Development is subject to LMC Chapter 6- Master Planned Developments and shall expire two years from the date of execution of the Development Agreement unless Construction, as defined by the Uniform Building Code, has commenced on the project.
12. Once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement. The Development Agreement must be submitted to the Planning Department for ratification by the Planning Commission within 6 months of this approval. The Development Agreement shall be signed by the Mayor on behalf of the City Council and recorded with the Summit County Recorder.
13. Timing of completion of all required items and public benefits shall be further described and stated in the Development Agreement.
14. Vegetation and landscaping will be planted in such a manner that screening of adjacent properties is to be consistent with approved landscape plans. The applicant recognizes that the City Engineer have final authority on landscape placement in required easement areas.
15. All interior roads shall be constructed to Park City Engineering standards. Final grades, storm drainage and width to be approved by the City Engineer.
16. Interior roads are proposed to be private and maintained by the HOA.
17. An HOA shall be in place to maintain and govern the property.

18. An open space use plan shall be approved by the Park City Planning Department and shall be included as part of the development agreement. Such uses shall be consistent with the LMC and shall include ski runs, hiking/biking trails and related ski improvements such as snow making and signage as needed and appropriate.
19. A trails master plan that is consistent with the city's needs and desires shall be forwarded by the City Trails personnel and approved by both the applicant and the Park City Planning Department, which would be part of the recorded development agreement.
20. The applicant shall allow a recreational public access easement from Lowell Avenue, up the roadway to the stairwell shown on the plans, to allow for public trail access, and shall be shown on the plat.
21. The proposal shall comply with all Architectural Design Guidelines outlined in LMC § 15-5-5 which includes prohibited architectural styles and motifs, prohibited siding materials, design ornamentation, number of exterior wall materials, roofing materials, roof shapes, solar panels and skylights, window treatments, Lighting, trash and recycling enclosures, mechanical equipment, patios and driveways, and landscaping. Materials color samples and final design details shall be approved by staff prior to building permit issuance and shall be in substantial compliance with the elevations reviewed by the Planning Commission on January 10, 2018.
22. The proposal shall comply with the trash storage and collection parameters with the language outlined in LMC § 15-5-5(G).
23. The proposal shall not undergo excavation or footings and foundation work on the multi-family buildings or the access road (Rothwell Road) during the winter season from Christmas (December 25) through April 1st.
24. Materials shall not be delivered during the busiest tourist times of Christmas week, MLK weekend, Sundance week, MLK weekend, President's Day weekend, Arts Fest, July 4th weekend, Miner's Day weekend, and Tour de Utah.
25. The final building plans and construction details for the project shall substantially comply with the drawings reviewed by the Planning Commission on January 10, 2018.
26. The applicant shall record a plat prior to selling individual units.
27. A deed restriction all affordable housing units shall be recorded prior building permit issuance.
28. The CCRs shall be submitted with the plat for review and approval by the City prior to final plat recordation.
29. The CCRs submitted with condominium plats that include any deed restricted affordable housing units shall limit the HOA dues related to the deed restricted employee housing unit in order to ensure that the units remain affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the units (or exempt the units from HOA fees) to ensure that the units don't lose their affordability due to HOA fees. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.

30. The Conditional Use Permit shall expire on January 10, 2019, unless an extension is requested in writing prior to expiration date and the extension is granted by the Planning Director.
31. A final water efficient landscape and irrigation plan that indicates required storm water facilities and snow storage areas, and that meets the defensible space requirements and mitigates for removal of significant vegetation, shall be submitted with the building permit application for approval by the Planning, Building, and Engineering Department, and shall be in substantial conformance with the plans reviewed by the Planning Commission on January 10, 2018.
32. All requirements and conditions of the Snyderville Basin Water Reclamation District shall be met prior to building permit issuance.
33. This development is part of a common development that is greater than one (1) acre. This development shall meet the MS4 storm water requirements.

Link - Applicant Narratives

Proposed Ordinance Exhibit – Re-Subdivision (Final Plat)

[Exhibit A - Applicant's MPD Letter](#)

[Exhibit B - Applicant's General Plan Letter](#)

[Exhibit C - Prior Agreements](#)

[Exhibit D - Applicant's CUP Letter](#)

[Exhibit E - Applicant's Re-Subdivision Letter](#)

[Exhibit F - Construction Mitigation Plan](#)

[Exhibit G – Affordable Housing Letter](#)

[Exhibit H – 2017.08.03 Planning Commission and Staff Questions and Concerns Letter](#)

[Exhibit I – 2017.12.01 Planning Commission Response Letter \(submitted on 2017.12.06\)](#)

Link - Reports

[Exhibit J - Applicant's Traffic Studies and Transportation Master Plan](#)

[Exhibit K - Vegetation Study](#)

[Exhibit L - Geotechnical Investigation](#)

[Exhibit M - City Traffic Study](#)

[Exhibit N - King's Crown Traffic Study](#)

[Exhibit O - Cultural Survey](#)

[Exhibit P - Environmental Survey](#)

[Exhibit Q - Mine Site Studies](#)

[Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#)

[Exhibit S - SFD Approximate Excavation Quantities](#)

Link - Plans

[Exhibit T - General Drawings:](#)

GI-001 Cover Sheet

[Exhibit U1 – Civil Drawings \(ALTA & Slope\):](#)

ALTA Survey

Slope Map

[Exhibit U2 – Proposed Plat \(updated\)](#)

Updated Proposed Plat (received 2017.12.06)

Exhibit U3 – Survey

C1 Existing Conditions Survey

Exhibit U4 - Civil Drawings:

Proposed Plat

C3 Preliminary Utility Plan

C4 Preliminary Grading Plan

C5 Detailed Grading Plans

C6 Detailed Grading Plans

Exhibit V – Landscape Drawings:

L-101 LANDSCAPE PLAN

L-102 MATERIALS PLAN

Exhibit W - Architectural Site Drawings:

AS-001 Site Aerial Plan

AS-002 Existing Platted Conditions

AS-003 Project Scope

AS-004 Diagrammatic Site Plan

Exhibit X - Site Compliance Drawings:

AS-005 Property Zone Area Plan

AS-006 Open Space Calculations

AS-007 Building Pads / Setbacks

AS-008 Snow Storage Diagram

AS-009 Construction Mitigation

AS-010 Internal Pedestrian Circulation

AS-011 Retaining Wall Plan

AS-101 Architectural Site Plan

Exhibit Y - Architectural Graphics Drawings:

AG-101 Roof Height Compliance

AG-102 Height Fog Studies

AG-111 Affordable Building Area Plans

AG-112 Affordable Building Area Plans

AG-121 Condo Building B/C Area Plans

AG-122 Condo Building B/C Area Plans

AG-123 Condo Building B/C Area Plans

AG-131 Condo Building D Area Plans

AG-132 Condo Building D Area Plans

AG-141 Townhome Area Plans

AG-142 Townhome Area Plans

Exhibit Z - Architectural Drawings:

AE-201 Lowell Ave – Streetscape Elevations

AE-211 Building A Elevations

AE-212 Building A Elevations

AE-221 Building B Elevations

AE-222 Building B Elevations

AE-223 Building C Elevations

AE-231 Building D Elevations

AE-232 Building D Elevations

AE-241 Townhome Street Elevation
AE-301 Site Sections
AE-302 Site Sections
AE-311 Building A Sections
AE-321 Building B/C Sections
AE-331 Building D Sections
AE-341 Townhome Sections
AE-342 Townhome Sections
AE-901 Preliminary 3D Views
AE-902 Preliminary 3D Views
AE-903 Preliminary Overall Sketch

Exhibit AA – Materials

[Material Board](#)

[Townhome Rendering](#)

Proposed Ordinance Exhibit – Re-Subdivision (Final Plat)

Draft Ordinance No. 2018-XX

**AN ORDINANCE APPROVING THE KINGS CROWN RE-SUBDIVISION
LOCATED AT 1201-1299 LOWELL AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 1201-1299 Lowell Avenue, have petitioned to the City Council for approval of the Kings Crown Re-Subdivision; and

WHEREAS, on December 23, 2017 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was published in the Park Record on December 23, 2017, and notice letters were sent to all affected property owners on December 27, 2017, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 10, 2018, to receive input on the plat;

WHEREAS, the Planning Commission, on January 10, 2018, forwarded a recommendation to the City Council; and,

WHEREAS, on February 1, 2018, the City Council held a public hearing on the Subdivision Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve King's Crown Re-Subdivision.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. King's Crown Re-Subdivision Final Plat, as shown in Attachment 1 (also Exhibit U2), is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The subject site is located at 1201 – 1299 Lowell Avenue.
2. The subject site is within the RC, ROS, and SLO District.
3. The site contains a total of 653,860 sf. (15.01 acres) broken down in the following manner:
 - a. RC District: 199,867 sf. (4.59 acres)
 - b. RC District within the SLO Zone: 78,654 sf. (1.81 acres)
 - c. ROS District: 84,194 sf. (1.93 acres)
 - d. ROS District within the SLO Zone: 291,145 sf. (6.68 acres)

4. The site is within the Snyder's Addition to the Park City Survey which requires the reconfiguring the entire site, 653,860 sf. (15.01 acres), into the proposed 32 lots.
5. The applicant proposes the following lots:
 - a. Three (3) lots to accommodate the four (4) Multi-Unit Dwelling buildings: proposed lot 1, 2, and 30.
 - b. Twenty-seven (27) single-family dwelling lots: proposed lot 3 - 29.
 - c. Three (3) open space lots: proposed lot 31 - 32.
6. The three (3) proposed multi-family lots would in the future re-platted via Condominium Plat re-subdivided into their individual units, allowing the property owner the ability to sell each unit individually.
7. The development proposes the re-configuring of 27 single-family lots to house one single-family dwelling each.
8. The development also proposes the re-configuring of two (2) open space lots that would be owned and maintained by the development homeowner's association (HOA).
9. The City vacated internal Rights-of-Way (ROW) in 1966.
10. This Re-Subdivision in conjunction with the concurrent MPD and CUP.
11. The Re-Subdivision application request removes all platted lots within the development.
12. Land Management Code Section 15-7.1-5 Preliminary Subdivision Plat, specifically indicates that the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final Subdivision Plat approval.
13. The minimum lot area for single-family dwellings in the RC District is 1,875 square feet.
14. All of the SFD lots meet the minimum lot area requirements.
15. The applicant has indicated that they will not seek to build (sell) duplex lots on applicable lots. A note shall be added to the plat indicating that.
16. The applicant has filed a Line Extension Agreement with the Snyderville Basin Water Reclamation District. The City Engineer has reviewed preliminary utilities which comply as conditioned

Conclusions of Law:

1. There is Good Cause for this Final Plat as it consistent with the MPD and CUP.
2. The Final Plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed Final Plat.
4. Approval of the Final Plat, subject to the conditions of approval stated below, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

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

2. The applicant will present the final signed Mylar plat to the City, for City signatures and recordation at Summit County, within one year of the date of City Council approval, or this approval will be considered void; unless an extension request is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Approval of this Plat is subject to the Master Planned Development approval.
4. Final utility plans, consistent with preliminary utility plans reviewed by the Planning Commission during the MPD/CUP review, shall be submitted with the final subdivision plat for approval by the City Engineer.
5. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the area provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping.
6. The Snyderville Basin Water Reclamation District's review and approval of the utility plans and final subdivision plat, for conformance with the District's standards for review, is a condition precedent to plat recordation and building permit issuance.
7. Utilities must be extended to the site to sustain the anticipated uses. Twenty (20') foot wide non-exclusive utility easements are generally necessary for long term maintenance and shall be dedicated on the final subdivision plats. Off-site improvements are necessary to serve the site with utilities.
8. Final road designs will be provided to the Park City Planning, Engineering and Building Departments for review and approval as part of the permit process.
9. The proposed final plat shall in compliance with criteria outlined under the LMC § 15-7.3 Requirements for Improvements, Reservations, and Design which includes the following, as applicable: general subdivision requirements, general lot design requirements, road requirements and design, drainage and storm sewers, water facilities, sewer facilities, sidewalks, hiking trails, bike paths, and horse trails, public uses, preservation of natural features and amenities. All plats are reviewed by the City Engineer for these and other applicable standards.
10. The project is over 1.0 acres and will be required to meet the requirements of Park City's municipal separate storm sewer system (MS4) storm-water program
11. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation
12. A note shall be added to the plat indicating that development on each SFD lot is limited to one (1) single-family dwelling.

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

PASSED AND ADOPTED this __ day of __, 2018.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR
ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney