



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
February 25, 2026**

The Planning Commission of Park City, Utah, will hold its regular meeting in person at the Marsac Municipal Building, City Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually.

Zoom Link: <https://us02web.zoom.us/j/86137534714>

MEETING CALLED TO ORDER AT 5:30 PM.

1. ROLL CALL

2. MINUTES APPROVAL

2.A. Consideration to Approve the Planning Commission Meeting Minutes from January 28, 2026

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

4. PUBLIC COMMUNICATIONS

5. WORK SESSION

5.A. **Municipal Sign Code Amendments** – The Planning Commission will Conduct a Work Session Regarding Possible Amendments to Municipal Code of Park City Section 12-10-2(B) *Construction Marketing Signs*. PL-26-06819 (30 mins.)

6. REGULAR AGENDA

6.A. **201 Heber Avenue – Condominium Plat Amendment** – The Applicant Proposes the Fourth Amended Union Square Condominium Plat to Decrease the Commercial Area for Unit COM-1, Re-Assign Square Footage of Commercial Area to Residential Limited Common Area for Unit SL-1, Re-Assign Square Footage of Common Area to Commercial Limited Common Area for Unit COM-3, and Increase the Commercial Area for Unit COM-4 within the Existing Building in the Historic Recreation Commercial Zoning District. PL-26-06812 (10 mins.)
(A) Public Hearing; (B) Action

6.B. **322 & 324 Main Street – Plat Amendment** – The Applicants Propose the Red Banjo Plat Amendment to Reconfigure the Lot Lines of Historic Lot 6, in Block 69 of the Millside Reservation Park City Survey and Portions of Lot 5 and 6 in Block 22 of the Park City Survey to Create Two Lots and Adjust the Shared Lot Line Between 322 Main Street and 324 Main Street to Resolve an Existing Encroachment in the Historic Commercial Business Zoning District. PL-25-06637 (20 mins.)
(A) Public Hearing; (B) Action

6.C. **7885 Aster Lane – Condominium Plat Amendment** – The Applicant Proposes The Knoll At Silver Lake Phase I, Seventh Amended Plat to Adjust the Platted Limited Common Area of Unit 1 to Allow for Expansion of the Front Facade Deck on the Main Level in the Residential Development Zoning District. PL-25-06715 (20 mins.)

(A) Public Hearing; (B) Action

- 6.D. **200 King Road – Appeal of Planning Staff Final Action** – The Appellant Appeals Planning Staff's Building Permit Approval of Driveway Plans for 220 King Road Across a Platted Easement on 200 King Road, Lot 1 of the Treasure Hill Subdivision Phase 1 Plat in the Historic Residential - 1 - Master Planned Development Zoning District. PL-25-06787
(60 mins.)
(A) Action

7. ADJOURNMENT

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.gov at least 24 hours prior to the meeting.

***Parking is available at no charge for meeting attendees who park in the China Bridge parking structure.**

A majority of Planning Commissioners may meet socially after the meeting. If so, the location will be announced by the Planning Commission Chair. City business will not be conducted.



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JANUARY 28, 2026**

COMMISSIONERS IN ATTENDANCE: Chair Christin Van Dine, John Frontero, Rick Shand, Grant Tilson, Seth Beal

EX OFFICIO: Rebecca Ward, Planning Director; Virgil Lund, Planner II; Mark Harrington, Senior City Attorney; Nan Larsen, Senior Planner; Alec Barton, Senior Planner

1. ROLL CALL

Chair Christin Van Dine called the Planning Commission Meeting to order at 5:30 p.m. She noted that Commissioners Johnson and Sigg were excused.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from January 14, 2026.

MOTION: Commissioner Shand moved to APPROVE the Planning Commission Meeting Minutes from January 14, 2026. The motion was seconded by Commissioner Frontero. The motion passed with the unanimous consent of the Commission.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Rebecca Ward, reported that there is a Joint Work Session scheduled with the Planning Commission and City Council on Tuesday, February 3, 2026. The Joint Work Session is scheduled to take place at 5:30 p.m. in Council Chambers. She added that the Planning Commission Meeting scheduled for February 11, 2026, was cancelled.

4. PUBLIC COMMUNICATIONS

There were no public communications.

5. REGULAR SESSION

- A. 28 Payday Drive – Conditional Use Permit** – The Applicant Proposes to Construct a 480-Square-Foot Outdoor Pool in the Single-Family Zoning District and Sensitive Land Overlay. PL-25-06777.

Planner II, Virgil Lund, presented the Staff Report and explained that this is a Conditional Use Permit (“CUP”) application for 28 Payday Drive. The application is for the construction of an outdoor pool. Planner Lund explained that 28 Payday Drive is a vacant lot in the Thaynes Creek Ranch Estates Subdivision. He shared a photograph of the existing conditions on the site and reported that the applicant is proposing a 480 square foot outdoor pool for private use. There is a Building Permit review currently underway for a new single-family dwelling on the property. The proposed outdoor pool complies with the Single-Family Zoning District requirements, the Subdivision Plat requirements for limits of disturbance, the Sensitive Land Overlay (“SLO”), and the CUP criteria in the Land Management Code (“LMC”). One of the Conditions of Approval is that the pool use must follow the Noise Ordinance. Staff recommends that the Planning Commission review the proposal and consider approving the CUP based on the Draft Final Action Letter.

Chair Van Dine opened the public hearing. There were no comments. The public hearing was closed.

Commissioner John Frontero agreed with the Staff recommendations for the Conditions of Approval. He is in favor of those conditions and noted that the application is in compliance. Commissioner Seth Beal asked about the Staff Report reference to Plat Note #11. It states: “The maximum Limits of Disturbance (“LOD”) area (including house and barn footprints, paved driveways, patios, and other hardscape, and irrigated landscaping) for Lots a and B is restricted to a maximum of 75% of the Lot Area.” When he looked at the plat, it appeared that a lot of landscaping was excluded. He pointed out that the language changed between irrigated landscape and irrigated lawn and asked for clarification. Planner Lund explained that the plants surrounding the home are native plants that will be planted as part of the landscaping for the single-family dwelling. He believes it should be non-irrigated since those are native plants. Commissioner Beal next asked about the parking requirements and the capacity of the outdoor pool. Planner Lund stated that the applicant representative can speak to the capacity of the proposed pool.

The applicant representative, Logan Hall, reported that pool capacity is calculated based on the square footage and the depth of the pool. A pool contractor assisted with the calculations and determined that the maximum occupancy would be 24 people. After speaking to the applicant and potential homeowner for this site, the needed capacity is nowhere near 24 people. Planner Lund mentioned the Condition of Approval related to parking. Commissioner Beal noted that the code language does not provide a lot of discretion to decrease the amount of parking required. He is inclined to decrease the parking requirement and asked if that is something that can be done by the Commission.

Director Ward reported that there is a provision in the code, Section 15-3-7, that, as part of a CUP review, the Planning Commission has the discretion to reduce the parking.

Discussions were had about similar applications. Planner Lund explained that last month, there was a CUP that also had large parking requirements. Commissioner Rick Shand asked if there would be a reason for the Planning Commission to propose reduced parking. Senior City Attorney, Mark Harrington, explained that the Commission can find that impacts to the neighborhood need to be mitigated as far as the site design.

Mr. Hall addressed comments about landscaping and irrigation. He reported that the landscaped area surrounding this space will need to be irrigated until it is established. It will be water-wise and have low water use, but it should be considered by the Commission.

Commissioner Beal read the irrigated landscaping language. Planner Lund explained that it is possible to look at the irrigated and non-irrigated landscaping and compare it to other lots that have approved Building Permits. Staff will look into this during the Building Permit process for 28 Payday Drive. Director Ward pointed out that it is also possible to amend Condition of Approval #1. The following language was proposed to be added:

- Final Landscape Plan shall be reviewed for compliance with Plat Note 11.

Mr. Hall shared information about the existing conditions of the lot and asked if this would impact the approval of the irrigated landscape area. In this particular case, if 25% of the lot was left as natural plantings, it would remain as grass or field from a horse pasture as opposed to more native mountainscape. Chair Van Dine asked how to appropriately reflect that it is possible to have irrigation for a set amount of time since there are not native plants currently. There needs to be a way to establish native plants on the lot. Director Ward believed that is outside the scope of the current application. Staff can continue to work with the applicant to see if it is possible to revise the Landscape Plan to meet the requirements. If not, an amendment to the plat would need to be brought forward. The Planning Commission discussed appropriate language for a motion.

MOTION: Commissioner Shand moved to APPROVE the Conditional Use Permit for 28 Payday Drive for an Outdoor Pool, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. 28 Payday Drive is a 0.42-acre vacant Single-Family Lot.
2. On January 31, 2013, the City Council approved Ordinance 13-06 annexing 28 Payday Drive into Park City, and on October 3, 2013, the City Council

approved Ordinance 13-38 approving the Thaynes Creek Ranch Estates Phase One Subdivision).

3. The Land Management Code definition for Private Recreation Facilities includes private swimming pools.
4. Private Recreation Facilities require a Conditional Use Permit (CUP) in the SF Zoning District.
5. The SF Zoning District requires a 20-foot Front Setback, 15-foot Rear Setback, and a 12-foot Side Setback.
6. The proposed outdoor pool is 18 feet from the rear Lot line, 28 feet from the west side Lot line, 41 feet from the east side Lot line, and 137 feet from the front Lot line.
7. The Applicant's proposal does not impact any Significant Vegetation.
8. Plat Note 11 from the recorded plat states: "The maximum Limits of Disturbance area (including house and barn footprints, paved driveways, patios, and other hardscape, and irrigated landscaping) for Lots A and B is restricted to a maximum of 75% of the Lot Area."
9. The Applicant's landscape plan shows a total LOD of approximately 12,217 square feet and a landscaped area of approximately 6,061 square feet.
10. The Applicant's LOD for the SFD including the outdoor pool, driveways, patios, other hardscape, and irrigated lawns is approximately 67% of the Lot Area.
11. The Subdivision, Annexation approval, and platting of the Lots considered SLO principles, such as Steep Slopes, proximity to Open Space and wetlands, Ridge Lines, and visual analysis.
12. The proposed outdoor pool is not near wetlands or Ridge Lines and is not visible from any designated vantage points.
13. The proposed outdoor pool is on flat terrain and is not within 50 feet of Very Steep Slopes.
14. The proposal complies, as conditioned, with the Conditional Use Permit criteria outlined in Land Management Code Section 15-1-10(E).

- a. Size and location of the Site
 - i. 28 Payday Drive is Lot 4A of the Thaynes Creek Ranch Phase 1 Subdivision. The Lot is 0.42 acres, and the proposed pool is 480 square feet, located behind the SFD.
- b. Traffic considerations including capacity of the existing Streets in the Area
 - i. The proposed outdoor pool will not generate any additional traffic beyond the property's primary Use as a SFD. The outdoor pool will be used by the property owner and their guests.
- c. Utility capacity, including Storm Water run-off
 - i. The Development Review Committee (DRC) reviewed the proposal on December 16, 2025, and confirmed the proposal conforms with their requirements.
- d. Emergency vehicle Access
 - i. The DRC reviewed the proposal on December 16, 2025, and confirmed the proposal conforms with all emergency vehicle access requirements.
- e. Location and amount of off-Street parking
 - i. The Applicant can park two vehicles in the SFD's attached garage, which measures approximately 32 feet deep by 25 feet wide. An additional eight vehicles can be parked in the driveway, for a total of 10 Off-Street Parking Spaces. See Condition of Approval 7.
- f. Internal vehicular and pedestrian circulation system
 - i. The proposed outdoor pool does not change the Lot's vehicle or pedestrian circulation system.
- g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses
 - i. The proposed outdoor pool will be screened from the south by the SFD, and the Applicant's Landscape Plan shows maple, aspen, and pine trees surrounding the pool on the north, east, and west side.
- h. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots
 - i. The proposed outdoor pool is in the Rear Yard of the SFD, in-ground, and is screened from neighboring properties with trees on the north, east, and west sides.
- i. Usable Open Space
 - i. The proposed outdoor pool does not decrease the amount of Open Space for the Subdivision.
- j. Signs and lighting
 - i. No Signs or exterior lighting are approved or proposed with this CUP.

- k. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing
 - i. The proposed outdoor pool is in the Rear Yard of the SFD, in-ground, and is screened from neighboring properties with trees on the north, east, and west sides.
- l. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site
 - i. See Condition of Approval 3.
- m. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas
 - i. Vehicles for service and maintenance of the outdoor pool will access the property from the private driveway on Payday Drive. All trash and recycling areas are inside the SFD. No additional trash or recycling areas are proposed.
- n. Expected Ownership
 - i. 28 Payday Drive is under private ownership and the proposed outdoor pool is for the use of the owner and guests.
- o. 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
 - i. See Finding of Fact 7 above.
- p. Reviewed for consistency with the goals and objectives of the Park City General Plan; however, such review for consistency shall not alone be binding
 - i. The recommended Conditions of Approval align with the recommendations listed in the Thaynes Neighborhood section of the General Plan, which encourages the protection of the primary resident neighborhood character.
- q. Radon mitigation
 - i. This criteria applies to residential Conditional Uses.

Conclusions of Law:

1. The proposed outdoor pool complies with the LMC requirements pursuant to Chapter 15-2.11 *Single Family Zoning District*, Chapter 15-2.21 *Sensitive Land Overlay*, and Section 15-1-10 *Conditional Use Review Process*.
2. The use will be compatible with surrounding Structures in use, scale, mass, and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. Final building plans and construction details shall reflect substantial compliance with the final plans dated December 5, 2025, submitted to the Planning Department and reviewed January 28, 2026, by the Planning Commission. Final Landscape Plan shall be reviewed for compliance with Plat Note 11.
2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director prior to construction.
3. The Applicant shall adhere to Municipal Code of Park City Chapter 6-3, *Noise*.
4. If Outdoor Lighting is proposed to be installed, it requires compliance with the dark sky code (LMC Section 15-5-5(J)) and Planning Department review and approval.
5. The Applicant shall coordinate pool drainage with Snyderville Basin Water Reclamation District at the Building Permit phase.
6. The pool cannot be rented out separately from the property's primary Use of a Single-Family Dwelling.
7. Driveway parking for guests using the pool is limited to a maximum of four vehicles

The motion was seconded by Commissioner Beal. The motion passed with the unanimous consent of the Commission.

- B. 751 Rossie Hill Drive – Conditional Use Permit –** The Applicant Proposes a Nightly Rental at 751 Rossie Hill Drive, a Detached Single-Family Dwelling in the Historic Residential - Low Density Zone. PL-25-06767.

Senior Planner, Nan Larsen, presented the Staff Report and explained that this is a CUP application for 751 Rossie Hill Drive. The CUP is to allow a nightly rental on the site. 751 Rossie Hill Drive is Lot 4 of the Lilac Hill East Subdivision and the site is located within the Historic Residential – Low Density Zoning District. It is also part of the Rossie Hill sub-zone of the Historic Residential – Low Density Zoning District. Nightly rentals in the Rossie Hill sub-zone require CUP approval. Planner Larsen shared information about the history of the Lilac Hill East Subdivision. It is a five lot subdivision and the subject site

is Lot 4. There are four previously approved nightly rental CUPs, which are located on Lot 1, Lot 2, Lot 3, and Lot 5. The proposed CUP will be the last in the subdivision.

The Staff analysis found that the proposed CUP for a nightly rental complies with off-street parking, property management contact information, emergency vehicle access, and the CUP criteria. Staff recommends that the Planning Commission review the proposed nightly rental CUP and consider approval based on the Draft Final Action Letter.

Chair Van Dine opened the public hearing. There were no comments. The public hearing was closed.

Commissioner Shand asked if the Conditions of Approval for 751 Rossie Hill Drive are the same as the ones that were approved for the other nightly rental CUPs in the subdivision. Planner Larsen confirmed that there is no difference in the conditions.

Chair Van Dine wanted to know if there had been complaints received about the other nightly rentals in the subdivision. Planner Larsen stated that she did not receive public comment after the posted notice or mailing notices. She does not know if Code Enforcement has ever been involved, but she has not received complaints through the CUP process. The applicant representative, Kara Stewart, is unaware of any complaints.

Commissioner Frontero asked if there is a Homeowners Association (“HOA”) in this subdivision. It was confirmed that there is an HOA in place. The HOA manages the private drive and performs snow removal for the private drive. Director Ward stated that the Covenants, Conditions, and Restrictions (“CC&Rs”) address the No Parking signs.

MOTION: Commissioner Frontero moved to APPROVE the Nightly Rental Conditional Use Permit for 751 Rossie Hill Drive, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. 751 Rossie Hill Drive is Lot 4 of the Lilac Hill East Subdivision and is approximately 0.17 acres or 7,437 square feet.
2. The Lilac Hill East Subdivision, a five-Lot Single-Family Subdivision, was approved on January 9, 2020, Ordinance No. 2020-02 and includes three Landmark Historic Sites – 729, 741, and 755 Rossie Hill Drive.
3. The Planning Commission previously approved Nightly Rental CUPs for four other Lots in the Lilac Hill East Subdivision.
 - a. 747 Rossie Hill Drive, Lot 5 of the Lilac Hill East Subdivision – approved on April 23, 2025,

- b. 729 Rossie Hill Drive, Lot 2 of the Lilac Hill East Subdivision – approved on July 12, 2023,
 - c. 741 Rossie Hill Drive, Lot 1 of the Lilac Hill East Subdivision – approved on August 14, 2024, and
 - d. 755 Rossie Hill Drive, Lot 3 of the Lilac Hill East Subdivision – approved on July 12, 2023.
4. This is the final CUP for a Nightly Rental in the HRL Zoning District Rossie Hill sub-zone.
 5. The requirements for Nightly Rentals in the Historic Residential – Low Density (HRL) Zoning District Rossie Hill sub-zone are outlined in the table below (LMC Chapter 15-2.1):

Requirement	Analysis of Proposal
All rental agreements for Nightly Rentals shall include language that limits the vehicles allowed to the number of on-site parking spaces.	<p><i>Condition of Approval Recommended:</i></p> <p>The Applicant Nightly Rental lease agreement limits the number of vehicles allowed to the number of on-site parking spaces. Staff recommends Condition of Approval 2, ensuring the Applicant complies with the criterion.</p>
Property management contact information shall be displayed in a prominent location inside the Nightly Rental.	<p><i>Condition of Approval Recommended:</i></p> <p>Condition of Approval 3 requires property management contact information is displayed in a prominent location inside the Nightly Rental.</p>

6. The requirements of LMC Chapter 15-3 Off-Street Parking are outlined in the Table below:

Requirement	Analysis of Proposal
Nightly Rentals require at least one Off-Street Parking space per Unit.	<p><i>Complies:</i> The subject site contains two-Off-Street Parking spaces that meet the dimension requirement. Off-Street parking spaces must be at least 9 feet wide and 18 feet long. (1)</p>

<p>Parking for the first six bedrooms is based on the parking requirement for the dwelling. An additional space is required for every additional two bedrooms utilized by the nightly Rental Use.</p>	<p><i>Complies:</i> 751 Rossie Hill is a five-bedroom SFD, two parking spaces are required. A two-car garage exists on the site and fulfills this criterion.</p>
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1 LMC § 15-3-3(F)

7. The criteria outlined in LMC Section 15-1-10(E) Conditional Use Permits are outlined in the Table below:

CUP Review Criteria	Analysis of Proposal
Size and location of the Site	<i>No Negative Impact:</i> No exterior changes are proposed to the Structure or Site.
Traffic considerations including capacity of the existing Streets in the Area	<i>Mitigating Condition of Approval Recommended:</i> A shared private driveway from Rossie Hill Drive provides access for the five Lots in the Lilac Hill East Subdivision. The Use of the Site as a Nightly Rental is not expected to generate additional traffic comparative to a SFD Use. Condition of Approval 2 requires the Applicant to limit the vehicles allowed at the Site to the number of on-site parking spaces as part of the Nightly Rental lease agreement.
Utility capacity, including Storm Water run-off	<i>No Negative Impact:</i> Utility capacity for the SFD is available on-site.
Emergency vehicle Access	<i>Mitigating Condition of Approval Recommended:</i> A private drive provides access for the five SFDs in the Lilac Hill East Subdivision. Plat Note 6 of the Lilac Hill East Subdivision Plat requires that driveways provide 20 feet of clear space to comply with Fire Code; it prohibits parking where it impacts the 20-foot clear access area. As part of the 2023 Nightly Rental CUP approval for 729 and 755 Rossie Hill Drive, Engineering and Park City Fire

	<p>District required the applicant to install “No Parking” signs along the shared private driveway for the Lilac Hill East Subdivision. The Applicant complied with this requirement and installed “No Parking” signs along the shared driveway in 2024. Recommended Condition of Approval 4 requires the Applicant to maintain the “No Parking” present along the shared driveway.</p>
<p>Location and amount of off-street parking</p>	<p><i>No Negative Impact:</i> Pursuant to LMC 15-3-6, two parking spaces are required for SFDs. The Applicant will provide a two-car garage for the proposed Nightly Rental use; the two-car garage meets the two-car dimension criteria.</p>
<p>Internal vehicular and pedestrian circulation system</p>	<p><i>No Negative Impact:</i> The proposed Nightly Rental function will be similar to a SFD, no changes are proposed to the internal vehicular or pedestrian circulation systems.</p>
<p>Fencing, Screening, and landscaping to separate the Use from adjoining Uses</p>	<p><i>No Negative Impact:</i> No changes to fencing, screening, or landscaping are proposed. Nightly Rentals are an allowed Use in the Historic Residential – Low Density (HRL) Zoning District. (2) The Site is located within the Lower Rossie Hill subzone, where Nightly Rentals require a Conditional Use Permit. The adjacent Uses comprise of SFD along Rossie Hill Drive. It is not expected the Nightly Rental Use will detrimentally impact adjoining properties.</p>
<p>Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots</p>	<p><i>No Negative Impact:</i> No exterior changes are proposed.</p>

Usable Open Space	<i>No Negative Impact:</i> There are no proposed changes to Open Space.
Signs and lighting	<i>Mitigating Condition of Approval Recommended:</i> Condition of Approval 5 requires all lighting on the Site to be dark sky compliant. There are no proposed changes to lighting in relation to the Nightly Rental CUP request. Condition of Approval 6 prohibits exterior signs on the Site advertising the Nightly Rental.
Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing	<i>No Negative Impact:</i> No exterior alterations are proposed on the Structure or Site.
Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site.	<i>Mitigating Condition of Approval Recommended:</i> Condition of Approval 7 requires compliance with Municipal Code of Park City (MCPC) Chapter 6-3, Noise.
Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas	<i>Mitigating Condition of Approval Recommended:</i> Condition of Approval 8 requires the trash receptacles to be screened and stored on-Site, prohibits leaving trash receptacles at the curb for longer than 24 hours, and requires the Site be kept free of refuse.
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	<i>Mitigating Condition of Approval Recommended:</i> The Site is privately owned and is part of the Lilac Hill East Homeowner's Association. The Homeowner's Association is governed by the Declaration of Covenants, Conditions, and Restrictions for Lilac Hill East Subdivision, which establishes maintenance and repair of the shared driveway. Condition of Approval 10 requires snow removal of the shared driveway. Condition of Approval 1 requires the property owner to obtain a Business license for the Nightly Rental.

	Condition of Approval 12 relates to operations and maintenance of the Nightly Rental, pursuant to the requirements outlined in MCPC Section 4-5-3, Regulation of Nightly Rentals.
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	<i>No Negative Impact:</i> The Site is not located within the Sensitive Land Overlay, within the Soils Ordinance boundary, or on Steep Slopes.
Reviewed for consistency with the goals and objectives of the Park City General Plan; however, such review for consistency shall not alone be binding	<i>Mitigating Conditions of Approval Recommended:</i> The 2025 General Plan outlines recommendations for each neighborhood within Park City, including Old Town, where the Site is located. To protect resident quality of life, the Plan identifies improved nightly rental management as a priority. Key actions include management of occupancy limitation, parking, noise, outdoor lights, and trash management is listed as an action to obtain the goals of the neighborhood. The recommended Conditions of Approval outlined in this section address and sufficiently mitigate each concern outlined in the 2025 General Plan.

(2) LMC 15-2.15-2

8. The Development Review Committee reviewed the proposal on December 2, 2025, and did not require Conditions of Approval.

Conclusions of Law:

1. The proposed Nightly Rental, as conditioned, complies with the requirements of LMC Section 15-1-10 *Conditional Use Review Process*, Chapter 15-2.1 *Historic Residential – Low Density District* and Chapter 15-3 *Off-Street Parking*.

2. The proposed Nightly Rental is compatible with surrounding structures in use, scale, mass, and circulation.
3. The effects of the difference in use or scale of the Nightly Rental have been mitigated through careful planning and Conditions of Approval.

Conditions of Approval:

1. Prior to operating a Nightly Rental, the property owner shall obtain and maintain a Nightly Rental Business License for 751 Rossie Hill Drive.
2. The Nightly Rental lease agreement shall include language that limits the vehicles to two parking spaces and prohibit parking on Rossie Hill Drive or within the surrounding neighborhood.
3. The property owner shall display property management contact information in a prominent location inside the Nightly Rental.
4. The Applicant shall maintain the "No Parking" signs that are currently installed along the shared private drive within the Lilac Hill East Subdivision in a form and location approved by the Engineering Department and Park City Fire District.
5. All outdoor lighting shall be down-directed, fully shielded, with bulbs 3,000 degrees Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture.
6. Outdoor sign installations advertising the Nightly Rental are prohibited.
7. The property owner shall be responsible for regulating the occupancy and noise created by occupants of the Nightly Rental. Violation of Municipal Code of Park City Chapter 6-3 *Noise*, illegal conduct, or any other abuse which violates Nightly Rental regulations or these Conditions of Approval may be grounds for Business License revocation.
8. Trash receptacles shall be stored on site, screened, and placed for trash pickup according to the Municipal Code of Park City Section 6-1-11, which prohibits trash receptacles from being set out for collection prior to 6:00 PM the day before collection. All trash receptacles must be removed from the

street as soon as practical after being emptied, and in every case must be removed from the street prior to 11:59 PM the day they are emptied.

9. Trash cans shall not be left at the curb for any period more than 24 hours, and the property must be kept free from accumulated garbage and refuse.
10. The Lilac Hill East Subdivision Homeowner Association shall keep the shared driveway clear of snow.
11. The licensee for Nightly Rentals shall be the property owner. The local representative shall be deemed the responsible party.
12. The Nightly Rental shall be properly managed through property management services with the minimum services and management required: snow removal during winter months to a level that allows safe access to the home over the normal pedestrian access; snow removal services for the two on-site parking spaces within the two one-car garages; summer yard maintenance including landscaping maintenance; structural maintenance to preserve substantial code compliance; routine upkeep, including painting and repair; and housekeeping service.
13. The applicant must designate a responsible party. The responsible party must be a property management company, realtor, lawyer, owner, or other individual, who resides within a 1-hour drive of the property, or, in the case of a company, has offices in Summit County. The responsible party is personally liable for the failure to properly manage the rental. The responsible party must be available by telephone, or otherwise, twenty-four (24) hours per day, and must be able to respond to telephone inquiries within twenty (20) minutes of receipt of such inquiries. The responsible party is also designated as the agent for receiving all official communications under this Title from Park City. If the licensee is a property management company or individual other than the owner, such company or individual must comply with applicable state law, including the Securities Division Real Estate Division in the Utah Code, as amended, which requires those who receive valuable consideration to lease property to have a State license.
14. The Nightly Rental shall not be used for commercial uses and may not be used for a corporate sponsor or to distribute retail products or personal services to invitees for marketing or similar purposes

The motion was seconded by Commissioner Tilson. The motion passed with the unanimous consent of the Commission.

C. 52 and 60 Prospect Avenue – Plat Amendment – The Applicant Proposes Creating Two Lots from Lots 5, 6, and 7 in Block 18 of the Park City Survey for Significant Historic Sites in the Historic Residential -1 Zoning District. PL-25-06778.

Planner Larsen presented the Staff Report and explained that this is a Plat Amendment for 52 and 60 Prospect Avenue. 52 and 60 Prospect Avenue are located in the Historic Residential – 1 Zoning District. She reported that 52 Prospect Avenue was built in 1885 and is considered a Significant Historic Site in the Historic District. 60 Prospect was built in 1895 and is also considered to be a Significant Historic Site. Both sites are located in the Park City Survey, Block 18, as Lots 5, 6, and 7. She explained that there is also a remnant parcel on which a portion of one of the structures is located on. Since these are both historic structures, the existing conditions in relation to the property lines are not typical.

For 52 Prospect Avenue, the single-family dwelling structure extends across Lot 5 and Lot 6 as well as the remnant parcel to the north. For 60 Prospect Avenue, the single-family dwelling structure extends across Lot 6 and Lot 7 of Block 18. The proposed Plat Amendment seeks to rectify some of the extensions across property lines. It would combine the three Old Town lots and one remnant parcel in order to create two lots.

Based on the Staff analysis, the proposed Plat Amendment complies with the Historic Residential Zoning District regulations and Off-Street Parking regulations. It was found that no public street, right-of-way, or easement is proposed to be amended or vacated. In addition, there is Good Cause for the Plat Amendment. Staff recommends that the Planning Commission review the proposed Plat Amendment for 52 Prospect Avenue and 60 Prospect Avenue and consider approval based on the Draft Final Action Letter.

Chair Van Dine opened the public hearing. There were no comments. The public hearing was closed.

Commissioner Shand asked if there are two separate owners for the structures. It was clarified that there is one owner. The applicant representative, Megan Blosser, explained that she is with Alliance Engineering. There is one owner, but there are two LLCs.

Commissioner Beal requested additional information about the remnant lot location. It was noted that the remnant lot is the triangle portion shown on the materials. Commissioner Shand noted that, based on the County records, that is an existing property line. According to County records, the remnant parcel is in between Lot 5 and Lot 7. Director Ward stated that the County lines show the tax parcel boundaries and not necessarily the lot lines. There are instances where the tax ID or parcel number does not match the actual lots underneath. Additional discussions were had about the location.

MOTION: Commissioner Beal moved to APPROVE the Plat Amendment for 52 Prospect Avenue and 60 Prospect Avenue, according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. 52 and 60 Prospect Avenue consists of two Single-Family Dwellings (SFD) that front Prospect Avenue.
2. Both 52 and 60 Prospect Avenue are listed as Significant Sites on Park City’s Historic Sites Inventory.
3. 52 Prospect, built in 1885, and 60 Prospect, built in 1895, straddle across Lots 5, 6, and 7 of Block 18 in Park City Survey.
4. The Applicant proposes combining the three Old Town Lots to create two Lots – one for each Significant Historic Site, resulting in two Lots measuring 2,918.03 square feet and 3,052.48 square feet.
5. The proposed Plat Amendment complies with the Historic Residential regulations outlined in Land Management Code Chapter 15-2.2.

Requirement	Analysis of Proposal
Use: SFD are permitted	<i>Complies:</i> Both 52 and 60 Prospect are SFDs, which is an Allowed Use in the District.
Minimum Lot Area – 1,875 square feet	<i>Complies:</i> Both 52 and 60 Prospect have Lot Areas greater than the minimum, at 2,918.03 and 3,052.49 respectively.
Maximum Lot Area – 3,750 square feet	<i>Complies:</i> 52 and 60 Prospect are not proposed to exceed the Maximum Lot Area. 52 Prospect is 2,918 square feet; 60 Prospect is 3,052 square feet.
Minimum Lot Width – 25 feet, measured 15 feet back from the Front Lot Line.	<i>Complies:</i> 52 Prospect Lot Width measures 41 feet, measured 15 feet back from the Front Lot Line and is compliant.

	<p>60 Prospect Lot Width measures 34 feet, measured 15 feet back from the Front Lot Line and is compliant.</p>
<p>Maximum Building Footprint -</p> <p>52 Prospect = $(2,918.03/2) \times 0.9$ 2,918/1,875</p> <p>60 Prospect = $(3,052.48/2) \times 0.9$ 3,052.48/1,875</p>	<p><i>Complies:</i></p> <p>The Maximum Building Footprint allowed on the proposed 52 Prospect Lot is 1,237.86 square feet. The existing Historic Structure on this Site has a Building Footprint of approximately 728 square feet.</p> <p>The Maximum Building Footprint allowed on the proposed 60 Prospect Lot is 1,279.99 square feet. The existing Structure in the Site includes a Building Footprint of approximately 718 square feet.</p>
<p>Front and Rear Setbacks for Lots 75 feet to 100 feet are 12 feet and 13 feet.</p>	<p><i>Complies, existing valid non-complying Structure:</i> 52 Prospect was built in 1885 and is a valid Non-Complying Structure in the HR-1 Zoning District. The Front Setback is approximately 6.5 feet; the Rear Setback is approximately 37 feet. Pursuant to LMC § 15-2.2-4 Historic Buildings that do not comply with Building Setbacks are valid Non-Complying Structures.</p> <p><i>Complies:</i> 60 Prospect has a Front Setback of approximately 18 feet and a Rear Setback of approximately 28 feet. The proposed Plat Amendment will not alter the existing Front or Rear Setbacks.</p>
<p>Side Setbacks for Lots up to 50 feet in width 5 feet each side.</p>	<p><i>Complies, existing valid non-complying Structure:</i> Currently, the shared Property line of Lots 5 and 6 runs through the existing Structures at 52 Prospect and 60 Prospect. Additionally, a portion of the Structure located at 52 Prospect encroaches on a remanent Parcel along</p>

	<p>the north Property Line. The reconfiguration of the Lots will result in Structures and Lots with an increased degree of compliance with the LMC, but will remain valid non-complying regarding the required Side Setbacks in the HR-1 District pursuant to LMC § 15-2.2-4.</p> <p>52 Prospect proposed Side Setbacks are 0 feet to the south and less than 1 foot to the north. The proposed Plat Amendment will decrease the degree of non-compliance from the south and north Side Setbacks.</p> <p>60 Prospect proposed Side Setbacks are approximately 9 feet to the south and 1 foot to the north. The proposed Plat Amendment will decrease the degree of non-compliance from the north Side Setback, while the south Side Setback will remain the same.</p>
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6. The proposed Plat Amendment complies with LMC Chapter 15-3, Off-Street Parking requirements.

Requirement	Analysis of Proposal
Single Family Dwelling: 2 spaces per Dwelling Unit	<i>Complies, existing valid non-conforming Use:</i> No Off-Street parking stalls exist on either site. Pursuant to LMC § 15-2.2-4 Historic Buildings that do not comply with Off-Street park requirements are valid Non-Complying Structures.

7. The proposed Plat Amendment complies with LMC § 15-7.1-3(B), Classification of Subdivision, Plat Amendment.

Requirement	Analysis of Proposal
Plat Amendments require a finding of Good Cause.	<p><i>Complies:</i> LMC § 15-15-1 defines Good Cause as, “providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City, and furthering the health, safety, and welfare of the Park City Community.” There is Good Cause for the proposed Plat Amendment as the proposed Amendment decreases the degree of non-compliance to the LMC by reconfiguring the Lots to remove the Lot lines that run through existing Non-Complying Significant Historic Structures and creates two separate Lots for Significant Historic Sites designated on Park City’s Historic Sites Inventory.</p>
Plat Amendments require a finding that no Public Street, Right-of-Way, or Easement has been vacated or amended.	<p><i>Complies:</i> The proposed 52/60 Prospect Avenue Plat Amendment will not alter or vacate a Public Street, Right-of-Way or easement.</p>

Conclusions of Law:

1. There is Good Cause for this Plat Amendment.
2. The Plat Amendment is consistent with Land Management Code Chapter 15-2.2 *Historic Residential 1 District*, Chapter 15-3 *Off-Street Parking*, and § 15-7.1-3(B) and § 15-7.1-6 *Subdivision Procedures*.
3. No Public Street, Right-of-Way, or Easement has been vacated or amended.

Conditions of Approval:

1. Prior to finalizing the plat for recordation with Summit County:
 - a. Include easements of record on the Amended Plat.
 - b. On the north side of Lot 2 include a light-weight line where the north line of the original Lot 5, add text “lot line reviewed via this plat amendment.”
 - c. Replace text “old lot line” with “lot lines removed via this plat amendment.”
2. Dedication of a non-exclusive 10-foot public snow storage easement along the Lot Frontages shall be shown on the plat.
3. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the Conditions of Approval.
4. The Applicant shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, the approval will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.

The motion was seconded by Commissioner Shand. The motion passed with the unanimous consent of the Commission.

- D. 7700 Marsac Avenue (Mine Bench Site) – Modification –** The Applicant Requests to Modify a Condition of Approval of the Planning Commission Conditional Use Permit for City Employee Temporary Housing on the Mine Bench Site in the Recreation and Open Space Zoning District. The Requested Modification Is to Grant the Housing Team One Additional Year to Acquire an Extended Agreement to October 31, 2029, with Jordanelle Special Service District. PL-26-06800.

Senior Planner, Alec Barton, presented the Staff Report and explained that this is a Modification request for 7700 Marsac Avenue. On December 10, 2025, the Planning Commission approved a modification to the CUP at 7700 Marsac Avenue for two 400 square foot temporary housing trailers for City employees through October 31, 2029. There was a Condition of Approval that required the Storage and Lease Agreement with Jordanelle Special Service District to be signed within 30 days, but that deadline was not met. The Modification is to extend the time for the Lease Agreement to be executed.

Planner Barton pointed out a recommended change to Condition of Approval #5 for this item. After the Meeting Materials Packet was published, there was notification was received from the Housing Team that the Storage and Lease Agreement had been completed. It was after the 30-day deadline, but the previously drafted 365 days is no longer necessary. Planner Barton reported that Condition of Approval #5 will now read as follows:

- The Housing Team shall acquire an extended agreement to October 31, 2029, with JSSD by January 30, 2026, or the approval is void

Chair Van Dine opened the public hearing. There were no comments. The public hearing was closed.

Commissioner Frontero asked to further review the amendment to Condition of Approval #5. There was support expressed for the language and for the Modification request.

MOTION: Commissioner Frontero moved to APPROVE the Modification for 7700 Marsac Avenue (Mine Bench Site), according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. The property is located at 7700 Marsac Avenue in the Recreation and Open Space (ROS) Zoning District.
2. On March 23, 2022, the Planning Commission reviewed a Conditional Use Permit (CUP) for Park City Fire District's (PCFD) proposal to temporarily install two Temporary Housing Trailers for personnel living quarters and storage of two fire trucks on the Mine Bench property during the construction of Fire Station 34 in Upper Deer Valley.
3. Condition of Approval 7 from the 2022 approval required PCFC to request an extension of the approval from the Planning Commission if the use of the site extends beyond January 1, 2023.
4. PCFD did not request an extension prior to the expiration of the CUP, and the approval expired.
5. PCFD offered the City the opportunity to purchase the two Temporary Housing Trailers.
6. On July 27, 2023, the City Council authorized the Housing Team to acquire the two Temporary Housing Trailers in the amount of \$180,000.

7. The Housing Team requests to modify the March 23, 2022, approval to continue to use the Mine Bench site until October 31, 2029 for temporary employee housing while the City searches for a permanent location for the two Temporary Housing Trailers.
8. Park City's Public Works Department currently uses portions of the Mine Bench site for storage and maintenance of equipment.
9. The City leases portions of the Mine Bench property for other uses and the City provided notice to their existing tenants that City Employees will possibly occupy the two Temporary Housing Trailers.
10. The ROS Zoning District establishes a 25-foot front, side, and rear setback from the boundary line of the lot, district, or public right-of-way. The two Temporary Housing Trailers were installed in such a way they meet the required 25-foot setback.
11. LMC § 15-2.7-4 establishes a 28-foot Building Height limit. The tallest trailer is 16 feet, two inches.
12. Essential Municipal Public Utility Uses, Facilities, Services, and Structures greater than 600 square feet in the ROS Zoning District are a Conditional Use.
13. The two Temporary Housing Trailers are 400 square feet each.
14. The proposal, as conditioned, complies with the criteria outlined in LMC section 15-1-10(E).
 - a. Size and Location of the Site – Since 2022, the two 400-square-foot Housing Trailers have been located within the JSSD parcel of the Mine Bench site. They will remain in the same location.
 - b. Traffic Capacity - The Mine Bench is accessed from Marsac Avenue. Traffic Impact Studies are required for developments that generate 25 new vehicle trips. The Housing Trailers are limited to one person or a couple per unit and do not generate more than 25 new vehicle trips.
 - c. Utility Capacity - PCFD worked with the Snyderville Basin Water Reclamation District and the Engineering and Public Works Departments to coordinate connections to existing sanitary sewer and water lines. The Housing Trailers are connected to existing onsite power sources.

- d. Emergency Vehicle Access - On May 25, 2023 and November 18, 2025, PCFD confirmed the proposal meets their requirements.
- e. Off-Street Parking - Public Utility Uses require:
 - i. One space per five seats; or,
 - ii. Two spaces per three employees; or,
 - iii. One space per 1,000 square feet or floor Area, whichever is greater. The Site does not have dedicated parking, but there is ample unused space adjacent to the two Temporary Housing Trailers to provide up to eight parking spaces. Public Works will limit occupancy of the two Temporary Housing Trailers to one person or couple per unit.
- f. Internal Vehicular and Pedestrian Circulation - The continued use of the two Temporary Housing Trailers will not impact internal vehicle or pedestrian circulation.
- g. Fencing, Screening, and Landscaping - The existing site is well-screened from Marsac Avenue by the existing topography of the site; there is no new fencing or landscaping proposed.
- h. Building Mass, Bulk, and Orientation - The two Temporary Housing Trailers are 38 feet long by 10.55 feet wide (400 square feet) each. They are set back more than 25 feet from the property line and are not visible from Marsac Avenue or the entrance of the Mine Bench.
- i. Useable Open Space - The proposed use does not change or disturb the site's Open Space because the tiny homes will remain in the same approved location.
- j. Signs and Lighting - No signs or lighting are proposed.
- k. Physical Design and Compatibility with Surrounding Structures – The Housing Trailers are modern and compatible in style, scale, and mass with the industrial-type structures on the site.
- l. Noise, Vibration, Odors, Steam, or Other Mechanical Factors – See Condition of Approval 1 – The current Use as two Temporary Housing Trailers for PCFD has not produced any known noise complaints. The surrounding buildings are industrial in nature and are more than 400 feet away. However, Staff recommends including a Condition of Approval that requires compliance with Municipal Code Chapter 6-3, *Noise*.
- m. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and screening of Trash and Recycling Pickup Areas – See Condition of Approval 2 - Delivery and service vehicles do not need to access the site and do not require mitigation for loading and unloading zones. However, the occupants of the two Temporary Housing Trailers shall ensure trash and recycling is disposed of properly on site and removed weekly.
- n. Expected Ownership and Management of the Project – See Condition of Approval 3 and 5 - Park City Municipal owns 29.07 acres

of the Mine Bench property. In 2002, approximately two acres within the Mine Bench property was conveyed to JSSD (Parcel PCA-S-98-L-X). The City is currently looking to acquire that parcel from JSSD. Prior to the March 23, 2022, CUP approval, JSSD and PCFD entered into an agreement to use JSSD's parcel for the Housing Trailers. In 2023, PCMC purchased the Housing Trailers and the Housing team manages their occupancy and maintenance. Condition of Approval 5 requires the Housing team to acquire an extended agreement with JSSD.

- o. Within and Adjoining Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, Park City Soils Ordinance, Steep Slopes – The Housing Trailers are located on a level concrete pad and will not disturb mine hazards or mine waste. No physical changes are proposed to the site.
 - p. General Plan Consistency - Item H2 of the General Plan outlines that Park City will prioritize housing for 15% of the total workforce within the City boundary. The proposal assists with reaching that goal.
 - q. Radon Mitigation - Not required for temporary structures. Any permanent structure will need to be equipped with radon mitigation.
15. Staff published notice on the City's website, the Utah Public Notice website, and posted notice on the property on November 25, 2025.
16. *The Park Record* published notice on November 25, 2025.

Conclusions of Law:

1. The application is consistent with the Land Management Code, including LMC Chapter 15-2.7 *Recreation and Open Space (ROS) District*, LMC § 15-1-10 *Conditional Use Review*, and LMC Chapter 15-2.21 *Sensitive Land Overlay Zone (SLO) Regulations*.
2. The Use is compatible with surrounding Structures in Use, scale, mass, and circulation.
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval:

1. The Use of the two Temporary Housing Trailers shall comply with Municipal Code Chapter 6-3 *Noise*.

2. The occupants of the two Temporary Housing Trailers shall ensure trash and recycling is disposed of properly on site and removed weekly.
3. This Approval expires on October 31, 2029, and the two Temporary Housing Trailers shall either be removed, relocated, or the Applicant shall obtain Planning Commission approval for permanent use.
4. Use of the two Temporary Housing Trailers is limited to City Public Works employees or those employees associated with the Essential Municipal Services provided in association with the Mine Bench Site. Public Works shall limit occupancy of the two Temporary Housing Trailers to one person or couple per unit.
5. The Housing Team shall acquire an extended agreement to October 31, 2029, with JSSD by January 30, 2026, or the approval is void

The motion was seconded by Commissioner Tilson. The motion passed with the unanimous consent of the Commission.

- E. 610 Sunnyside Drive – Appeal** – The Applicant Proposes to Appeal the September 25, 2025, Planning Director Setback Determination. PL-25-06788 (A) Application Withdrawn.

It was noted that the application for 610 Sunnyside Drive has been withdrawn.

6. WORK SESSION

- A. 2025 General Plan Implementation** – The Planning Commission will Review the 2025 General Plan Vision, Goals, and Strategies, and Discuss Potential Actions to Recommend to the City Council for Implementation in 2026.

Planner Larsen and Planner Barton explained that this Work Session item is related to the 2025 General Plan Implementation. Planner Larsen reported that this is the fourth Work Session focused on the General Plan implementation. After Staff receives Planning Commission recommendations on priorities, those priorities, goals, strategies, and actions will be reviewed with the City Council. The last General Plan theme will be reviewed during this Work Session, which is Water and Open Space Preservation.

Water and Open Space Preservation was identified by the community as one of the main values. A few of the identified strategies and actions are already in progress and ongoing. Planner Larsen reported that the following items are currently in progress:

- Incentivize water efficiency improvements;

- Update LMC to reflect water-wise landscaping best practices;
- Partner with Localscapes and Utah Water Ways.

Planner Larsen shared information about the potential amendments that are addressed in the General Plan. The first is to update the LMC for greater compliance. This could be done with best practice water-wise landscaping as well as updating and clarifying water-wise landscaping regulations in the LMC. The Commission may also consider updating the Transfer of Development Rights (“TDR”) provisions to incentivize preservation of open space. It is also possible to identify and expand the TDR sending and receiving sites to optimize undeveloped open space. Planner Larsen explained that the General Plan recommends updating the LMC to create maximum impermeable surface standards in order to reduce stormwater runoff and preserve stormwater quality.

The Commission may consider a recommendation related to SLO regulation updates. The updates could reflect best practices for ridgeline protections, mitigation on steep slopes, wetland and stream setbacks, and preservation of wildlife corridors and habitat. The Commission can also consider whether SLO boundaries should be updated to preserve wildlife and open space and establish wildlife corridors and buffer zones. Another consideration is for an update to the Master Planned Development (“MPD”) process to limit habitat fragmentation. Prioritization information was shared next.

Planner Barton reiterated that this is the fourth Work Session discussion related to General Plan prioritization. He recapped the focuses of the previous Work Sessions:

- October 8, 2025:
 - Compatible infill in non-historic residential zones;
 - Regulations for telecommunications facilities.
- November 12, 2025:
 - Sustainability;
 - Moderate-Income Housing.
- December 10, 2025:
 - Transportation;
 - Economic Development.

Planner Barton shared a table that summarizes some of the policies there has been Planning Commission support to prioritize so far. The following items were highlighted:

- Sustainability:
 - Integration of Wildland Urban Interface (“WUI”) regulations;
 - Landfill diversion in construction mitigation plans;
 - Incentives for zero emissions stretch code;
 - Soil remediation criteria.
- Housing:
 - Updates to the Affordable Master Planned Development (“AMPD”) code;

- Incentives for workforce housing through dormitories or single-room occupancies.
- Community Character:
 - Updates to the regulations for telecommunications facilities;
 - Updates to the residential zoning district regulations outside of the Historic Districts for compatible infill.

The only policy the Commission has reviewed so far that did not seem to generate a lot of interest was code updates for accessory apartments. Planner Barton shared another table from the Staff Report, which summarized the remaining potential priorities.

Commissioner Frontero asked about the second item shown: “Eliminate excess surface parking in core areas.” He asked that core areas be defined. Planner Barton reported that the language was pulled from the General Plan. Director Ward explained that there are some neighborhoods where the developments are from the 1970s or 1980s. There were more parking requirements back then compared to what is required under the current code. There could be a comprehensive look at parking and potential reductions in targeted areas, such as mixed-use or commercial. There was discussion about the first item on the list: “Update the Off-Street Parking requirements to prohibit separate leasing of parking spaces; replacing parking minimums with parking maximums.”

Commissioner Frontero believed the first two items on the list are linked. He is in favor of reducing parking where appropriate. The transit system has since been built out, as have the bicycle paths. It is likely that there is not as much parking needed now.

Commissioner Frontero expressed support for combining the first two items on the list. He likes the idea of reducing parking and providing incentives to landowners who currently have large surface parking areas. The incentives could encourage conversion. Commissioner Shand thought the suggestion was to give landowners the opportunity to reduce the parking that already exists in order to use the land for something else. Commissioner Frontero confirmed this and explained that it would be an interesting incentive to offer landowners who previously had to have a certain amount of parking.

Commissioner Beal noted that there are a lot of references to open space, and it is defined in two ways under the LMC. This includes “open space, landscaped” and “open space, natural.” As a community, most of the time, it is “open space, natural” that is being discussed for preservation. He stated that there is not always clarity about what open space requirement needs to be applied, so he would like better definitions in place.

Commissioner Shand agrees with the comments made by Commissioner Beal. In addition to better defining what counts as open space, it is also important to understand the purpose of open space. He questioned whether or not something needs to be open to the public. It should not necessarily count against a developer if there is no desire for something to be open to the public, especially if the objective is not to have a space

completely filled by a building. Commissioner Beal agreed that it would be meaningful to have a common definition. Commissioner Shand shared comments about what counts as open space. Director Ward stated that if there is consensus among the Commission to prioritize this, the seventh and tenth items on the list could be combined. The broader discussion of open space, the definitions, and the requirements could be covered there.

Commissioner Beal stated that more transparency will benefit the community and simplify future Commission discussions. Commissioner Shand added that it will also create a clear expectation for the developer or applicant. Director Ward noted that item six can be merged into this as well. The sixth, seventh, and tenth items shown can be merged. Commissioner Beal thought it made sense to prioritize the parking and open space items.

Chair Van Dine noted that it would be simple to address item five: "Update the code to require greater compliance with water-wise landscaping best practices." Director Ward reported that the Commission previously provided clear feedback about the WUI. It could be helpful to bring those together. There could be a more streamlined process for applicants when designing their Landscape Plans. Chair Van Dine mentioned the previous discussion about native plants in areas that are not currently established.

Commissioner Grant Tilson mentioned the fourth item: "Consider a pilot parking permit program that provides residents access to transit stops in their neighborhood." He thought this was interesting and could be explored to expand resident access to transit. There are still some neighborhoods where transit is difficult to access, so he would be interested in looking into pilot parking permit programs that could increase transit use.

Commissioner Frontero asked what the goal of the fourth item is. Director Ward reported that in the open houses and community meetings with the neighborhoods, there was feedback from residents in certain areas to indicate that it can be difficult to access transit. One of the ideas was a pilot program to test out a permit that residents within certain neighborhoods could have in order to access transit. There would need to be some additional community engagement if this were pursued to ensure it was done thoughtfully. However, there might be opportunities with some of the existing parking areas. Commissioner Beal expressed support for micro-lots and parking permits. Director Ward pointed out that this item could potentially be combined with the first and second items. Commissioner Frontero expressed support for the pilot program. It would make sense to try it for a season, see what the results were, and then re-evaluate the program.

Chair Van Dine thought the item related to a community gardens ordinance was less of a priority. Commissioner Shand asked if those would be vacant City parcels or vacant privately owned parcels. Director Ward explained that it has not been specified at this point. Planner Larsen reported that a lot of community gardens are related to non-profit organizations. If that is the primary use, it would need to be specifically stated to determine whether it would be permitted in the district or not. Commissioner Shand agreed with Chair Van Dine that the community garden item would be a lower priority.

Commissioner Beal mentioned the third item on the list. He asked if feedback was received to indicate that there are inadequate bicycle parking and storage requirements currently. Chair Van Dine reported that the requirements were expanded. Finding incentives to bring existing developments into compliance might be beneficial. It would be interesting to see what incentives could be proposed. She does not know what would convince others to increase their indoor bicycle storage. Chair Van Dine added that the code was updated fairly significantly approximately two years ago. Director Ward mentioned the Request-A-Rack program that exists. Chair Van Dine thought it was worth looking into possible incentives, but she does not believe this item is the highest priority.

Commissioner Frontero mentioned the ninth item on the list, which relates to the SLO. He finds the SLO regulations to be sufficient, so he wanted to understand what the goal is with this item. Planner Larsen explained that it would involve research to make sure that the SLO encompasses the best practices for ridgeline protection and mitigation on steep slopes. Commissioner Frontero thought this was important, but also believed it would be a lower priority than some of the other items included on the prioritization list.

7. ADJOURNMENT

MOTION: Commissioner Frontero moved to ADJOURN. The motion passed with the unanimous consent of the Commission.

The meeting adjourned at approximately 6:40 p.m.

Planning Commission Staff Report



Subject: Municipal Sign Code Amendments
Application: PL-26-06819
Authors: Virgil Lund, Planner II
Building Department
Date: February 25, 2026
Type of Item: Work Session

Recommendation

Review potential amendments to Municipal Code of Park City (MCPC) [Section 12-10-2\(B\)](#) to update regulations for Construction Marketing Signs and provide direction to staff regarding a draft ordinance.

Description

Applicant: Planning Department

Location: All Zoning Districts within City Limits

Zoning District: All Zoning Districts within City Limits

Reason for Review: The Planning Commission makes recommendations to City Council regarding Sign Code Amendments.

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 12-2-1](#).

Summary

On December 11, 2025, the City Council requested that Staff review the existing Sign Code to identify potential amendments that would provide greater flexibility for construction marketing signage.¹ Since the December meeting, Staff researched best practices in eight comparable communities. Staff are drafting potential amendments to the Sign Code to create greater flexibility for Construction Marketing Signs in coordination with the Building Department and Code Enforcement.

MCPC [§ 12-2-1\(U\)\(35\)](#) defines *Temporary Signs* as signs intended to be used for a period of less than six (6) months. The Code places restrictions on temporary signs and notes they are often erected in locations that obscure traffic signs and impair views. Temporary signs may “depreciate the scenic beauty and quality of life of the community by creating visual clutter.”

One of the purposes of the Sign Code is to “[a]llow each individual business to clearly identify itself and the goods and services which it offers in a clear and distinctive

¹ See Municipal Code [§ 12-10-2\(C\)](#) for existing regulations.

manner.”² The proposed Sign Code amendments allow greater flexibility for residential and commercial developments to advertise.

The Applicant Representative of the Studio Crossing Development, Attorney Justin Keys of HLH Law Firm has submitted proposed amendments to the Sign Code pertaining to Construction Marketing Signs, requesting additional flexibility in the Sign Code. These recommendations are detailed in Exhibit A.

Staff finds some concerns with the proposed amendments from HLH Law Firm:

- The allowance of a banner. The Sign Code prohibits all types of banners, except as approved as part of a Special Event permit.
- The number of Signs allowed per project (6).
- Height of freestanding signs.
- Illumination: up-lighting of Freestanding Signs would be contrary to the dark sky code.

Components of the proposed amendments that Staff recommend the Planning Commission and City Council consider:

- Size of Freestanding Signs limited to 32 square feet.

Analysis

The existing Sign Code allows one Construction Marketing Sign per project. The sign is limited to a maximum area of 24 square feet and a height not exceeding seven feet above finished grade. The sign must be removed upon issuance of the final certificate of occupancy.

Staff researched other communities to learn how Construction Marketing Signs are regulated and to look for greater flexibility in the Park City Sign Code. This greater flexibility will allow better visibility for developments that are under construction to advertise for-sale and for-rent units. Municipalities researched include:

- Aspen, Colorado
- Bend, Oregon
- Carmel-by-the-Sea, California
- Charleston, South Carolina
- Flagstaff, Arizona
- Jackson, Wyoming
- Savannah, Georgia
- Santa Fe, New Mexico
- South Lake Tahoe, California

In certain instances, Temporary Signs may be permitted for uses such as construction site identification and construction marketing. Potential updates include (draft code shown in red text):

- Refining definition of Construction Marketing Sign:

² MCPC [§ 12-1-1](#)

- Construction Marketing Sign. A construction sign identifying the financial institution of a development, **or identifying the contractors and builders responsible for a project or development**; may include a plat map and real-estate information for purposes of marketing units within the development.
- Establishing new definition for “Freestanding Construction Marketing Sign”:
 - **Freestanding Construction Marketing Sign. A Construction Marketing Sign that is supported by one (1) or more uprights or braces which are fastened to or embedded in the ground or a foundation in the ground and not attached to any building.**
- Allowing Freestanding Construction Marketing Signs and larger Construction Marketing Signs that are mounted on a construction barricade or fence:
 - ~~SIZE. The total sign area of the construction marketing sign shall not exceed twenty-four square feet (24 sq. ft.) in area.~~
 - **Freestanding construction marketing signs shall not exceed thirty-six square feet (36 sq. ft.) in area.**
 - **Construction marketing signs mounted on a construction barricade or fence shall not exceed thirty-two square feet (32 sq. ft.) in area.**
- Establishing flexibility for Construction Marketing Signs for projects that have two or more street frontages:
 - NUMBER OF SIGNS. One (1) construction marketing sign is permitted per project.
 - **Properties with two (2) or more street frontages shall be permitted one (1) additional construction marketing sign per street frontage.**

Questions for Commission discussion:

- ***Is the Planning Commission supportive of the proposed Sign Code amendments?***
- ***Does the Planning Commission have any input or changes to the proposed amendments?***

Department Review

The Planning Department, Executive Department, and City Attorney’s Office reviewed this report.

Exhibits

A: Justin Keys Proposed Sign Code Amendments

12-17 TEMPORARY RESIDENTIAL LEASING SIGNS

12-17-1 Interpretation Of Terms

12-17-2 Qualifying Residential Developments

12-17-3 Permit Required; Term

12-17-4 Standards For Temporary Residential Leasing Signs

12-17-5 Relationship To Other Provisions

12-17-1 Interpretation Of Terms

A. For purposes of this Section 12-17, “Temporary Residential Leasing Sign” means a Sign, Temporary that is in the form of a Banner, Flag, or Freestanding Sign, and that is used solely to advertise the availability for lease of Dwelling Units for long-term Residential Use within a Qualifying Residential Development, together with the name or logo of the development, leasing contact information, and brief descriptive phrases such as “Now Leasing,” “Workforce Housing,” “Affordable Units,” or similar messages.

B. Capitalized terms used in this Section 12-17 that are not defined in Section 12-2-1 shall have the meanings assigned to them in Section 15-15-1 of this Code.

C. Temporary Residential Leasing Signs are a category of Temporary Signs and shall comply with Section 12-10, except where expressly modified by this Section 12-17.

12-17-2 Qualifying Residential Developments

A property is eligible to display Temporary Residential Leasing Signs only if it is a “Qualifying Residential Development.” For purposes of this Section, a “Qualifying Residential Development” means a development that:

A. Contains at least fifty (50) Dwelling Units approved for long-term Residential Use;

B. Is a new development for which the first Certificate of Occupancy for any Dwelling Unit was issued not more than six (6) months prior to the date of application for a Temporary Residential Leasing Sign permit, as determined by the Building Department; and

C. Includes on-site Affordable Housing or Affordable Units approved pursuant to Title 15 of this Code, whether as part of an Affordable Master Planned Development or an approved housing mitigation plan.

12-17-3 Permit Required; Term

A. PERMIT. Temporary Residential Leasing Signs require a sign permit from the Planning Department. The application shall identify each proposed Temporary Residential Leasing Sign, including its type (Banner, Flag, or Freestanding), size, Height of Sign, location, duration, design, and any proposed illumination. Temporary Residential Leasing Signs shall be reviewed for consistency with this Section 12-17, Section 12-3-3, and any applicable Master Sign Plan.

B. TERM OF PERMIT. The term of a permit for Temporary Residential Leasing Signs shall not exceed the earlier of:

1. Twelve (12) months from the date of issuance of the first Certificate of Occupancy for any Dwelling Unit within the Qualifying Residential Development; or

2. The date on which at least ninety percent (90%) of the Dwelling Units within the Qualifying Residential Development are leased for long-term Residential Use, as reasonably demonstrated by the Applicant.

C. EXTENSIONS. The Planning Director may grant one (1) extension of up to six (6) additional months upon a written finding that the development is still in its initial lease-up period and that continued display of the Temporary Residential Leasing Signs remains consistent with the purposes of this Section and Section 12-1-1.

D. REMOVAL. All Temporary Residential Leasing Signs shall be removed within ten (10) days after expiration of the permit term or upon leasing of ninety percent (90%) of the Dwelling Units, whichever occurs first.

12-17-4 Standards For Temporary Residential Leasing Signs

Temporary Residential Leasing Signs shall comply with the following standards:

A. NUMBER OF SIGNS.

1. No more than three (3) Temporary Residential Leasing Signs are permitted per Street Frontage of a Qualifying Residential Development.

2. No more than six (6) Temporary Residential Leasing Signs are permitted per Qualifying Residential Development in total.

3. Of the signs allowed per Street Frontage, no more than one (1) may be a Banner, unless otherwise approved as part of a Master Sign Plan where the total number and overall scale remain consistent with the purposes of this Section.

B. SIZE.

1. Banners. No Banner used as a Temporary Residential Leasing Sign shall exceed thirty-two square feet (32 sq. ft.) in area on the exposed sign face.

2. Flags. No Flag used as a Temporary Residential Leasing Sign shall exceed thirty-two square feet (32 sq. ft.) in area on the exposed sign face.

3. Freestanding Signs. Any Freestanding Sign used as a Temporary Residential Leasing Sign shall not exceed thirty-two square feet (32 sq. ft.) in area on the exposed sign face.

C. HEIGHT LIMIT.

1. Notwithstanding any other provision of this Title, no portion of any Temporary Residential Leasing Sign, including any Flag, Banner, or Freestanding Sign, shall extend more than fifteen feet (15') in height.

2. In no case shall a Temporary Residential Leasing Sign be placed so as to obstruct required sight-distance triangles or otherwise create a traffic or pedestrian hazard, as determined by the City Engineer.

D. SETBACK AND LOCATION.

1. Temporary Residential Leasing Signs must be located a minimum of ten feet (10') back from the edge of the Street curb, or edge of the Street pavement where there is no curb, unless a different setback is required by the applicable zoning district, in which case the more restrictive standard shall apply.

2. Temporary Residential Leasing Signs shall be located on the Premises of the Qualifying Residential Development and may not be placed within the public Right-of-Way, except where an encroachment agreement has been approved by the City Engineer and City Attorney.

3. Temporary Residential Leasing Signs shall be oriented primarily to pedestrians and vehicles in the adjacent Street right-of-way.

E. ZONING RESTRICTIONS.

Temporary Residential Leasing Signs are permitted only on Qualifying Residential Developments located within zoning districts that allow Multi-Unit Dwellings or Mixed-Use projects under Title 15 of this Code.

F. ILLUMINATION.

1. Temporary Residential Leasing Signs may be externally illuminated, provided the illumination is steady, shielded, and directed solely at the sign face, and complies with Section 12-4-9.

2. Internal illumination, Electronic Message Signs, and Flashing Signs are prohibited for Temporary Residential Leasing Signs.

G. CONTENT. Content shall be limited to messages related to the identification of the development, leasing of Dwelling Units for long-term Residential Use, information regarding Affordable Housing or Affordable Units within the development, and associated contact information and logos. Messages advertising nightly rental, Hotel, or Hotel Condominium Uses are prohibited.

12-17-5 Relationship To Other Provisions

A. Notwithstanding Section 12-7-1(A), Banners and Flags that meet all requirements of this Section 12-17 shall be permitted as Temporary Residential Leasing Signs.

B. Temporary Residential Leasing Signs shall be in addition to, and shall not reduce or replace, any Construction Signs or other Temporary Signs otherwise allowed under Section 12-10.

C. Appeals from decisions of the Planning Director under this Section shall be processed in accordance with Section 12-15-1.

Planning Commission Staff Report



Subject: 201 Heber Avenue
Union Square Condominium
Application: PL-26-06812
Author: Virgil Lund, Planner II
Date: February 25, 2026
Type of Item: Condominium Plat Amendment

Recommendation

(I) Review the proposed Union Square Fourth Amended Plat to:

- Decrease the commercial area for Unit COM-1 by 1,904 square feet to increase the residential limited common area square footage in the first level of Unit SL-1 by 1,460 square feet and to increase the commercial limited common area of Unit COM-3 (on level one) by 444 square feet.
- Increase the commercial area for Unit COM-4 by 200 square feet by reducing the square footage in the fourth level of Unit SL-1 by 200 square feet.

(II) conduct a public hearing, and (III) consider approving the Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Final Action Letter (Exhibit A).

Description

Applicant: Union Square Owners Association
Represented by: Meridian Engineering

Location: 201 Heber Avenue
Union Square Condominiums

Zoning District: Historic Recreation Commercial

Adjacent Land Uses: Commercial, Multi-Family Residential

Reason for Review: The Planning Commission reviews and takes Final Action on Condominium Plat Amendments.¹

CUP Conditional Use Permit
HRC Historic Recreation Commercial
LMC Land Management Code
MPD Master Planned Development

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

¹ LMC [§ 15-7.1-2](#)

Background

On November 10, 2004, the Planning Commission approved a Master Planned Development (MPD) and Conditional Use Permit (CUP) for Union Square/Sky Lodge at 201 Heber Avenue (Exhibit B).

On February 9, 2006, the City Council approved Ordinance No. [06-1](#), a subdivision and condominium plat for Union Square/Sky Lodge.

On December 4, 2008, the City Council approved Ordinance No. [08-47](#) creating the First Amended Union Square Condominium Plat and retiring the original Plat (Summit County Recorder Entry No. [879382](#)).

On January 24, 2024, the Planning Commission approved the Second Amended Union Square Condominium Plat. The Second Amended Plat reassigned 4,832 square feet of limited common area from Unit LB-1 to Unit COM-3 ([Packet](#), Item 5.B; [Minutes](#), p. 38). The Second Amended Plat was retired with the Third Amended Plat.

On January 8, 2025, the Planning Commission approved the Union Square Third Amended Plat (Summit County Recorder Entry No. [1238024](#)). The Third Amended Plat converted 200 square feet of limited common area to common area, 308 square feet of common area to limited common area, and 1,555 square feet of commercial limited common area from Unit LB-1 to COM-3 ([Packet](#), Item 7.D; [Minutes](#), p. 34).

On January 12, 2026, 98 percent of the Union Square Owners Association voted in favor of the proposed fourth Plat Amendment (Exhibit C).

201 Heber is on the corner of Heber Avenue and Main Street. The proposed plat amends commercial areas on the first and fourth level of the Main and Sky Building.



Figure 1: 201 Heber Avenue



Figure 2: Area of Plat Amendment, Highlighted in Red

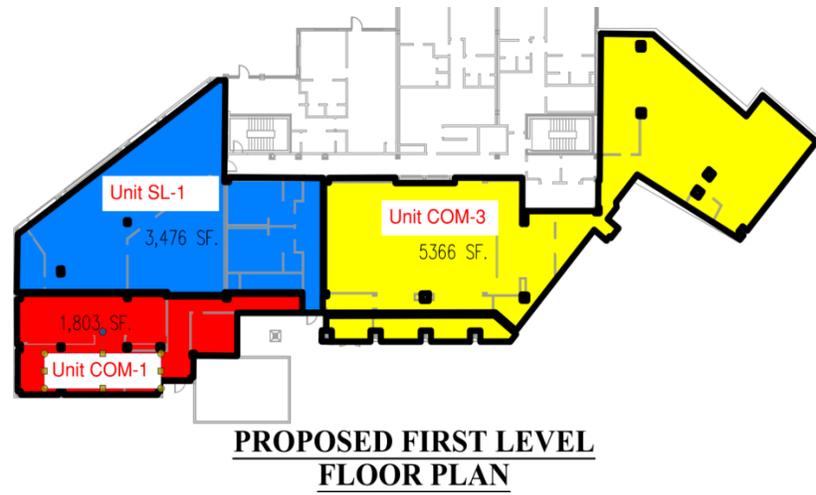
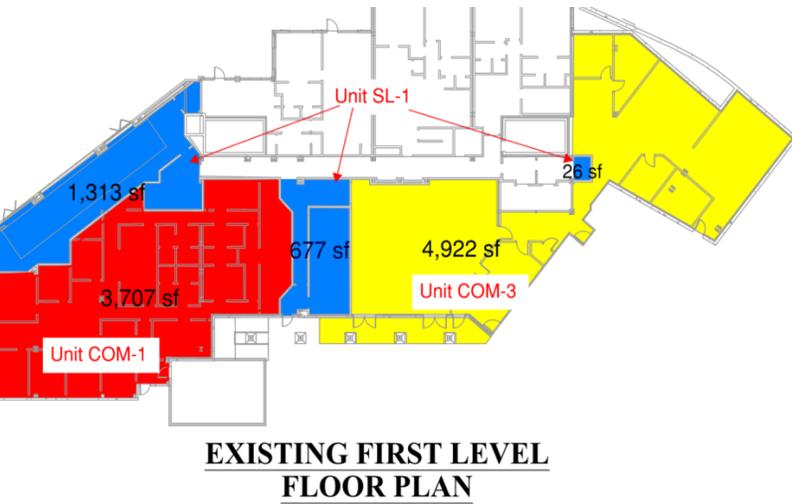


Figure 3: Existing First Level Floor Plan (Left) Vs Proposed First Level Floor Plan (Right)

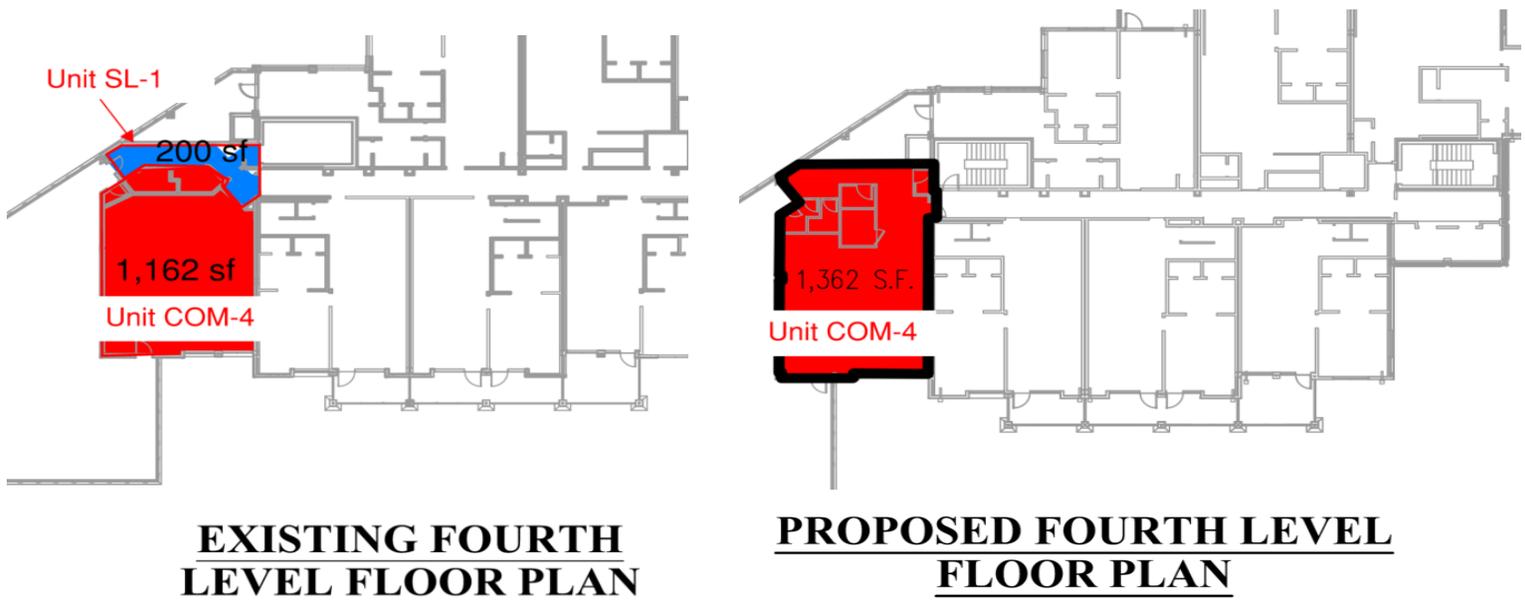


Figure 4: Existing Fourth Level Plat (Left) Vs. Proposed Fourth Level Plat (Right)

Analysis

(I) The Union Square Fourth Amended Plat complies with LMC Chapter 15-2.5, the *Historic Recreation Commercial Zoning District Requirements*.

Lots and Sites within the HRC Zoning District must meet the following requirements:²

Requirement	Analysis of Proposal
Setbacks	Not Applicable: There are no proposed expansions or additions to the Structure as part of this Plat Amendment.
Floor Area Ratio	Not Applicable: There are no proposed expansions or additions to the Structure. 201 Heber Avenue is in the Heber Avenue Sub-Zone. The Floor Area Ratio limitation of the HRC District does not apply to properties within this Sub-Zone. ³

LMC [§ 15-2.5-2](#) footnote 5 outlines requirements for Structures with Storefront Property. LMC [§ 15-15-1](#) defines *Storefront Property*: “A separately enclosed space, Floor Area, tenant space or unit that has a storefront window or storefront entrance that fronts on a Public Street. Storefront Property includes a storefront window and/or storefront entrance that is not more than eight feet (8') above or below the grade of the adjacent Public Street and where such entrance is not a service or emergency entrance to the

² LMC [§ 15-2.5-3](#)

³ LMC [§ 15-2.5-6](#)

Building.”⁴ The area highlighted in blue below is part of Unit COM-3 and is Storefront Property.

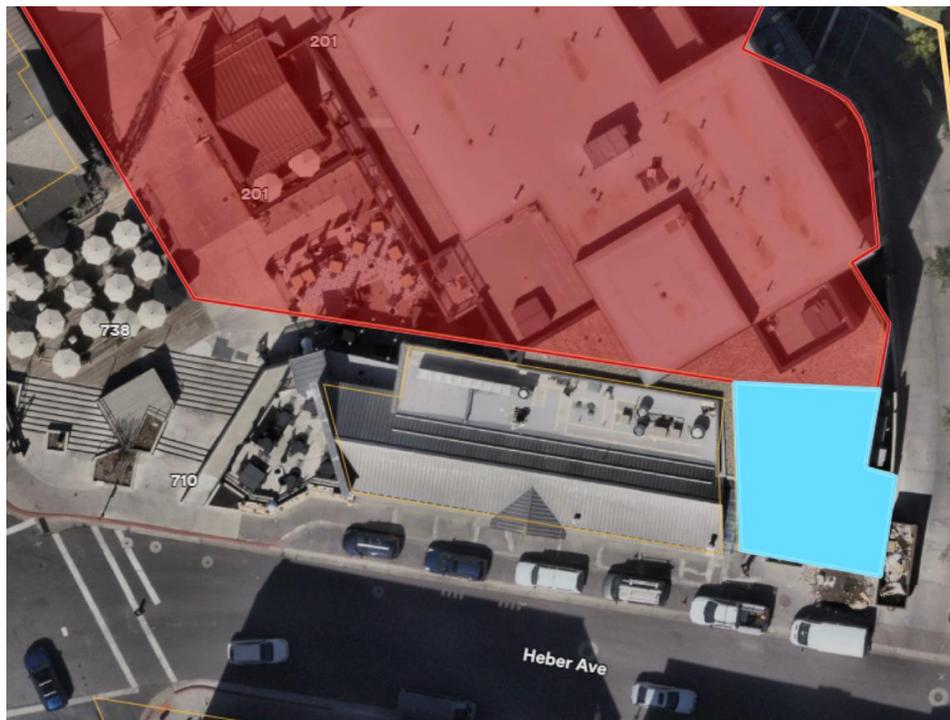


Figure 5: Unit COM-3 Storefront Property Highlighted in Blue

LMC [§ 15-2.5-2](#) footnote 5 states: “Hotel rooms shall not be located within Storefront Property; however access, circulation, and lobby areas are permitted within Storefront Property.” The area highlighted in blue is an entrance and lobby area for the 201 Heber Development (see Figure 1 above). The Use is not proposed to change with this Plat Amendment. Staff recommends a Condition of Approval that any future change in use with this Unit (Unit COM-3) must comply with the Storefront Property requirements outlined in LMC [§ 15-2.5-2](#).

(II) The proposal complies with LMC § 15-3-6, Parking Ratio Requirements.

No change in Use is proposed with this Plat Amendment. The Applicant proposes to reassign square footage from one Unit to another. As part of the MPD and CUP approval for 201 Heber Avenue, the Planning Commission granted a reduction in the required Parking Spaces to 46 (Exhibit B), based on the intended uses of the commercial area and the number of residential units. The proposed reassignment of square footage from common area to commercial limited common area and residential limited common area does not increase the parking demand for the development, does not change the Uses or density of the existing units. Designated common areas do not have parking requirements in the LMC and are intended as support areas for the existing commercial and residential areas. Since there is no change in Use, unit type, or

⁴ LMC [§ 15-15-1](#)

density, additional parking demand is not created by the proposed Plat Amendment.

(III) The proposal complies with the MPD and CUP for 201 Heber Avenue/Union Square.

The Union Square Fourth Amended Plat complies with all Conditions of Approval outlined in the Final Action Letter for the MPD and CUP for Union Square approved by the Planning Commission on November 10, 2004 (Exhibit B). Condition of Approval 4 from the MPD Final Action Letter states the following: “[A]ny modification to the Master Planned Development which constitutes a change in concept, density, unit type or configuration of any portion of the MPD will justify a review of the entire MPD and Development Agreement.”

The proposed Plat Amendment complies with this Condition of Approval because there is no change in concept, Use, density, or unit type.

(IV) The proposal complies with LMC § 15-7.1-3(B), Plat Amendment.

Changes to platted elements including conversion of common area/limited common area within a condominium requires a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC [§ 15-7-1.6](#) and approval shall require a finding of Good Cause.

LMC [§ 15-15-1](#) defines Good Cause as “[Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”

Staff finds Good Cause for the Union Square Fourth Amended Plat because this amendment does not change the mass of the existing structure or the parking requirements, will remain compliant with the MPD and CUP approved on November 10, 2004, and does not create non-conformities. No Public Street, Right-of- Way, or easement will be vacated or amended.⁵

(V) The Development Review Committee reviewed the proposal on February 3, 2026 and confirmed the proposal conforms with their required standards.⁶

Department Review

The Planning Department, Executive Department, and City Attorney’s Office reviewed

⁵ LMC [§ 15-7.1-3\(B\)](#)

⁶ The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney’s Office, Local Utilities including Rocky Mountain Power and Enbridge Gas, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on February 11, 2026. Staff mailed courtesy notice to property owners within 300 feet on February 11, 2026. The *Park Record* published courtesy notice on February 11, 2026.⁷

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

The Planning Commission may:

- Approve the Union Square Fourth Amended Plat.
- Deny the Union Square Fourth Amended Plat and direct staff to make Findings for the denial.
- Request additional information and continue the discussion to a date certain.

Exhibits

A: Draft Final Action Letter

Attachment 1: Proposed Plat

B: Union Square MPD and CUP Final Action Letter

C: HOA Vote

⁷ LMC [§ 15-1-21](#)



Planning Department

February 25, 2026

Meridian Engineering

CC: Union Square Owners Association

NOTICE OF PLANNING COMMISSION ACTION

Description

Address: 201 Heber Avenue

Zoning District: Historic Recreation Commercial

Application: Condominium Plat Amendment

Project Number: PL-26-06812

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: February 25, 2026

Project Summary: The Applicant proposes the Union Square Fourth Amended Plat.

Action Taken

On February 25, 2026, the Planning Commission conducted a public hearing and approved the Union Square Fourth Amended Plat according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. The Applicant proposes to:
 - a. Decrease the commercial area for Unit COM-1 by 1,904 square feet to increase the residential limited common area square footage in the first level of Unit SL-1 by 1,460 square feet and to increase the commercial limited common area of Unit COM-3 (on level one) by 444 square feet.
 - b. Increase the commercial area for Unit COM-4 by 200 square feet by reducing the residential limited common area square footage in the fourth level of Unit SL-1 by 200 square feet.
2. The Union Square Fourth Amended Plat complies with the Historic Recreation Commercial Zoning District Requirements for Setbacks, Floor Area Ratio, and Storefront Property.
 - a. There are no proposed expansions or additions to the Structure as part of



Planning Department

- this Plat Amendment.
- b. 201 Heber Avenue is in the Heber Avenue Sub-Zone. The Floor Area Ratio limitation of the HRC District does not apply to properties within this Sub-Zone.
 - c. Unit COM-3 is Storefront Property, as defined in the LMC.
 - d. The proposed Plat Amendment will maintain compliant with the Storefront Property requirements. The existing Storefront Property use of Unit COM-3 is a lobby for the Union Square Development.
 - e. The Use for Unit COM-3 is not proposed to change with this Plat Amendment. See Condition of Approval 3.
3. The Union Square Fourth Amended Plat complies with the Parking Ratio requirements.
- a. No change in Use is proposed with this Plat Amendment. The Applicant proposes to reassign square footage from one Unit to another. As part of the MPD and CUP approval for 201 Heber Avenue, the Planning Commission granted a reduction in the required Parking Spaces to 46, based on the intended uses of the commercial area and the number of residential units.
 - b. The proposed reassignment of square footage from common area to commercial limited common area and residential limited common area does not increase the parking demand for the development, does not change the Uses or density of the existing units. Designated common areas do not have parking requirements in the LMC and are intended as support areas for the existing commercial and residential areas. Since there is no change in Use, unit type, or density, additional parking demand is not created by the proposed Plat Amendment.
4. The Union Square Fourth Amended Plat complies with the Master Planned Development and Conditional Use Permit for 201 Heber Avenue/Union Square.
- a. The Union Square Fourth Amended Plat complies with all Conditions of Approval outlined in the Final Action Letter for the MPD and CUP for Union Square approved by the Planning Commission on November 10, 2004.
5. There is Good Cause for the Union Square Fourth Amended Plat.
- a. Staff finds Good Cause for the Union Square Fourth Amended Plat because this amendment does not change the mass of the existing structure or the parking requirements, will remain compliant with the MPD and CUP approved on November 10, 2004, and does not create non-conformities.
 - b. No Public Street, Right-of-Way, or easement will be vacated or amended.

Conclusions of Law

1. There is Good Cause for this Plat Amendment.



Planning Department

2. The Plat Amendment is consistent with Land Management Code § 15-7.1-3 *Classification of Subdivision*, § 15-7.1-6 *Final Subdivision Plat*, Chapter 15-3 *Off-Street Parking*, and Chapter 15-2.5 *Historic Recreation Commercial (HRC) District*.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions of approval below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, the Conditions of Approval, and the amended Declaration of Condominium of the Union Square Condominiums prior to recordation of the plat.
2. The Applicant or Applicant's Representative shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.
3. Any future change in Use with Unit COM-3 must comply with the Storefront Property requirements and restrictions outlined in the Land Management Code.

This Final Action may be appealed pursuant to LMC [§ 15-1-18](#). If you have questions or concerns regarding this Final Action Letter, please call 385-481-2036 or email virgil.lund@parkcity.gov.

Sincerely,

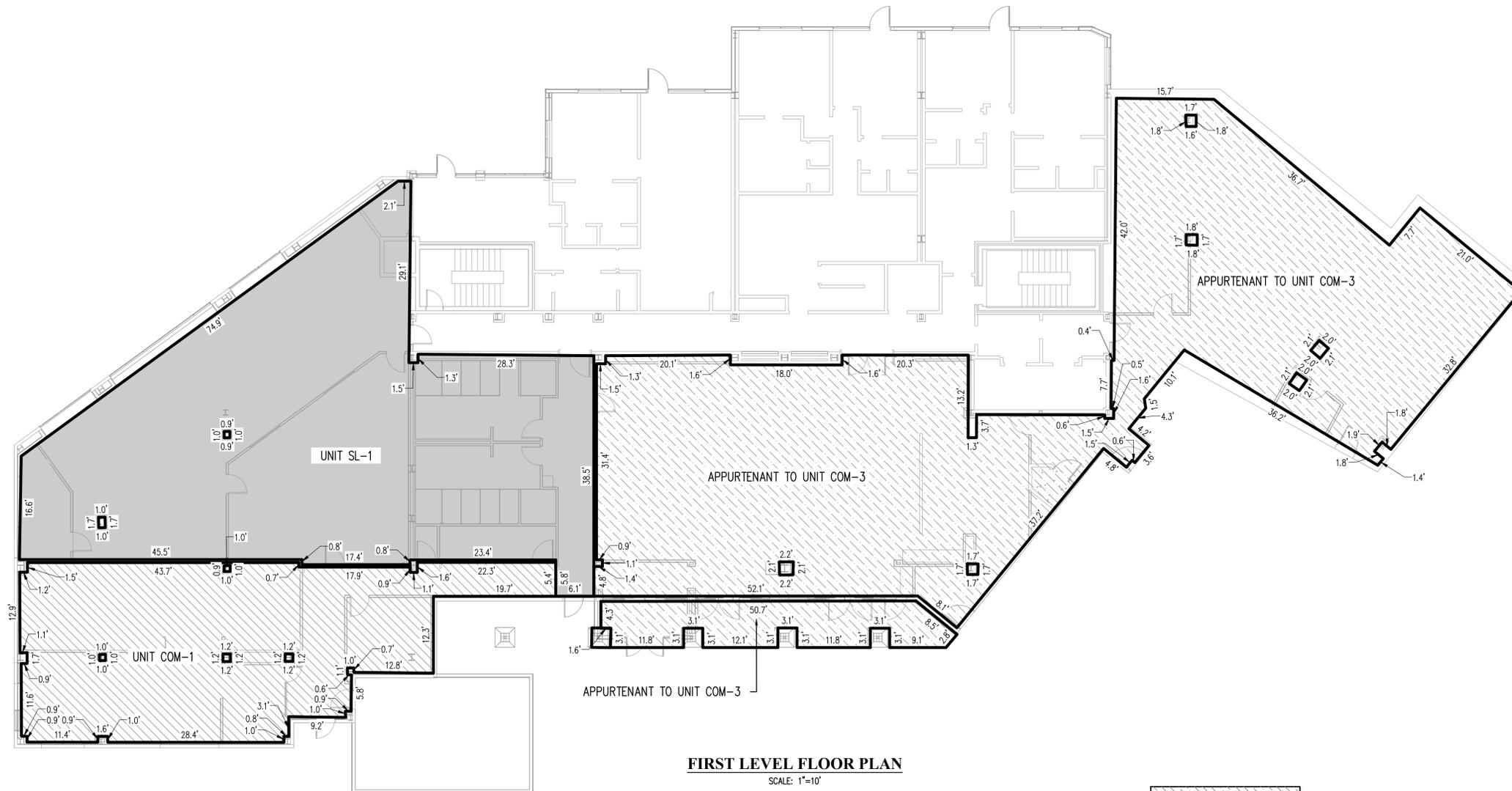
Christin Van Dine
Planning Commission Chair

CC: Virgil Lund

OWNERSHIP SPACE MATRIX AND GENERAL NOTES

1. ALL LAYOUT, AREAS AND DIMENSIONS SHOWN HEREON ARE MEASURED FROM ELECTRONIC ARCHITECTURAL DRAWINGS PROVIDED TO MERIDIAN IN MARCH OF 2025 BY REEF PRIVATE EQUITY AND DO NOT REFLECT ACTUAL CONSTRUCTION.
2. ALL EXISTING INTERIOR DIMENSIONS WERE FIELD VERIFIED AND ARE TO THE INTERIOR FINISH SURFACE OF THE WALL INDICATED.
3. REFER TO THE FIRST AMENDED CONDOMINIUM PLAT UNION SQUARE RECORDED AS ENTRY NO. 00879382 IN THE SUMMIT COUNTY RECORDERS OFFICE FOR VERTICAL DIMENSIONS AND ELEVATION PLANS
4. DIMENSIONS TAKE PREFERENCE OVER SCALE.

	TOTAL AMENDED AREA	
UNIT SL-1	RESIDENTIAL LIMITED COMMON AREA	3,476 SF.
UNIT COM-1	COMMERCIAL AREA	1,803 SF.
APPURTENANT TO COM-3	COMMERCIAL LIMITED COMMON AREA	5,366 SF.



	COMMERCIAL LIMITED COMMON AREA
	COMMERCIAL AREA
	RESIDENTIAL LIMITED COMMON

<p>PREPARED BY:</p>  <p>MERIDIAN ENGINEERING, INC. 1628 WEST 11010 SOUTH, SUITE 102 SOUTH JORDAN, UTAH 84095 PHONE (801) 569-1315 FAX (801) 569-1319</p>	
<p>UNION SQUARE FOURTH AMENDED SITUATE IN BLOCK 50, PARK CITY SURVEY, ALSO SITUATE IN THE EAST 1/2 OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH</p>	
<p>SUMMIT COUNTY RECORDER RECORDED AND FILED AT THE REQUEST OF _____ RECORDED AS ENTRY NUMBER _____</p>	<p>COMP. FILE 25046 PRELIMINARY PLAT PROJECT NO. 25046 SHEET NO. 2 OF 3</p>
<p>DATE: _____ TIME: _____ BOOK: _____ PAGE: _____ FEE \$ _____ DEPUTY SUMMIT COUNTY RECORDER</p>	

OWNERSHIP SPACE MATRIX AND GENERAL NOTES

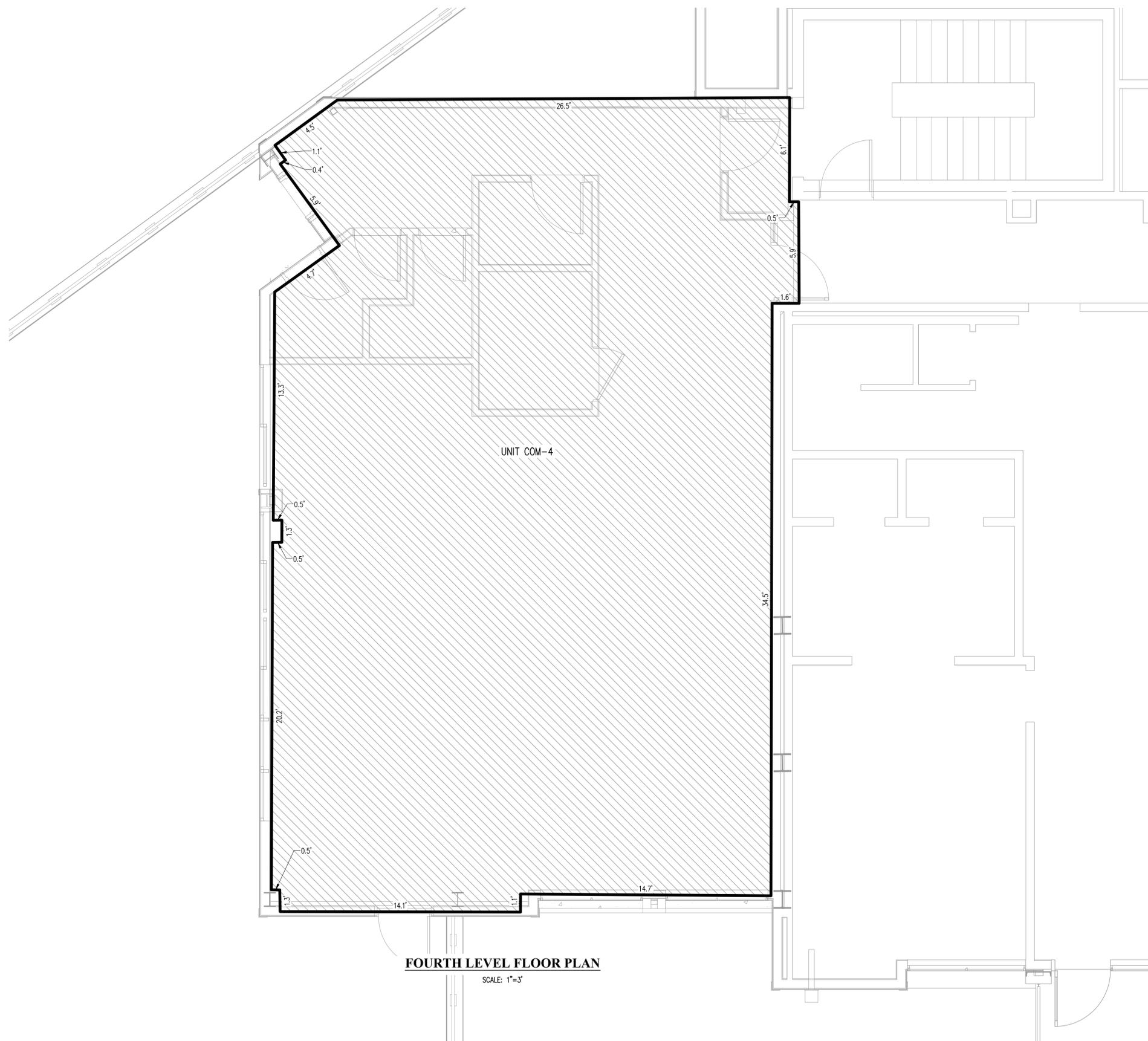
1. ALL LAYOUT, AREAS AND DIMENSIONS SHOWN HEREON ARE MEASURED FROM ELECTRONIC ARCHITECTURAL DRAWINGS PROVIDED TO MERIDIAN IN MARCH OF 2025 BY REEF PRIVATE EQUITY AND DO NOT REFLECT ACTUAL CONSTRUCTION.
2. ALL EXISTING INTERIOR DIMENSIONS WERE FIELD VERIFIED AND ARE TO THE INTERIOR FINISH SURFACE OF THE WALL INDICATED.
3. REFER TO THE FIRST AMENDED CONDOMINIUM PLAT UNION SQUARE RECORDED AS ENTRY NO. 00879382 IN THE SUMMIT COUNTY RECORDERS OFFICE FOR VERTICAL DIMENSIONS AND ELEVATION PLANS
4. DIMENSIONS TAKE PREFERENCE OVER SCALE.

TOTAL AMENDED AREA

UNIT COM-4 COMMERCIAL AREA 1,362 S.F.



COMMERCIAL AREA



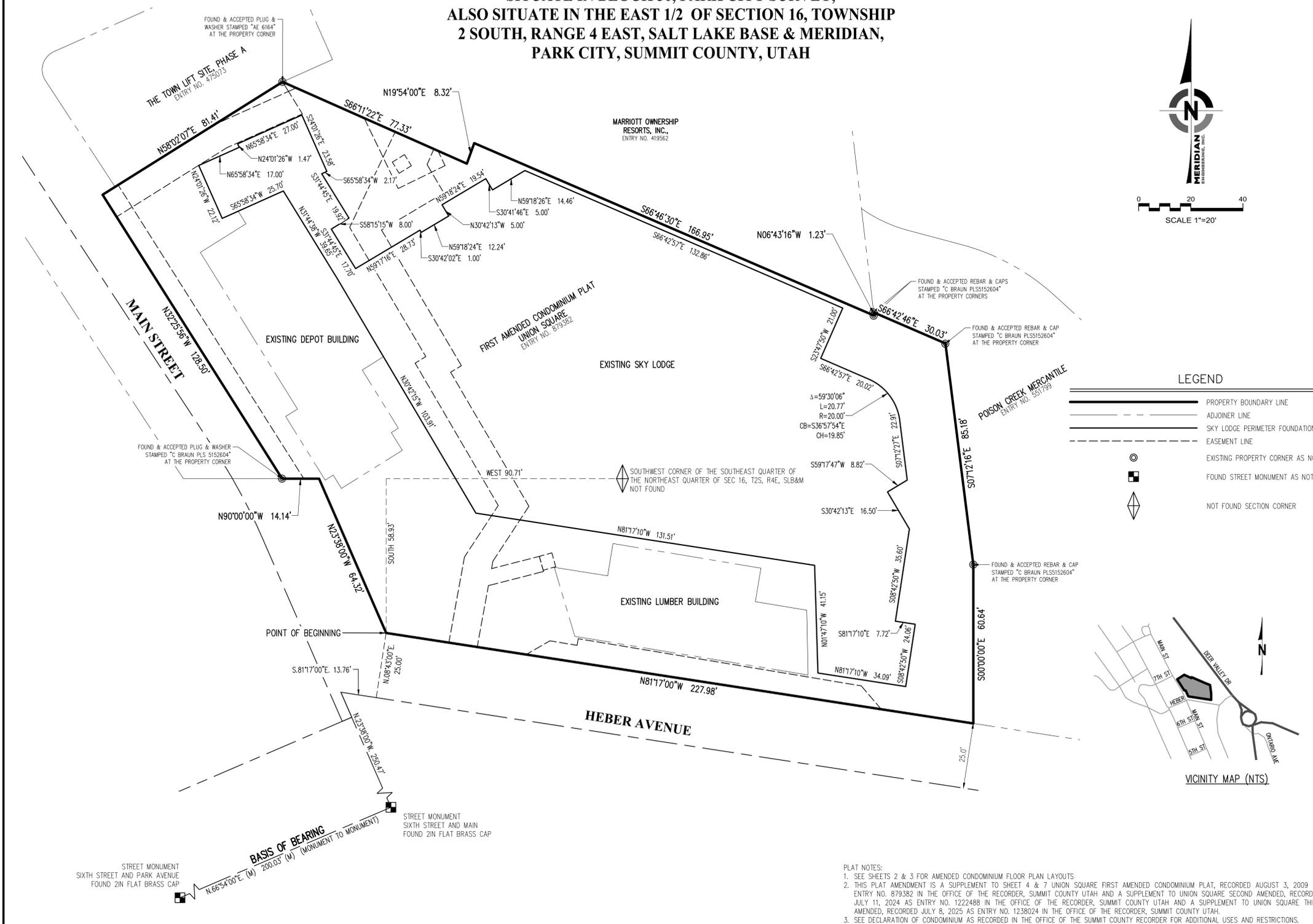
FOURTH LEVEL FLOOR PLAN

SCALE: 1"=3'

<p>PREPARED BY:</p> <p>MERIDIAN ENGINEERING, INC. 1628 WEST 11010 SOUTH, SUITE 102 SOUTH JORDAN, UTAH 84095 PHONE (801) 569-1315 FAX (801) 569-1319</p>	
<p>UNION SQUARE FOURTH AMENDED SITUATE IN BLOCK 50, PARK CITY SURVEY, ALSO SITUATE IN THE EAST 1/2 OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH</p>	
<p>SUMMIT COUNTY RECORDER</p> <p>RECORDED AND FILED AT THE REQUEST OF _____</p> <p>RECORDED AS ENTRY NUMBER _____</p> <p>DATE: _____ TIME: _____ BOOK: _____ PAGE: _____</p> <p>FEE \$ _____ DEPUTY SUMMIT COUNTY RECORDER _____</p>	<p>COMP. FILE 25046 PRELIMINARY PLAT</p> <p>PROJECT NO. 25046</p> <p>SHEET NO. 3 OF 3</p>

UNION SQUARE FOURTH AMENDED

SITUATE IN BLOCK 50, PARK CITY SURVEY,
ALSO SITUATE IN THE EAST 1/2 OF SECTION 16, TOWNSHIP
2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH



DAVID C. MCKINNEY
PLS NO. 5251295
DATE: FEB 9, 2026

SURVEYOR'S CERTIFICATE

I, DAVID C. MCKINNEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, HOLDING LICENSE NUMBER 5251295, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT AND THAT THIS PLAT IS BASED ON A SUBDIVISION OF LAND FILED ON 8/03/2009, AS NO. 879382 WITHIN THE OFFICE OF THE SUMMIT COUNTY RECORDER AS SHOWN ON THIS CONDOMINIUM PLAT OF "UNION SQUARE FOURTH AMENDED" IN ACCORDANCE WITH THE PROVISIONS OF SECTION 57-8-13 OF THE UTAH CONDOMINIUM OWNERSHIP ACT.

LEGAL DESCRIPTION

VERBATIM FROM: FIRST AMENDMENT TO THE RESTATED AND AMENDED DECLARATION OF CONDOMINIUM FOR UNION SQUARE, A UTAH CONDOMINIUM PROJECT (2022) RECORDED AS ENTRY NO. 1222489 IN B:2825 AT P:0603 IN THE OFFICIAL RECORDS OF SUMMIT COUNTY

UNITS 106, 202, 204, 206, 207, 209, 301, 303, 305, 306, 309, 401, 402, 403, 404, 405, 406, 502, 504, 506, 507, 603, COMMERCIAL UNIT HOTEL LOBBY/FRONT OFFICE, COMMERCIAL UNIT SPA, COMMERCIAL UNIT SKY CLUB LOUNGE, COMMERCIAL UNIT EAST STREET BRASSERIE BLDG, COMMERCIAL UNIT DEPOT BUILDING, EAST STREET BAKERY, CONTAINED WITHIN UNION SQUARE CONDOMINIUM, FIRST AMENDED PLAT OF UNION SQUARE CONDOMINIUM, AS THE SAME AS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED APRIL 12, 2006 AS ENTRY NO. 774532 AND FIRST AMENDED PLAT RECORDED AUGUST 3, 2009 AS ENTRY NO. 879382, RECORDS OF SUMMIT COUNTY, UTAH, AND IN THE DECLARATION OF CONDOMINIUM FOR UNION SQUARE RECORDED APRIL 12, 2006 AS ENTRY NO. 774533, IN BOOK 1784, AT PAGE 195, RECORDS OF SUMMIT COUNTY, UTAH (AS SAID DECLARATION MAY HAVE HERETOFORE OR HEREAFTER BEEN AMENDED OR SUPPLEMENTED).

TOGETHER WITH: (A) THE UNDIVIDED INTEREST IN SAID CONDOMINIUM PROJECTS COMMON AREAS AND FACILITIES WHICH IS APPURTENANT TO SAID UNIT; (B) THE EXCLUSIVE RIGHT TO USE AND ENJOY EACH OF THE LIMITED COMMON AREAS WHICH IS APPURTENANT TO SAID UNIT; AND (C) THE NON EXCLUSIVE RIGHT TO USE AND ENJOY THE COMMON AREAS AND FACILITIES INCLUDED IN SAID CONDOMINIUM PROJECT (AS SAID PROJECT MAY HEREAFTER BE EXPANDED) IN ACCORDANCE WITH THE AFORESAID DECLARATION AND SURVEY MAP (AS SAID DECLARATION AND MAP MAY HEREAFTER BE AMENDED OR SUPPLEMENTED) AND THE UTAH CONDOMINIUM ACT.

SURVEYOR'S NARRATIVE

IT IS THE INTENT OF THIS PLAT AND THE SURVEY ON WHICH IT IS BASED TO CORRECTLY REPRESENT THE BOUNDARY LINES AND PROPERTY CORNERS OF THE SUBJECT PARCEL AND TO AMEND A PORTION OF A CONDOMINIUM PLAT DESCRIBED HEREON AS REQUESTED BY SEAN SKRANICH OF REEF PRIVATE EQUITY. THE BASIS OF BEARING FOR THIS SURVEY IS N166°54'00"E, ALONG THE MONUMENT LINE BETWEEN THE FOUND STREET MONUMENTS AT THE INTERSECTIONS OF SIXTH STREET AND MAIN AND SIXTH STREET AND PARK AVENUE. SEE FIRST AMENDED CONDOMINIUM PLAT UNION SQUARE RECORDED AS ENTRY NO. 879382 AND UNION SQUARE SECOND AMENDED RECORDED AS ENTRY NO. 1222488 IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

ASSOCIATION DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, ON BEHALF OF THE UNION SQUARE OWNERS ASSOCIATION, INC., A UTAH NONPROFIT CORPORATION, OF THE TRACT OF LAND DESCRIBED HEREON AS

UNION SQUARE THIRD AMENDED

A UTAH CONDOMINIUM PROJECT LOCATED ON SAID TRACT OF LAND HAVE CAUSED A SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT TO BE PREPARED AND DOES HEREBY GIVE CONSENT TO THE RECORDATION OF THIS CONDOMINIUM PLAT, AND SUBMITS THIS PROPERTY TO THE UTAH CONDOMINIUM OWNERSHIP ACT, THERE ARE NO ADDITIONAL STREETS, EASEMENTS OR OTHER PROPERTY REFLECTED ON THIS PLAT TO BE DEDICATED TO THE PUBLIC.

DATED THIS _____ DAY OF _____ A.D. 2025.

REPRESENTATIVE: JED ROBINSON, PRESIDENT

BY: _____

ITS: _____

ACKNOWLEDGMENT

(UNION SQUARE OWNERS ASSOCIATION, INC.)

STATE OF UTAH } S.S.

SUMMIT COUNTY }
ON THIS _____ DAY OF _____, 2025, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID SUMMIT COUNTY, _____, WHO, BEING BY ME DULY SWORN, DID SAY THAT HE/SHE IS THE _____ OF UNION SQUARE OWNERS ASSOCIATION INC., A UTAH NONPROFIT CORPORATION, AND THAT THE FOREGOING ASSOCIATION DEDICATION AND CONSENT TO RECORD WAS SIGNED FOR, AND IN BEHALF OF, SAID NONPROFIT CORPORATION, AND HE/SHE ACKNOWLEDGED TO ME THAT SAID NONPROFIT CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC NAME _____ NOTARY PUBLIC
COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

- PLAT NOTES:
1. SEE SHEETS 2 & 3 FOR AMENDED CONDOMINIUM FLOOR PLAN LAYOUTS
2. THIS PLAT AMENDMENT IS A SUPPLEMENT TO SHEET 4 & 7 UNION SQUARE FIRST AMENDED CONDOMINIUM PLAT, RECORDED AUGUST 3, 2009 AS ENTRY NO. 879382 IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY UTAH AND A SUPPLEMENT TO UNION SQUARE SECOND AMENDED, RECORDED JULY 11, 2024 AS ENTRY NO. 1222488 IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY UTAH AND A SUPPLEMENT TO UNION SQUARE THIRD AMENDED, RECORDED JULY 8, 2025 AS ENTRY NO. 1238024 IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY UTAH.
3. SEE DECLARATION OF CONDOMINIUM AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER FOR ADDITIONAL USES AND RESTRICTIONS.

PLANNING COMMISSION APPROVED THIS _____ DAY OF _____ A.D. 2025 BY THE PARK CITY PLANNING COMMISSION. _____ CHAIRPERSON	PARK CITY FIRE DISTRICT APPROVED THIS _____ DAY OF _____ A.D. 2025 BY PARK CITY FIRE DISTRICT _____ REPRESENTATIVE	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT APPROVED THIS _____ DAY OF _____ A.D. 2025 BY SNYDERVILLE BASIN WATER RECLAMATION DISTRICT _____ REPRESENTATIVE	SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT APPROVED THIS _____ DAY OF _____ A.D. 2025 BY SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT _____ REPRESENTATIVE	COUNCIL APPROVAL AND ACCEPTANCE PRESENTED TO THE PARK CITY CITY MAYOR THIS _____ DAY OF _____ A.D. 2025, OF WHICH TIME THE SUBDIVISION WAS APPROVED AND ACCEPTED. _____ MAYOR
SUMMIT COUNTY HEALTH DEPARTMENT APPROVED THIS _____ DAY OF _____ A.D. 2025 BY SALT LAKE COUNTY HEALTH DEPARTMENT. _____ REPRESENTATIVE	PUBLIC SAFETY ANSWERING POINT APPROVED THIS _____ DAY OF _____ A.D. 2025 BY THE TAYLORSVILLE COMMUNITY DEVELOPMENT DEPARTMENT. _____ SUMMIT COUNTY GIS COORDINATOR	CITY ENGINEER APPROVED THIS _____ DAY OF _____ A.D. 2025 BY THE PARK CITY CITY ENGINEER. _____ PARK CITY ENGINEER	APPROVAL AS TO FROM APPROVED THIS _____ DAY OF _____ A.D. 2025 BY THE PARK CITY CITY ATTORNEY. _____ PARK CITY ATTORNEY	PREPARED BY: MERIDIAN ENGINEERING, INC. 1628 WEST 1010 SOUTH, SUITE 102 SOUTH JORDAN, UTAH 84095 PHONE (801) 569-1315 FAX (801) 569-1319

UNION SQUARE FOURTH AMENDED
SITUATE IN BLOCK 50, PARK CITY SURVEY, ALSO SITUATE IN THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

OWNER: **UNION SQUARE OWNERS ASSOCIATION, INC.**

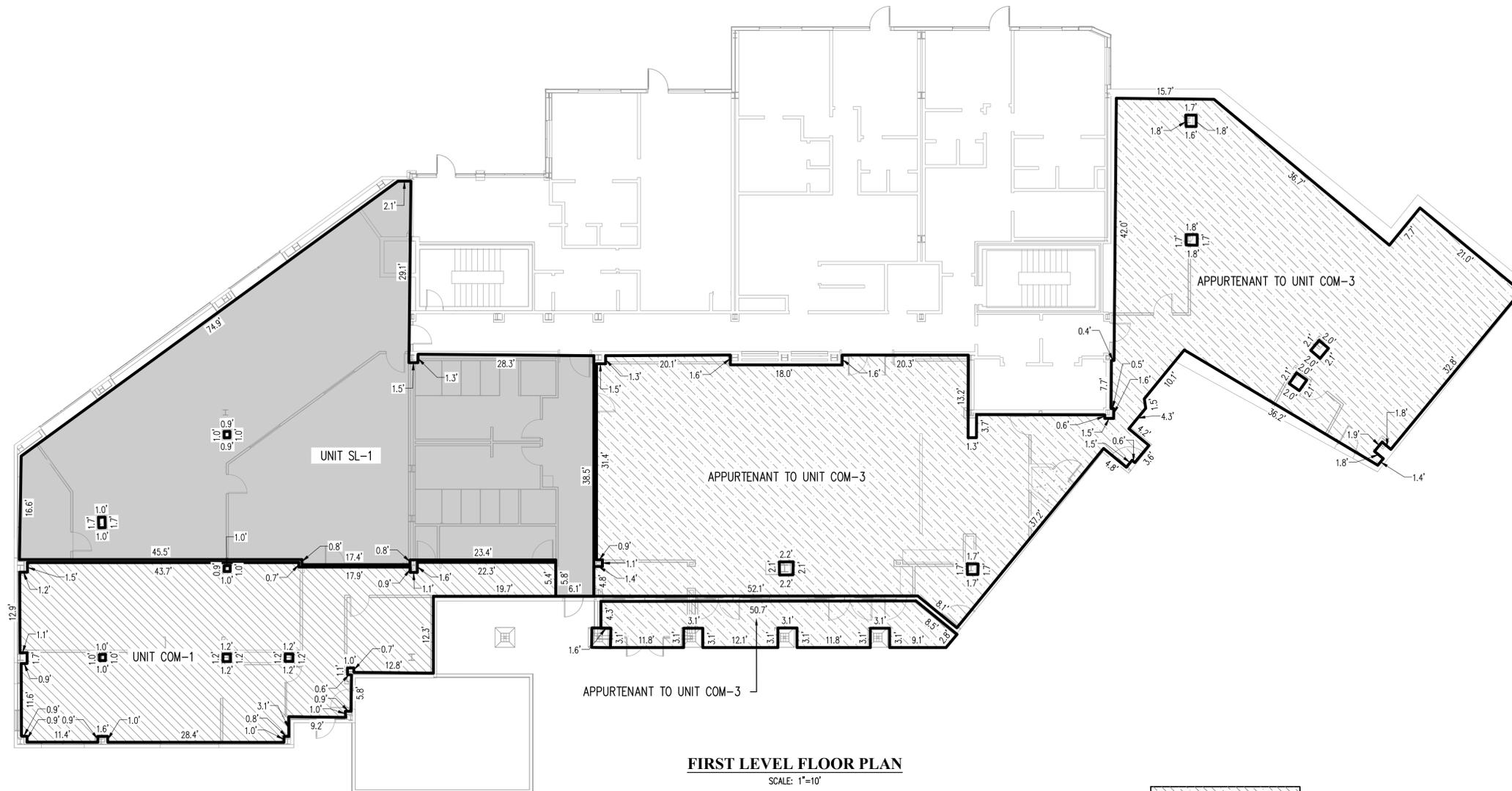
SUMMIT COUNTY RECORDER
RECORDED AND FILED AT THE REQUEST OF _____
RECORDED AS ENTRY NUMBER _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE \$ _____ DEPUTY SUMMIT COUNTY RECORDER _____

COMP. FILE 25046 FINAL PLAT
PROJECT NO. 25046
SHEET NO. 1 OF 3

OWNERSHIP SPACE MATRIX AND GENERAL NOTES

1. ALL LAYOUT, AREAS AND DIMENSIONS SHOWN HEREON ARE MEASURED FROM ELECTRONIC ARCHITECTURAL DRAWINGS PROVIDED TO MERIDIAN IN MARCH OF 2025 BY REEF PRIVATE EQUITY AND DO NOT REFLECT ACTUAL CONSTRUCTION.
2. ALL EXISTING INTERIOR DIMENSIONS WERE FIELD VERIFIED AND ARE TO THE INTERIOR FINISH SURFACE OF THE WALL INDICATED.
3. REFER TO THE FIRST AMENDED CONDOMINIUM PLAT UNION SQUARE RECORDED AS ENTRY NO. 00879382 IN THE SUMMIT COUNTY RECORDERS OFFICE FOR VERTICAL DIMENSIONS AND ELEVATION PLANS
4. DIMENSIONS TAKE PREFERENCE OVER SCALE.

TOTAL AMENDED AREA		
UNIT SL-1	RESIDENTIAL LIMITED COMMON AREA	3,476 SF.
UNIT COM-1	COMMERCIAL AREA	1,803 SF.
APPURTENANT TO COM-3	COMMERCIAL LIMITED COMMON AREA	5366 SF.



	COMMERCIAL LIMITED COMMON AREA
	COMMERCIAL AREA
	RESIDENTIAL LIMITED COMMON

<p>PREPARED BY:</p>  <p>MERIDIAN ENGINEERING, INC. 1628 WEST 11010 SOUTH, SUITE 102 SOUTH JORDAN, UTAH 84095 PHONE (801) 569-1315 FAX (801) 569-1319</p>	
<p>UNION SQUARE FOURTH AMENDED SITUATE IN BLOCK 50, PARK CITY SURVEY, ALSO SITUATE IN THE EAST 1/2 OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH</p>	
<p>SUMMIT COUNTY RECORDER RECORDED AND FILED AT THE REQUEST OF _____ RECORDED AS ENTRY NUMBER _____</p>	<p>COMP. FILE 25046 PRELIMINARY PLAT PROJECT NO. 25046 SHEET NO. 2 OF 3</p>
<p>DATE: _____ TIME: _____ BOOK: _____ PAGE: _____ FEE \$ _____ DEPUTY SUMMIT COUNTY RECORDER</p>	

OWNERSHIP SPACE MATRIX AND GENERAL NOTES

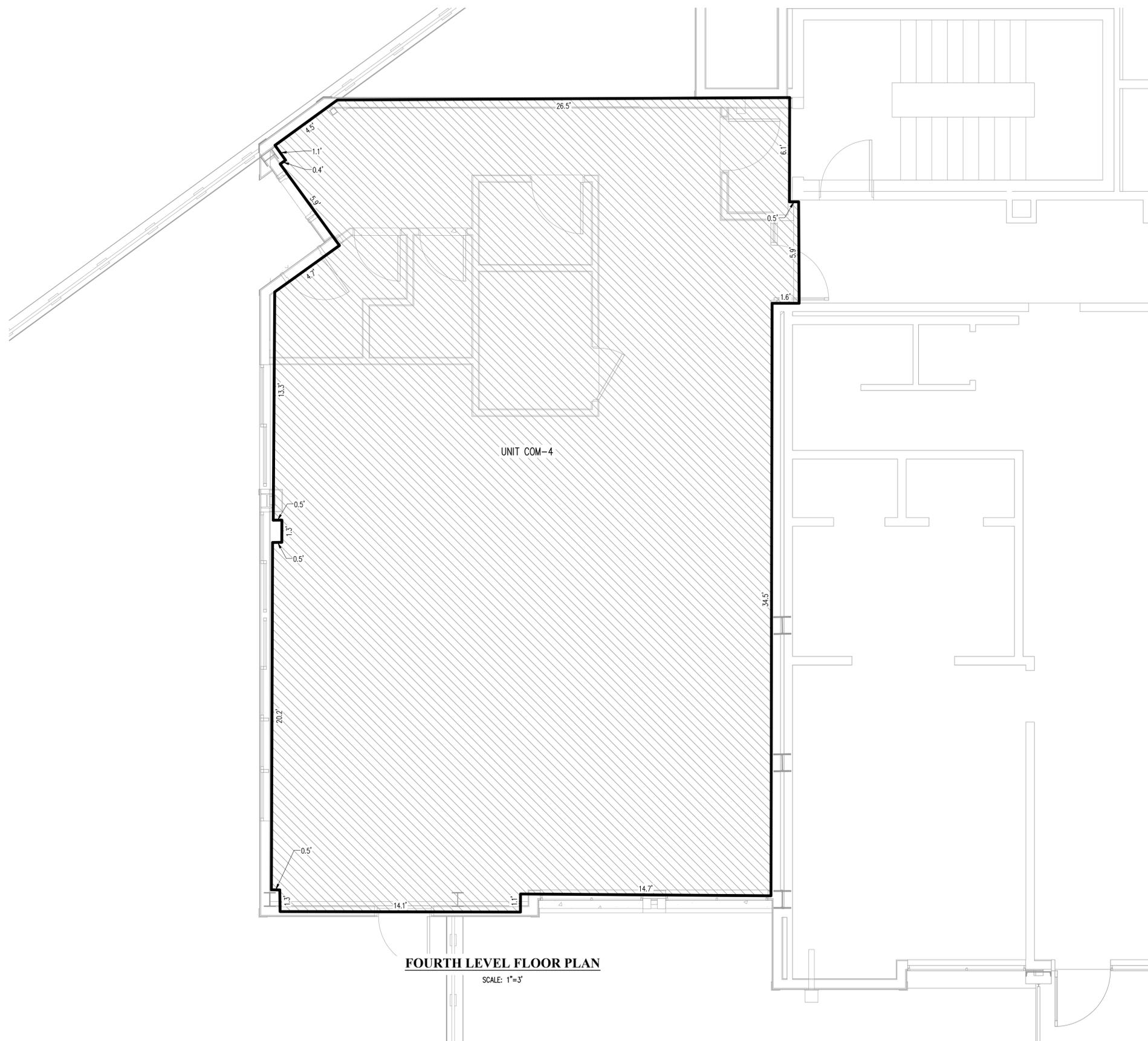
1. ALL LAYOUT, AREAS AND DIMENSIONS SHOWN HEREON ARE MEASURED FROM ELECTRONIC ARCHITECTURAL DRAWINGS PROVIDED TO MERIDIAN IN MARCH OF 2025 BY REEF PRIVATE EQUITY AND DO NOT REFLECT ACTUAL CONSTRUCTION.
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4. DIMENSIONS TAKE PREFERENCE OVER SCALE.

TOTAL AMENDED AREA

UNIT COM-4 COMMERCIAL AREA 1,362 S.F.



COMMERCIAL AREA



FOURTH LEVEL FLOOR PLAN

SCALE: 1"=3'

PREPARED BY: MERIDIAN ENGINEERING, INC. <small>1628 WEST 11010 SOUTH, SUITE 102 SOUTH JORDAN, UTAH 84095 PHONE (801) 569-1315 FAX (801) 569-1319</small>	
UNION SQUARE FOURTH AMENDED SITUATE IN BLOCK 50, PARK CITY SURVEY, ALSO SITUATE IN THE EAST 1/2 OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH	
SUMMIT COUNTY RECORDER RECORDED AND FILED AT THE REQUEST OF _____ RECORDED AS ENTRY NUMBER _____ DATE: _____ TIME: _____ BOOK: _____ PAGE: _____ FEE \$ _____ DEPUTY SUMMIT COUNTY RECORDER	COMP. FILE <small>25046</small> PRELIMINARY PLAT PROJECT NO. 25046 SHEET NO. 3 OF 3

process and is not consistent with the land management and planning principles on this parcel. Commissioner Erickson stated that he understood the need for height and agreed that some height is allowable, but using these two criteria to allow 62 feet on this building is overstated, and he could not support the height at this elevation.

MOTION: Commissioner O'Hara made a motion to APPROVE the master planned development and conditional use permit for the Union Square and Heber Avenue project according to the findings of fact, conclusions of law, and conditions of approval outlined in the staff report, including Condition 14 as requested by Director Putt. Commissioner Powers seconded the motion.

Commissioner O'Hara clarified that Condition 3 should include that the applicant presented a model as part of the detailed plans.

VOTE: The motion passed by a vote of 4 to 2, with Commissioners O'Hara, Powers, Thomas, and Volkman voting in favor of the motion and Commissioners Erickson and Zimney voting against the motion.

Findings of Fact - Union Square

1. The Union Square project is located at 201 Heber Avenue and is within the Historic Recreation Commercial (HRC) and Historic Commercial Business (HCB) Zoning Districts.
2. The expressed purposes of the HRC and HCB Districts as set forth in the Land Management Code include:
 - encouraging pedestrian-oriented, pedestrian-scaled development.
 - minimizing the visual aspects of automobiles and parking.
 - preserving and enhancing landscaping and public spaces adjacent to streets and thoroughfares.
 - providing moderate density bed base at the town lift.
 - encouraging the preservation and rehabilitation of historic buildings.

3. The project site is an infill parcel within HRC and HCB Districts.
4. The property is located within a federally designated Flood Zone.
5. Adjacent land uses include residential, retail and restaurant commercial, office, and resort-related bed base near the Town Lift development.
6. The project site includes three (3) historic buildings - The Union Pacific Depot (Zoom restaurant), Utah Coal and Lumber building (Easy Street Restaurant), and the "Tack" building (Loyola Design Building).
7. The applicant has submitted a Master Planned Development application to construct a 23-unit Multi-Unit Dwelling development to be operated as a hotel known as Union Square and a new kitchen addition to the north end of the Zoom Restaurant. The size of the Union Square Building as submitted by the applicant is 71,104 square feet (not including under-building parking garage area). The overall square footage for the 1.17-acre property as submitted by the applicant is 85,524 square feet. Unit sizes range from 1,266 square feet to 2,788 square feet. Each unit is proposed to include no more than one (1) Lock-Out unit.
8. The maximum potential development square footage for the subject property based on base zone Building Height and Setbacks is approximately 162,000 square feet. The proposed project density is approximately 53% of the maximum potential density for the property.
9. The parking requirement for the project is 46 spaces. The project includes 46 spaces in an under-building/underground parking garage. No tandem spaces are proposed as part of the parking plan. The parking is intended for use by guests and patrons of the development. No fee is intended for the use of said parking.
10. Access to the parking garage is by way of a 20-foot-wide private driveway on the east side of the property via Heber Avenue.
11. The project plan includes redevelopment of the Easy Street pedestrian walkway, which includes enhanced landscaping and public gathering spaces. The project plan also includes a courtyard east of the Easy Street pedestrian walkway which includes enhanced landscaping and public gathering spaces. The project plan also includes a

courtyard east of the Easy Street Restaurant along Heber Avenue. All exterior lighting shall conform to the Park City Lighting Ordinance.

12. The Land Management Code minimum open space requirement for the proposed development is 30% of the site area. A total of 20,396 square feet of the 1.17-acre property (40%) is proposed as open space. Said areas include pedestrian plazas, courtyards, and gathering spaces.
13. The zone height in the HRC zone is 32 feet from existing grade plus an additional 5 feet pitched roofs (37 feet total). The zone height in the HCB zone is 45 feet from existing grade, plus 5 feet for pitched roof (50 feet total).
14. The applicant has requested that the Planning Commission permit additional height for the project pursuant to Section 15-6-5(F) of the Land Management Code. The applicant has proposed a maximum building height of 62.5 feet. Said building height exception of 62.5 feet is specifically limited to a proposed staircase and elevator penthouse.
15. The proposed building design includes 4 primary roof planes ranging in building height above existing grade in the following approximate steps – 12-17 feet, 35-37 feet, 53-55 feet, and 59-62 feet. Roof planes which exceed base zone height for the HRC and HCB Districts have been reviewed by the Planning Commission for a height exception pursuant to Section 15-6-5(F) of the Land Management Code. Said building height exceptions are specifically limited to the proposed roof planes approved by the Planning Commission on November 10, 2004.
16. The distance between the portion of the proposed building mass which exceeds base zone height and adjacent/neighboring structures is approximately as follows: 8 feet from the Aquacade; 25 feet from Poison Creek Mercantile; 50 feet to the closest Summit Watch building; and 65 from the Gateway Building.
17. A sun/shadow study has been conducted by the applicant and reviewed by the Planning Commission. The impacts on adjacent properties (including the aquacade) were determined to be minimal during the spring, summer, and fall seasons. The sun/shadow study indicated that the proposed building will cast shadowing on the Aquacade during the December/winter period. The Planning Commission determined

that, due to the Aquacade’s close proximity to the property line, it is likely that a structure limited to base zone height would result in a shadowing impact on the pool area during the winter months.

18. Historic District Guideline No. 22 states, “Buildings vary in height on Main Street, which is an especially important characteristic. The normal range is between 1-2 stories for historic structures, although buildings existed that were taller.” Guideline No. 22 goes on to suggest, “Achieving variety in building heights by creating setbacks in the facade, by stepping back upper stories, and by building decks and balconies, when appropriate for the design.”
19. As proposed, the largest bulk of the building has been placed to the center of the site. The applicant’s plan orients the taller building mass away from the Poison Creek Mercantile and Gateway buildings. The larger portions of the building mass have also been shifted away from the Easy Street walkway. The project design includes shifts in the upper stories as well as incorporation of decks and balconies.
20. The Land Management Code, Section 15.6-6(C) requires a minimum 25-foot setback around the exterior boundary of a master planned development for property larger than (1) acre. Pursuant to the Land Management Code, the Planning Commission may decrease the 25-foot MPD perimeter setback requirement to the underlying zone setbacks if it is necessary to provide desired architectural interest and variation. The Planning Commission reviewed the proposed setbacks at the October 13, 2004, meeting and determined that a 25-foot perimeter setback in the commercial core of the historic Main Street area would result in an atypical historic Main Street area building setback/streetscape pattern.
21. The required and proposed project setbacks are as follows:

	<u>Required</u>	<u>Proposed (min).</u>
Front (Heber Avenue)	10 feet	33 feet
Front (Lower Main St.--HCB	0 feet	20 feet
Rear (Summit Watch—HCB)	0 feet	2 feet
Side (Poison Creek)	5 feet	20 feet

22. Staging construction in Old Town and within the Main Street/Heber Avenue neighborhood is difficult due to limited site area, parking, and vehicular and pedestrian traffic.
23. The affordable housing requirement for the 23-unit Multi-Dwelling Unit project is 3.45 units. An affordable housing unit equivalent is 800 square feet.
24. Planning Commission public hearings and/or work session discussions were held on May 26, June 9, June 23, July 14, August 11, October 13, and November 10, 2004.

Conclusions of Law - Union Square

1. The MPD, as conditioned, complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Chapter 6 - Master Planned Developments, Section 15-6-5 and Section 15-1.10, review criteria for Conditional Use Permits.
2. The MPD, as conditioned, is compatible with surrounding structures in use, scale, mass, and circulation.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
5. The MPD, as conditioned, is compatible in use, scale, and mass with adjacent properties, and promotes neighborhood compatibility.
6. The MPD provides amenities to the community so that there is no net loss of community amenities.
7. 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.
8. The MPD has been designed to place Development on the most Developable Land and preserves significant features and vegetation to the extent possible.
9. The MPD, as conditioned, promotes the use of non-vehicular forms of transportation through design and by providing pedestrian connections.
10. The MPD has been noticed and public hearings held in accordance with the LMC.
11. The MPD promotes historic preservation by restoring and adapting for appropriate re-use three historic buildings.

12. The requirements necessary for the Planning Commission to grant additional building height within the MPD pursuant to the Land Management Code Section 15-6-5 have been met.
13. The proposed uses of the Conditional Use Permit are compatible with surrounding structures in use, scale and mass, and circulation.
14. The proposed uses of the Conditional Use Permit are consistent with the Park City General Plan.
15. The proposed uses are consistent with the purpose statements of the HRC and HCB zoning districts.
16. Any effects of difference in use or scale of the Conditional Use Permit have been mitigated through careful planning and conditions of approval.

Conditions of Approval - Union Square

1. All standard conditions of approval shall apply (Exhibit I).
2. A Historic District Design Review approval for the project is a condition precedent to the issuance of any building permits.
3. The Historic District Review application shall be in substantial compliance with all plan details approved by the Planning Commission, including the model presented by the developer as part of the detailed plans.
4. Pursuant to Land Management Code Section 15-6-3(l), any modification to the Master Planned Development which constitutes a change in concept, density, unit type or configuration of any portion of the MPD will justify a review of the entire MPD and Development Agreement.
5. A Development Agreement for the Master Planned Development shall be ratified by the Planning Commission, signed by the City Council, and recorded with Summit County within six (6) months of Planning Commission Final Action. Recordation of said Development Agreement is a condition precedent to the issuance of any building permits.

6. Approval of an affordable housing plan for 3.45 units (with an affordable housing unit equivalent rate of 800 square feet per unit) by the Park City Housing Authority is a condition precedent to the issuance of any building permits.
7. A final landscape and lighting plan, including improvements related to the Easy Street walkway, shall be submitted for Planning Department review and approval prior to the issuance of any building permits.
8. A final utility plan shall be submitted to the City Engineer for review and approval prior to any building permits.
9. A construction mitigation plan shall be submitted to the Planning, Building, and Engineering Departments for review and approval prior to the issuance of any building permits.
10. The building plan application for the project shall include a topographic survey prepared by a civil engineer licensed to work in the state of Utah verifying that the project complies with the Building Heights approved by the Planning Commission.
11. The approved height exceptions do not generally apply to the entire structure. The approved height exceptions are limited to the specific roof areas and roof planes as set forth on the plans approved by the Planning Commission on November 10, 2004, and officially stamped as such by the Planning Department.
12. A master sign plan for the Master Planned Development area shall be submitted to the Planning Department for review and approval prior to the issuance of any building permits.
13. The Master Planned Development shall expire within two (2) years of the date of the execution of the Development agreement unless Construction, as defined by the International Code of Building Officials, has commenced.
14. Prior to the issuance of a building permit, a plat amendment for the property would need to be approved by the City and recorded.

The Park City Planning Commission meeting adjourned at 7:05 p.m.

Approved by Planning Commission _____

1/12/2026

City of Park City
Planning Department
Park City, Utah

Re: Plat Amendment Application – Main and Sky (Union Square)
Home Owners Association Notification and Vote Statement

To Whom It May Concern,

I, Jed Robinson, as the duly appointed President of the Union Square Owners Association, hereby certify that the Home Owners Association has notified all owners of the proposed plat amendment application for the Main and Sky property.

Notice of the proposed application was distributed to all owners in accordance with the notification requirements set forth in the governing Covenants, Conditions, and Restrictions of the Association. A vote of the ownership was conducted prior to submittal of the application.

The results of the vote are as follows:

Total eligible votes: 154
Votes in favor: 151
Votes opposed: 3

Based on these results, the proposed plat amendment has been approved by the ownership, and the vote meets the requirements set forth in the Association's Covenants, Conditions, and Restrictions.

I attest that the above information is true and correct to the best of my knowledge.

Sincerely,



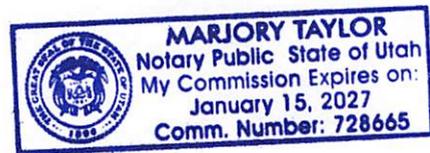
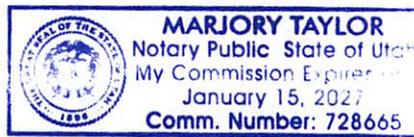
Jed Robinson
President
Union Square Owners Association

State of Utah)
County of Utah)

On the 12th day of January, 2026, before me, the undersigned, personally appeared Jed Robinson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose names are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signatures on the instrument, the individual(s), or the persons upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned.

[Handwritten signature]

Notary Public
My Commission Expires: 1/15/27



MARJORY TAYLOR
Notary Public State of Illinois
My Commission Expires on
January 12, 2023
Comm. Number: 158867



MARJORY TAYLOR
Notary Public State of Illinois
My Commission Expires on
January 12, 2023
Comm. Number: 158867



Planning Commission Staff Report



Subject: Red Banjo Plat Amendment
Landmark Historic Site
Application: PL-25-06637
Authors: Lillian Zollinger, Elissa Martin
Date: February 25, 2026
Type of Item: Plat Amendment

Recommendation

(I) Review the proposed Red Banjo Plat Amendment to remove the common property line between 322 Main Street (Parcels PC-278/PC-560) and 324 Main Street (Parcels PC-279-1/PC-556-B) to create two Lots that span from Main Street to Swede Alley and adjust the shared Lot line between 322 and 324 Main Street to resolve the encroachment of the Landmark Historic Structure at 322 Main Street, (II) conduct a public hearing, and (III) consider approving the Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant: Red Banjo Real Estate, LLC and Park Place 324, LLC
Represented by Megan Blosser, Alliance Engineering

Location: 322 Main Street
324/325 Main Street

Zoning District: Historic Commercial Business

Adjacent Land Uses: Commercial, Residential

Reason for Review: The Planning Commission reviews Plat Amendments and takes Final Action.¹

HCB Historic Commercial Business
LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

Summary

322 Main Street, known as Red Banjo Pizza, is a Landmark Historic Site; the building was constructed circa 1900. 324/325 Main Street, known as Park Place, is an adjacent non-Historic Site. Both properties are in the Historic Commercial Business (HCB) Zoning District and span from Main Street to Swede Alley, and each contains two

¹ LMC [§ 15-1-8\(H\)](#)

parcels and underlying Historic Lots of the Park City Survey.

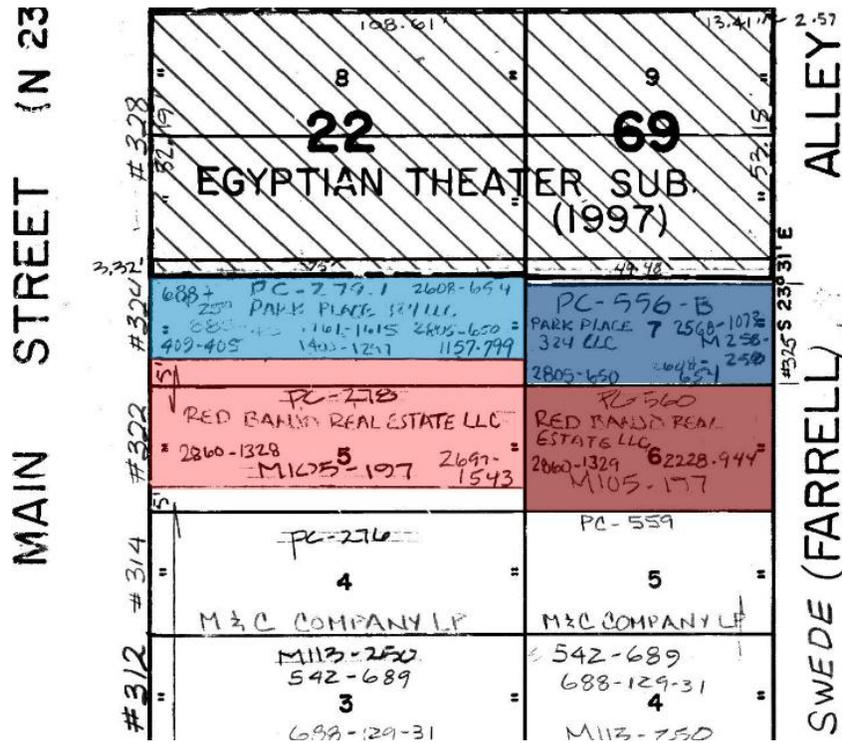


Figure 1: Excerpt from the Park City Survey showing the four parcels and Historic Lots. 324 Main Street is highlighted in blue and 322 Main Street is highlighted in red.

The Applicant proposes removing the property line between Parcels PC-278 and PC-560 (Red Banjo Pizza) and Parcels PC-279-1 and PC-556-B (Park Place) to create one contiguous Lot for each property that extends from Main Street to Swede Alley to reflect existing conditions and ownership. Additionally, the Plat Amendment adjusts the shared Lot line between 322 and 324 Main Street to resolve the encroachment of the Landmark Historic Structure.

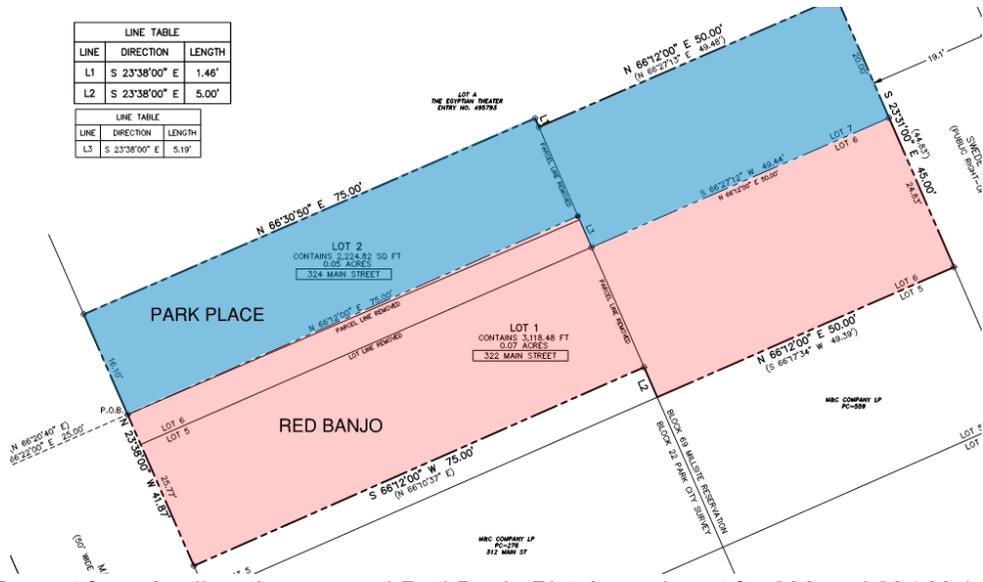


Figure 2: Excerpt from Applicant's proposed Red Banjo Plat Amendment for 322 and 324 Main Street with staff shading to show the two Lots that will be created.

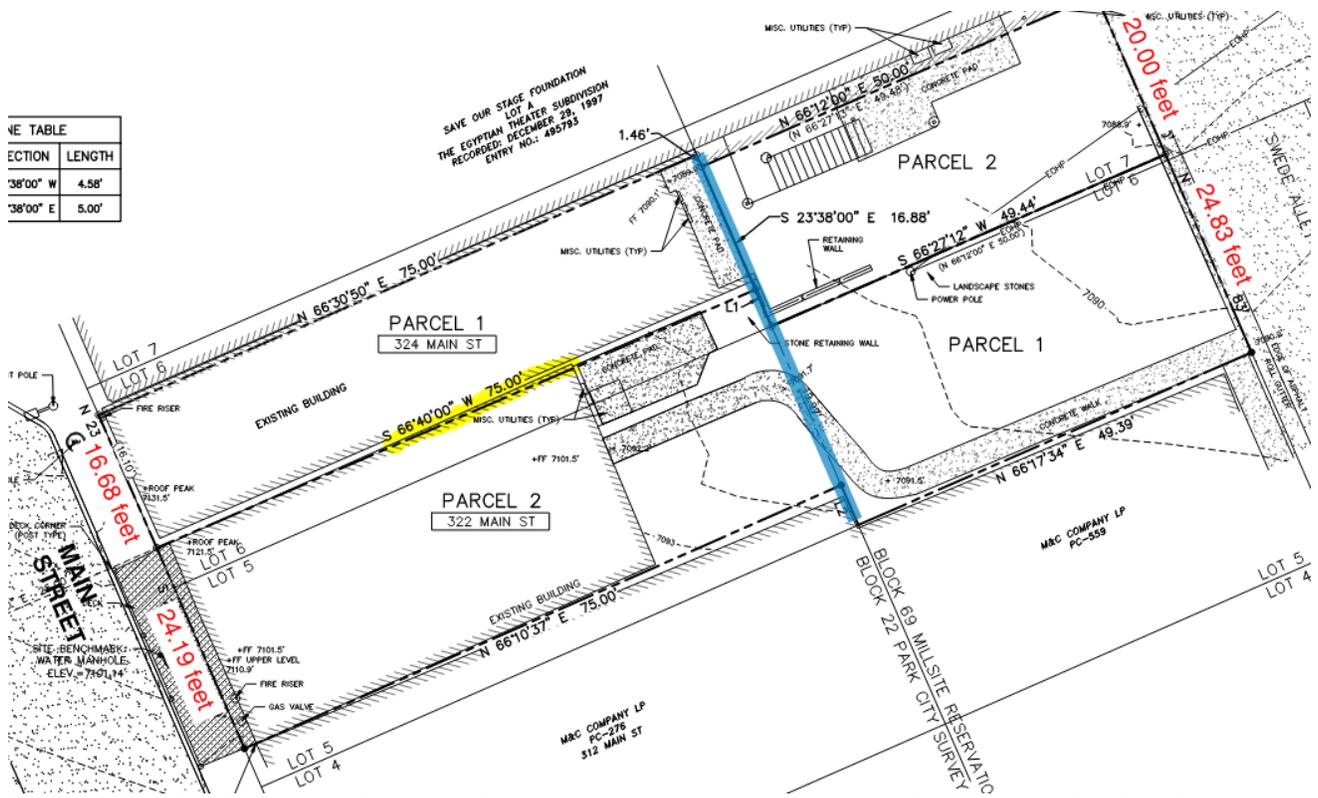


Figure 3: Existing Conditions Survey with staff's markup showing the encroachment of the Landmark Historic Structure at 322 Main Street onto 324 Main Street in yellow and the property lines to be removed in blue.

322 Main Street has an encroachment agreement with the City for a balcony over the Main Street Right-of-Way. The proposed Plat Amendment will not impact that agreement.



Figure 4: 324 (left) and 322 (right) Main Street, viewed from Main Street, image from Google Maps.

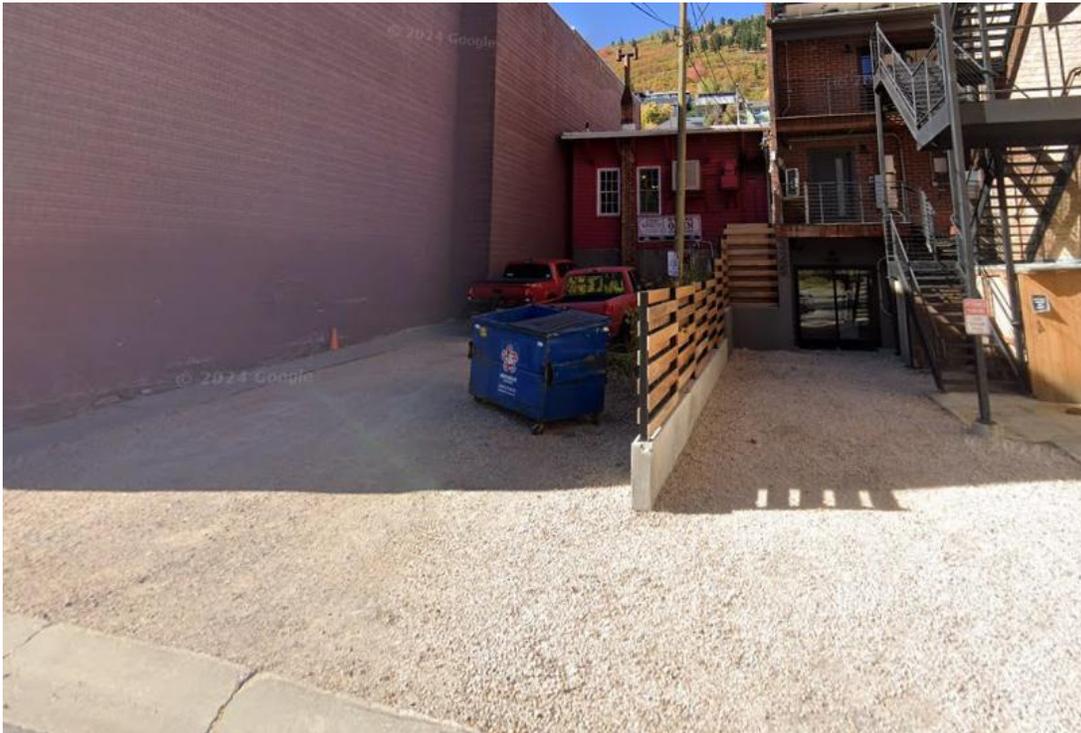


Figure 5: 322 (left) & 324 (right) Main Street, viewed from Swede Alley, image from Google Maps.

Analysis

(I) The proposed Plat Amendment to create two Lots and adjust the common Lot line for 322 and 324 Main Street complies with the Historic Commercial Business Zoning District regulations outlined in Land Management Code Chapter 15-2.6.

The existing properties that front Main Street and Swede Alley do not meet the HCB Zoning District minimum Lot width requirement of 25 feet outlined in Land Management Code (LMC) [§ 15-2.6-3](#). As a result, the Applicant requested a Variance from the minimum Lot width to reflect existing conditions and ownership and to resolve the encroachment of the Landmark Historic Site at 322 Main Street onto 324 Main Street. On February 10, 2026, the Board of Adjustment granted the Variance ([Packet](#), Item 6A; [Media](#)).

LMC [§ 15-4.6-3](#) outlines the following Lot and Site Requirements for properties in the HCB Zoning District:

Requirement	Proposed Lot 1 (322 Main)	Proposed Lot 2 (324/325 Main)
Minimum Lot Area – 1,250 square feet	Complies: 3,118.48 square feet	Complies: 2,224.82 square feet
Minimum Lot Width – 25 feet	Complies with approved Variance: 24.19 feet wide on Main; 24.83 feet on Swede	Complies with approved Variance: 16.68 feet on Main; 20 feet on Swede
Minimum Lot Depth – 50 feet	Complies – 125 feet	Complies – 125 feet
Setbacks – No minimum required Setbacks in HCB.	Complies – not required	Complies – not required

The HCB does not have a maximum Lot Area. Pursuant to LMC [§ 15-2.6-6](#), “a floor Area to ground Area ratio must be used to calculate maximum buildable Area. The maximum Floor Area Ratio (FAR) is 4.0 measured as: total floor Area divided by Lot Area equals 4.0.” The existing FAR for the Landmark Historic Site is 1.33 and the existing FAR for Park Place is 1.53. Both proposed Lots and existing buildings comply with the Maximum FAR requirement.

LMC [§ 15-2.6-3\(D\)](#) states, “Buildings must be located so as to provide an unobstructed sidewalk at least nine feet (9') wide on both Main Street and Swede Alley. The sidewalk width is measured from the front face of curb to the front of the Building. The alignment of new Building fronts with adjacent Historic fronts is encouraged. A narrower sidewalk may result from the alignment of Building fronts. The Planning and Engineering Departments may grant an exception to the minimum sidewalk width to facilitate such alignment.”

Due to existing conditions, the Applicant requested Planning and Engineering approval of a reduction in the sidewalk width. The Planning and Engineering teams researched the sidewalks along Swede Alley and found the following:

- No sidewalk easements were provided on the immediately adjacent properties, which are built to or nearly to the property lines.
- Other properties within the block provide a five-foot-wide pedestrian easement.
- Planned pedestrian improvements along Swede Alley outlined in the Main Street Area Plan are within the Right-of-Way.

As a result, Planning and Engineering finds a nine-foot-wide pedestrian easement is not appropriate in this location and a five-foot-wide pedestrian easement is required to be added to the Plat along Swede Alley prior to recordation.

The images below from Nearmap and Google Earth show that the existing buildings to the north and south are built to the property line:



Figure 6: 312 Main Street highlighted in orange, 322 Main Street highlighted in pink, 324 Main Street highlighted in blue, and 328 Main Street highlighted in green by Staff. The purple outline shows a street view excerpt from Swede Alley. 312 Main Street (left) and 328 Main Street (right) are built to the property lines. A three-foot-wide sidewalk is in front of 312 Main Street and the required five-foot-wide pedestrian easement on 322 and 324 Main Street will allow for continuation of this sidewalk and integration into the sidewalk improvements planned along Swede Alley within the Right-of-Way.

New construction will be required to comply with the requirements outlined in LMC [Chapter 15-2.6 Historic Commercial Business \(HCB\) District](#) and LMC Chapter [§ 15-13, Regulations For Historic Districts and Historic Sites](#).

(II) There is Good Cause for the proposed Plat Amendment.

Pursuant to LMC [§ 15-7.1-3\(B\)](#) a Plat Amendment shall be reviewed according to the requirements of LMC [§ 15-7.1-6](#), *Final Subdivision Plat*, and its approval shall require a

finding of Good Cause, which is defined by LMC [§ 15-15-1](#) as:

Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

The Plat Amendment creates two Lots reflecting current ownership and existing conditions and resolves an encroachment. According to the Existing Conditions Survey, the Landmark Historic Structure at 322 Main Street encroaches 0.31 feet onto 324 Main Street and the proposed Plat Amendment adjusts the common Lot line between 322 and 324 Main Street to resolve the encroachment.

(III) The Development Review Committee reviewed the proposal on January 6, 2026, and requires a Condition of Approval.²

Prior to recordation, the Plat must include a five-foot-wide pedestrian easement to facilitate pedestrian alignment along Swede Alley.

Department Review

The Planning Department, Executive Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on February 11, 2026. Staff mailed courtesy notice to property owners within 300 feet on February 11, 2026. The *Park Record* published courtesy notice on February 11, 2026.³

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

The Planning Commission may:

- Approve the Plat Amendment.
- Deny the Plat Amendment and direct staff to make Findings for the denial.
- Request additional information and continue the discussion to a date certain.

² The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Enbridge Gas, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

³ LMC [§ 15-1-21](#)

Exhibits

A: Draft Final Action Letter

Attachment 1 – Proposed Plat

B: Existing Conditions Survey



Planning Department

February 25, 2026

Red Banjo Real Estate, LLC
Park Place 324, LLC

CC: Megan Blosser, Alliance Engineering

NOTICE OF PLANNING COMMISSION ACTION

Description

Address: 322 Main Street
324 Main Street

Zoning District: Historic Commercial Business

Application: Plat Amendment

Project Number: PL-25-06637

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: February 25, 2026

Project Summary: The Applicant proposes a Plat Amendment to remove the common property line between Parcels PC-278 and PC-560 and Parcels PC-279-1 and PC-556-B to create two Lots that span Main Street and Swede Alley and adjust the shared Lot line between 322 and 324 Main Street to resolve the encroachment of the Landmark Historic Structure.

Action Taken

On February 25, 2026, the Planning Commission conducted a public hearing and approved the Red Banjo Plat Amendment according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. 322 Main Street, known as Red Banjo Pizza, is a Landmark Historic Site constructed circa 1900.
2. 324/325 Main Street, known as Park Place, is a non-Historic site.
3. The properties are in the Historic Commercial Business (HCB) Zoning District.



Planning Department

4. 322 Main Street contains Historic Lot 6, Block 69 of the Millsite Reservation to the Park City Survey and a portion of Lot 5, Block 22 of the Park City Survey, and straddles Parcels PC-278 and PC-560.
5. 324 Main Street and 325 Swede Alley contain a portion of Historic Lot 6, Block 22 of the Park City Survey and Lot 7, Block 69 of the Millsite Reservation to the Park City Survey, and straddles Parcels PC-279-1 and PC-556-B.
6. The Existing Conditions Survey shows the Landmark Historic Structure at 322 Main Street encroaches 0.31 feet onto 324 Main Street. The proposed Plat Amendment adjusts the common Lot line between 322 and 324 Main Street to resolve the encroachment.
7. The Applicant proposes a Plat Amendment to reflect existing conditions and ownership and to consolidate the Historic Lots.
8. The HCB Zoning District requires a minimum Lot Area of 1,250 square feet.
 - a. The Applicant proposes Lot 1 with 3,118.48 square feet of Area and Lot 2 with 2,224.82 square feet of Area.
9. The HCB Zoning District requires a minimum Lot width of 25 feet.
 - a. The existing and proposed Lot width of 322 Main Street (proposed Lot 1) is 24.19 feet wide on Main; 24.83 feet on Swede Alley.
 - b. The existing and proposed Lot width of 324/325 Main (proposed Lot 2) is 16.68 feet on Main; 20 feet on Swede Alley.
 - c. Because the existing Lot widths do not meet the HCB minimum Lot width of 25 feet, the property owners requested a Variance.
 - d. On February 10, 2026, the Board of Adjustment approved the Variance to allow the existing Lot widths to remain, providing an exception to the minimum Lot width requirement of the HCB Zoning District.
10. The HCB Zoning District requires a minimum Lot depth of 50 feet. The proposed Lot 1 and proposed Lot 2 both have a depth of 125 feet.
11. The HCB Zoning District has no minimum required Setbacks or maximum Lot Area.
12. The HCB Zoning District has a maximum Floor Area Ratio of 4.0.
 - a. Both proposed Lots and existing buildings comply with the Maximum FAR requirement; the existing FAR for the Landmark Historic Site is 1.33 and the existing FAR for Park Place is 1.53.
13. LMC § 15-2.6-3(D) states, "Buildings must be located so as to provide an unobstructed sidewalk at least nine feet (9') wide on both Main Street and Swede Alley. The sidewalk width is measured from the front face of curb to the front of



Planning Department

the Building. The alignment of new Building fronts with adjacent Historic fronts is encouraged. A narrower sidewalk may result from the alignment of Building fronts.

14. The Planning and Engineering Departments may grant an exception to the minimum sidewalk width to facilitate such alignment.”
 - a. The Applicant requested Planning and Engineering Department approval for a reduced sidewalk width.
 - b. The Planning and Engineering teams researched the sidewalks along Swede Alley and found the following:
 - No sidewalk easements were provided on the immediately adjacent properties, which are built to or nearly to the property lines.
 - Other properties within the block provide a five-foot-wide pedestrian easement.
 - Planned pedestrian improvements along Swede Alley outlined in the Main Street Area Plan are within the Right-of-Way.
15. Planning and Engineering find a nine-foot-wide pedestrian easement is not appropriate in this location and a five-foot-wide pedestrian easement is required to be added to the Plat along Swede Alley prior to recordation.

Conclusions of Law

1. The proposed Plat Amendment complies with LMC Chapter 15-2.6 *Historic Commercial Business (HCB) District*.
2. The proposed Plat Amendment complies with LMC § 15-7.1-6, *Final Subdivision Plat*.
3. There is Good Cause for the Plat Amendment because it resolves the encroachment of the Landmark Historic Structure and creates two contiguous Lots that align with existing conditions and ownership.
4. No Public Street, Right-of-Way, or easement has been vacated or amended as a result of the Plat Amendment.

Conditions of Approval

1. During the plat redline process and prior to recordation, a public access easement for a five-foot-wide sidewalk shall be added to the Plat along the rear property lines that front Swede Alley.
2. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.



Planning Department

3. The Applicant shall record the Plat Amendment within one year from the date of Planning Commission approval. If recordation has not occurred within one year, this approval will be void, unless the applicant submits a request for an extension in writing prior to the expiration date and an extension is granted by the Planning Director.

This Final Action may be appealed pursuant to LMC [§ 15-1-18](#). If you have questions or concerns regarding this Final Action Letter, please call (435) 699-7741 or email elissa.martin@parkcity.gov.

Sincerely,

Christin Van Dine, Planning Commission Chair

CC: Elissa Martin
Lillian Zolinger

Attachment: Red Banjo Plat Amendment

DRAFT

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 4857264 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that I have completed a survey and have referenced a record of survey map of the existing property boundaries in accordance with Section 17-23-17 and have verified the boundary locations and have placed monuments as represented on the plot. I do further certify that by authority of the owners, I have prepared this subdivision plot of the property described hereon, hereafter to be known as RED BANJO PLAT AMENDMENT.



LEGAL DESCRIPTION

PARCEL 1

The North 20 feet of Lot 5 and the South 5 feet of Lot 6, Block 22 Park City Survey, according to the Official Plat thereof on file and of record, in the Office of the Summit County Recorder.

PARCEL 2

All of Lot 6, Block 69, Millsite to Park City Survey, according to the Official Plat thereof on file and of record, in the office of the Summit County Recorder.

And the overall property being more particularly described as follows:

Beginning at a point that is South 23°38'00" East 285.21 feet (measured South 23°36'04" East) and North 66°22'00" East 25.00 feet (measured North 66°20'40" East) from the street monument at the intersection of Main Street and Fourth Street, said point being on the easterly right-of-way of Main Street, said point also being on the westerly boundary of Lot 6, Block 22, Amended Plat of Park City filed with Summit County, Utah; and running thence North 66°12'00" East 75.00 feet (measured North 66°40'00" East) to a point on the westerly boundary of Lot 7, Block 69, Plat of Sub-division No. 1 of Mill-site Reservation Park City filed with Summit County, Utah; thence coincident with said Lot 7 the following two (2) courses: 1) South 23°38'00" East 5.00 feet (measured 4.58 feet); thence 2) North 66°12'00" East 50.00 feet (measured North 66°27'12" East 49.44 feet) to a point on the westerly right-of-way of Farrel Alley (now known as Swede Alley), Plat of Sub-division No. 1 of Mill-site Reservation Park City; thence coincident with said westerly right-of-way South 23°31'00" East 25.00 feet (24.83 feet) to the northernmost corner of Lot 5, Block 69, Plat of Sub-division No. 1 of Mill-site Reservation Park City; thence coincident with the northerly boundary line of said Lot 5 South 66°12'00" West 50.00 feet (measured South 66°17'34" West 49.39 feet) to the easternmost corner of Lot 5, Block 22, Amended Plat of Park City; thence coincident with the easterly boundary of said Lot 5 North 23°38'00" West 5.00 feet; thence South 66°12'00" West 75.00 feet (measured South 66°10'37" West) to a point on the easterly right-of-way of Main Street, Amended Plat of Park City; thence coincident with said easterly right-of-way North 23°38'00" West 25.00 feet (measured North 23°38'14" West 25.19 feet) to the point of beginning.

Contains 0.071 acres, 3,095.6 square feet, more or less.

PARCEL 3

That portion of Lot 6, Block 22, Park City Survey, according to the Amended Plat thereof, on file in the Office of the Summit County Recorder, and more particularly described as follows:

Beginning at a point North 28°38' West 5.00 feet from the Southwest corner of said Lot 6, and running thence North 23°38' West 16.68 feet; thence North 66°30'50" East 75.00 feet; thence South 23°38' East 16.88 feet; thence South 66°40' West 75.00 feet to the point of beginning.

PARCEL 4

The South 20 feet of Lot 7, Block 69, Millsite Reservation to the Park City Survey, according to the Official Plat thereof, on file and of record, in the Office of the Summit County Recorder.

OWNER'S DEDICATION & CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned, on behalf of RED BANJO REAL ESTATE, LLC, having complied with the requirements of both Statutes and the Recorded Declaration, hereby consents to the recording of this subdivision plat amendment.

RED BANJO REAL ESTATE, LLC

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT

State of _____ :ss
County of _____

On this ____ day of _____, 2025, _____ personally appeared before me, the undersigned Notary Public, in and for said County and State, being duly sworn, acknowledged to me that they are the manager of RED BANJO REAL ESTATE, LLC, and that they signed the above Consent to Record for and on behalf of RED BANJO REAL ESTATE, LLC, and that they acknowledged to me that they executed RED BANJO PLAT AMENDMENT.

By: _____
Notary Public

A Notary Public Commissioned in _____

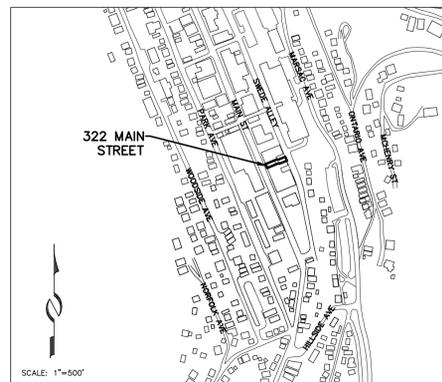
Printed Name _____

Residing in: _____

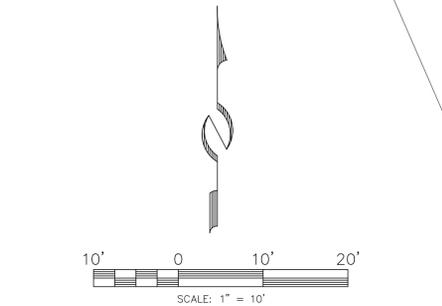
My commission expires: _____

Commission No.: _____

VICINITY MAP



SCALE: 1" = 500'



LEGEND

- Set 5/8" rebar w/cap stamped "ALLIANCE ENGINEERING" (Unless noted otherwise)
- Found Monument 5/8" rebar w/cap or copper rivet stamped "ALLIANCE ENGINEERING"
- ◆ Found Street Monument (As-Noted)

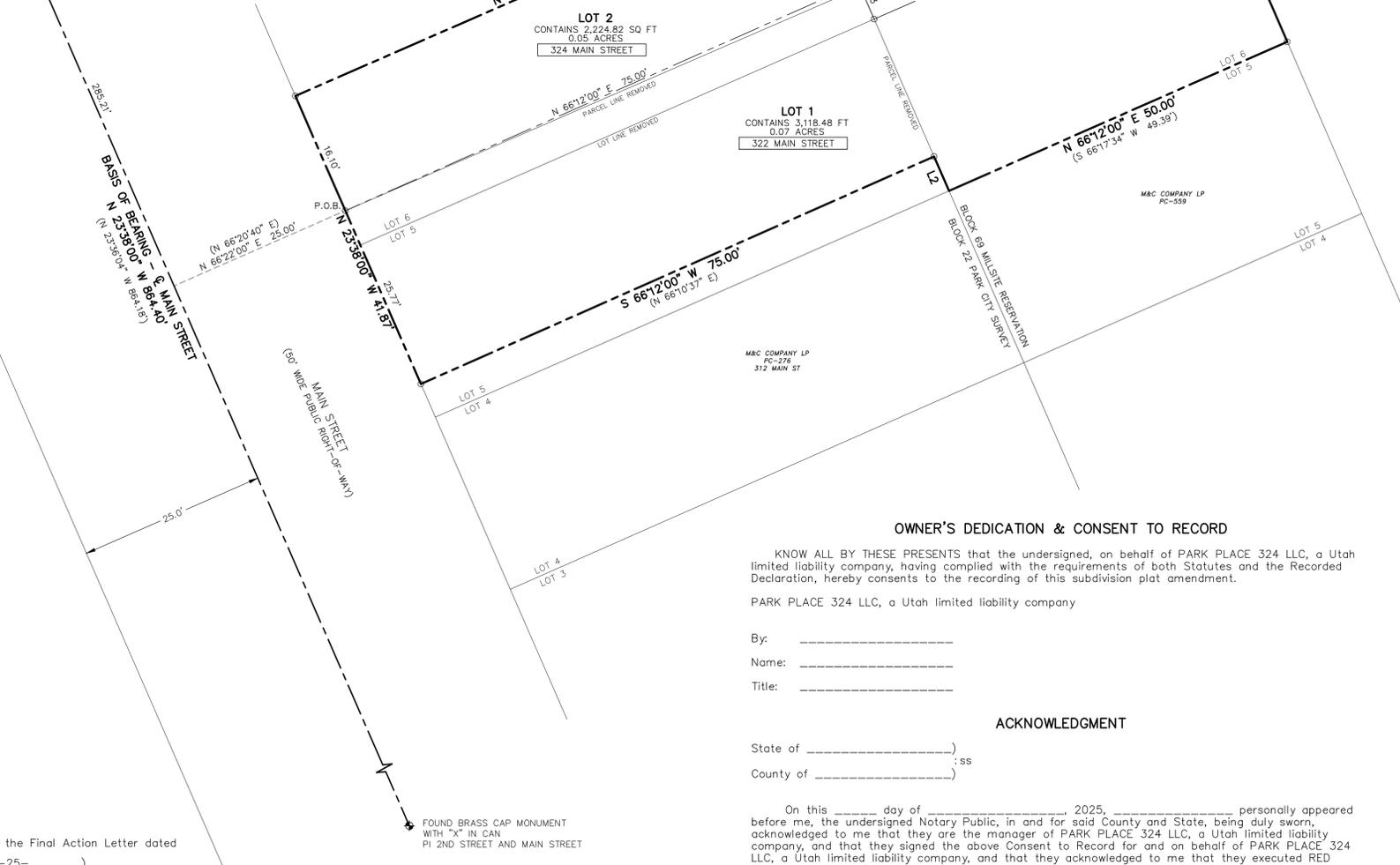
NOTES:

- This plat amendment is subject to the Conditions of Approval in the Final Action Letter dated _____, and on file with the Planning Department (PL-25-_____).
- Fire sprinklers are required for all new construction, to be approved by the Chief Building Official.
- See Record of Survey S-10306 on file in Summit County, Utah, measured bearings & distances are shown hereon in parenthesis.
- The address is 322 & 324 Main Street, Park City, Utah.
- The purpose of this plat amendment is to combine Parcels 1 & 2, as shown on the Record of Survey recorded December 2, 2020, as S-10306 in the Office of the Summit County Recorder, to one unified lot of record. This plat also adjusts the boundary between 324 Main Street and 322 Main Street so that the existing structures no longer cross the property line.
- This property is subject to an encroachment permit recorded July 17, 2003, as Entry No. 665758 in the Office of the Summit County Recorder. The encroachment agreement between the City and the Owner states the Owner shall have the right to construct and maintain a column-supported balcony (2nd story deck) over the Main Street sidewalk in front of 322 Main Street, see document for more details.

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 23°38'00" E	1.46'
L2	S 23°38'00" E	5.00'

LINE TABLE		
LINE	DIRECTION	LENGTH
L3	S 23°38'00" E	5.19'

FOUND BRASS CAP MONUMENT WITH "X" IN CAN PI 4TH STREET AND MAIN STREET



FOUND BRASS CAP MONUMENT WITH "X" IN CAN PI 2ND STREET AND MAIN STREET

OWNER'S DEDICATION & CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned, on behalf of PARK PLACE 324 LLC, a Utah limited liability company, having complied with the requirements of both Statutes and the Recorded Declaration, hereby consents to the recording of this subdivision plat amendment.

PARK PLACE 324 LLC, a Utah limited liability company

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT

State of _____ :ss
County of _____

On this ____ day of _____, 2025, _____ personally appeared before me, the undersigned Notary Public, in and for said County and State, being duly sworn, acknowledged to me that they are the manager of PARK PLACE 324 LLC, a Utah limited liability company, and that they signed the above Consent to Record for and on behalf of PARK PLACE 324 LLC, a Utah limited liability company, and that they acknowledged to me that they executed RED BANJO PLAT AMENDMENT.

By: _____
Notary Public

A Notary Public Commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No.: _____

RED BANJO PLAT AMENDMENT

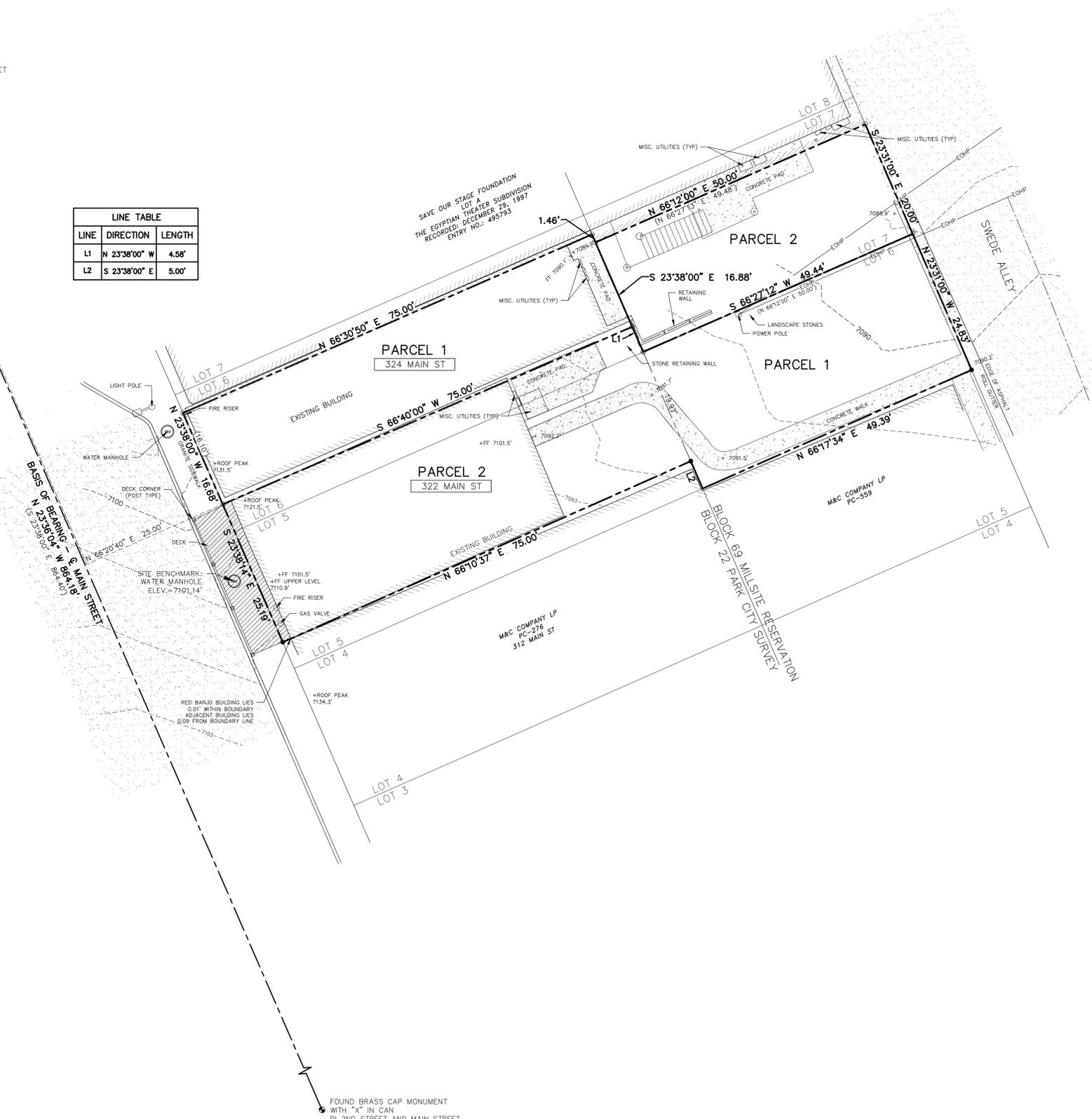
LOCATED IN THE SOUTHEAST CORNER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

<p>435-649-9467 ALLIANCE ENGINEERING CONSULTING ENGINEERS LAND PLANNERS SURVEYORS P.O. Box 2664 2700 West Homestead Road Suite 50, 60 Park City, Utah 84098</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2025</p> <p>BY _____</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THE ____ DAY OF _____, 2025</p> <p>BY _____ CHAIR</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2025</p> <p>BY _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS ____ DAY OF _____, 2025</p> <p>BY _____ PARK CITY ATTORNEY</p>	<p>PUBLIC SAFETY ANSWERING POINT APPROVAL</p> <p>APPROVED THIS ____ DAY OF _____, 2025</p> <p>BY _____ SUMMIT COUNTY GIS COORDINATOR</p>	<p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____</p> <p>FEE _____ RECORDER _____</p> <p>TIME _____ DATE _____ ENTRY NO. _____</p>
	<p>9/4/2025 JOB NO.: 1-8-20 FILE: X:\ParkCitySurvey\dwg\sr\plat2020\010820.dwg</p>					

RED BANJO PROPERTY

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
BLOCK 22 PARK CITY SURVEY &
BLOCK 69 MILLSITE RESERVATION PARK CITY SURVEY
RECORD OF SURVEY
SUMMIT COUNTY, UTAH

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 23°38'00" W	4.58'
L2	S 23°38'00" E	5.00'



LEGAL DESCRIPTION

322 MAIN ST

PARCEL 1

Block 69, Lot 6, Millsite Reservation Park City Survey.

Contains 1230 sq. ft.

PARCEL 2

The North 20 feet of Lot 5 and the South 5 feet of Lot 6, Block 22 Park City Survey.

Contains 1865 sq. ft.

324 MAIN ST

PARCEL 1

THAT PORTION OF LOT 6, BLOCK 22, PARK CITY SURVEY, ACCORDING TO THE AMENDED PLAT THEREOF, ON FILE IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NORTH 28°38' WEST 5.00 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 6, AND RUNNING THENCE NORTH 23°38' WEST 16.68 FEET; THENCE NORTH 66°30'50" EAST 75.00 FEET; THENCE SOUTH 23°38' EAST 16.88 FEET; THENCE SOUTH 66°40' WEST 75.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2

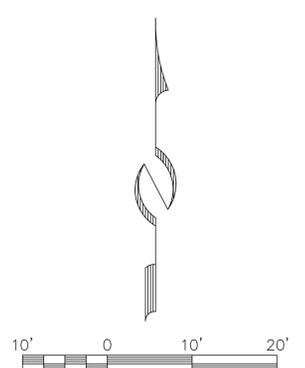
The South 20 feet of Lot 7, Block 69, Millsite Reservation to the Park City Survey, according to the Amended plat thereof, on file in the Recorder's Office, Summit County, Utah.

NARRATIVE/NOTES

1. Basis of Bearing for this survey is between the found street monuments as shown on this plat.
2. Field work for this survey was completed November 11, 2025, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to perform a Boundary, Existing Conditions and Topography survey for the possibility of future improvements to the property.
4. A Title Report was not provided to the surveyor and no easements were located as part of this survey. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
5. County tax maps, recorded deeds, Park City Monument Control Map, Park City Survey, Millsite Reservation Park City Survey, Records of Survey s-10093 and s-0369 (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were all considered when determining the boundary as shown on this plat.
6. Site Benchmark: WATER MANHOLE, Elevation=7101.14' as shown.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were set or found as shown.
9. Record bearings and distances, when different than measured, are shown in parenthesis. ()

LEGEND

- Set 5/8" rebar w/cap OR copper rivet, stamped "ALLIANCE ENGINEERING" (Unless noted otherwise)
- Found Monument 5/8" rebar w/cap or copper rivet stamped "ALLIANCE ENGINEERING"
- ⊙ Found Street Monument (As-Noted)



<p>(435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p>	STAFF: CHARLES GALATI TOM LUND TIM WILSON RYAN BORGER MEGAN BLOSSER	EXISTING CONDITIONS & TOPOGRAPHIC MAP 322 & 324 MAIN ST, PARK CITY, UT	SHEET 1 OF 1
	DATE: 12/22/25	FOR: TANA TOLLEY JOB NO.: 1-8-20 FILE: X:\ParkCitySurvey\dwg\sr\svy2020\010820-Red Banjo\010820-existing conditions.dwg	



322 Main St (front) - looking easterly



322 Main St (front) - looking northerly



322 Main St (front) - looking southerly



322 Main St (rear) - looking westerly



322 Main St (rear) - looking westerly



322 Main St (rear) - looking northerly



322 Main St (rear) - looking southerly



322 Main St (rear) - looking southerly

Planning Commission Staff Report



Subject: 7885 Aster Lane – Unit 1
Knoll at Silver Lake Phase I
Application: PL-25-06715
Author: Elissa Martin, Planning Project Manager
Date: February 25, 2026
Type of Item: Condominium Plat Amendment

Recommendation

(I) Review the proposed Knoll at Silver Lake Phase I Seventh Amended Plat, (II) conduct a public hearing, and (III) consider approving the Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in Draft Final Action Letter (Exhibit A).

Description

Applicant: Todd and Angela Newnam
Represented by Chris Mousley of Crossbeam Builders, LLC
Location: 7885 Aster Lane – Unit 1
Zoning District: Residential Development
Adjacent Land Uses: Residential
Reason for Review: The Planning Commission reviews and takes Final Action on Plat Amendments.

LMC Land Management Code
RD Residential Development
ROS Record of Survey
SLO Sensitive Lands Overlay

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

Summary

The Knoll at Silver Lake Condominium Phase I is a four-unit condominium in the Residential Development (RD) Zoning District and the Deer Valley Master Planned Development (MPD), which was approved December 22, 1983, effective January 1, 1984, and subsequently amended. The Applicant proposes the seventh amendment to the Knoll at Silver Lake Condominium Phase I to expand the platted limited common ownership boundary of 7885 Aster Lane (Unit 1) on the main level to construct a deck.



Figure 1: Unit 1 of the Knoll at Silver Lake Condominium, showing the existing deck on the second (main) level front of the building

Background

The Knoll at Silver Lake Condominium Phase I has been amended six times to adjust private, common, and limited common ownership of the four units. The original Knoll at Silver Lake Phase I Condominium Plat was recorded with Summit County on April, 5 1982 (Entry No. 190071). Subsequently, the parcel was included in a larger subdivision, the Deer Valley Club Estates, recorded with Summit County in October of 1992 (Entry No. 370399).

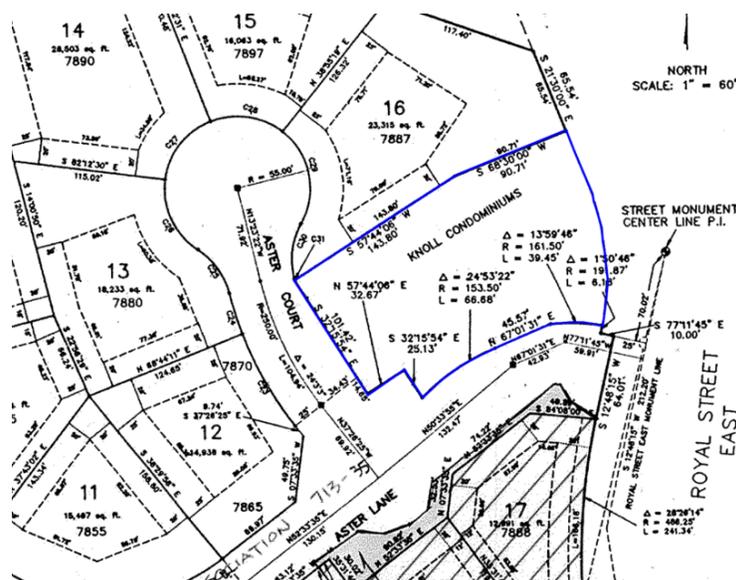


Figure 2: Deer Valley Club Estates (AKA Knoll Estates) Subdivision

An amendment to the Deer Valley Club Estates in 1996 renamed the subdivision to Knoll Estates. Subsequent amendments to the Condominium Plat are listed below:

PLAT AMENDMENT	ENTRY	DATE	AFFECTED UNIT(S)
Knoll at Silver Lake Phase 1 - First Amended	468315	11/29/1996	Expanded Unit 4
Knoll at Silver Lake Phase 1 - Second Amended	555669	12/21/1999	Expanded Unit 3
Knoll at Silver Lake Phase 1 - Third Amended	619599	5/21/2002	Expanded Unit 2
Knoll at Silver Lake Phase 1 - Fourth Amended	773930	4/5/2006	Expanded Units 1 and 2
Knoll at Silver Lake Phase 1 - Fifth Amended	805881	3/1/2007	Expanded Units 2 and 4
Knoll at Silver Lake Phase 1 - Sixth Amended	982674	10/29/2013	Expanded Unit 3

The First, Second, and Third amendments did not affect Unit 1. Changes to Unit 1 limited common ownership were made in the fourth amendment, approved on March 23, 2006 (Entry No. 773930).



Figure 3: Fourth Amended Plat (2006) shows addition to Unit 1

The changes included adding limited common areas to the front of the unit to allow a patio and porch on the lower level and a deck on the main level, as well as an added area on the back of the unit for a deck on the main level.

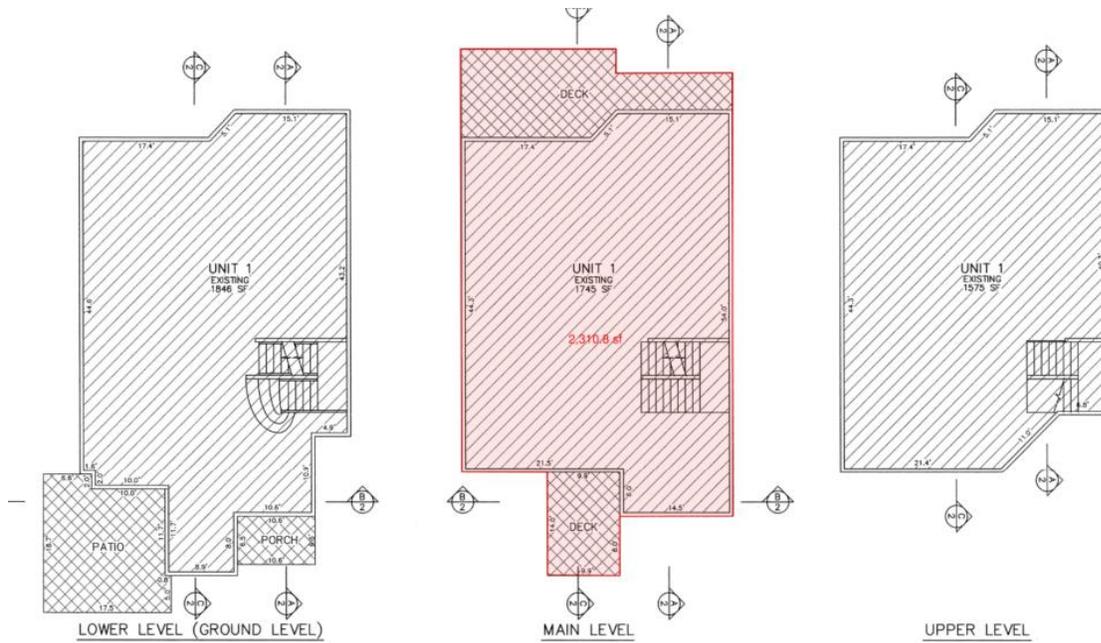


Figure 4: Fourth Amended plat expanded lower and main levels of Unit 1 (7885 Aster Lane)

The fifth amendment (Entry No. 805881) adjusted the boundaries of Units 2 and 4 and carried over the amended boundary for Unit 1, approved in the previous amendment.

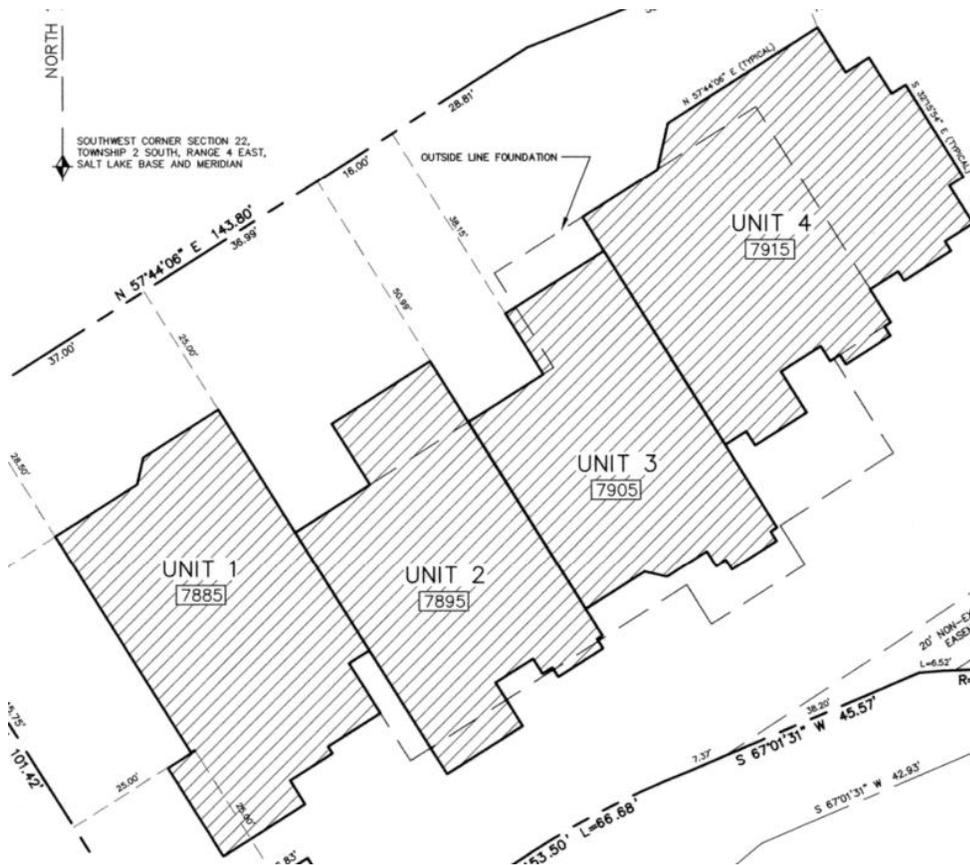


Figure 5: Fifth Amended plat expanding Units 2 and 4

In the sixth amended plat recorded in 2013, the first sheet shows a retracted footprint for Unit 1, reflecting the boundaries in the original plat. However, the sixth amended plat did not include changes to limited common area for Unit 1, only Unit 3.

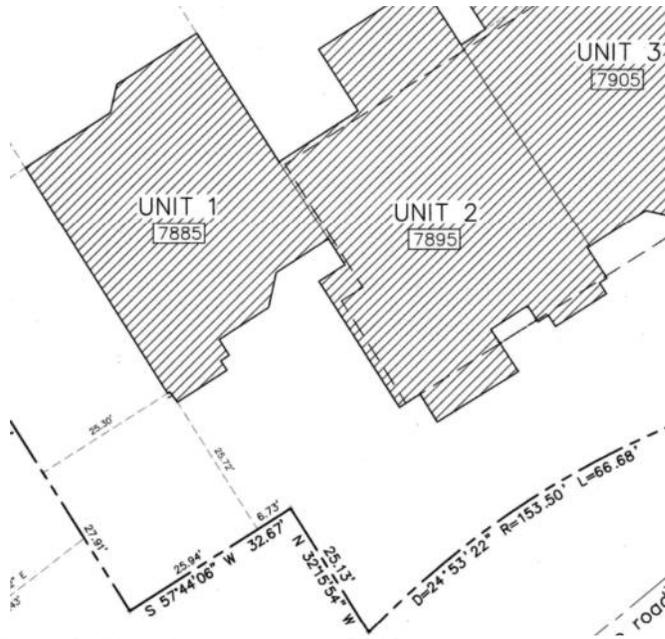


Figure 6: Sixth Amended plat (2013)

The existing front deck on the main level of Unit 1 was constructed in 2002, prior to the boundary adjustment in the 2006 Fourth Amended Plat. The proposed Seventh Amended plat reflects the existing conditions of Unit 1 and the proposed expansion of the front deck.



Figure 7: Proposed Seventh Amended Plat

Analysis

(I) The proposed Plat Amendment complies with the Recreation Development Zoning District requirements.

Development in the RD Zoning District must meet the Lot and Site requirements in LMC [§ 15-2.13-3](#):

Requirement	Analysis of Proposal
<p>Setbacks: Front- 20 Feet Rear- 15 Feet Side- 12 Feet</p> <p>LMC § 15-2.13-3 (C)(2)(c) Front Setback Exceptions: <i>Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than five feet (5') into the Front Setback.</i></p>	<p>The LMC in effect at the time of approval (1983) required a Side and Rear Setback of 10 feet and a Front Setback of 20 feet.</p> <p>COMPLIES: The existing Structure is 25.72 feet from the Front Lot Lines and 25.75 feet from the Rear Lot Line. The Structure is 25.34 feet from the Side Lot Line.</p> <p>The proposed deck is 13 feet in length and 10 feet in depth. The length of the deck that is within the Front Setback is 8 feet, 6 inches and encroaches 3 feet 3 ¼ inches into the Front Setback.</p>

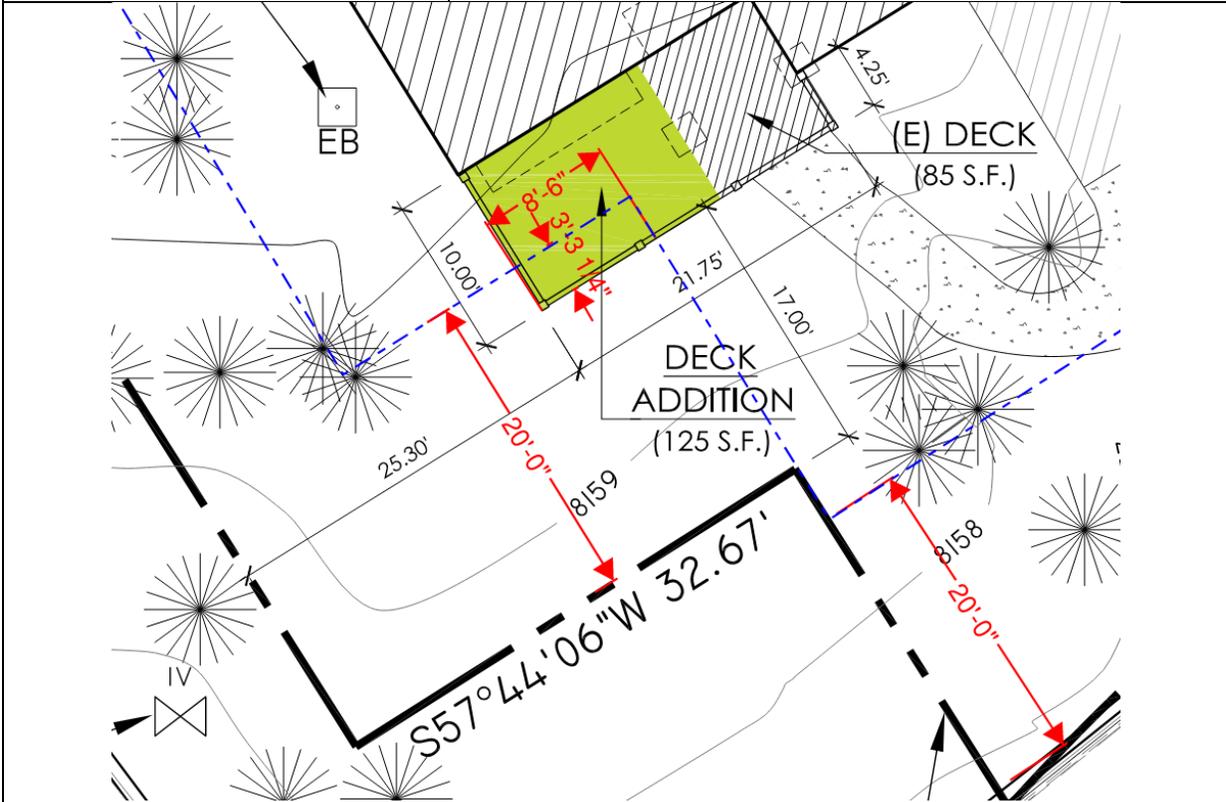


Figure 8: Excerpt from Applicant's Site Plan with staff's measurements

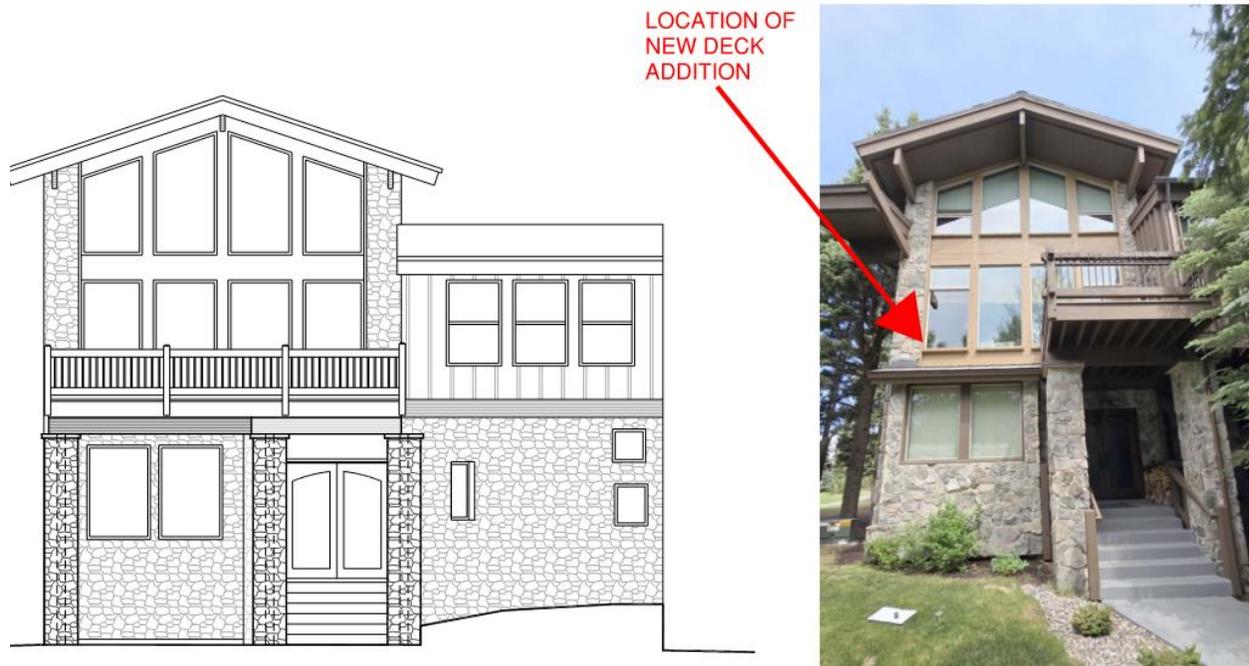


Figure 9: Excerpt from Applicant's plans showing the location of the proposed new deck

(II) The proposal complies with LMC § 15-7.1-3(B), Plat Amendment.

Changes to platted elements including conversions from common to limited common areas within a condominium require a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC [§ 15-7-1.6](#) and approval shall require a finding of Good Cause.

LMC [§ 15-15-1](#) defines Good Cause as “providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”

There is Good Cause for this Plat Amendment because it corrects existing non-conformities with the plat and reflects as-built conditions. The previous Knoll at Silver Lake Phase I amended plats allowed expansions to Units 2, 3 and 4, including limited common areas to allow decks and patios and private ownership areas.

No Public Street, Right-of-Way, or easement will be vacated or amended.

(III) The Development Review Committee reviewed the proposal on November 4, 2025, and confirmed the proposal conforms to their requirements.¹

Department Review

The Planning Department, Executive Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on February 11, 2026. Staff mailed courtesy notice to property owners within 300 feet on February 11, 2026. The *Park Record* published courtesy notice on February 11, 2026.²

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

The Planning Commission may:

- Approve the Plat Amendment
- Deny the Plat Amendment and direct staff to make Findings for the denial.
- Request additional information and continue the discussion to a date uncertain.

Exhibits

A: Draft Final Action Letter

Attachment 1: Proposed Plat Amendment

B: Site Plan

¹ The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Enbridge Gas, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

² LMC [§ 15-1-21](#)



Planning Department

February 25, 2026

Todd and Angela Newnam

CC: Chris Mousley, Crossbeam Builders, LLC

NOTICE OF PLANNING COMMISSION ACTION

Description

Address: 7885 Aster Lane – Unit 1
Knoll at Silver Lake Condominium

Zoning District: Residential Development

Application: Condominium Plat Amendment

Project Number: PL-26-06715

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: February 25, 2026

Project Summary: The Applicant proposes the Knoll at Silver Lake Phase I Seventh Amended Plat.

Action Taken

On February 25, 2026, the Planning Commission conducted a public hearing and approved the Knoll at Silver Lake Phase I Seventh Amended Plat according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The Knoll at Silver Lake Phase I Condominium Plat was recorded with Summit County on April, 5 1982 (Entry No. 190071).
2. Subsequently, the parcel was included in a larger subdivision, the Deer Valley Club Estates, recorded with Summit County in October of 1992 (Entry No. 370399).
3. On August 18, 2005, City Council approved the Knoll at Silver Lake Phase I Fourth Amended Record of Survey to adjust the Unit 1 private and limited area boundaries.
4. The Applicant submitted a Plat Amendment application to adjust the common area of Unit 1 of the Knoll at Silver Lake Phase I condominiums to construct a front deck on the second (main level).



Planning Department

5. The Applicant's Existing Conditions Survey shows the boundary of Unit 1 was not built to the amended boundary as shown in the Fourth Amended Plat Amendment, except for the front deck on the main level, which was constructed in 2002; the proposed Seventh Amended Plat reflects the existing footprint of Unit 1.
6. The Knoll at Silver Lake Phase I Seventh Amended Plat complies with the Residential Development (RD) Zoning District Setbacks.
 - a. The proposed deck expansion projects 3 feet 3 ¼ inches into the Front Setback and the length of the deck that is within the Front Setback is 8 feet, 6 inches, an allowed exception according to RD Front Setback exceptions, LMC § 15-2.13-3(C)(2)(c), which states: "Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than five feet (5') into the Front Setback" are allowed within the Front Setback.
7. There is Good Cause for the Knoll at Silver Lake Phase I Seventh Amended Plat.
 - a. The Plat reflects existing conditions and allows for the expansion of the front deck on the main level, like previous approved Amendments made to the Plat to expand Units 2, 3 and 4.
 - b. No Public Street, Right-of-Way, or easement will be vacated or amended.

Conclusions of Law

1. There is Good Cause for this Plat Amendment, as required by LMC § 15-7.1-6 *Final Subdivision Plat*.
2. The Plat Amendment is consistent with Land Management Code Chapter 15-2.13 *Residential Development (RD) District* and § 15-7.1-6 *Final Subdivision Plat*.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions of approval below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with state law, the Land Management Code, the Conditions of Approval.
2. The Applicant shall submit an amended Declaration of Condominium of the Knoll at Silver Lake Phase I Condominiums prior to recordation of the plat for City Planner and City Attorney review.
3. The Applicant shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year,



Planning Department

this approval will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.

This Final Action may be appealed pursuant to LMC [§ 15-1-18](#). If you have questions or concerns regarding this Final Action Letter, please call 435-699-7741 or email elissa.martin@parkcity.gov.

Sincerely,

Christin Van Dine
Planning Commission Chair

CC: Elissa Martin

ATTACHMENT 1 - Knoll at Silver Lake Phase I Seventh Amended Plat

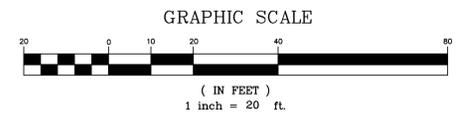
DRAFT

THE KNOLL AT SILVER LAKE PHASE I - SEVENTH AMENDED
AMENDING UNIT #1
 A UTAH CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22,
 AND THE NORTHWEST QUARTER OF SECTION 27, ALL IN TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT
 LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIR.	CHORD LENGTH
C1	108.69	191.87	032°27'29"	S05°16'18"E	107.24
C2	39.45	161.50	013°59'46"	N85°25'22"W	40.64
C3	66.68	153.50	024°53'22"	S54°34'51"W	66.16
C4	6.18	191.87	001°50'46"	N11°52'46"E	6.18



SYMBOL LEGEND	
	PROPERTY LINE
	BOUNDARY
	PRIVATE OWNERSHIP
	LIMITED COMMON OWNERSHIP
	COMMON



BOUNDARY DESCRIPTION

PARCEL 1:
 UNIT 1, THE KNOLL AT SILVER LAKE, PHASE I CONDOMINIUM SIXTH AMENDED, A UTAH CONDOMINIUM PROJECT, TOGETHER WITH ITS APPURTENANT UNDIVIDED OWNERSHIP INTEREST IN THE COMMON AREAS, AS THE SAME ARE ESTABLISHED AND IDENTIFIED IN THE SIXTH AMENDED RECORD OF SURVEY MAP RECORDED OCTOBER 29, 2015, AS ENTRY NO. 982674, IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

TOGETHER WITH: (A) THE UNDIVIDED OWNERSHIP INTEREST IN SAID CONDOMINIUM PROJECT'S COMMON AREAS AND FACILITIES WHICH IS APPURTENANT TO SAID UNIT, (THE REFERENCED DECLARATION OF CONDOMINIUM PROVIDING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED OWNERSHIP INTEREST AND IN THE COMPOSITION OF THE COMMON AREAS AND FACILITIES TO WHICH SAID INTEREST RELATES); (B) THE EXCLUSIVE RIGHT TO USE AND ENJOY EACH OF THE LIMITED COMMON AREAS WHICH IS APPURTENANT TO SAID UNIT, AND (C) THE NON-EXCLUSIVE RIGHT TO USE AND ENJOY THE COMMON AREAS AND FACILITIES INCLUDED IN SAID CONDOMINIUM PROJECT (AS SAID PROJECT MAY HEREAFTER BE EXPANDED IN ACCORDANCE WITH THE AFORESAID DECLARATION AND SURVEY MAP (AS SAID DECLARATION AND MAP MAY HEREAFTER BE AMENDED OR SUPPLEMENTED) AND THE UTAH CONDOMINIUM OWNERSHIP ACT.

PARCEL 1A:
 TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR VEHICULAR AND PEDESTRIAN ACCESS TO AND EGRESS FROM THE ABOVE DESCRIBED PARCEL OVER THE FOLLOWING DESCRIBED PARCEL:

BEGINNING ON A 161.87 FOOT RADIUS CURVE TO THE RIGHT AT A POINT WHICH LIES SOUTH 23.14 FEET AND EAST 1091.64 FEET FROM THE SOUTHWEST CORNER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE ALONG THE ARC OF SAID 161.87 FOOT RADIUS CURVE TO THE RIGHT 6.18 FEET (LONG CHORD BEARS SOUTH 11°52'51" WEST 6.18 FEET); THENCE SOUTH 77°11'45" EAST 10.00 FEET; THENCE SOUTH 12°48'15" WEST 27.00 FEET TO A POINT ON A 128.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID 128.00 FOOT RADIUS CURVE TO THE LEFT 109.47 FEET (LONG CHORD BEARS SOUTH 78°18'15" WEST 106.16 FEET); THENCE NORTH 36°11'45" WEST 25.50 FEET TO A POINT ON A 158.50 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID 158.50 FOOT RADIUS CURVE TO THE RIGHT 40.29 FEET (LONG CHORD BEARS NORTH 61°14'24" EAST 40.17 FEET); THENCE NORTH 67°01'51" EAST 45.57 FEET TO A POINT ON A 161.50 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID 161.50 FOOT RADIUS CURVE TO THE RIGHT 39.45 FEET (LONG CHORD BEARS SOUTH 87°46'45" EAST 39.35 FEET) TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9A-603 OF THE UTAH CODE, I, CHAD A. ANDERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 7736336 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. BY THE AUTHORITY OF THE OWNERS, I HAVE AMENDED SAID CONDO UNIT AS SHOWN HEREON AND HEREAFTER TO BE KNOWN AS THE KNOLL AT SILVER LAKE PHASE I - SEVENTH AMENDED.

CHAD ANDERSON
 PROFESSIONAL LAND SURVEYOR

DATE: 01/16/26
 SURVEYOR'S SEAL: 7736336, CHAD A. ANDERSON, 01/16/26, STATE OF UTAH

OWNER'S CONSENT TO RECORD - UNIT 1

KNOW BY ALL MEN BY THESE PRESENT THAT I, THE UNDERSIGNED OWNER OF UNIT 1, THE KNOLL AT SILVER LAKE PHASE I CONDOMINIUM - SIXTH AMENDED, CERTIFY THAT I HAVE CAUSED THIS PLAT AMENDMENT TO BE PREPARED, AND DO HEREBY CONSENT TO THE RECORDING OF THIS PLAT, HEREAFTER TO BE KNOWN AS THE KNOLL AT SILVER LAKE PHASE I - SEVENTH AMENDED.

BY: _____
 MANAGER, STONE'S THROW DEER VALLEY LLC, A UTAH LIMITED LIABILITY COMPANY

SIGNATURE

ACKNOWLEDGEMENT

STATE OF _____ } S.S.
 COUNTY OF _____ }

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME _____ WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME HE/SHE OWNS UNIT 1, THE KNOLL AT SILVER LAKE, PHASE I CONDOMINIUM SIXTH AMENDED, AND THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____

OWNER'S CONSENT TO RECORD - HOA

KNOW ALL MEN BY THESE PRESENT THAT THE KNOLL AT SILVER LAKE, OWNERS ASSOCIATION (THE ASSOCIATION), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT, CERTIFIES THAT IT HAS APPROVED THIS PLAT AMENDMENT TO BE PREPARED, AND ON BEHALF OF ALL OF THE UNIT OWNERS DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

THE KNOLL AT SILVER LAKE HOMEOWNERS' ASSOCIATION

BY: _____

SIGNATURE

ACKNOWLEDGEMENT

STATE OF _____ } S.S.
 COUNTY OF _____ }

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME _____ WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT _____ IS THE PRESIDENT OF THE KNOLL AT SILVER LAKE HOMEOWNERS' ASSOCIATION, AND DULY ACKNOWLEDGED TO ME THAT _____ IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF THE CORPORATION, AND FURTHER ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC _____

- NOTES:
- THIS AMENDED RECORD OF SURVEY PLAT REFLECTS EXPANSION OF OWNERSHIP IN UNIT 1, NO OTHER CHANGES TO THE CONDOMINIUM PROJECT ARE BEING MADE.
 - UNIT 3 AND UNIT 1 WERE AMENDED BY PLAT RECORDED 10/29/13 AS ENTRY NO. 982674. UNIT 4 WAS AMENDED BY RECORD OF SURVEY PLAT RECORDED 11/29/09 AS ENTRY NO. 46855. UNIT 3 WAS AMENDED BY RECORD OF SURVEY PLAT RECORDED 12/21/09 AS ENTRY NO. 555669. UNIT 2 WAS AMENDED BY RECORD OF SURVEY PLAT RECORDED 6/21/2002 AS ENTRY NO. UNITS 1 AND 2 WAS AMENDED BY RECORD OF SURVEY PLAT RECORDED 4/5/06 AS ENTRY NO. 773930. UNIT 2 WAS AMENDED BY RECORD OF SURVEY PLAT RECORDED 2/28/07 AS ENTRY NO. 805881. LIMITED COMMON AREA WAS ADDED TO UNIT ONE BY RECORD OF SURVEY PLAT RECORDED 4/5/06 AS ENTRY NO. 773930 AND THEN REMOVED BY RECORD OF SURVEY PLAT RECORDED 10/29/13 AS ENTRY NO. 982674. IT IS UNCLEAR WHY THE AREA WAS REMOVED, EVEN THOUGH A SMALL BECK WAS CONSTRUCTED AT SOME POINT WHICH IS NOT REFLECTED ON ANY OF THE PREVIOUS SURVEY PLATS. THIS SURVEY PLAT INCLUDES THE EXISTING DECK AND THE NEW PROPOSED DECK TOGETHER, EXCEPT AS SHOWN IN THE AMENDED PLATS LISTED ABOVE. ALL OTHER DESCRIPTIONS AND DIMENSIONS SHOWN ON THE RECORD OF SURVEY PLAT "THE KNOLL AT SILVER LAKE PHASE I" RECORDED 4/5/06 AS ENTRY NO. 773930 SHALL REMAIN OF RECORD.
 - A VOTE EXCEEDING 66.66% OF THE HOMEOWNERS HAVE APPROVED THE AMENDMENT.
 - THIS PLAT IS SUBJECT TO ORDINANCE 15-34.
 - ALL CONDITIONS OF APPROVAL OF THE DEER VALLEY HPD AND KNOLL AT SILVER LAKE CONDOMINIUM RECORD OF SURVEY PLAT CONTINUE TO APPLY.
 - ALL REQUIRED ELEMENTS OF THE FIRE PROTECTION PLAN, INCLUDING RESIDENTIAL FIRE SPRINKLER SYSTEMS, ACCORDING TO THE BUILDING CODE IN EFFECT AT THE TIME OF BUILDING PERMIT APPLICATION SUBMITTAL.
 - RECORD OF SURVEY DRAWING FILE NUMBER S-_____

<p align="center">COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THIS _____ DAY OF _____, A.D. 20____</p>	<p align="center">PARK CITY PLANNING COMMISSION</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, A.D. 20____</p>	<p align="center">CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL ON THIS _____ DAY OF _____, A.D. 20____</p>	<p align="center">SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, A.D. 20____</p>	<p align="center">PARK CITY ENGINEER</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE ON THIS _____ DAY OF _____, A.D. 20____</p>	<p align="center">APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, A.D. 20____</p>	<p align="center">RECORDER</p> <p>STATE OF UTAH COUNTY SUMMIT RECORDED AND FILED AT THE REQUEST OF _____ ENTRY NO. _____ BOOK _____ PAGE _____ DATE _____ TIME _____ FEE PAID _____</p>
MAYOR	CHAIRMAN	CITY RECORDER	S.B.W.R.D.	PARK CITY ENGINEER	PARK CITY ATTORNEY	SIGNATURE (COUNTY RECORDER)



SITE DEMOLITION NOTES

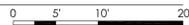
1. CONTRACTOR SHALL LOCATE AND MARK ALL EXISTING UTILITIES PRIOR TO COMMENCING WITH DEMOLITION. COORDINATE WITH LOCAL UTILITY COMPANIES PRIOR TO UTILITY DISCONNECTIONS.
2. PAVEMENT, BASE COURSES, SIDEWALKS, DRIVEWAYS, FOUNDATIONS, ETC. INDICATED AS TO BE REMOVED SHALL BE REMOVED TO FULL DEPTH.
3. ANY CAVITIES LEFT BY STRUCTURE REMOVAL SHALL BE BACK FILLED AND COMPACTED.
4. CONTRACTOR SHALL PROVIDE PROTECTION TO STREETS, FENCES, TREES, UTILITIES AND STRUCTURES THAT ARE TO REMAIN. REPAIR CONTRACTOR CAUSED DAMAGE AT NO ADDITIONAL COST TO THE OWNER.
5. CONTRACTOR SHALL USE SUITABLE METHODS AS NECESSARY TO CONTROL DUST AND DIRT CAUSED BY THE DEMOLITION WORK.

SITE PLAN NOTES

1. DESIGNER HAS COMPLIED WITH REQUIRED SETBACKS, UTILITY EASEMENTS, BUILDING SEPARATIONS, ETC. NOTIFY THE OWNER AND DESIGNER PROMPTLY IN THE EVENT OF ANY DISCREPANCIES.
2. IF DESIGN REQUIRES, CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANIES AND OBTAIN, IN WRITING, APPROVAL TO ENCROACH ON EASEMENTS.

A2 | SITE PLAN

SCALE: 1"=10'-0"



NEWMAN DECK RENOVATION

7915 ASTER LANE
PARK CITY, UT. 84060

SITE
PLAN

AS1.0

Planning Commission Staff Report



Subject: 200 King Road
Application: PL-25-06787
Author: Jacob Klopfenstein, Planner II
Date: February 25, 2026
Type of Item: Appeal of Planning Staff Final Action

As of May 7, 2025, Utah Code [§ 10-20-1101\(5\)](#) prohibits municipalities from conducting public hearings for Appeals.

This Appeal is one of several land use matters recently submitted by either the Appellant or Applicant:

- *The property owner of 220 King Road Appealed Planning’s Historic District Design Review waiver letter for the installation of two 15-foot-tall poles at 200 King Road for the installation of security cameras. On January 7, 2026, the Historic Preservation Board denied the Appeal ([Packet](#), Item 7.C; [Minutes](#), p. 13; Exhibit B: 1.7.2026 Historic Preservation Board Final Action Letter).*
- *The property owner of 200 King Road Appealed Planning’s approval for the extension of the Conditional Use Permits approved by the Planning Commission and upheld by the Appeal Panel for the construction of the proposed home at 220 King Road. On January 14, 2026, the Planning Commission denied the Appeal ([Packet](#), Item 6.D; [Minutes](#), p. 28; Exhibit C: 1.14.2026 Planning Commission Final Action Letter).*
- *On January 15, 2026, the City Council approved a consent agreement regarding three pending litigation cases related to 220 King Road ([Packet](#), New Business Item 1; [Meeting Media](#)).*
- *The property owner of 200 King Road Appealed Planning’s approval of a Building Permit issued to the property owner of 220 King Road for driveway repairs within the platted easement on 200 King Road that provides access to 220 King Road and Appealed the Building Department issuance of the Building Permit to the Board of Appeals. Planning staff approval of the driveway repairs is the subject of this Staff Report.*

Recommendation

(I) Review the Appeal of Planning approval to repair a driveway within a platted easement on 200 King Road that provides access to 220 King Road and (II) consider denying the Appeal based on the Findings of Fact and Conclusions of Law in Exhibit A: *Draft Final Action Letter*.

Description

Applicant: Eric and Susan Fredston-Hermann
Justin Keys, Appellant Representative

Location: 200 King Road

Zoning District: Historic Residential – 1 – Master Planned Development (HR-1-MPD)

Adjacent Land Uses: Residential, Open Space

Reason for Review: The Planning Commission reviews Appeals of Final Action by Planning staff.¹

CUP Conditional Use Permit
HDDR Historic District Design Review
HR-1-MPD Historic Residential – 1 – Master Planned Development
LMC Land Management Code
MPD Master Planned Development
SSCUP Steep Slope Conditional Use Permit

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

Summary

200 King Road is Lot 1 and 220 King Road is Lot 2 of the Treasure Hill Subdivision within the Sweeney Master Planned Development (MPD) and the Historic Residential – 1 – Master Planned Development (HR-1-MPD) Zoning District.

Access to 220 King Road is across a platted driveway easement on 200 King Road:

¹ LMC [§ 15-1-18\(A\)](#)

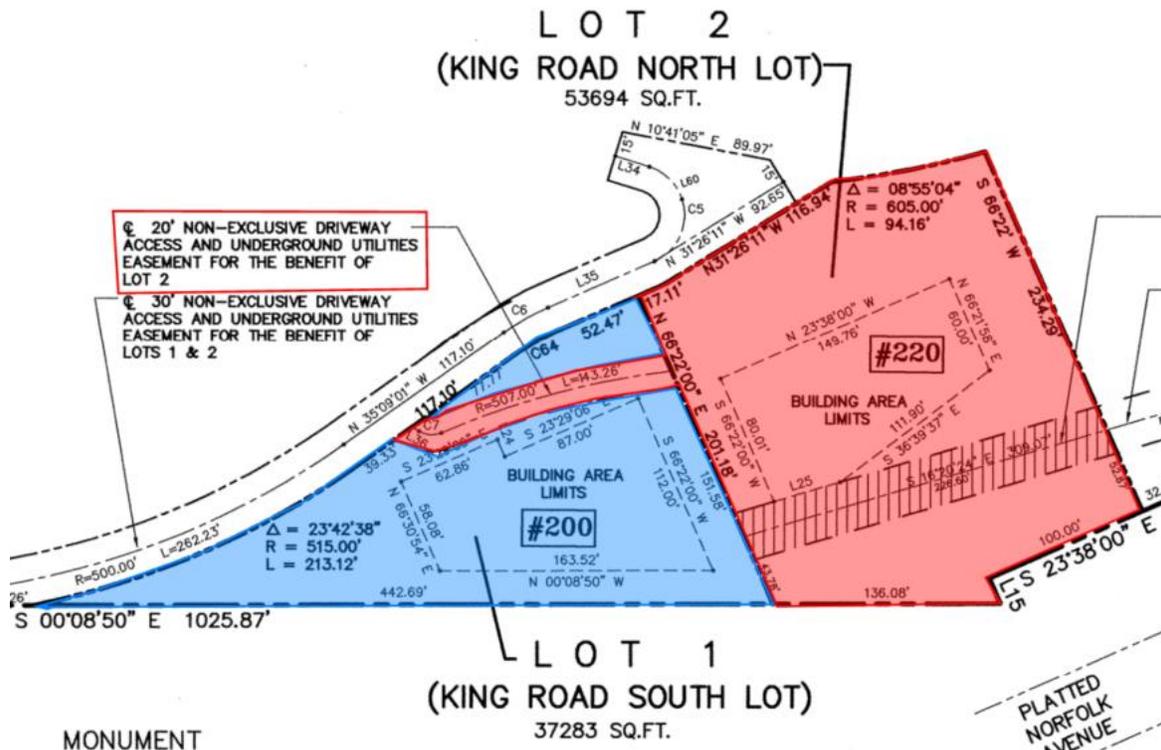


Figure 1: Excerpt from the Treasure Hill Subdivision Phase 1 Plat (Exhibit D) showing Lot 1 (200 King Road) highlighted in blue and Lot 2 (220 King Road) highlighted in red. The driveway easement across Lot 1 for the benefit of Lot 2 is also highlighted in red.

The Appellant Appeals Planning’s December 3, 2025 approval of Building Permit 25-2250 for driveway repairs within the platted driveway easement (Exhibit F).



Figure 2: The driveway accessing 220 King Road, pictured in February 2026, extends across a platted easement on 200 King Road.

Background

On March 25, 2025, the Applicant submitted Building Permit 25-2250 for driveway repairs within the platted 20-foot-wide driveway easement across 200 King Road that provides access to 220 King Road.

Any work proposed on a site within a Historic District requires Historic District Design Review (HDDR) approval from the Planning Department to ensure compliance with Land Management Code (LMC) [Chapter 15-11](#) *Historic Preservation* and [Chapter 15-13](#) *Regulations for Historic Districts and Historic Sites*.

On May 13, 2025, the Applicant submitted an HDDR Pre-Application for driveway repairs. LMC [§ 15-11-12\(A\)\(3\)](#) *Historic District or Historic Site Review* states the Planning Director may determine the scope is limited and issue a waiver letter for minor routine maintenance, construction, or alterations such as work on driveways.

On September 29, 2025, Planning issued an HDDR waiver letter for the driveway repairs within the platted easement (Exhibit E).

On December 3, 2025, Planning approved Building Permit 25-2250 for the driveway repairs and on December 15, 2025, the City issued the Building Permit (Exhibit G). Staff approved the Building Permit with conditions requiring compliance with the HDDR waiver letter. The Appellant does not Appeal Planning's HDDR waiver letter approval

but rather Appeals the Building Permit approval.

On December 19, 2025, the Appellant submitted an Appeal to the Planning Department, Appealing Planning's Final Action² on Building Permit 25-2250. On December 19, 2025, the Appellant also submitted an Appeal to the Building Department for their approval of Building Permit 25-2250, which is pending review by the Board of Appeals.³

Please see Exhibit H for the Applicant's response to the Appeal.

Timing

Appeals are scheduled within 45 days of the date the Appellant files an Appeal unless all parties, including the City, stipulate otherwise. Due to Appellant and Applicant representative availability, all parties agreed to extend the Appeal to February 25, 2026.

Burden of Proof

The Appellant bears the burden of proving that Planning erred.⁴

Standard of Review

In [the January 14, 2026 Staff Report](#) for the Appellant's Appeal of Planning's approval extending the Conditional Use Permits that were approved by the Planning Commission and upheld by the Appeal Panel, staff outlined the Appellant's outdated code references and flawed standard of review. The Appellant again erroneously requests the Planning Commission review "factual matters de novo, without deference to the land use authority's determination of factual matters" (Exhibit F, p. 3).

De novo review means "anew" or "fresh." However, the City Council approved [Ordinance No. 2025-08](#) on May 15, 2025 to amend LMC [Section 15-1-18](#) to establish on the record review with deference to the land use authority's determination, meaning the Appeal authority reviews the evidence, law, and reasoning of the original land use authority and determines if the decision was legally correct, with deference to the land use authority.

The Planning Commission reviews the record—it does not take any new evidence—and it must uphold the decision if the record includes "substantial evidence" supporting every essential finding of fact and if the decision is consistent with relevant law. If the Appellant fails to marshal the evidence to demonstrate it was insufficient, the Appeal must be denied.⁵

Pursuant to LMC [§ 15-1-18\(G\)](#), the Appeal authority shall act in a quasi-judicial manner and review factual matters on the record, with deference to the land use authority. The Appeal authority shall determine the correctness of the land use authority's

² LMC [§ 15-15-1](#) defines Final Action as "The later of the final vote or written decision on a matter."

³ Appeals of Building Permit issuance are heard by the Board of Appeals pursuant to Municipal Code of Park City [§ 2-8-14](#).

⁴ LMC [§ 15-1-18\(G\)](#)

⁵ [April 23, 2025 Planning Commission Staff Report](#)

interpretation and application of the plain meaning of the land use regulations and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.

The questions for the Planning Commission are:

Did the Appellant timely submit the Appeal?

and, if so,

Did the Appellant meet their burden of proving Planning erred in approving the driveway repairs?

Analysis

(I) Appeals must be submitted within 10 days of Planning’s Final Action. The Appellant submitted the Appeal 16 days after Planning’s Final Action.

Appeals of Planning Final Action must be made within 10 calendar days.⁶ Planning took Final Action on Building Permit 25-2250 on December 3, 2025. The Appellant submitted the Appeal on December 19, 2025, 16 calendar days after Planning Final Action.

Because the City does not mail or post notice of Planning Final Action on Building Permits, the Appellant argues they did not receive notice until on or around December 15, 2025 – the date the Appellant noticed construction on the driveway was taking place. If the Commission determines that no actual notice was given, the Commission should consider the commencement date of construction as constructive notice and the trigger for the commencement of the Appeal period. If the Appeal was not filed within 10 days of the constructive notice, the Commission should dismiss the Appeal as untimely.

(II) Planning correctly evaluated every relevant governing document and code prior to approving the driveway repair.

(a) The Sweeney Master Planned Development and Treasure Hill Subdivision permit the driveway repairs.

On December 18, 1985, the Planning Commission approved the [Sweeney MPD](#), distributing 277 units of density through several locations in the Historic Districts and Treasure Mountain area.

In October 1987, the Planning Commission [approved an amendment](#) to the Sweeney MPD and reallocated 12 Unit Equivalents to accommodate extended ski trails. The amended Sweeney MPD relocated two units off King Road, one off Upper Norfolk, and one off 5th Street with Single-Family Dwelling and Open Space Lots that later became part of the Treasure Hill Subdivisions.

⁶ LMC [§ 15-1-18\(E\)](#)

On September 7, 1995, the City Council adopted Ordinance No. 95-50 (see pg. 75 of [this link](#)), approving the Treasure Hill Subdivision Phase 1 plat, creating Lot 1 (200 King Road) and Lot 2 (220 King Road) (Exhibit D).



Figure 3: Applicant's vicinity map showing 220 King Road to the left and 200 King Road to the right with the driveway easement in gray.

As a result, the driveway easement was established in 1995 through the Treasure Hill Subdivision Phase 1 plat and can be repaired and maintained. As noted below, a driveway has existed on this easement area since at least 1998.

(b) Driveway repairs do not require a Steep Slope Conditional Use Permit.

As indicated above, the driveway easement was established in 1995, and no Planning Commission approval is required for repairs to a driveway within this easement. The driveway has been present at 200 King Road since at least 1998 – 27 years.

On March 12, 1997, the Planning Commission approved [a Conditional Use Permit](#) for a Single-Family Dwelling and Guest House at 220 King Road.

On March 17, 1997, the Planning Department approved [an HDDR for the Single-Family Dwelling and Guest House](#).

On May 27, 1998, the City issued Building Permit B97-02937 for the construction of the Single-Family Dwelling, and on September 18, 2000, the City issued Building Permit B00-05967 for the construction of the Guest House.

On February 21, 2024, the Planning Commission approved Conditional Use Permits for the new Single-Family Dwelling proposed at 220 King Road. The Appellant Appealed. The Appeal Panel denied the Appellant's Appeal and upheld the Planning Commission approvals.⁷

Additionally, an at-risk excavation permit was issued for 220 King Road on August 15, 2025, authorized by the Stipulated Order dated June 30, 2025 in Third District Court Case No. 240500559. The two homes at 220 King Road were demolished in 2025 and the at-risk permit allows for the construction of a limited retaining wall – not a retaining wall for the proposed SFD.

The Appellant argues Planning Commission approval should have been required for repairs to the driveway that has been present on 200 King Road to provide access to 220 King Road for over 27 years, authorized pursuant to a driveway easement. The Appellant errs.

LMC [§ 15-2.2-6](#) requires a Steep Slope Conditional Use Permit (SSCUP) for any Access driveway located on or projecting over an existing Slope of 30% or greater. LMC [§ 15-2.2-6](#) states that for the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of 15 feet measured perpendicular to the contour lines on the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and any Access driveway. The driveway slopes a maximum of 13% and does not trigger Planning Commission review of a SSCUP.

For a SSCUP, LMC [§ 15-2.2-6\(C\)](#) establishes Planning Commission review of location of development, visual analysis, access, terracing, building location, building form and scale, setbacks, dwelling volume, and building height. There is no discretion in the SSCUP process for the Planning Commission to override the location of a driveway easement that was established as part of the Treasure Hill Subdivision in 1995 to minimize impacts of development, and to create shared access for 200 and 220 King Road to established Building Area Limits to reduce overall site disturbances for both properties.

The Appellant's blanket statement that Planning Commission approval of a SSCUP for repair of an existing driveway within a platted easement is incorrect.

(c) A Historic District Design Review waiver letter was the only required Planning Application prior to Building Permit approval for the driveway repair and Planning correctly issued the waiver letter, which was not appealed.

Any work proposed on a site within a Historic District requires Historic District Design Review (HDDR) approval from the Planning Department to ensure compliance with

⁷ To review the relevant documents, please see [the February 14, 2024 Planning Commission Packet](#), Item 6.A.

LMC [Chapter 15-11](#) *Historic Preservation* and [Chapter 15-13](#) *Regulations for Historic Districts and Historic Sites*.

LMC [§ 15-11-12\(A\)\(3\)](#) *Historic District or Historic Site Review* states the Planning Director may determine the scope is limited and issue a waiver letter for minor routine maintenance, construction, or alterations such as work on driveways. If such a determination is made, the Applicant may submit the project for a Building Permit.

On September 29, 2025, Planning issued a detailed six-page HDDR waiver letter for the driveway repairs within the platted easement outlining:

- Compliance with Treasure Hill Subdivision Phase 1 plat notes requiring construction disturbance to be limited to the platted driveway easement.
- Compliance with the Planning Commission’s CUP approvals—not because the driveway repair is dependent upon the CUP approvals, but rather because as part of the CUP approvals, the Applicant agreed to certain improvements to the driveway, including limitations to cut and fill and retaining wall height.
- Compliance with Park City Fire District width requirements.
- Analysis of and compliance with LMC Chapter 15-2.2 *Historic Residential – 1 District* setback and retaining wall requirements.
- Analysis of and compliance with LMC Section 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts* for driveways and retaining walls (Exhibit E).

The Appellant does not Appeal Planning’s HDDR waiver letter approval. Pursuant to LMC [§ 15-1-18](#), that issue is not before the Planning Commission because the appeal is “limited to consideration of only those matters raised by the petition.”

(III) Repairs to the driveway within a platted easement on 200 King Road are not stayed because of the Appellant’s Appeal of the Conditional Use Permit extension approval for 220 King Road.

The Appellant argues that Planning’s approval of the driveway repair was illegal because the Appellant Appealed Planning’s approval to extend the Planning Commission’s February 14, 2024 SSCUP approval that was upheld by the Appeal Panel. The Appellant claims LMC [§ 15-1-18\(M\)](#) “is a mandatory stay to preserve the status quo and prevents applicants and the City from proceeding under approvals that are the subject of the pending appeal.”⁸

The Appellant’s contention is inaccurate. Any Appeal related to the approvals for the home at 220 King Road does not stay repairs to an existing driveway within a platted easement on 200 King Road.

(IV) No title report is required for driveway repairs.

⁸ On January 14, 2026, the Commission unanimously denied the Appellant’s Appeal.

The Appellant claims Planning is aware of the details of the many pending lawsuits between the Appellant and the Applicant and, as a result, should have required a title report for the driveway repair within a platted easement because staff “must confirm that the applicant has sufficient rights to build what is proposed at the location where the development will occur.”

The Appellant then provides examples of variance, modification, HDDR, and plat applications, which require a title report. The Appellant does not include an [HDDR Pre-Application](#)—the Application required for the driveway repairs. That application does not require a title report:

SUBMITTAL REQUIREMENTS – All of the following items must be included in order for the Planning Department to take the application.

1. Completed and signed application form.
2. On a separate piece of paper **provide a written project description** that summarizes the intent of the proposed project and describe the anticipated scope of work. For projects involving Historic Sites, the description should make known any intentions to remove, relocate, reorient, raise, disassemble/reassemble, and/or reconstruct all or part of the Historic Site.
3. One (1) copy of the existing site plan.
4. Photographs of the Site, both Panoramic and Aerial.
5. If the Site in question is listed on the Historic Sites Inventory a copy of the Historic Sites Form should accompany the application. The Site Form can be requested at the Planning Department.

Figure 4: HDDR Pre-Application Page 2

The Appellant also argues a hypothetical: a title report could show *lis pendens* reflecting active litigation. However, in addition to a title report not being required for driveway repairs, the Appellant submits no evidence that, even if obtained, a title report would show a *lis pendens*.

At the time of the Appellant’s application, there was no evidence that a *lis pendens* had been recorded with [Summit County](#) for 200 or 220 King Road under the current or parent parcels and as such would not have been indicated on a title report.

The Appellant fails to meet the burden of proving Planning erred in the Building Permit approval for driveway repairs because:

- Planning correctly evaluated every relevant governing document and code prior to approving the driveway repair:
 - The driveway repair is permitted through the Sweeney Master Planned Development and Treasure Hill Subdivision.
 - No Steep Slope Conditional Use Permit is required for driveway repair.
 - A Historic District Design Review waiver letter was the only required Planning Application prior to Building Permit approval for the driveway repair. Planning correctly issued the waiver letter.
- Repairs to the driveway within a platted easement on 200 King Road are not stayed because of the Appellant’s Appeal of the Conditional Use Permit

- extension approval for 220 King Road.
- No title report is required for driveway repairs.

Department Review

The Planning Department, Executive Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on February 11, 2026. Staff mailed courtesy notice to property owners within 300 feet on February 11, 2026. The *Park Record* published courtesy notice on February 12, 2026.⁹

Alternatives

The Planning Commission may:

- Dismiss the Appeal as untimely and direct staff to prepare a Final Action Letter.
- Deny the Appeal and affirm Planning Approval of Building Permit 25-2250 in accordance with the Draft Final Action Letter (Exhibit A).
- Grant the Appeal and reverse Planning Approval of Building Permit 25-2250 and direct staff to prepare a Final Action Letter.
- Grant the Appeal in part, deny in part, affirm in part, and reverse in part Planning Approval of Building Permit 25-2250 and direct staff to prepare a Final Action Letter.
- Grant the Appeal in part, affirm in part, and reverse in part Planning Approval of Building Permit 25-2250, direct staff to prepare a Final Action Letter, and remand to Planning for further consideration.
- Continue the Appeal to a date certain and request additional information.

Exhibits

A: Draft Final Action Letter

B: 1.7.2026 Historic Preservation Board Final Action Letter Denying Appeal

C: 1.14.2026 Planning Commission Final Action Letter Denying Appeal

D: Treasure Hill Subdivision Phase 1 Plat

E: 9.29.2025 Historic District Design Review Waiver Letter

F: Appellant Appeal

G: Building Permit 25-2250

H: Applicant's Response

⁹ LMC [§ 15-1-21](#)



Planning Department

February 25, 2026

Justin Keys

CC: Eric and Susan Fredston-Hermann

NOTICE OF PLANNING COMMISSION ACTION

Description

Address: 200 King Road

Zoning District: Historic Residential – 1 – Master Planned Development (HR-1-MPD)

Application: Appeal

Project Number: PL-25-06787

Action: DENIED

Date of Final Action: February 25, 2026

Project Summary: The Appellant appealed Planning’s Final Action approving driveway plans for 220 King Road within a platted driveway easement on 200 King Road.

Action Taken

On February 25, 2026, the Planning Commission denied the Appeal of Planning Final Action approving driveway plans for 220 King Road within a platted driveway easement on 200 King Road according to the following findings of fact and conclusions of law:

Background

1. 200 King Road is Lot 1 and 220 King Road is Lot 2 of the Treasure Hill Subdivision Phase 1 plat in the Sweeney Master Planned Development (MPD) and the Historic Residential-1-MPD (HR-1-MPD) Zoning District.
2. On August 23, 1990, the City Council adopted Ordinance No. 90-24, zoning the property HR-1-MPD.



Planning Department

Findings of Fact

1. On March 25, 2025, the Applicant submitted Building Permit 25-2250 for a driveway within the platted 20-foot-wide driveway access easement across 200 King Road for the benefit of Treasure Hill Subdivision Phase 1 Lot 2 (220 King Road).
2. Any work proposed on a site within a Historic District requires Historic District Design Review (HDDR) approval from the Planning Department to ensure compliance with LMC Chapter 15-11 *Historic Preservation* and Chapter 15-13 *Regulations for Historic Districts and Historic Sites*.
3. On May 13, 2025, the Applicant applied for an HDDR Pre-Application for the proposed driveway.
 - a. Pursuant to LMC § 15-11-12(A)(3), the Planning Director may, upon review of a Pre-Application submittal, determine that due to the limited scope of a project the Historic District or Historic Site Review process as outlined in LMC Section 15-11-12 is not required and the project is exempt. If such a determination is made, the Planning Director may issue a waiver letter, and the Applicant may submit a Building Permit.
 - b. On September 29, 2025, the Planning Director issued an HDDR waiver letter approving repair of the driveway.
4. On December 3, 2025, Planning staff conditionally approved Building Permit 25-2250 for the driveway repairs.
5. On December 15, 2025, the City issued Building Permit 25-2250 for the driveway repairs.
6. On December 19, 2025, the Appellant submitted an Appeal of Planning's Final Action approving the driveway repairs to the Planning Department.
7. Pursuant to LMC § 15-1-18(E), all appeals must be made within ten calendar days of the Final Action.
 - a. Planning approved Building Permit 25-2250 on December 3, 2025.
 - b. The Appellant submitted the Appeal on December 19, 2025, 16 days after Planning staff approved Building Permit 25-2250.
8. Because the City does not mail nor post notice of Planning Final Action on Building Permits, the Appellant argues they did not have notice until on or around December 15, 2025.
9. The date of commencement of construction serves as constructive notice and the trigger for the commencement of the Appeal period.



Planning Department

10. The driveway repair is permitted through the Sweeney Master Planned Development and Treasure Hill Subdivision.
11. On December 18, 1985, the Planning Commission approved the Sweeney MPD, distributing 277 units of density through several locations in the Historic Districts and Treasure Mountain area.
12. On October 14, 1987, the Planning Commission approved an amendment to the Sweeney MPD and reallocated 12 Unit Equivalents to accommodate extended ski trails. The amended Sweeney MPD relocated two units off King Road, one off Upper Norfolk, and one off 5th Street with Single-Family Dwelling and Open Space Lots that later became part of the Treasure Hill Subdivisions.
13. On September 7, 1995, the City Council adopted Ordinance No. 95-50, approving the Treasure Hill Subdivision Phase 1 plat and creating Lot 1 (200 King Road) and Lot 2 (220 King Road).
14. The driveway easement was established in 1995 as part of the Treasure Hill Subdivision Phase 1 plat to create shared access for the two Lots and reduce site impacts.
15. A single-family dwelling and guest house at 220 King Road were approved by the City in 1997 and constructed in 1998. Access to these buildings is along the platted driveway easement on 200 King Road.
16. No Planning Commission approval is required for repairs to a driveway that has been present at 200 King Road to access 220 King Road since at least 1998 – 27 years.
17. LMC § 15-2.2-6 requires a Steep Slope Conditional Use Permit (SSCUP) for any Access driveway located on or projecting over an existing Slope of 30% or greater.
18. LMC § 15-2.2-6 states that for the purpose of measuring Slope, the measurement shall include a minimum horizontal distance of 15 feet measured perpendicular to the contour lines on the certified topographic survey. The measurement shall quantify the steepest Slope within the Building Footprint and any Access driveway. The driveway slopes a maximum of 13% and does not trigger a SSCUP.
19. For a SSCUP, LMC § 15-2.2-6(C) establishes Planning Commission review of location of development, visual analysis, access, terracing, building location, building form and scale, setbacks, dwelling volume, and building height. There is no discretion in the SSCUP process for the Planning Commission to override the location of a platted driveway easement that was established as part of the



Planning Department

- Treasure Hill Subdivision in 1995 to minimize impacts of development, and to create shared access for 200 and 220 King Road to established Building Area Limits that reduce overall site disturbances for both properties.
20. On September 29, 2025, Planning issued a detailed six-page HDDR waiver letter for the driveway repairs within the platted easement outlining:
 - a. Compliance with Treasure Hill Subdivision Phase 1 plat notes requiring construction disturbance to be limited to the platted driveway easement.
 - b. Compliance with the Planning Commission's CUP approvals—not because the driveway repair is dependent upon the CUP approvals, but rather because as part of the CUP approvals, the Applicant agreed to certain improvements to the driveway, including limitations to cut and fill and retaining wall height.
 - c. Compliance with Park City Fire District width requirements.
 - d. Analysis of and compliance with LMC Chapter 15-2.2 *Historic Residential – 1 District* setback and retaining wall requirements.
 - e. Analysis of and compliance with LMC Section 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts* for driveways and retaining walls.
 21. The Appellant's Appeal does not challenge Planning's September 29, 2025, waiver determination.
 22. The Appellant's Appeal of the extension approval of the CUPs does not stay any repair or maintenance of the driveway within the platted easement.
 23. Title reports are not required for HDDR Pre-Applications or Building Permits and even if a title report were reviewed, no *lis pendens* have been recorded with Summit County for either 200 or 220 King Road.

Conclusions of Law

1. The Appeal was submitted timely.
2. The Appellant failed to meet their burden of proving Planning erred.
3. Planning correctly approved Building Permit 25-2250 after reviewing the driveway repair for compliance with the relevant LMC provisions: HR-1 Zoning District requirements in LMC Chapter 15-2.2, HR-1-MPD requirements, the Sweeney MPD, the Treasure Hill Subdivision, and the *Regulations for New Residential Infill Construction (and Non-Historic Sites) In Historic Districts* outlined in LMC Section 15-13-8.

Pursuant to LMC § 15-1-18(C), Final Action by the Planning Commission may be appealed to District Court in Summit County.



Planning Department

If you have questions regarding this Final Action Letter, please call 385-481-2037 or email jacob.klopfenstein@parkcity.gov.

Sincerely,

Christin Van Dine, Chair
Planning Commission

CC: Jacob Klopfenstein

DRAFT



Planning Department

January 7, 2026

Pesky Porcupine, LLC
CC: Paul Shakespear

NOTICE OF HISTORIC PRESERVATION BOARD ACTION

Description

Address: 200 King Road

Zoning District: Historic Residential-1-Master Planned Development

Application: Appeal of Historic District Design Review (HDDR)
Pre-Application Waiver Letter

Project Number: PL-25-06730

Action: DENIED

Date of Final Action: January 7, 2026

Project Summary: The Applicant appeals the approval of an HDDR Pre-Application Waiver Letter to install two 15-foot-tall poles on Lot 1 of the Treasure Hill Subdivision Phase I, within the platted Building Area Limits.

Action Taken

On January 7, 2026, the Historic Preservation Board denied the Appeal according to the following Findings of Fact and Conclusions of Law:

Background

1. 200 King Road is Lot 1 of the Treasure Hill Subdivision Phase 1, in the Sweeney Properties Master Planned Development (MPD), within the Historic Residential-1-MPD (HR-1-MPD) Zoning District.
2. On August 23, 1990, the City Council adopted Ordinance No. 90-24, zoning the property HR-1-MPD, which established specific Building requirements, Lot and Site standards, and design criteria for properties within the Sweeney Properties MPD.



Planning Department

Findings of Fact

1. On August 26, 2025, the property owner submitted an HDDR Pre-Application to the Planning Department for the installation of two 15-foot-tall poles at 200 King Road.
2. On August 28, 2025, the Planning Director issued an HDDR Pre-Application Waiver Letter approving the two 15-foot-tall poles, pursuant to the requirements of the Land Management Code and Treasure Hill Subdivision Phase I Building Area Limits.
3. Land Management Code (LMC) § 15-1-18(E) states: “[a] decision by the historic preservation authority which is a decision by Staff regarding the Design Guidelines for Historic Districts and Historic Sites, may be appealed within 30 days after the day on which the historic preservation authority issues a written decision.”
4. Consistent with past practice and in accordance with the LMC, the Planning Department did not mail or post a notice of the HDDR Pre-Application waiver letter issued by the Planning Director on August 28, 2025.
5. The City issued Building Permit No. 25-2107 on September 26, 2025, for installation of the two poles at 200 King Road; construction of the poles commenced after Building Permit approval.
6. The Appellant observed the finished poles at 200 King Road on October 13, 2025.
7. On October 17, 2025, within 30 days of Building Permit issuance, which constitutes the “Constructive Notice” date, the Appellant submitted the “Appeal of a Land Use Determination” application to the Planning Department, appealing the “Building Permit, Allowed Use Review and Architectural Review.”
8. The two 15-foot-tall poles were approved within the platted Building Area Limits of Lot 1 of the Treasure Hill Subdivision Phase 1, in the HR-1-MPD Zoning District, which does not prohibit the installation of 15-foot-tall poles.
9. A pole is not an Antenna, pursuant to the definition of Antenna in LMC § 15-15-1 *Definitions*, which states that an Antenna is “[a] transmitting or receiving device used in Telecommunications that radiates or captures radio, television, or similar communication signals”.
10. Pursuant to LMC § 15-15-1 *Definitions*, a “pole” nor a “camera” is an “Antenna” nor do they, together, constitute a “Telecommunications Facility”, which consists of “Antenna, Equipment, Shelters and related Structures used for transmitting and/or receiving Telecommunications and/or radio signals.”



Planning Department

11. Pursuant to LMC § 15-13-8(A)(11), the Master List of Non-Historic Materials and Finishes pertains to external siding materials for use on new residential infill buildings and therefore is not applicable to poles.
12. 200 King Road is within the Sweeney Properties MPD and the HR-1-MPD Zoning District; properties in the HR-1-MPD Zoning District are bound by different standards than properties within the HR-1 Zoning District, pursuant to Ordinance No. 90-24; the galvanized pipe material used for the poles is compatible with the character of the Sweeney Properties MPD.

Conclusions of Law

1. The Appellant timely submitted the Appeal according to the requirements of Land Management Code § 15-1-18(E) upon constructive notice.
2. The Planning Director correctly applied the LMC in the August 28, 2025 HDDR Pre-Application Waiver Letter approving the two 15-foot poles at 200 King Road, according to the HR-1-MPD requirements, the Sweeney Properties MPD, the Treasure Hill Subdivision Phase 1, and the Regulations for New Residential Infill Construction (and Non-Historic Sites) In Historic Districts (LMC § 15-13-8).

Pursuant to Land Management Code § 15-1-18(B), Final Action on appeals by the Historic Preservation Board may be appealed to District Court in Summit County.

If you have questions or concerns regarding this Final Action Letter, please call Elissa Martin at 435-699-7741 or email elissa.martin@parkcity.gov.

Sincerely,

DocuSigned by:

Douglas Stephens

84AB0B8F15194A8...

Douglas Stephens, Historic Preservation Board Chair



Planning Department

January 14, 2026

Eric and Susan Fredston-Hermann
CC: Justin Keys

NOTICE OF PLANNING COMMISSION ACTION

Description

Address: 220 King Road

Zoning District: Historic Residential-1-Master Planned Development

Application: Appeal of Conditional Use Permit Extensions

Project Number: PL-25-06721

Action: DENIED

Date of Final Action: January 14, 2026

Project Summary: The Appellant appeals the October 2, 2025 Planning Director's approval of a one-year extension for three Conditional Use Permits for the proposed home and pool at 220 King Road, approved by the Planning Commission on February 21, 2024 and upheld by the Appeal Panel on July 22, 2024.

Action Taken

On January 14, 2026, the Planning Commission denied the appeal according to the following Findings of Fact and Conclusions of Law:

Findings of Fact

1. 220 King Road is within the Treasure Hill Subdivision Phase I Lot 2, Second Amended and Sweeney Properties Master Planned Development (MPD).
2. On August 23, 1990, the City Council adopted Ordinance No. 90-24, zoning the property Historic Residential – 1 - Master Planned Development (HR-1-MPD), which established specific building requirements, lot and site standards, and design criteria for the Treasure Hill homes within the Sweeney Properties MPD.



Planning Department

3. On February 14, 2024, the Planning Commission conducted a public hearing and approved the Lot 2 Phase 1 Treasure Hill Subdivision Plat Amendment and CUPs to construct a home and pool at 220 King Road.
4. On February 21, 2024, the Planning Commission ratified the Final Action Letter approving the CUPs.
5. On March 1, 2024, the Appellant appealed the Planning Commission approval.
6. Pursuant to Land Management Code (LMC) § 15-1-18(M) *Stay Of Approval Pending Review Of Appeal*, the Planning Commission's approval was stayed until the Appeal Panel took Final Action.
7. LMC § 15-15-1 defines "Final Action" as "[t]he later of the final vote or written decision on a matter."
8. On July 15, 2024, the Appeal Panel reviewed the Final Action Letter denying the appeal and ratified the Final Action Letter on July 22, 2024.
9. The one-year period for expiration of the CUPs outlined in LMC § 15-1-10(G) began on July 22, 2024, when the Appeal Panel issued their written decision.
10. In accordance with LMC § 15-1-10(G), the Applicant timely submitted a written request for a CUP extension within one year of the Appeal Panel's written decision.
11. The Treasure Hill Subdivision Phase I, Lot 2 Second Amended Plat includes a plat note: "Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on the Plot or as consistent with the approved construction drawings of the driveways, Upper Norfolk turnaround, King Road turnaround, ski bridge and utility plans) shall be limited to the building area limits noted on the plat."
 - a. The platted Building Area Limits do not overlap or encroach into the ski easement.
12. The City issued an at-risk excavation permit for 220 King Road on August 15, 2025, authorized by the Stipulated Order dated June 30, 2025 in Third District Court Case No. 240500559. The two homes at 220 King Road were demolished in 2025 and the at-risk permit allows for the construction of a limited retaining wall – not a retaining wall for the proposed home.
13. The Planning Department has not issued any building permits for the home at 220 King Road.
14. The Treasure Hill Subdivision, Phase I Lot 2, Second Amended Plat regulates building height at 220 King Road according to note 5:



Planning Department

Height. The building height shall be measured from existing grade to the top of the flat roofs and to the ridge of pitched roofs. The maximum height, in general, shall be twenty-five (25) feet for flat roofs and thirty (30) feet for pitched roofs. A maximum height of twenty eight (28) feet for flat roofs and thirty-three (33) feet for pitched roofs shall be permitted for the expressed purpose of accommodating access and light features: no greater than 24 feet in length, i.e. stairways and/or elevators, between floor levels. In accordance with the Sweeney MPD, which was approved by the Park City Municipal Corporation on October 16, 1986, and as subsequently amended on October 14, 1987 and December 30, 1992. Building height shall only be measured as outlined in this plat Note #5.

15. No amendments to the HR-1-MPD Zoning District, which is memorialized in the Sweeney Properties MPD and Treasure Hill Subdivision Plat notes have been made since the Planning Commission's CUP approval.

Conclusions of Law

1. The Appellant did not meet their burden of proving a change in circumstance that would result in a finding of non-compliance with the review criteria in § 15-1-10(E) or other provisions of the LMC in effect at the time of the extension request.
2. The Planning Director correctly approved the extension pursuant to LMC § 15-1-10(G) and § 15-1-18(M).

If you have questions or concerns regarding this Final Action Letter, please call Elissa Martin at 435-699-7741 or email elissa.martin@parkcity.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Christin Van Dine", written over a horizontal line.

Christin Van Dine
Planning Commission Chair

CC: Elissa Martin, Planning Project Manager

CURVE	RADIUS	LENGTH	DELTA
C1	295.58	83.28	16.0823
C2	111.24	73.37	37.4729
C3	210.14	10.97	30.2981
C4	100.00	70.10	40.9958
C5	15.00	72.88	13.9918
C6	150.00	30.43	11.3727
C7	14.79	13.84	10.5184
C8	205.27	60.40	10.7132
C9	124.57	80.79	37.0941
C10	58.15	42.50	83.0744
C11	21.94	33.63	87.2053
C12	5.00	11.01	13.8127
C13	8.00	22.06	15.7281
C14	10.00	26.82	15.3322
C15	20.00	25.72	19.2918
C16	150.00	18.47	0.70312
C17	30.00	27.69	82.6433
C18	70.00	50.58	41.7301
C19	15.00	26.79	10.2365
C20	20.00	7.43	21.7274
C21	10.00	10.91	6.2258
C22	15.00	22.14	10.4716
C23	59.83	37.28	35.2833
C24	30.00	28.69	44.4227
C25	60.00	19.88	18.5911
C26	5.00	13.25	10.5126
C27	27.77	33.57	36.7619
C28	26.15	42.50	83.0714
C29	21.94	33.63	87.2053
C30	5.00	13.69	16.5124
C31	8.00	15.50	17.9228
C32	200.00	31.84	0.90901
C33	100.00	22.88	0.33653
C34	50.00	4.78	0.09126
C35	2.80	24.13	17.71532
C36	30.00	9.81	10.3941
C37	20.00	10.38	29.4447
C38	60.00	42.58	37.2359
C39	6.75	19.46	10.53936
C40	110.00	28.53	14.5145
C41	60.00	6.68	0.82537
C42	60.00	16.24	15.30358
C43	60.00	11.40	10.76544
C44	60.00	14.56	13.7358
C45	60.00	16.58	15.4231
C46	60.00	25.75	24.3514
C47	30.00	14.13	26.7643
C48	30.00	21.89	13.2921
C49	50.00	21.34	24.2727
C50	50.00	12.51	14.7026
C51	50.00	14.43	16.3224
C52	50.00	18.75	22.0326
C53	50.00	18.28	20.9703
C54	50.00	8.44	0.97897
C55	150.00	30.83	11.4822
C56	200.00	22.25	0.67224
C57	35.00	48.12	30.0745
C58	400.00	62.83	0.85815
C59	150.00	27.14	10.2024
C60	10.00	17.07	0.61211
C61	50.00	18.99	21.4626
C62	125.00	38.26	24.4212
C63	125.00	47.21	21.3826
C64	135.00	27.39	11.3727

LINE	DIRECTION	DISTANCE
L1	S 66°22'00" W	75.00
L2	S 23°38'00" E	246.67
L3	S 89°48'01" E	62.11
L4	S 23°38'00" E	91.91
L5	S 66°22'00" W	75.00
L6	S 23°38'00" E	53.98
L7	S 00°00'00" W	32.84
L8	S 66°40'00" W	62.99
L9	S 66°40'00" W	25.00
L10	S 23°38'00" E	42.87
L11	S 23°38'00" E	45.70
L12	S 68°07'00" W	26.25
L13	S 23°38'00" E	51.61
L14	N 75°38'35" E	29.97
L15	N 64°22'00" E	16.39
L16	S 55°51'19" W	19.14
L17	S 89°51'10" W	10.52
L18	N 62°20'36" E	3.46
L19	S 23°38'00" E	51.54
L20	S 66°22'00" W	70.00
L21	S 18°06'25" W	30.82
L22	S 23°38'00" E	77.00
L23	S 48°00'00" W	39.97
L24	S 65°30'04" W	11.00
L25	S 16°20'24" E	41.07
L26	S 48°00'00" W	48.87
L27	S 67°22'17" W	16.32
L28	S 48°00'00" W	37.25
L29	N 45°28'43" E	12.09
L30	N 44°32'58" W	53.54
L31	S 13°33'09" E	63.47
L32	S 44°15'58" W	61.89
L33	S 22°50'07" E	35.89
L34	S 17°19'49" W	21.43
L35	N 23°31'34" W	69.58
L36	S 30°42'23" W	4.92
L37	S 25°53'29" W	15.16
L38	S 68°07'00" W	29.23
L39	N 67°22'17" E	37.91
L40	S 34°13'42" E	63.18
L41	S 28°41'56" E	69.84
L42	S 45°00'00" W	8.00
L43	N 72°22'00" W	50.14
L44	N 36°53'37" W	18.61
L45	N 84°58'00" W	20.99
L46	S 65°33'42" E	46.53
L47	S 72°36'54" E	40.79
L48	S 78°14'18" E	37.92
L49	N 48°52'58" E	40.87

LINE	DIRECTION	DISTANCE
L50	S 89°48'01" E	19.15
L51	S 57°23'33" E	22.82
L52	N 21°25'54" E	31.12
L53	N 43°15'21" E	10.64
L54	N 19°13'37" E	7.88
L55	N 86°28'39" E	43.19
L56	N 37°25'01" E	28.79
L57	N 55°51'19" W	31.88
L58	S 26°38'09" E	30.39
L59	S 20°19'00" E	11.89
L60	S 18°06'25" E	25.62
L61	N 69°18'30" E	35.41
L62	S 45°00'00" W	8.00
L63	S 24°00'31" E	27.58
L64	N 28°02'53" W	42.42
L65	N 54°51'28" W	26.40
L66	S 35°28'19" E	27.29
L67	S 63°13'58" E	6.88
L68	S 14°44'03" E	46.66
L69	S 18°46'18" E	15.07
L70	N 31°37'42" W	43.34
L71	N 52°32'05" W	38.89
L72	N 37°21'50" W	17.89
L73	N 85°14'08" W	33.99
L74	N 74°21'12" W	28.62
L75	N 60°27'14" W	23.38
L76	N 65°28'55" W	35.38
L77	N 51°09'43" W	12.32
L78	N 24°48'07" W	22.41
L79	N 19°12'00" W	11.88
L80	N 67°41'38" E	10.32
L81	N 05°47'43" W	50.23
L82	N 51°25'31" W	34.07
L83	N 26°28'41" W	34.17
L84	N 12°37'59" W	11.12
L85	N 28°10'22" W	19.23
L86	N 07°08'57" W	26.91
L87	N 28°33'59" W	19.60
L88	N 50°48'58" W	29.94
L89	N 06°44'10" W	34.84
L90	N 70°53'45" W	9.46
L91	N 20°46'00" W	43.48
L92	N 29°44'03" W	46.60
L93	S 50°53'07" E	33.68
L94	S 37°24'33" E	35.99
L95	S 79°09'00" E	11.87
L96	N 15°51'17" W	23.68
L97	N 10°20'53" E	27.71
L98	N 62°20'36" E	1.06

THIS AREA NOT DEVELOPABLE
PRIOR TO SUBDIVISION AND
REVIEW IN ACCORDANCE WITH
THE SWEDENY MASTER PLAN
(SEE NOTE 9)

SURVEYOR'S CERTIFICATE

I, JAMES L. STEVENS, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5659, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction of the parcel described below. I further certify the lots shown on this plat are correctly staked as shown.

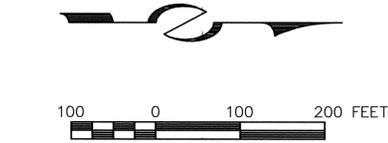
James L. Stevens, L.S. No. 5659 Date 4-12-96

PROPERTY DESCRIPTION

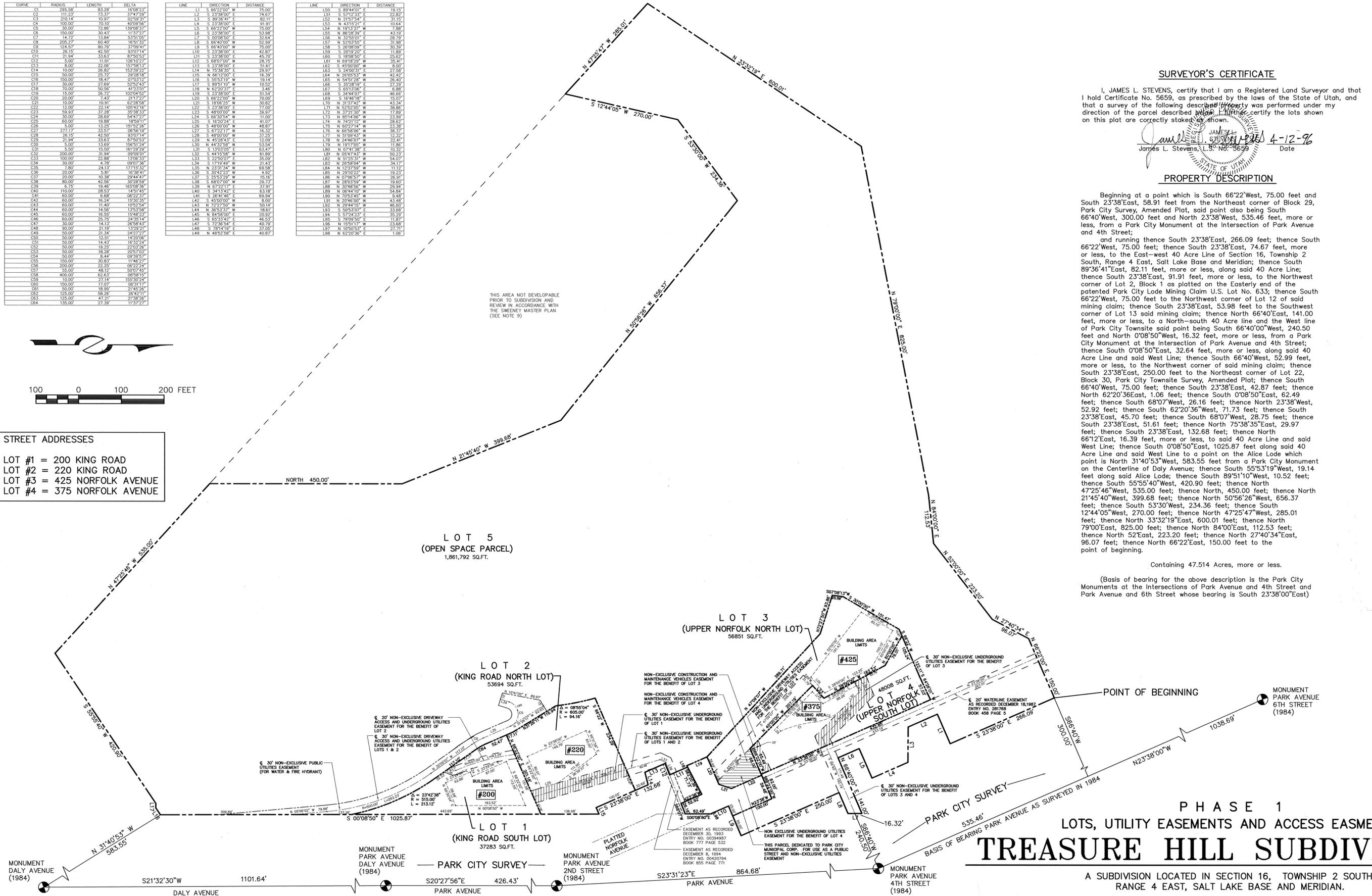
Beginning at a point which is South 66°22'West, 75.00 feet and South 23°38'East, 58.91 feet from the Northeast corner of Block 29, Park City Survey, Amended Plat, said point also being South 66°40'West, 300.00 feet and North 23°38'West, 535.46 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and 4th Street; and running thence South 23°38'East, 266.09 feet; thence South 66°22'West, 75.00 feet; thence South 23°38'East, 74.67 feet, more or less, to the East-west 40 Acre Line of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 89°36'41"East, 82.11 feet, more or less, along said 40 Acre Line; thence South 23°38'East, 91.91 feet, more or less, to the Northwest corner of Lot 2, Block 1 as platted on the Easterly end of the patented Park City Lode Mining Claim U.S. Lot No. 633; thence South 66°22'West, 75.00 feet to the Northwest corner of Lot 12 of said mining claim; thence South 23°38'East, 53.98 feet to the Southwest corner of Lot 13 said mining claim; thence North 66°40'East, 141.00 feet, more or less, to a North-south 40 Acre line and the West line of Park City Townsite said point being South 66°40'West, 240.50 feet and North 0°08'50"West, 16.32 feet, more or less, from a Park City Monument at the intersection of Park Avenue and 4th Street; thence South 0°08'50"East, 32.64 feet, more or less, along said 40 Acre Line and said West Line; thence South 66°40'West, 52.99 feet, more or less, to the Northwest corner of said mining claim; thence South 23°38'East, 250.00 feet to the Northeast corner of Lot 22, Block 30, Park City Townsite Survey, Amended Plat; thence South 66°40'West, 75.00 feet; thence South 23°38'East, 42.87 feet; thence North 62°20'36"East, 1.06 feet; thence South 0°08'50"East, 62.49 feet; thence South 68°07'West, 26.16 feet; thence North 23°38'West, 52.92 feet; thence South 62°20'36"West, 71.73 feet; thence South 23°38'East, 45.70 feet; thence South 68°07'West, 26.75 feet; thence South 23°38'East, 51.61 feet; thence North 75°38'35"East, 29.97 feet; thence South 23°38'East, 132.68 feet; thence North 66°12'East, 16.39 feet, more or less, to said 40 Acre Line and said West Line; thence South 0°08'50"East, 1025.87 feet along said 40 Acre Line and said West Line to a point on the Alice Lode which point is North 31°40'53"West, 583.55 feet from a Park City Monument on the Centerline of Daly Avenue; thence South 55°53'19"West, 19.14 feet along said Alice Lode; thence South 89°51'10"West, 10.52 feet; thence South 55°55'40"West, 420.90 feet; thence North 47°25'46"West, 535.00 feet; thence North, 450.00 feet; thence North 21°45'40"West, 399.68 feet; thence North 50°56'26"West, 656.37 feet; thence South 53°30'West, 234.36 feet; thence South 12°44'05"West, 270.00 feet; thence North 47°25'47"West, 285.01 feet; thence North 33°32'19"East, 600.01 feet; thence North 79°00'East, 825.00 feet; thence North 84°00'East, 112.53 feet; thence North 52°East, 223.20 feet; thence North 27°40'34"East, 96.07 feet; thence North 66°22'East, 150.00 feet to the point of beginning.

Containing 47.514 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the Intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38'00"East)



STREET ADDRESSES
 LOT #1 = 200 KING ROAD
 LOT #2 = 220 KING ROAD
 LOT #3 = 425 NORFOLK AVENUE
 LOT #4 = 375 NORFOLK AVENUE



**PHASE 1
 LOTS, UTILITY EASEMENTS AND ACCESS EASMENTS
 TREASURE HILL SUBDIVISION**

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
 REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 12TH DAY OF April, 1996 A.D.
 BY *Ray Anderson*
 S.B.S.I.D.

PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 15TH DAY OF April, 1996 A.D.
 BY *Judith Jones*
 CHAIRMAN

ENGINEERS CERTIFICATE
 I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 12TH DAY OF April, 1996 A.D.
 BY *Eric W. Dehaan PE*
 PARK CITY ENGINEER

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS 15TH DAY OF April, 1996 A.D.
 BY *Mal D. Ho*
 PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
 THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 9TH DAY OF SEPTEMBER, 1995 A.D.
 BY *Anda L. Sheldon*
 PARK CITY RECORDER

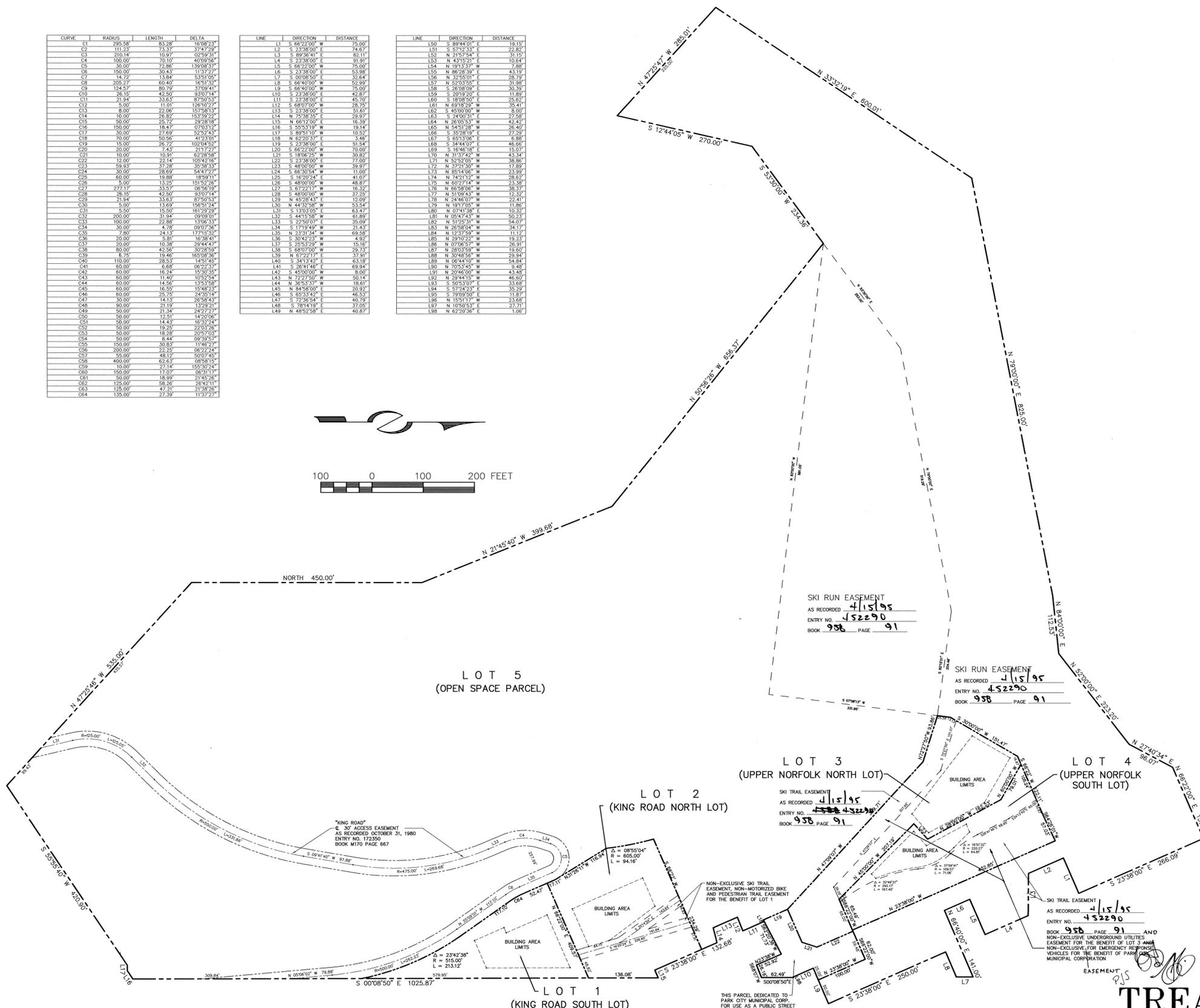
COUNCIL APPROVAL AND ACCEPTANCE
 APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 9TH DAY OF SEPTEMBER, 1995 A.D.
 BY *Bud G. Orr*
 MAYOR

Entry # 452295 RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF COALITION TITLE CO.
 DATE 4-15-96 TIME 17:00 BOOK PAGE
 \$95.00 FEE
Alan Sperry
 RECORDER

CURVE	RADIUS	LENGTH	DELTA
C1	295.58	83.78	16.38923
C2	111.23	23.37	3747.29
C3	210.14	10.91	6259.31
C4	100.00	70.10	4019.64
C5	30.00	72.86	13908.97
C6	150.00	34.63	1137.27
C7	14.72	13.84	5351.05
C8	205.72	50.69	122.89
C9	124.57	80.79	3709.41
C10	26.15	42.50	9307.14
C11	21.84	33.63	8750.53
C12	5.00	11.01	12610.27
C13	8.00	22.06	15708.13
C14	18.00	26.82	15339.22
C15	50.00	25.79	2928.16
C16	150.00	18.47	0703.12
C17	30.00	27.69	5022.43
C18	70.00	50.69	4173.01
C19	15.00	26.72	10294.52
C20	20.00	7.43	2117.27
C21	18.00	10.91	6229.58
C22	12.00	22.14	10242.16
C23	25.83	27.28	3028.33
C24	30.00	28.69	5447.27
C25	60.00	19.86	1876.11
C26	5.00	13.25	15152.76
C27	27.17	33.57	0826.19
C28	26.15	42.50	9307.14
C29	21.84	33.63	8750.53
C30	5.00	13.69	15651.94
C31	5.00	15.50	16329.29
C32	200.00	31.84	0939.01
C33	100.00	22.88	1396.33
C34	30.00	4.28	0907.56
C35	7.80	24.13	17715.52
C36	20.00	5.31	1628.41
C37	20.00	10.36	2944.41
C38	80.00	42.56	3029.59
C39	8.75	18.46	16038.95
C40	110.00	28.53	1451.45
C41	60.00	8.68	0622.57
C42	60.00	16.24	1250.55
C43	60.00	11.40	1022.54
C44	60.00	14.56	1263.58
C45	60.00	16.55	1548.23
C46	60.00	20.70	2035.14
C47	30.00	14.13	2658.43
C48	60.00	13.29	2129.21
C49	50.00	21.34	2427.27
C50	50.00	12.21	1420.06
C51	50.00	14.43	1632.94
C52	50.00	19.29	2203.26
C53	50.00	18.28	2027.03
C54	50.00	8.44	0939.57
C55	200.00	30.83	1146.27
C56	200.00	30.83	1146.27
C57	50.00	48.12	5007.45
C58	400.00	62.63	0826.15
C59	10.00	27.14	15030.24
C60	150.00	17.07	0623.77
C61	50.00	18.99	2145.26
C62	125.00	26.26	2842.11
C63	125.00	47.41	2188.26
C64	135.00	27.39	1157.27

LINE	DIRECTION	DISTANCE
L1	S 68°22'00" W	75.00
L2	S 23°58'00" E	74.67
L3	S 89°36'41" E	82.11
L4	S 23°58'00" W	71.81
L5	S 66°22'00" W	75.00
L6	S 23°58'00" E	53.98
L7	S 00°08'50" E	32.64
L8	S 66°40'00" W	75.00
L9	S 66°40'00" W	75.00
L10	S 23°58'00" E	42.87
L11	S 23°58'00" E	45.70
L12	S 68°07'00" W	28.70
L13	S 23°58'00" W	71.81
L14	N 75°38'35" E	29.97
L15	N 66°12'00" E	16.39
L16	S 55°51'19" W	19.14
L17	S 89°11'00" W	10.52
L18	N 62°02'00" E	3.46
L19	S 23°58'00" E	51.54
L20	S 66°22'00" W	70.00
L21	S 18°06'25" W	30.82
L22	S 23°58'00" E	77.80
L23	S 48°00'00" W	39.97
L24	S 66°30'54" W	11.00
L25	S 16°02'24" E	41.67
L26	S 48°00'00" W	48.87
L27	S 62°22'15" E	18.32
L28	S 48°00'00" W	37.25
L29	N 45°28'43" E	12.99
L30	N 44°32'56" E	13.54
L31	S 13°03'05" E	63.47
L32	S 44°15'58" E	61.89
L33	S 22°50'01" E	35.09
L34	S 17°19'48" W	41.43
L35	N 23°31'54" W	69.58
L36	S 30°42'23" W	4.92
L37	S 25°32'56" W	15.16
L38	S 68°07'00" W	29.73
L39	N 67°21'11" E	37.41
L40	S 34°13'42" E	63.18
L41	S 26°14'41" E	69.84
L42	S 45°00'00" W	8.00
L43	N 72°27'50" W	50.14
L44	N 36°53'37" E	18.61
L45	N 84°58'00" E	20.92
L46	S 63°53'43" E	46.53
L47	S 72°36'54" E	40.79
L48	S 76°14'18" E	27.85
L49	N 48°52'58" E	40.87

LINE	DIRECTION	DISTANCE
L50	S 89°44'01" E	18.13
L51	S 57°12'33" E	22.82
L52	N 21°12'24" E	31.15
L53	N 43°02'11" E	10.84
L54	N 19°13'33" W	7.88
L55	N 86°06'01" E	43.19
L56	N 37°50'01" E	28.79
L57	N 57°53'53" E	31.88
L58	S 26°58'00" E	30.39
L59	S 20°19'20" E	11.89
L60	S 18°06'25" E	26.72
L61	N 69°18'29" W	35.41
L62	S 45°00'00" W	8.00
L63	S 24°00'31" E	27.58
L64	N 31°52'53" E	42.47
L65	N 54°51'28" W	26.40
L66	S 35°28'10" E	22.29
L67	S 65°13'06" E	6.86
L68	S 34°44'07" E	46.66
L69	S 16°46'18" E	15.07
L70	N 31°37'42" W	43.34
L71	N 52°52'05" E	36.88
L72	N 52°52'05" E	12.89
L73	N 85°14'06" W	23.99
L74	N 74°11'14" W	28.62
L75	N 60°27'14" W	23.38
L76	N 65°58'00" E	38.37
L77	N 51°59'43" W	12.32
L78	N 24°40'00" W	22.41
L79	N 19°13'33" W	11.48
L80	N 07°41'38" E	10.32
L81	N 05°47'43" E	20.23
L82	N 51°29'33" W	54.07
L83	N 26°58'00" W	54.77
L84	N 12°37'59" W	11.12
L85	N 29°10'22" W	19.23
L86	N 07°06'51" W	26.41
L87	N 28°53'59" W	19.60
L88	N 30°06'56" W	29.84
L89	N 06°44'10" W	54.84
L90	N 10°15'44" W	9.48
L91	N 20°46'00" W	43.48
L92	N 29°44'15" W	46.60
L93	S 60°53'01" E	33.68
L94	S 57°24'23" E	35.29
L95	S 79°09'00" E	11.87
L96	N 15°51'17" W	23.68
L97	N 10°55'13" E	27.71
L98	N 62°20'58" E	1.58



OWNER'S DEDICATION AND CONSENT TO RECORD

The owners or their representatives, hereby irrevocably offer for dedication to the City of Park City all the streets, trails right-of-way, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication subject to easements, deeds of record and agreements of record.

IN WITNESS WHEREOF, the undersigned sets their hands this 4TH day of April, 1996

Edmund J. Beaulieu
EDMUND J. BEAULIEU

Patrick J. Sweeney
Patrick J. Sweeney
Managing Partner

SWEENEY LAND COMPANY, a Utah general partnership

ACKNOWLEDGEMENT

STATE OF Utah)
COUNTY OF Summit) ss.

On this 4th day of April, 1996, personally appeared before me EDMUND J. BEAULIEU, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Robert C. Rodman
ROBERT C. RODMAN
NOTARY PUBLIC
Residing at: Summit Co Utah

My Commission Expires: Nov 27, 1997

ACKNOWLEDGEMENT

STATE OF Utah)
COUNTY OF Summit) ss.

On this 4th day of April, 1996, personally appeared before me CLYDE CARLIG, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Robert C. Rodman
ROBERT C. RODMAN
NOTARY PUBLIC
Residing at: Summit Co Utah

My Commission Expires: Nov 27, 1997

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SUMMIT) ss.

On the 4th day of April, 1996, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same.

Robert C. Rodman
ROBERT C. RODMAN
NOTARY PUBLIC
Residing at: Summit Co Utah

My Commission Expires: Nov 27, 1997

PHASE 1 SKI TRAIL EASEMENTS TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

Entry # 452295 RECORDED

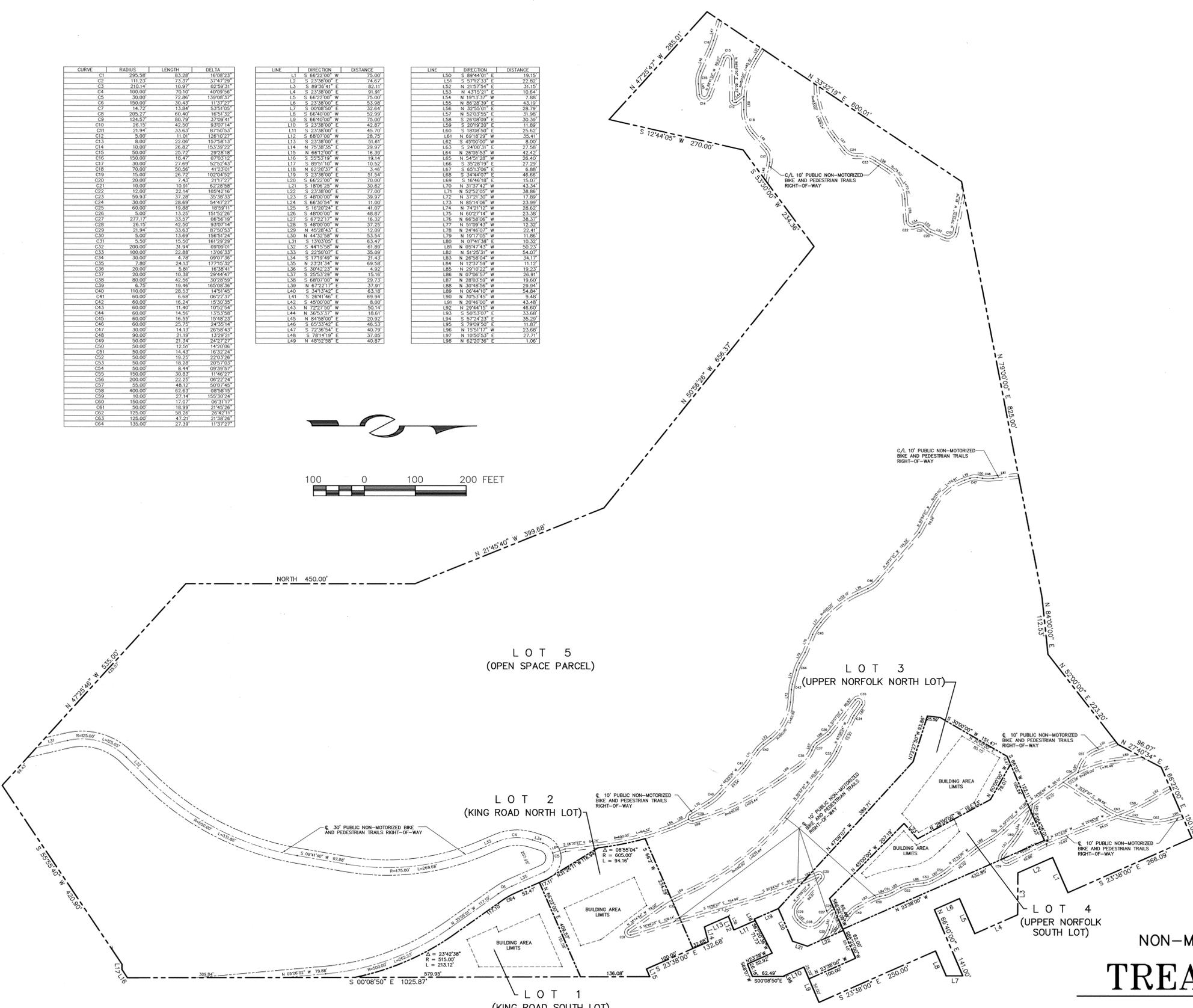
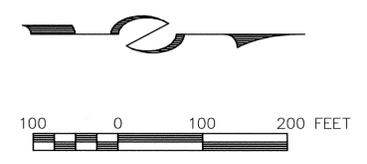
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF COALITIONAL TITLE Co.
DATE 4-15-96 TIME 17:00 BOOK _____ PAGE _____

FEE \$95.00 RECORDER Alan Serrisjo

CURVE	RADIUS	LENGTH	DELTA
C1	295.58	81.28	16.0823
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C62	150.00	105.00	60.0000
C63	150.00	105.00	60.0000
C64	150.00	105.00	60.0000

LINE	DIRECTION	DISTANCE
L1	S 66°22'00" W	75.00
L2	S 23°38'00" E	74.67
L3	S 89°44'01" E	22.80
L4	S 23°38'00" E	91.91
L5	S 66°22'00" W	75.00
L6	S 23°38'00" E	53.88
L7	S 66°22'00" W	35.64
L8	S 66°22'00" W	16.51
L9	S 66°40'00" W	75.00
L10	S 23°38'00" E	42.84
L11	S 23°38'00" E	45.70
L12	S 66°22'00" W	75.00
L13	S 23°38'00" E	51.61
L14	N 70°28'30" E	29.97
L15	N 66°17'00" E	16.39
L16	S 55°51'19" W	19.14
L17	S 66°22'00" W	10.52
L18	N 62°23'37" E	3.46
L19	S 23°38'00" E	51.54
L20	S 66°22'00" W	70.00
L21	S 18°06'25" W	30.82
L22	S 23°38'00" E	71.00
L23	S 48°00'00" W	39.97
L24	S 66°22'00" W	11.00
L25	S 16°20'24" E	41.07
L26	S 48°00'00" W	48.87
L27	S 62°22'17" W	16.32
L28	S 48°00'00" W	37.25
L29	N 42°24'43" E	13.09
L30	N 44°32'58" W	53.54
L31	S 33°03'00" E	63.47
L32	S 44°13'58" W	61.89
L33	S 23°38'00" E	35.99
L34	S 17°19'49" W	14.43
L35	N 23°21'34" W	69.58
L36	S 39°42'23" W	4.92
L37	S 25°52'29" W	15.16
L38	S 60°15'59" W	29.73
L39	N 67°22'17" E	37.91
L40	S 34°12'42" E	63.18
L41	S 38°44'46" E	69.84
L42	S 45°00'00" W	8.00
L43	N 72°21'59" W	50.14
L44	N 36°53'37" W	18.61
L45	N 64°08'00" E	20.92
L46	S 65°33'42" E	48.53
L47	S 72°26'54" E	40.79
L48	S 78°11'19" E	37.05
L49	N 48°52'58" E	40.87

LINE	DIRECTION	DISTANCE
L50	S 89°44'01" E	19.15
L51	S 57°23'33" E	22.80
L52	N 73°24'24" E	31.35
L53	N 43°19'21" E	10.64
L54	N 19°13'37" E	7.88
L55	N 86°28'39" E	43.19
L56	N 32°50'01" E	28.79
L57	S 23°38'00" E	31.98
L58	S 20°38'00" E	30.30
L59	S 20°19'20" E	11.89
L60	S 18°08'50" E	25.62
L61	N 69°18'29" W	35.41
L62	S 45°00'00" W	8.00
L63	S 24°02'31" E	27.58
L64	N 63°05'53" W	49.45
L65	N 54°52'28" W	26.40
L66	S 35°08'19" E	27.29
L67	S 65°13'06" E	6.88
L68	S 54°04'01" E	46.68
L69	S 16°46'18" E	15.07
L70	N 31°37'42" W	43.34
L71	N 50°25'05" W	38.86
L72	N 37°32'30" W	17.89
L73	N 85°14'06" W	23.99
L74	N 74°21'12" W	28.62
L75	N 62°21'14" W	23.38
L76	N 66°56'06" W	58.39
L77	N 51°09'43" W	12.30
L78	N 54°46'07" W	24.41
L79	N 19°17'05" W	11.86
L80	N 07°42'58" E	10.30
L81	N 65°47'43" W	50.23
L82	N 51°25'31" W	54.07
L83	N 30°54'04" W	34.17
L84	N 12°37'59" W	11.12
L85	N 20°10'22" W	19.23
L86	N 07°06'57" W	26.91
L87	N 30°13'59" W	13.60
L88	N 30°48'56" W	29.94
L89	N 36°44'10" W	54.84
L90	N 30°54'04" W	34.17
L91	N 30°46'00" W	43.48
L92	N 29°44'15" W	46.60
L93	S 50°53'07" E	33.68
L94	S 57°24'23" E	35.29
L95	S 79°09'50" E	11.67
L96	N 15°11'17" W	23.68
L97	N 10°50'53" E	27.71
L98	N 62°20'36" E	1.06



- SPECIAL RESTRICTIONS FOR SINGLE FAMILY HOMES TO BE CONSTRUCTED ON LOTS 1 THROUGH 4 SHOWN HEREON:
1. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note 7, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculations:
 - (a) Decks which are open on at least two sides (but which may have railings as required), covered or uncovered, and which do not have above grade living space below or above them;
 - (b) Exterior walkways;
 - (c) Exterior stairs;
 - (d) Driveways.
 2. BUILDING AREA LIMITS. Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on the Plat or as consistent with the approved construction drawings of the driveways, Upper Norfolk turnaround, King Road turnaround, ski bridge and utility plans) shall be limited to the Building Area Limits noted on the Plat. Notwithstanding the forgoing, flat areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.
 3. CONSTRUCTION DISTURBANCE. Unless otherwise provided in agreements with Park City Municipal Corporation which are of record, temporary construction disturbance shall be limited to twenty (20) feet beyond the Building Area Limits or to adjoining lot property lines which ever is closer. Such disturbed area shall be revegetated with native landscaping.
 4. HEIGHT. The building height shall be measured from existing grade to the top of flat roofs and to the ridge of pitched roofs. The maximum height, in general, shall be twenty five (25) feet for flat roofs and thirty (30) feet for pitched roofs. A maximum height of twenty eight (28) feet for flat roofs and thirty three (33) feet for pitched roofs shall be permitted for the expressed purpose of accommodating access, i.e. stairwells and/or elevators, between floor levels.
 5. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reestablished grade whichever is greater.
 6. MASSING. House designs may be comprised of one or more connected or unconnected building masses. No one building mass within the 3500 square foot footprint referenced in Note 1 above, shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks.
 7. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District.
 8. FIRE SPRINKLING. Internal and external modified 13d fire sprinklers shall be provided for the homes. Wood roofing material shall be prohibited.
 9. PRECEDENCE. The above special restrictions are consistent with the Sweeney Master Plan approved by the Park City Municipal Corporation on October 16, 1986 and as subsequently amended on October 14, 1987 and December 30, 1992. Final house design shall be reviewed under the Small Scale Master Plan Process in accordance with the Sweeney Master Plan.

PHASE 1
NON-MOTORIZED BIKE AND PEDESTRIAN TRAILS RIGHT-OF-WAY
TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

ENTRY# 452295 RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF COALITION TITLE CO.
DATE 4-15-96 TIME 17:00 BOOK PAGE
\$95.00 FEE
RECORDER



Planning Department

September 29, 2025

Doug Ogilvy

CC: Pesky Porcupine LLC

Re: Historic District Design Review Pre-Application Waiver Letter
Property Address: 200 King Road
Zoning District: Historic Residential – 1 – Master Planned Development (HR-1-MPD)
Historic Designation: None
PL-25-06533

Planning staff reviewed the Historic District Design Review (HDDR) Pre-Application, submitted on May 13, 2025, regarding proposed work at 200 King Road to replace a driveway accessing 220 King Road within a platted easement:

- Demolish an existing driveway *[nothing contained herein approves work outside of the platted driveway easement]*;
- Remove an existing light pole that falls within the platted driveway easement;
- Construct a new driveway to provide access to 220 King Road that is a maximum of 14 feet in width and entirely within the platted 20-foot driveway easement;
- Construct a retaining wall that is a maximum of 4 feet in height on the west side of the new driveway and entirely within the platted 20-foot driveway easement.

200 King Road is Lot 1 of the Treasure Hill Subdivision Phase 1 Plat, recorded on April 15, 1996 as Summit County Recorder Entry No. 452295.

Plat Notes 2 and 3 of the Treasure Hill Subdivision Phase 1 Plat limit construction disturbance to Building Area Limits and easements. This waiver letter requires all disturbance to be within the platted driveway easement.



Planning Department

2. **BUILDING AREA LIMITS.** Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on the Plat or as consistent with the approved construction drawings of the driveways, Upper Norfolk turnaround, King Road turnaround, ski bridge and utility plans) shall be limited to the Building Area Limits noted on the Plat. Notwithstanding the forgoing, flat areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.
3. **CONSTRUCTION DISTURBANCE.** Unless otherwise provided in agreements with Park City Municipal Corporation which are of record, temporary construction disturbance shall be limited to twenty (20) feet beyond the Building Area Limits or to adjoining-lot property lines which ever is closer. Such disturbed area shall be revegetated with native landscaping.

Figure 1: Treasure Hill Subdivision Phase 1 Plat Notes 2 and 3

The Applicant proposes constructing the new driveway and retaining walls within the 20-foot non-exclusive driveway access and underground utilities easement for the benefit of Lot 2 (220 King Road) described on the Treasure Hill Subdivision Phase 1 Plat (Exhibit B). Nothing herein approves any disturbance outside of the 20-foot non-exclusive driveway access and underground utilities easement for the benefit of Lot 2 as shown on the plat.

Following the review of updated project plans submitted September 4, 2025, Planning staff determined the project is minor construction having little or no negative impact on the historic character of the surrounding neighborhood or the Historic District. Pursuant to LMC Section [15-11-12\(A\)](#) the project is not required to complete the full Historic District Design Review process. However, adherence to the following standards is required:

- **No construction disturbance or activity shall occur outside the 20-foot non-exclusive driveway access and underground utilities easement for the benefit of Lot 2 (220 King Road), as described on the Treasure Hill Subdivision Phase 1 Plat (Summit County Recorder Entry No. 452295).**
 - The Applicant proposes locating the new driveway and retaining walls entirely within the platted easement.
- The proposal shall comply with the Planning Commission's February 21, 2024 CUP



Planning Department

(PL-22-05318 and PL-23-05523), SSCUP (PL-23-05571), and Plat Amendment (PL-22-05319) Final Action Letters for 220 King Road.

- Condition of Approval C of the CUP Final Action Letter states that the width of the driveway shall not exceed 12 feet, unless required by the Park City Fire District to accommodate turning radius and emergency vehicles.
 - On September 12, 2025, the Applicant provided documentation indicating that on April 14, 2025, the Park City Fire District requested a 14-foot width for the driveway (Exhibit C). The Applicant proposes a driveway that is 14 feet in width.
- Condition of Approval K of the CUP Final Action Letter requires the proposed development to include a vehicle control gate that allows Park City emergency vehicle access and for vehicles to queue in the property's driveway and not on King Road.
 - The Applicant does not propose a vehicle control gate as part of this scope of work. The Applicant is required to install a vehicle control gate under a future building permit in accordance with the above requirement.
- Condition of Approval CC of the CUP Final Action Letter states that cuts, fills, and retaining walls shall be minimized.
 - The Applicant proposes one retaining wall that is a maximum of four feet in height on the west side of the proposed driveway. The Applicant proposes grading the driveway within the platted easement to avoid additional cuts and retaining walls.
- Condition of Approval GG of the CUP Final Action Letter requires all work to be limited to the limits of the platted easement to conduct construction across the neighboring 200 King Road.
 - The Applicant proposes the new driveway and retaining walls within the platted easement at 200 King Road.
 - Nothing herein approves any disturbance outside of the 20-foot non-exclusive driveway access and underground utilities easement for the benefit of Lot 2 as shown on the plat.
- Condition of Approval KK of the SSCUP Final Action Letter limits the driveway width to 12 feet, unless required by the Park City Fire District for emergency vehicle turning radius and access, and limits the slope of the new driveway to 14%.
 - The Applicant proposes a driveway that is 14 feet in width. On September 12, 2025, the Applicant provided documentation indicating that the Park City Fire District requires this width for the driveway on April 14, 2025 (Exhibit C).
 - The Applicant proposes a driveway with a maximum slope of 14%.
- Condition of Approval MM of the SSCUP Final Action Letter requires the



Planning Department

- Applicant to provide engineered plans for any retaining walls exceeding four feet in height.
- The Applicant provided plans for the retaining walls, which are a maximum of four feet in height, that are stamped by a professional engineer on August 28, 2025.
 - Compliance with LMC Chapter 15-2.2 Historic Residential – 1 (HR-1) Zoning District requirements:
 - Pursuant to LMC Section 15-2.2-3(F), Lots over 100 feet deep must maintain a minimum 15-foot Front Setback.
 - Pursuant to LMC Section 15-2.2-3(G), retaining walls exceeding 4 feet in height are not allowed in the Front Setback.
 - The Applicant proposes a retaining wall that is a maximum of 4 feet in height and is set back at least 18 feet from the Front Lot Line, outside of the 15-foot Front Setback.
 - Pursuant to LMC Section 15-2.2-3(G), driveways leading to a Garage or approved Parking Area are allowed within the Front Setback.
 - The Applicant proposes the driveway within the platted easement of 200 King Road that leads to an approved Parking Area on 220 King Road.
 - Approximately 60 linear feet of the driveway encroach into the 15-foot Front Setback along King Road.
 - Pursuant to LMC Section 15-2.2-3(J), retaining walls not greater than six feet in height are allowed as an exception in the Side Setback.
 - The plan set approved as part of the CUP indicates that the retaining wall within the Side Setback for the driveway will not exceed 4 feet in height.
 - Compliance with LMC Section 15-13-8 Regulations For New Residential Infill Construction (and Non-Historic Residential Sites) In Historic Districts.
 - LMC Section 15-13-8(B)(1)(d)(1): When feasible, a site shall be contoured in a way that reduces the need for retaining walls. When retaining walls are necessary, the visual impact shall be minimized by creating gradual steps or tiers and by using perennial plant material. When a fence is to be placed on the top of a retaining wall, the combined height shall be similar in scale to retaining walls and fences seen historically.
 - The Applicant proposes a retaining wall that is a maximum of 4 feet in height on the west side of the new driveway.
 - LMC Section 15-13-8(B)(1)(d)(2): New retaining walls shall be consistent with historic retaining walls in terms of mass, scale, design, materials, and scale of materials. Simple board-formed concrete, stacked stone and other traditional materials are recommended over concrete block, asphalt, or other modern concrete treatments.

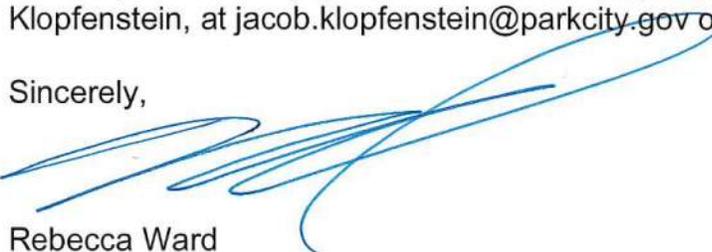


Planning Department

- The Applicant proposes boulder retaining walls.
- LMC Section 15-13-8(B)(1)(d)(3): Masonry shall be maintained in its natural finish. Applying paint, stain, or stucco over stone or concrete retaining walls is not appropriate.
 - The Applicant does not propose applying paint, stain, or stucco over the boulder retaining walls.
- LMC Section 15-13-8(B)(1)(d)(5): To abate retaining-wall failure, drainage behind retaining walls shall be maintained so water drains away from the walls.
 - The Applicant shall confirm compliance with Building and Engineering standards for retaining walls have been met during the Building Permit review phase.
- LMC Section 15-13-8(B)(1)(h)(8): Textured and poured paving materials other than smooth concrete shall be considered for driveways that are visible from the primary public right-of-way. Permeable paving may not be appropriate for all driveways and parking areas.
 - The Applicant shall consider textured or poured paving materials other than smooth concrete for the new driveway.
- The proposed work will require a Building Permit through the Building Department.
- The proposed work requires a Final Inspection by both the Building and Planning Departments.
- Modifications to the project require a modification application submittal to the Planning Department, payment of application fee, review for compliance with required standards, and Planning and Building Department approval.
- This Historic District Design Review (HDDR) Waiver Letter and approval shall expire one year following the date of this letter. The Applicant shall obtain a Building Permit for the proposed work prior to that date. If a Building Permit for the proposed work is not approved before that date, this Waiver Letter shall be voided, and the Applicant will be required to submit a new HDDR application to pursue the proposed work.

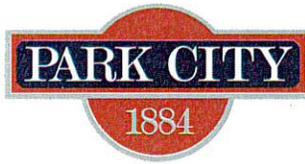
Should you have any questions or concerns, please contact your project planner, Jacob Klopfenstein, at jacob.klopfenstein@parkcity.gov or (385) 481-2037.

Sincerely,



Rebecca Ward
Planning Director

CC: Jacob Klopfenstein



Planning Department

Exhibits

A: Applicant's Plans

B: Treasure Hill Subdivision Phase 1

C: Park City Fire District Driveway Width Determination

200 KING ROAD UPGRADES TO DRIVEWAY WITHIN NON EXCLUSIVE DRIVEWAY EASEMENT

PARK CITY, UT 84060

SHEET INDEX

- C1.0 EXISTING CONDITIONS
- C2.0 SITE PLAN
- C3.0 DRIVEWAY PLAN & PROFILE
- C4.0 CONSTRUCTION MITIGATION PLAN AND STORM WATER POLLUTION PREVENTION PLAN

CIVIL ENGINEER



GENERAL NOTES

1. ALL WORK PERFORMED SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING PLANS AND SPECIFICATIONS:
 - A. Park City Design Standards, Construction Specifications, and Standard Drawings, Latest Edition.
 - B. Manual of Uniform Traffic Control Devices 2003 Edition, Revision #1 November 2004, Revision #2 December 2007.
 - C. Special conditions of approval and/or permits as required and/or issued by regulatory bodies.
 - D. Approved Construction plans and details.
2. Contractor/Bidder shall obtain a copy of the specifications, at his cost. Copies of the specifications shall be kept at the job site by the Contractor and be available for the contractor, subcontractor, owner or his agent, design engineer, city engineer, and their designated representatives and inspectors.
3. The Contractor shall be responsible for ground and surface water during construction
4. Prior to any excavation work, the contractor shall contact Blue Stakes for location of existing utilities. The Contractor shall be responsible for determining the location of utilities, whether shown on the plans or not, and protecting the utilities during construction. If existing utility lines conflict in location with new construction, the Contractor shall notify the engineer in order to resolve the conflict. Save and protect all existing utilities including irrigation features.
5. All work performed shall be guaranteed by the Contractor and/or his surety against all defects in materials and workmanship of whatever nature for a period of one (1) year from the date of final acceptance of the work by Park City.
6. The Contractor shall be responsible for the installation and maintenance of adequate signs, traffic devices, and warning devices to inform and protect the public during all phases of construction.
7. Quality control testing is required for the concrete footings. Concrete compressive strength testing shall be performed by a qualified, independent testing company retained by the Contractor. The native material shall be compacted as necessary prior to concrete footing. Compaction shall occur with a jumping jack or equivalent.
8. The Contractor shall take all necessary steps to prevent tracking mud or debris onto public streets during operations. Contractor will be required to provide street cleaning/sweeping on a weekly basis. A final clean/sweep of Mountain Top Dr is required at project completion.
9. The Contractor shall install straw waddle and orange construction fencing along the perimeter of the disturbance area. Use t-post to secure orange fencing. Straw waddle is required on all downhill slopes of disturbed area to prevent sediments from leaving the work site. The Contractor shall protect and replace fencing if damaged, and no equipment or vehicles will be allowed outside the limits of disturbance. Minimize disturbance of equipment access.
10. Vegetation and excavation material shall be hauled to a suitable disposal site.
11. The Contractor shall be responsible for securing a building permit from the Park City Building Department. The Contractor is responsible for submitting a Construction Mitigation Plan.
12. The contractor shall maintain accurate records of "As Built" conditions of all underground work. The "As Builts" shall be tied to easily defined monument and/or surface improvements or as required by accuracy for the as-built conditions. The as-built information shall be given to the owner and be incorporated in the final "As Built" drawings.



VICINITY MAP

SCALE: 1" = 100'

COURSE	RADIUS	LENGTH	DELTA
C1	295.58	63.28	1608.23
C2	111.24	10.97	374.79
C3	210.14	10.97	302.93
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C5	15.00	72.86	1399.85
C6	150.00	30.43	1137.27
C7	14.78	13.84	37.84
C8	205.27	60.40	1611.02
C9	124.57	80.79	3709.41
C10	56.15	42.50	8379.44
C11	91.84	33.63	8720.53
C12	5.00	11.01	1047.97
C13	8.00	22.06	1578.13
C14	10.00	26.82	1873.22
C15	20.00	53.64	3746.44
C16	150.00	18.47	6703.12
C17	20.00	27.69	6260.43
C18	70.00	50.58	4173.01
C19	15.00	26.79	1023.93
C20	20.00	7.43	2117.27
C21	10.00	10.91	6729.58
C22	15.00	22.14	10474.16
C23	59.83	37.28	3528.33
C24	30.00	28.69	4442.27
C25	60.00	18.88	1859.11
C26	5.00	13.25	1035.26
C27	277.17	33.57	8636.19
C28	26.15	42.50	8307.14
C29	91.84	33.63	8720.53
C30	5.00	13.69	1023.93
C31	8.00	15.50	1103.29
C32	200.00	31.84	9909.01
C33	100.00	22.88	7306.33
C34	50.00	4.78	9901.26
C35	2.80	24.13	17710.32
C36	30.00	8.81	1036.41
C37	20.00	10.38	2844.47
C38	60.00	42.56	3073.59
C39	6.75	19.46	10508.96
C40	110.00	28.53	1451.45
C41	60.00	6.68	9825.37
C42	60.00	16.24	1030.55
C43	60.00	11.40	1076.54
C44	60.00	14.58	1373.58
C45	60.00	16.58	1542.63
C46	60.00	25.75	2435.14
C47	30.00	14.13	2626.43
C48	60.00	21.19	1329.21
C49	50.00	21.34	2427.27
C50	50.00	12.51	1470.06
C51	50.00	14.43	1633.24
C52	50.00	18.75	2203.98
C53	50.00	18.28	2073.03
C54	50.00	8.44	9936.97
C55	150.00	30.83	1148.27
C56	200.00	22.25	9672.24
C57	35.00	48.12	3070.45
C58	400.00	62.63	9858.15
C59	10.00	27.14	15530.24
C60	150.00	17.07	9631.74
C61	50.00	16.99	2145.26
C62	125.00	38.26	9421.21
C63	125.00	47.21	2138.26
C64	135.00	27.39	1137.27

LINE	DIRECTION	DISTANCE
L1	S 66°22'00" W	75.00
L2	S 23°38'00" E	246.77
L3	S 89°08'41" E	82.11
L4	S 23°38'00" E	91.91
L5	S 66°22'00" W	75.00
L6	S 23°38'00" E	53.98
L7	S 00°00'00" W	52.99
L8	S 66°40'00" W	25.00
L9	S 66°40'00" W	25.00
L10	S 23°38'00" E	42.87
L11	S 23°38'00" E	45.70
L12	S 68°07'00" W	26.25
L13	S 23°38'00" E	51.61
L14	N 75°38'30" E	29.97
L15	N 66°22'00" E	16.39
L16	S 55°51'18" W	19.14
L17	S 89°08'41" E	103.52
L18	N 62°20'36" E	3.46
L19	S 23°38'00" E	51.44
L20	S 66°22'00" W	70.00
L21	S 18°06'25" W	30.82
L22	S 23°38'00" E	77.00
L23	S 48°00'00" W	39.97
L24	S 65°05'04" W	11.00
L25	S 16°20'24" E	41.07
L26	S 48°00'00" W	48.87
L27	S 67°02'17" W	16.32
L28	S 48°00'00" W	37.25
L29	N 45°28'53" E	12.69
L30	N 44°32'58" W	53.54
L31	S 13°03'09" E	63.47
L32	S 44°15'58" W	61.89
L33	S 22°50'07" E	35.69
L34	S 17°19'49" W	21.43
L35	N 23°31'34" W	69.58
L36	S 30°42'23" W	4.92
L37	S 25°53'29" W	15.16
L38	S 68°07'00" W	29.23
L39	N 67°22'17" E	37.91
L40	S 34°13'42" E	63.18
L41	S 28°41'56" E	69.94
L42	S 45°00'00" W	8.00
L43	N 72°22'50" W	50.14
L44	N 36°53'37" W	18.61
L45	N 84°58'00" W	20.92
L46	S 65°33'42" E	46.53
L47	S 72°36'54" E	40.79
L48	S 78°14'18" E	37.62
L49	N 48°52'58" E	40.87

LINE	DIRECTION	DISTANCE
L50	S 89°44'01" E	19.15
L51	S 57°12'33" E	22.82
L52	N 21°29'54" E	31.12
L53	N 43°15'21" E	10.64
L54	N 19°13'37" W	7.88
L55	N 86°28'59" E	43.19
L56	N 37°25'01" E	28.79
L57	N 5°25'05" E	31.88
L58	S 26°38'09" E	30.39
L59	S 20°19'00" E	11.89
L60	S 18°06'25" E	25.62
L61	N 69°18'50" W	35.41
L62	S 45°00'00" W	8.00
L63	S 24°00'31" E	27.58
L64	N 26°02'53" W	42.44
L65	N 54°51'58" W	26.40
L66	S 35°28'19" E	22.29
L67	S 65°13'58" E	6.88
L68	S 14°44'03" E	46.64
L69	S 18°46'18" E	15.07
L70	N 31°37'42" W	43.34
L71	N 52°02'55" W	38.86
L72	N 37°21'50" W	17.89
L73	N 85°14'08" W	23.99
L74	N 74°21'12" W	26.62
L75	N 60°27'14" W	13.58
L76	N 66°28'56" W	26.17
L77	N 51°09'43" W	12.32
L78	N 24°48'07" W	22.41
L79	N 19°17'50" W	11.86
L80	N 67°41'38" E	10.32
L81	N 05°47'43" W	50.23
L82	N 51°25'31" W	54.07
L83	N 26°28'41" W	34.17
L84	N 12°37'59" W	11.12
L85	N 28°10'22" W	18.23
L86	N 07°08'57" W	26.91
L87	N 28°33'59" W	19.60
L88	N 50°48'58" W	29.94
L89	N 08°44'10" W	54.84
L90	N 70°53'45" W	9.46
L91	N 20°48'00" W	43.48
L92	N 29°44'03" W	46.60
L93	S 50°53'07" E	33.68
L94	S 57°24'53" E	35.99
L95	S 79°09'00" E	11.87
L96	N 15°51'17" W	23.68
L97	N 10°20'53" E	27.71
L98	N 62°20'36" E	1.06

THIS AREA NOT DEVELOPABLE PRIOR TO SUBDIVISION AND REVIEW IN ACCORDANCE WITH THE SWEENEY MASTER PLAN (SEE NOTE 9)

SURVEYOR'S CERTIFICATE

I, JAMES L. STEVENS, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5659, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction of the parcel described below. I further certify the lots shown on this plot are correctly staked as shown.

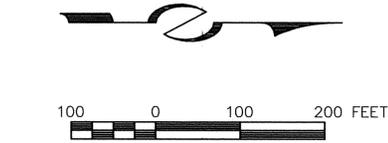
James L. Stevens, L.S. No. 5659 Date 4-12-96

PROPERTY DESCRIPTION

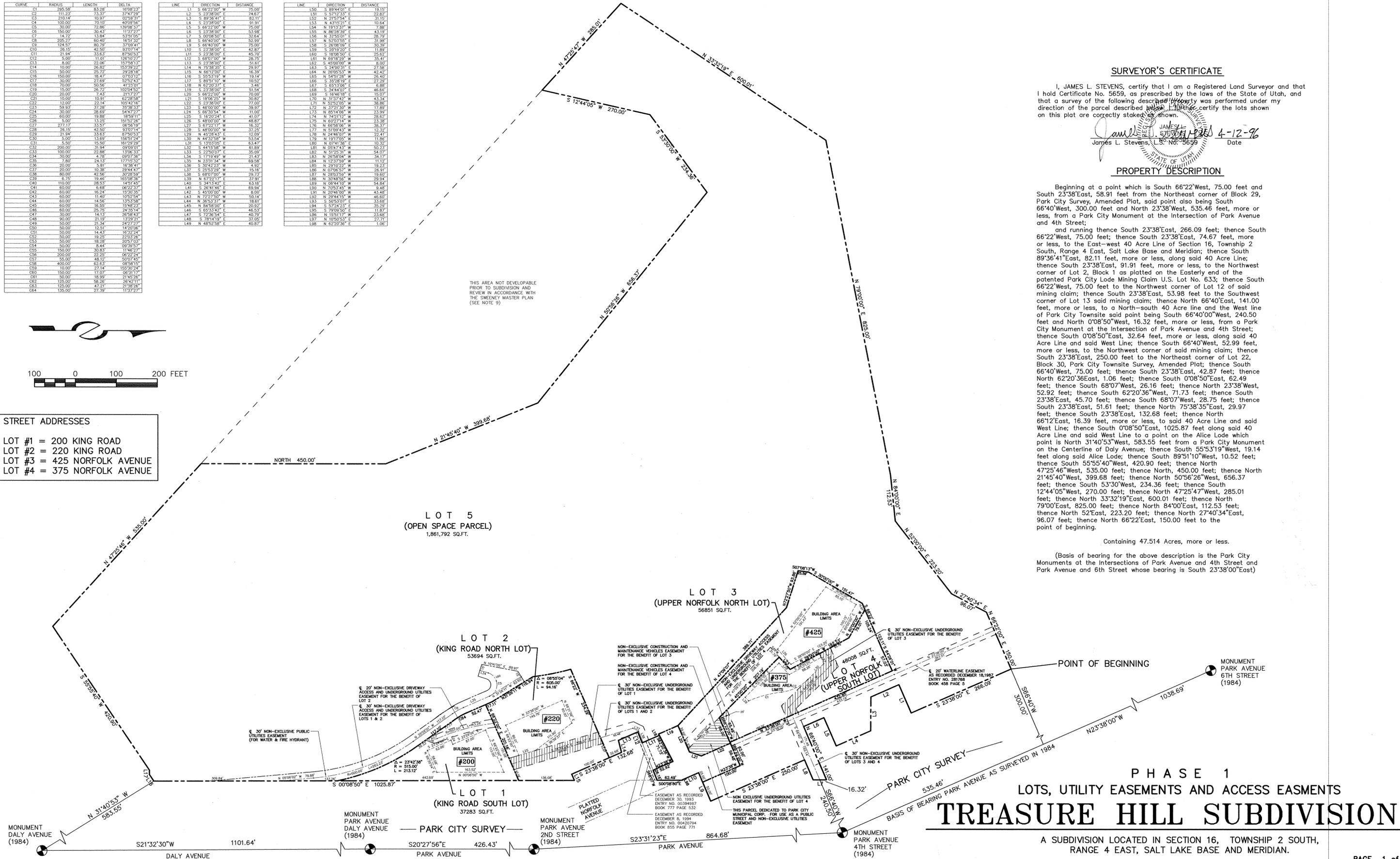
Beginning at a point which is South 66°22'West, 75.00 feet and South 23°38'East, 58.91 feet from the Northeast corner of Block 29, Park City Survey, Amended Plat, said point also being South 66°40'West, 300.00 feet and North 23°38'West, 535.46 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and 4th Street; and running thence South 23°38'East, 266.09 feet; thence South 66°22'West, 75.00 feet; thence South 23°38'East, 74.67 feet, more or less, to the East-west 40 Acre Line of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 89°36'41"East, 82.11 feet, more or less, along said 40 Acre Line; thence South 23°38'East, 91.91 feet, more or less, to the Northwest corner of Lot 2, Block 1 as platted on the Easterly end of the patented Park City Lode Mining Claim U.S. Lot No. 633; thence South 66°22'West, 75.00 feet to the Northwest corner of Lot 12 of said mining claim; thence South 23°38'East, 53.98 feet to the Southwest corner of Lot 13 said mining claim; thence North 66°40'East, 141.00 feet, more or less, to a North-south 40 Acre line and the West line of Park City Townsite said point being South 66°40'West, 240.50 feet and North 0°08'50'West, 16.32 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and 4th Street; thence South 0°08'50'East, 32.64 feet, more or less, along said 40 Acre Line and said West Line; thence South 66°40'West, 52.99 feet, more or less, to the Northwest corner of said mining claim; thence South 23°38'East, 250.00 feet to the Northeast corner of Lot 22, Block 30, Park City Townsite Survey, Amended Plat; thence South 66°40'West, 75.00 feet; thence South 23°38'East, 42.87 feet; thence North 62°20'36'East, 1.06 feet; thence South 0°08'50'East, 62.49 feet; thence South 68°07'West, 26.16 feet; thence North 23°38'West, 52.92 feet; thence South 62°20'36'West, 71.73 feet; thence South 23°38'East, 45.70 feet; thence South 68°07'West, 28.75 feet; thence South 23°38'East, 51.61 feet; thence North 75°38'35'East, 29.97 feet; thence South 23°38'East, 132.68 feet; thence North 66°12'East, 16.39 feet, more or less, to said 40 Acre Line and said West Line; thence South 0°08'50'East, 1025.87 feet along said 40 Acre Line and said West Line to a point on the Alice Lode which point is North 31°40'53'West, 583.55 feet from a Park City Monument on the Centerline of Daly Avenue; thence South 55°53'19'West, 19.14 feet along said Alice Lode; thence South 89°51'10'West, 10.52 feet; thence South 55°55'40'West, 420.90 feet; thence North 47°25'46'West, 535.00 feet; thence North, 450.00 feet; thence North 21°45'40'West, 399.68 feet; thence North 50°56'26'West, 656.37 feet; thence South 53°30'West, 234.36 feet; thence South 12°44'05'West, 270.00 feet; thence North 47°25'47'West, 285.01 feet; thence North 33°32'19'East, 600.01 feet; thence North 79°00'East, 825.00 feet; thence North 84°00'East, 112.53 feet; thence North 52°East, 223.20 feet; thence North 27°40'34'East, 96.07 feet; thence North 66°22'East, 150.00 feet to the point of beginning.

Containing 47.514 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the Intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38'00'East)



STREET ADDRESSES
 LOT #1 = 200 KING ROAD
 LOT #2 = 220 KING ROAD
 LOT #3 = 425 NORFOLK AVENUE
 LOT #4 = 375 NORFOLK AVENUE



PHASE 1
LOTS, UTILITY EASEMENTS AND ACCESS EASMENTS
TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
 REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 12TH DAY OF April, 1996 A.D.
 BY *Rex Anderson* S.B.S.I.D.

PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 15TH DAY OF April, 1996 A.D.
 BY *Judith Jones* CHAIRMAN

ENGINEERS CERTIFICATE
 I FIND THIS PLAN TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 12TH DAY OF April, 1996 A.D.
 BY *Eric W. Dehaan PE* PARK CITY ENGINEER

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS 15TH DAY OF April, 1996 A.D.
 BY *Mal D. Ho* PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
 I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 9TH DAY OF SEPTEMBER, 1995 A.D.
 BY *Anda L. Sheldon* PARK CITY RECORDER

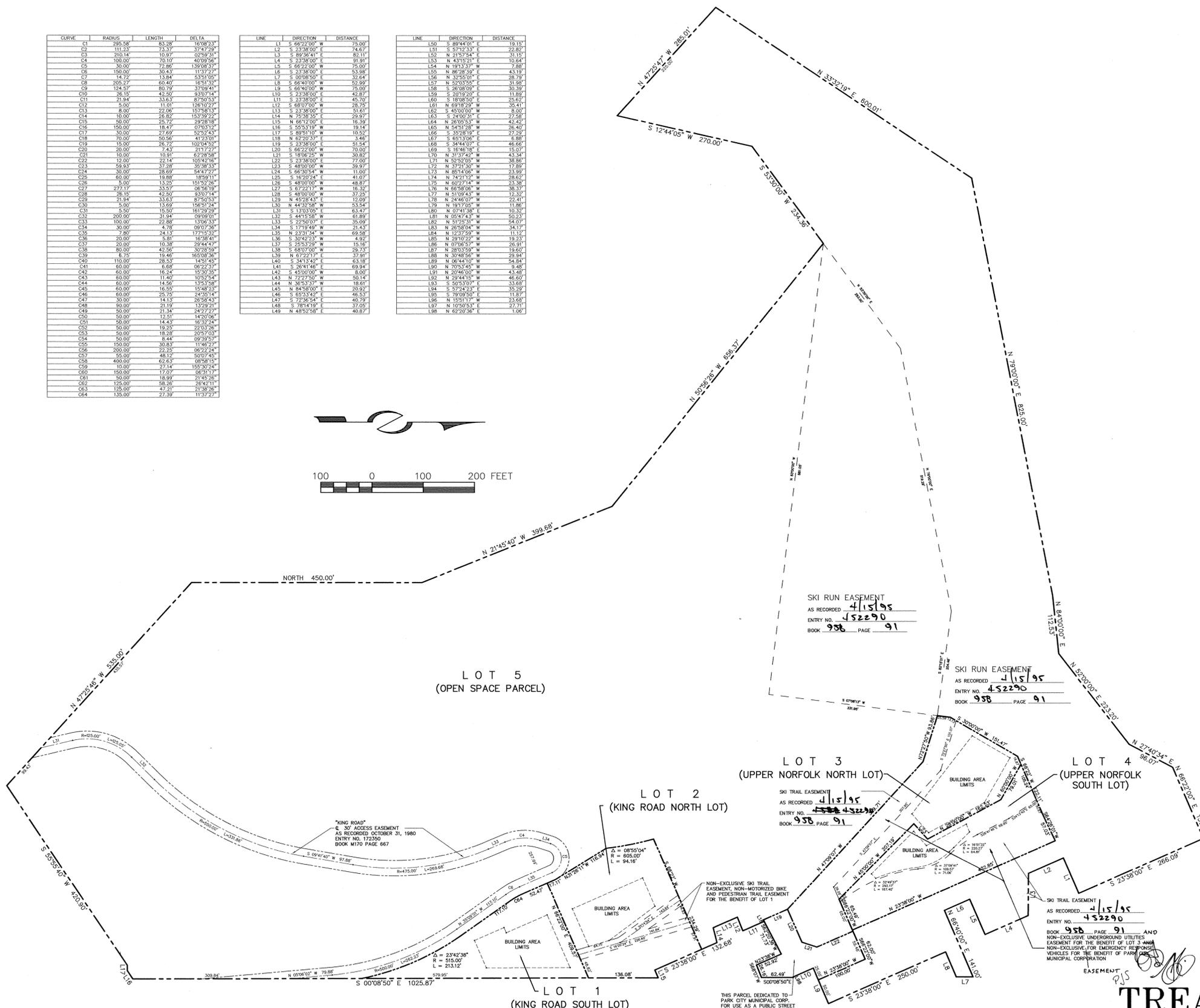
COUNCIL APPROVAL AND ACCEPTANCE
 APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 9TH DAY OF SEPTEMBER, 1995 A.D.
 BY *Bud G. Orr* MAYOR

Entry # 452295 RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF COALITION TITLE Co. DATE 4-15-96 TIME 17:00 BOOK PAGE
 \$95.00 FEE *Alan Spragg* RECORDER

CURVE	RADIUS	LENGTH	DELTA
C1	295.58	83.78	15.3893
C2	111.23	23.37	39.4729
C3	210.14	10.39	09.2931
C4	100.00	70.10	40.1944
C5	30.00	72.86	139.0837
C6	150.00	30.43	113.7277
C7	14.72	13.84	53.5105
C8	205.72	50.56	12.8987
C9	124.57	80.79	37.0941
C10	26.15	42.20	93.0714
C11	21.84	33.63	87.9030
C12	5.50	11.01	126.1027
C13	4.00	22.00	157.8131
C14	18.00	26.82	153.3922
C15	50.00	23.79	29.2818
C16	150.00	18.47	07.0312
C17	30.00	27.69	50.2743
C18	70.00	50.56	41.7301
C19	15.00	26.72	102.9452
C20	20.00	7.43	211.7271
C21	18.00	10.91	67.2858
C22	17.00	12.14	103.4216
C23	29.83	27.28	30.2833
C24	30.00	28.69	54.4727
C25	60.00	19.86	18.9611
C26	5.00	13.20	151.9276
C27	27.17	33.57	08.2619
C28	26.15	42.20	93.0714
C29	21.84	33.63	87.9030
C30	5.00	13.69	156.2194
C31	5.50	15.50	161.2929
C32	200.00	31.84	09.0901
C33	100.00	22.88	13.9633
C34	30.00	4.78	09.0756
C35	7.80	24.13	177.1532
C36	20.00	5.31	16.2841
C37	20.00	10.36	29.4447
C38	80.00	42.56	30.2859
C39	8.75	18.49	160.0836
C40	110.00	28.53	14.5145
C41	60.00	8.68	06.2237
C42	60.00	16.24	12.5055
C43	60.00	11.40	10.9254
C44	60.00	14.50	13.2330
C45	60.00	16.55	15.4823
C46	60.00	20.70	23.9514
C47	30.00	14.13	26.5843
C48	60.00	13.29	13.2911
C49	50.00	21.34	24.2727
C50	50.00	12.31	14.2006
C51	50.00	14.43	16.3274
C52	50.00	18.29	22.9326
C53	50.00	18.28	22.9203
C54	50.00	8.44	09.3927
C55	200.00	30.83	11.4627
C56	200.00	30.83	08.2524
C57	50.00	48.17	50.0745
C58	400.00	62.63	08.9615
C59	10.00	27.14	152.3024
C60	150.00	17.07	06.9177
C61	50.00	18.99	21.4528
C62	125.00	26.26	28.4211
C63	125.00	47.41	13.9826
C64	135.00	27.39	11.5727

LINE	DIRECTION	DISTANCE
L1	S 66°22'00" W	75.00
L2	S 23°38'00" E	74.67
L3	S 89°26'41" E	82.11
L4	S 23°38'00" W	79.81
L5	S 66°22'00" W	75.00
L6	S 23°38'00" E	75.86
L7	S 00°08'50" E	102.64
L8	S 66°40'00" W	75.00
L9	S 66°40'00" W	75.00
L10	S 23°38'00" E	42.87
L11	S 23°38'00" E	42.70
L12	S 68°07'00" W	28.70
L13	S 23°38'00" W	71.41
L14	N 75°38'35" E	29.97
L15	S 66°22'00" W	75.00
L16	S 55°51'19" W	19.14
L17	S 89°11'00" W	10.50
L18	N 62°02'31" E	3.46
L19	S 23°38'00" E	51.54
L20	S 66°22'00" W	70.00
L21	S 18°06'25" W	30.82
L22	S 23°38'00" E	77.80
L23	S 48°00'00" W	59.97
L24	S 66°30'54" W	11.00
L25	S 16°02'24" E	41.67
L26	S 48°00'00" W	48.87
L27	S 02°22'17" W	18.30
L28	S 48°00'00" W	37.20
L29	N 45°28'43" E	12.99
L30	N 44°32'58" E	13.54
L31	S 13°03'00" E	63.47
L32	S 44°15'58" E	61.89
L33	S 22°50'01" E	35.09
L34	S 17°19'48" W	21.43
L35	N 23°31'54" W	69.58
L36	S 30°42'23" W	4.92
L37	S 25°32'59" W	15.16
L38	S 68°07'00" W	29.71
L39	N 67°21'11" E	37.81
L40	S 34°15'42" E	63.18
L41	S 26°14'44" E	69.84
L42	S 45°00'00" W	8.09
L43	N 72°27'50" W	50.14
L44	N 36°53'37" W	18.61
L45	N 84°58'00" E	20.92
L46	S 63°34'31" E	46.53
L47	S 72°36'54" E	40.79
L48	S 76°14'18" E	27.58
L49	N 48°52'58" E	40.87

LINE	DIRECTION	DISTANCE
L50	S 89°44'01" E	19.13
L51	S 57°12'33" E	22.82
L52	N 21°12'24" E	31.15
L53	N 43°10'11" E	10.84
L54	N 19°13'33" W	7.88
L55	N 86°06'00" E	43.19
L56	N 32°55'01" E	28.79
L57	N 52°53'58" E	31.88
L58	S 26°58'00" E	30.39
L59	S 20°18'20" E	11.89
L60	S 18°06'25" E	24.72
L61	N 69°18'29" W	35.41
L62	S 45°00'00" W	8.00
L63	S 24°00'31" E	27.58
L64	N 21°12'24" E	42.29
L65	N 54°51'28" W	26.40
L66	S 35°28'10" E	27.29
L67	S 69°13'06" E	6.88
L68	S 34°44'07" E	46.66
L69	S 16°46'18" E	15.07
L70	N 31°37'42" W	43.34
L71	N 32°52'50" E	38.88
L72	N 32°52'50" E	17.89
L73	N 85°14'06" W	23.99
L74	N 74°21'15" W	28.62
L75	N 60°27'14" W	23.38
L76	N 66°08'00" W	38.37
L77	N 51°09'43" W	12.32
L78	N 24°46'01" W	22.41
L79	N 19°13'33" W	11.48
L80	N 07°41'58" E	10.32
L81	N 05°04'43" W	20.23
L82	N 51°29'31" W	54.07
L83	N 26°58'00" W	24.77
L84	N 12°37'59" W	11.12
L85	N 29°10'22" W	19.23
L86	N 07°06'51" W	26.91
L87	N 28°13'59" W	19.60
L88	N 30°46'56" W	29.84
L89	N 06°44'10" W	54.84
L90	N 10°15'44" W	9.48
L91	N 20°46'00" W	43.48
L92	N 29°44'15" W	46.67
L93	S 50°53'01" E	13.68
L94	S 57°24'23" E	35.29
L95	S 39°59'50" E	11.87
L96	N 15°51'11" W	23.68
L97	N 10°54'13" E	27.71
L98	N 62°20'59" E	1.90



OWNER'S DEDICATION AND CONSENT TO RECORD

The owners or their representatives, hereby irrevocably offer for dedication to the City of Park City all the streets, trails right-of-way, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication subject to easements, deeds of record and agreements of record.

IN WITNESS WHEREOF, the undersigned sets their hands this 4TH day of April, 1996

Edmund J. Beaulieu
EDMUND J. BEAULIEU

Clyde Carlig
CLYDE CARLIG

SWEENEY LAND COMPANY, a Utah general partnership
By *Patrick J. Sweeney*
Patrick J. Sweeney
Managing Partner

ACKNOWLEDGEMENT

STATE OF Utah)
COUNTY OF Summit) ss.

On this 4th day of April, 1996, personally appeared before me EDMUND J. BEAULIEU, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Robert C. Rodman
ROBERT C. RODMAN
NOTARY PUBLIC
Residing at: Summit Co Utah

NOTARY PUBLIC
ROBERT C. RODMAN
1700 PARK AVE, P.O. BOX 2033
PARK CITY, UT 84060
My Commission Expires NOV 27 1997
State of Utah

My Commission Expires: Nov 27, 1997

ACKNOWLEDGEMENT

STATE OF Utah)
COUNTY OF Summit) ss.

On this 4th day of April, 1996, personally appeared before me CLYDE CARLIG, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Robert C. Rodman
ROBERT C. RODMAN
NOTARY PUBLIC
Residing at: Summit Co Utah

NOTARY PUBLIC
ROBERT C. RODMAN
1700 PARK AVE, P.O. BOX 2033
PARK CITY, UT 84060
My Commission Expires NOV 27 1997
State of Utah

My Commission Expires: Nov 27, 1997

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SUMMIT) ss.

On the 4th day of April, 1996, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same.

Robert C. Rodman
ROBERT C. RODMAN
NOTARY PUBLIC
Residing at: Summit Co Utah

NOTARY PUBLIC
ROBERT C. RODMAN
1700 PARK AVE, P.O. BOX 2033
PARK CITY, UT 84060
My Commission Expires NOV 27 1997
State of Utah

My Commission Expires: Nov 27, 1997

PHASE 1
SKI TRAIL EASEMENTS
TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

Entry # 452295 RECORDED

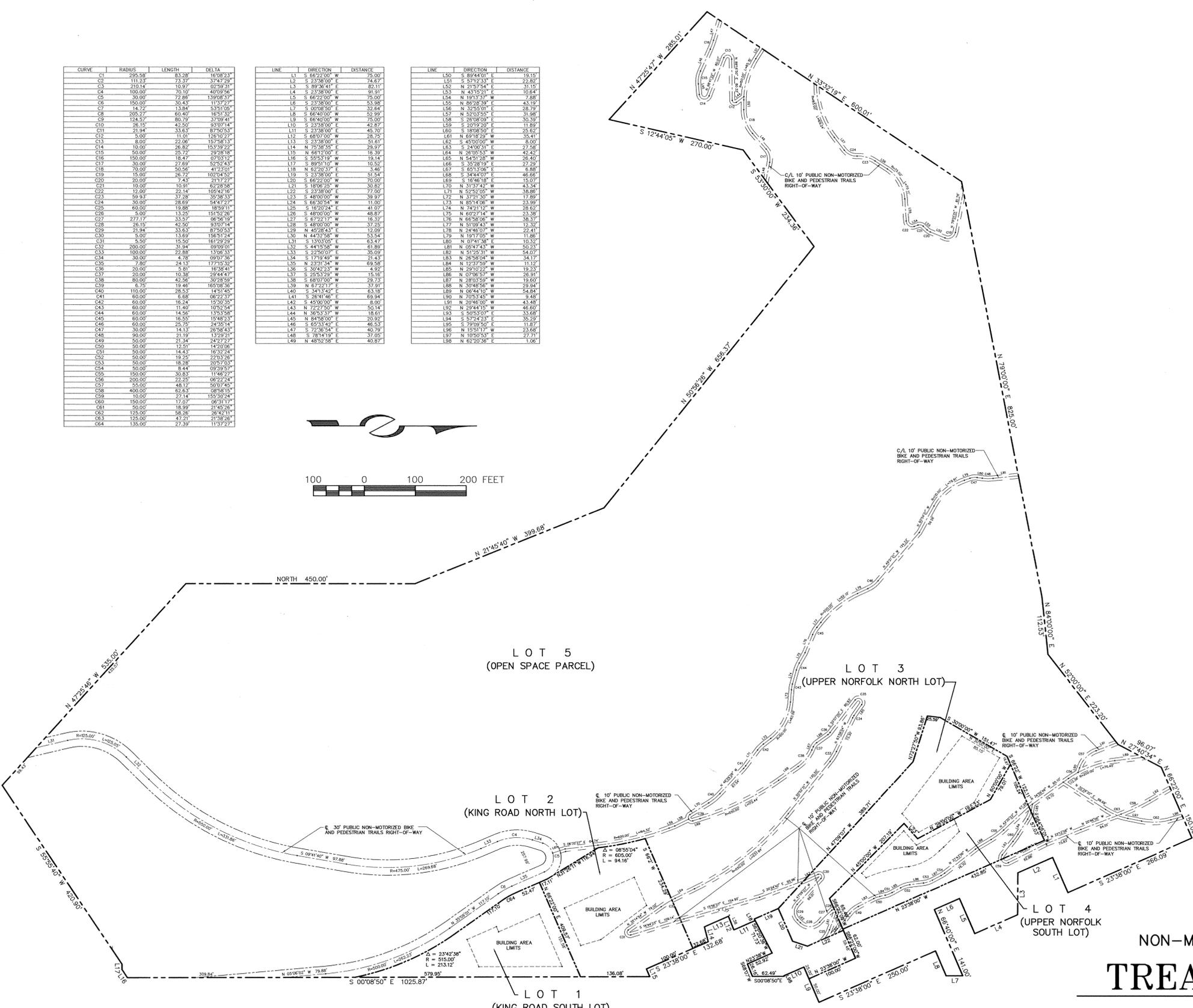
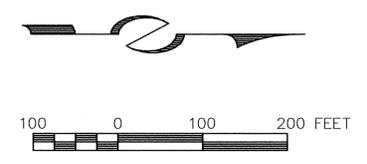
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF COALITION TITLE CO.
DATE 4-15-96 TIME 17:00 BOOK _____ PAGE _____

\$95.00 FEE *Alan Serrisjo* RECORDER

CURVE	RADIUS	LENGTH	DELTA
C1	295.58	61.28	16.08°23'
C2	111.23	23.33	37.47°20'
C3	210.14	75.17	02°29'03"
C4	100.00	70.10	40°29'54"
C5	30.00	22.88	139°08'57"
C6	150.00	36.43	113°37'27"
C7	14.22	68.20	165°11'00"
C8	60.00	27.79	165°11'00"
C9	124.57	80.79	37°09'41"
C10	26.12	42.70	42°29'14"
C11	21.94	33.63	87°26'53"
C12	5.00	11.01	128°10'27"
C13	8.00	22.06	157°38'13"
C14	10.00	26.82	155°39'22"
C15	50.00	27.74	29°28'18"
C16	150.00	18.47	07°03'12"
C17	30.00	27.69	52°52'43"
C18	70.00	50.56	41°23'01"
C19	15.00	26.72	102°04'58"
C20	20.00	7.43	211°27'27"
C21	10.00	10.91	62°28'58"
C22	12.00	22.14	105°44'16"
C23	59.93	37.28	35°38'33"
C24	30.00	28.69	44°47'27"
C25	60.00	19.88	18°59'11"
C26	5.00	11.25	01°52'28"
C27	277.17	33.57	06°56'10"
C28	26.15	42.50	93°07'14"
C29	21.84	33.63	87°26'53"
C30	5.00	11.69	156°51'24"
C31	5.50	15.50	181°29'29"
C32	200.00	31.84	09°09'01"
C33	100.00	22.88	13°08'53"
C34	30.00	47.85	09°07'56"
C35	7.80	24.13	177°15'22"
C36	20.00	2.89	162°38'41"
C37	20.00	10.36	29°44'47"
C38	80.00	47.56	36°28'49"
C39	6.75	19.46	165°08'56"
C40	110.00	28.53	14°51'45"
C41	60.00	16.66	08°22'37"
C42	60.00	16.24	15°30'25"
C43	60.00	11.40	109°21'04"
C44	60.00	14.56	135°3'58"
C45	60.00	16.59	154°48'33"
C46	60.00	25.75	24°35'14"
C47	30.00	14.13	26°58'43"
C48	90.00	21.19	13°29'21"
C49	50.00	21.34	24°27'27"
C50	50.00	13.91	147°01'08"
C51	50.00	14.43	163°32'24"
C52	50.00	19.29	22°33'38"
C53	50.00	18.28	205°2'03"
C54	50.00	8.44	09°39'57"
C55	150.00	30.63	11°48'27"
C56	200.00	22.25	06°27'24"
C57	25.00	48.13	50°07'49"
C58	400.00	62.83	08°58'15"
C59	150.00	27.14	155°30'24"
C60	50.00	18.99	21°46'26"
C61	125.00	36.26	26°42'11"
C62	125.00	47.21	21°38'26"
C63	125.00	47.21	21°38'26"
C64	135.00	27.39	113°27'47"

LINE	DIRECTION	DISTANCE
L1	S 66°22'00" W	75.00'
L2	S 23°38'00" E	74.67'
L3	S 89°46'41" E	62.11'
L4	S 23°38'00" E	91.91'
L5	S 66°22'00" W	75.00'
L6	S 23°38'00" E	53.88'
L7	S 00°00'00" W	30.64'
L8	S 66°22'00" W	52.99'
L9	S 66°40'00" W	75.00'
L10	S 23°38'00" E	42.84'
L11	S 23°38'00" E	45.70'
L12	S 66°22'00" W	75.00'
L13	S 23°38'00" E	51.61'
L14	N 70°28'35" E	29.97'
L15	N 66°17'00" E	19.39'
L16	S 55°53'19" W	19.14'
L17	S 66°22'00" W	75.00'
L18	N 62°20'37" E	3.46'
L19	S 23°38'00" E	57.54'
L20	S 66°22'00" W	75.00'
L21	S 18°06'25" W	30.82'
L22	S 23°38'00" E	77.00'
L23	S 48°00'00" W	39.97'
L24	S 66°22'00" W	11.00'
L25	S 16°22'24" E	41.07'
L26	S 48°00'00" W	48.87'
L27	S 62°22'17" W	18.32'
L28	S 48°00'00" W	37.25'
L29	N 42°52'43" E	13.09'
L30	N 44°32'58" W	53.54'
L31	S 13°03'00" E	63.47'
L32	S 44°15'58" W	61.89'
L33	S 23°38'00" E	35.09'
L34	S 17°15'49" W	41.43'
L35	N 23°31'34" W	69.58'
L36	S 89°46'41" E	4.92'
L37	S 25°53'29" W	15.16'
L38	S 66°22'00" W	29.73'
L39	N 67°22'17" E	37.91'
L40	S 34°12'42" E	83.18'
L41	S 28°44'46" E	69.84'
L42	S 45°00'00" W	8.00'
L43	N 72°21'50" W	50.14'
L44	N 36°53'37" W	18.61'
L45	N 84°58'00" E	20.92'
L46	S 65°33'42" E	46.53'
L47	S 72°36'54" E	40.79'
L48	S 78°18'19" E	37.05'
L49	N 48°52'58" E	40.87'

LINE	DIRECTION	DISTANCE
L50	S 89°44'01" E	19.10'
L51	S 37°23'33" E	22.80'
L52	N 23°24'24" E	31.23'
L53	N 43°19'21" E	10.64'
L54	N 19°13'19" W	7.88'
L55	N 86°28'29" E	43.19'
L56	N 32°51'01" E	28.27'
L57	N 52°35'55" E	31.98'
L58	S 28°28'09" E	30.30'
L59	N 22°19'20" E	11.89'
L60	S 18°28'50" E	25.62'
L61	N 69°18'29" W	35.41'
L62	S 45°20'00" W	8.00'
L63	S 24°02'31" E	27.58'
L64	N 63°05'53" W	49.45'
L65	N 54°52'25" W	26.40'
L66	S 34°08'19" E	27.29'
L67	S 65°13'06" E	6.88'
L68	S 54°40'07" E	46.68'
L69	S 16°46'18" E	15.07'
L70	N 31°37'42" W	43.34'
L71	N 59°25'05" W	38.86'
L72	N 37°30'30" W	17.89'
L73	N 85°14'08" W	23.98'
L74	N 74°21'12" W	28.62'
L75	N 62°21'14" W	23.38'
L76	N 65°56'06" W	38.37'
L77	N 31°09'43" W	12.32'
L78	N 24°46'07" W	22.41'
L79	N 19°17'05" W	11.86'
L80	N 07°42'58" E	10.30'
L81	N 05°17'43" W	50.23'
L82	N 37°53'37" W	54.07'
L83	N 76°59'04" E	34.17'
L84	N 12°37'59" W	11.12'
L85	N 02°10'22" W	19.23'
L86	N 07°06'57" W	26.91'
L87	N 28°03'59" W	19.60'
L88	N 30°48'56" W	29.94'
L89	N 86°46'10" W	54.84'
L90	N 10°53'45" W	3.45'
L91	N 30°46'00" W	43.48'
L92	N 29°44'15" W	46.60'
L93	S 09°53'07" E	33.60'
L94	S 27°24'23" E	35.29'
L95	S 79°09'50" E	11.87'
L96	N 10°51'17" W	23.66'
L97	N 10°50'53" E	27.71'
L98	N 62°20'58" E	1.06'



- SPECIAL RESTRICTIONS FOR SINGLE FAMILY HOMES TO BE CONSTRUCTED ON LOTS 1 THROUGH 4 SHOWN HEREON:
1. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note 7, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculations:
 - (a) Decks which are open on at least two sides (but which may have railings as required), covered or uncovered, and which do not have above grade living space below or above them;
 - (b) Exterior walkways;
 - (c) Exterior stairs;
 - (d) Driveways.
 2. BUILDING AREA LIMITS. Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on the Plat or as consistent with the approved construction drawings of the driveways, Upper Norfolk turnaround, King Road turnaround, ski bridge and utility plans) shall be limited to the Building Area Limits noted on the Plat. Notwithstanding the foregoing, flat areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.
 3. CONSTRUCTION DISTURBANCE. Unless otherwise provided in agreements with Park City Municipal Corporation which are of record, temporary construction disturbance shall be limited to twenty (20) feet beyond the Building Area Limits or to adjoining lot property lines which ever is closer. Such disturbed area shall be revegetated with native landscaping.
 4. HEIGHT. The building height shall be measured from existing grade to the top of flat roofs and to the ridge of pitched roofs. The maximum height, in general, shall be twenty five (25) feet for flat roofs and thirty (30) feet for pitched roofs. A maximum height of twenty eight (28) feet for flat roofs and thirty three (33) feet for pitched roofs shall be permitted for the expressed purpose of accommodating access, i.e. stairwells and/or elevators, between floor levels.
 5. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reestablished grade whichever is greater.
 6. MASSING. House designs may be comprised of one or more connected or unconnected building masses. No one building mass within the 3500 square foot footprint referenced in Note 1 above, shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks.
 7. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District.
 8. FIRE SPRINKLING. Internal and external modified 13d fire sprinklers shall be provided for the homes. Wood roofing material shall be prohibited.
 9. PRECEDENCE. The above special restrictions are consistent with the Sweeney Master Plan approved by the Park City Municipal Corporation on October 16, 1986 and as subsequently amended on October 14, 1987 and December 30, 1992. Final house design shall be reviewed under the Small Scale Master Plan Process in accordance with the Sweeney Master Plan.

PHASE 1
NON-MOTORIZED BIKE AND PEDESTRIAN TRAILS RIGHT-OF-WAY
TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

ENTRY# 452295 RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF COALITION TITLE CO.
DATE 4-15-96 TIME 17:00 BOOK PAGE
\$95.00 FEE
RECORDER



Project Clearance Number: **45528**

Issue Date:	May 13, 2025	Plan Review Fee:	\$165.00
Applicant:	Douglas Ogilvy	Inspection Fee:	\$165.00
Mailing Address:	741 Martingale Lane	Total:	\$330.00
	Park City UT 84098		
Telephone:	(775) 223-1204	Method of Payment:	Credit Card
Project Address:	200 and 220 King Road	Payment Date:	5/12/2025
Lot Number:			
Subdivision:			

Park City Fire Service District forwards a favorable recommendation for approval.

Project Scope: Revisions to 45236. Improvement to existing driveway per attached documents.

No review has been carried out regarding access to 200 King Road. This approval is for revisions to the existing driveway only.

Required Inspections:

Final Inspection: None by the Park City Fire District.

Use prohibited before approval: The components included in this approval cannot be placed into use prior to PCFD issuing a permit and clearance that indicated that applicable provisions of the Fire Code has been met.

All fees have been collected and/or paid as a condition of our Recommendation for Approval.

Review Completed By: Battalion Chief Mike Owens – District Fire Marshal

Park City Fire Service District – Fire Prevention Bureau

736 West Bitner Road – Park City, UT 84098

Telephone: (435) 940-2532 **Tele-Fax:** (435) 658-5247 **E-Mail:** mowens@pcfd.org



Project Clearance Number: **45236**

Issue Date:	April 14, 2025	Plan Review Fee:	\$165.00
Applicant:	Douglas Ogilvy	Inspection Fee:	\$0.00
Mailing Address:	741 Martingale Lane Park City UT 84098	Total:	\$165.00
Telephone:	(775) 223-1204	Method of Payment:	Credit Card
Project Address:	200 and 220 King Road	Payment Date:	4/7/2025
Lot Number:			
Subdivision:			

Park City Fire Service District forwards a favorable recommendation for approval.

Project Scope: Revisions to existing driveway.

No review has been done for access to 200 King Road. This approval is for revisions to the existing driveway only.

Required Inspections: None by the Park City Fire District.

Use prohibited before approval: The components included in this approval cannot be placed into use prior to PCFD issuing a permit and clearance that indicated that applicable provisions of the Fire Code has been met.

All fees have been collected and/or paid as a condition of our Recommendation for Approval.

PCFD recognizes that the required width of the driveway and/or bumpouts are not possible given the topographical layout of the area. The driveway as drawn at a 14' width is acceptable to PCFD.

Review Completed By: Battalion Chief Mike Owens – District Fire Marshal

Park City Fire Service District – Fire Prevention Bureau

736 West Bitner Road – Park City, UT 84098

Telephone: (435) 940-2532 **Tele-Fax:** (435) 658-5247 **E-Mail:** mowens@pcfd.org



Justin J. Keys
justin@hlhparkcity.com
Direct: 435.731.9195

December 19, 2025

VIA EMAIL

Park City Municipal Corporation
Park City Planning Commission
Rebecca Ward, Planning Director
rebecca.ward@parkcity.org
PO Box 1480
Park City, Utah 84060

*Re: Appeal of Planning Staff Final Action Approving Driveway Plans for 220 King Road
(Across 200 King Road)*

Dear Commissioners:

Hoggan Lee Hutchinson represents Eric and Susan Fredston-Hermann (“Appellants”), the owners of the property located at 200 King Road, Park City, Utah (Parcel No. THILL-1), as well as the adjoining property at 205 Norfolk Avenue (Parcel No. 201-NA-SUB-2). Appellants’ property at 200 King Road is directly burdened by the proposed driveway (the “Driveway”) serving the neighboring property at 220 King Road (Parcel No. THILL-2-AM). The Fredston-Hermanns submit this appeal pursuant to Park City Land Management Code (“LMC”) § 15-1-18(A), challenging Planning staff’s Final Action approving the latest iteration of the Driveway plans (the “Driveway Approval”).¹ That planning approval served as the predicate for a subsequently issued driveway building permit (Building Permit No. 25-2250), which Appellants are concurrently appealing. The Fredston-Hermanns received actual notice of the Driveway Approval on or about December 15, 2025. They had no constructive notice of the Driveway Approval at the time it was given.

The Driveway Approval is illegal, as well as arbitrary and capricious, because it was issued in violation of the automatic stay imposed by the Land Management Code. The Steep Slope Conditional Use Permit (“Steep Slope CUP”) required for the Driveway had expired, and the

¹ Email from Jacob Klopfenstein, Planner II, Park City Mun. Corp., to Douglas Ogilvy (Dec. 4, 2025, 3:24 PM MST) (confirming approval of revised driveway plans with conditions) (Ex. A); Alliance Consulting Engineers, *200 King Road – Upgrades to Driveway Within Non-Exclusive Driveway Easement*, Sheets C1.0–C4.0 (Nov. 2025) (approved driveway plans) (Ex. B).

City's purported extensions of that approval were stayed by operation of LMC § 15-1-18(M) due to pending appeals. While the stay remains in effect, the City may not take actions that rely on or give effect to the stayed approval, including approving driveway plans that require a Steep Slope CUP. Accordingly, the Fredston-Hermanns respectfully request that the Planning Commission reverse the Driveway Approval.

BACKGROUND

In February 2024, a split Planning Commission issued Final Action approving several Conditional Use Permits for the Project, including a Steep Slope CUP.² The City later purported to extend the CUPs.³ The Fredston-Hermanns timely appealed those extensions, and those appeals remain pending.⁴ The Land Management Code provides that “[u]pon the filing of an appeal, any approval granted under this Title will be suspended until the appeal body [...] has acted on the appeal.”⁵ As a result, the Steep Slope CUP extensions are stayed and inoperative, and the status quo is no valid Steep Slope CUP.

The approved driveway alignment traverses areas with existing slopes of thirty percent (30%) or greater, including areas classified as very steep slopes.⁶ The Land Management Code expressly requires a Steep Slope CUP for “any Access driveway located on or projecting over an existing Slope of thirty percent (30%) or greater.”⁷ Here, the driveway plans approved by Planning staff depict an alignment that traverses areas mapped with existing slopes in excess of thirty percent (30%), placing the driveway squarely within the Steep Slope CUP requirements.⁸

The City is also aware that the parties are litigating the scope and permissibility of the platted easement across 200 King Road. The Fredston-Hermanns do not ask the City to adjudicate private property rights. But the Planning Department's regular practice is to confirm that an applicant has sufficient rights before Final Action by requiring a current title report as part of the application

² Park City Mun. Corp., *Notice of Planning Commission Action* for 220 King Road, Applications PL-22-05318 (Single-Family Dwelling CUP), PL-23-05523 (Outdoor Pool CUP), & PL-23-05571 (Steep Slope CUP) (Feb. 21, 2024) (Final Action approving Steep Slope Conditional Use Permit) (Ex. C).

³ Park City Mun. Corp., *Notice of Planning Director Action* for Steep Slope Conditional Use Permit Extension, 220 King Road, Project No. PL-25-06645 (PL-23-15571) (Oct. 2, 2025) (approving Steep Slope CUP extension with conditions) (Ex. D).

⁴ Appeal Letter from Hoggan Lee Hutchinson to Park City Planning Commission re Approval of Conditional Use Permit Extensions for 220 King Road, Applications PL-25-06627, PL-25-06645, & PL-25-06646 (Oct. 10, 2025) (appeal of CUP extensions) (Ex. E).

⁵ LMC § 15-1-18(M).

⁶ Alliance Consulting Engineers, *220 King Road Steep Slope—Existing Conditions, Conceptual Grading, Drainage, and Slope Map*, Sheets 1–6 (Feb. 2, 2024) (grading and excavation plans depicting existing slopes exceeding thirty percent (30%)) (Ex. F).

⁷ LMC § 15-2.2-6(A)(3).

⁸ Grading and Excavation Plans (Ex. F).

process.⁹ Where the City knows that the right to build is actively disputed and will be determined by the Third District Court, there is no reason to press forward in a manner that disregards the Code's automatic stay.

STANDARD OF REVIEW

Section 15-1-18(A) of the Park City Land Management Code authorizes appeals of Final Actions by the Planning Director to the Planning Commission. LMC § 15-1-18(G) instructs that the appeal authority, in this case the Planning Commission, "shall act in a quasi-judicial manner." The same section explains that the Commission reviews "factual matters de novo, without deference to the land use authority's determination of factual matters." The Commission determines "the correctness of the land use authority's interpretation and application of the plain meaning of the land use regulations."

Under Utah Code § 10-9a-801(3)(c), a land use decision is arbitrary and capricious if it is not supported by substantial evidence in the record, and it is illegal if it is based on an incorrect interpretation of a land use regulation, conflicts with the authority granted by Title 10, Chapter 9a of the Utah Code, or is otherwise contrary to law.

Accordingly, the Planning Commission's task on this appeal is to independently determine whether the Planning Director correctly interpreted and applied the Land Management Code and whether the findings are supported by substantial evidence in the record.

ARGUMENT

Planning staff's Driveway Approval must be reversed because it was issued in violation of the automatic stay imposed by LMC § 15-1-18(M). The Code suspends appealed approvals pending a decision by the appeal body, and staff may not issue downstream approvals that rely on, assume the validity of, or otherwise give effect to stayed approvals.¹⁰

LMC § 15-1-18(M) provides that "[u]pon the filing of an appeal, any approval granted under this Title will be suspended until the appeal body ... has acted on the appeal." This is a mandatory stay that preserves the status quo and prevents applicants and the City from proceeding under approvals that are the subject of the pending appeal. The stay has practical meaning only if it prevents the City from taking actions that depend on a stayed approval. Otherwise, an applicant could lock in

⁹ See, e.g., Park City Mun. Corp., *Variance Application* (requiring current title report) (Ex. G); Park City Mun. Corp., *Request for Extension or Modification of Approval* (requiring current title report) (Ex. H); Park City Mun. Corp., *Historic District Design Review (HDDR) Application* (requiring current title report and sufficient property rights prior to Final Action) (Ex. I); Park City Mun. Corp., *Subdivision Plat / Condominium Plat Application* (requiring current title report) (Ex. J).

¹⁰ LMC § 15-1-18(M).

related approvals and proceed while the appeal is pending, undermining the appeal right the Code provides.

Further, the LMC expressly requires a Steep Slope CUP for “any Access driveway located on or projecting over an existing Slope of thirty percent (30%) or greater.”¹¹ Here, the Driveway plans approved by Planning staff depict an alignment that traverses areas mapped with existing slopes in excess of thirty percent (30%), placing the driveway squarely within the Steep Slope CUP requirements.¹²

These rules mean that when (1) a driveway traverses slopes that trigger the Steep Slope CUP requirement, and (2) the only purported Steep Slope CUP authority is an extension that has been appealed, the City must treat that extension as suspended and cannot issue downstream approvals that rely on it unless and until the appeal body acts. A stayed approval is not something staff can provisionally rely on in order to keep a project moving; the stay exists precisely to prevent the City from proceeding as though the appealed approval is currently valid.

That is exactly what occurred here. The Planning Commission previously issued Final Action approving a Steep Slope CUP for the Project.¹³ But that Steep Slope CUP expired.¹⁴ The City purported to extend it,¹⁵ but the Fredston-Hermanns appealed that extension,¹⁶ effectively suspending its efficacy under the plain terms of LMC § 15-1-18(M).

Planning staff nevertheless approved the latest Driveway plan.¹⁷ That approval necessarily gives effect to the stayed Steep Slope CUP extension because a driveway that is located on or projecting over slopes of thirty percent (30%) or greater cannot be approved absent an operative Steep Slope CUP,¹⁸ and the approved Driveway plan meets that criteria.¹⁹ In short, the Driveway Approval treats the stayed extension as valid and operative, and that is exactly what the stay forbids. The result is not merely that the approval was premature, but that it was issued in direct violation of the automatic stay and is therefore illegal.

There is also no practical justification for Planning staff to proceed in a manner that violates the stay. The City is aware that the parties are litigating the scope and permissibility of the platted easement across 200 King Road. The Fredston-Hermanns are not asking the City to adjudicate that dispute. But the Planning Department requires title reports as part of its application process precisely because it must confirm that the applicant has sufficient rights to build what is proposed

¹¹ LMC § 15-2.2-6(A)(3).

¹² Grading and Excavation Plans (Ex. F).

¹³ Steep Slope CUP Approval (Ex. C).

¹⁴ LMC § 15-1-10(G).

¹⁵ SSCUP Extension Approval (Ex. D).

¹⁶ CUP Extension Appeal (Ex. E).

¹⁷ Klopfenstein Email (Ex. A); Driveway Plans (Ex. B).

¹⁸ LMC § 15-2.2-6(A)(3).

¹⁹ Grading and Excavation Plans (Ex. F).

at the location where the development will occur.²⁰ (*See, e.g.*, Variance Application; Request for Extension or Modification of Approval; HDDR Application; Subdivision Plat/Condominium Plat Application.) The City cannot issue meaningful approvals for development on property where the applicant may not have the property rights necessary to build the driveway as proposed.

The City's requirement that applicants submit a title report before Final Action makes clear how the City treats analogous situations involving uncertainty over property rights. If an applicant submitted a title report showing a *lis pendens* reflecting active litigation over whether the applicant holds title to the property, the City would not grant planning approvals or permits authorizing construction during the pendency of that litigation. The City would wait until it was resolved that the applicant in fact holds the rights necessary to develop the property in the manner proposed. The situation here is materially similar: the scope of the applicant's right to construct a driveway across the Fredston-Hermanns' property under a platted easement is presently disputed and being litigated.²¹ Under these circumstances, the City is aware that the applicant's right to build the driveway itself has not yet been determined. Proceeding in that posture underscores why the Code's stay should be honored rather than violated.

Because the Driveway Approval was issued in violation of the automatic stay imposed by LMC § 15-1-18(M), and because the Driveway requires but lacks a valid Steep Slope CUP, the Planning Commission should reverse Planning staff's Final Action approving the driveway plans.

CONCLUSION

Planning staff's approval of the Driveway plans for 220 King Road is illegal, as well as arbitrary and capricious, because it was issued in violation of the automatic stay imposed by LMC § 15-1-18(M). The Driveway traverses slopes exceeding thirty percent (30%), triggering the Steep Slope CUP requirement under LMC § 15-2.2-6(A)(3), yet the only Steep Slope CUP for the Driveway is expired and the City's decision to extend it is under appeal and therefore stayed. Approving the Driveway plans while that stay is in effect improperly gave legal effect to a suspended approval.

There was also no justification for proceeding in this manner. The City was aware that both the validity of the Steep Slope CUP extension and the applicant's right to construct a driveway across the Fredston-Hermanns' property are unresolved. Proceeding to approve driveway plans under those circumstances disregarded the stay and departed from the City's ordinary practice of confirming sufficient property rights before granting final approvals.

For these reasons, Appellants respectfully request that the Planning Commission reverse Planning staff's Final Action approving the driveway plans.

²⁰ *See, e.g.*, City Planning Application Requirements (Exs. G–J).

²¹ Complaint, *Pesky Porcupine, LLC v. Hermann*, No. **240500124** (Utah 3d Dist. Ct., Summit Cnty. filed Mar. 18, 2024) (seeking declaratory relief regarding scope and permissibility of driveway easement affecting 200 King Road) (Ex. K).

*Park City Municipal Corporation
Park City Planning Commission
Rebecca Ward, Planning Director
Page 6 of 6*

Very Truly Yours,
HOGGAN LEE HUTCHINSON



Justin J. Keys

1. THE SCOPE OF THIS PERMIT IS LIMITED TO THE 20-FOOT NON-EXCLUSIVE DRIVEWAY ACCESS AND UNDERGROUND UTILITIES EASEMENT FOR THE BENEFIT OF LOT 2 AS DESIGNATED ON THE TREASURE HILL SUBDIVISION PHASE 1 PLAT (SUMMIT COUNTY RECORDER ENTRY NO. 452295), NOTHING HEREIN APPROVES ANY WORK OR DISTURBANCE OUTSIDE OF THE PLATTED DRIVEWAY EASEMENT.

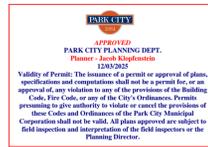
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6. ALL PREVIOUS CONDITIONS OF APPROVAL REMAIN IN EFFECT, INCLUDING BUT NOT LIMITED TO REQUIREMENTS OUTLINED IN THE PLANNING COMMISSION FEBRUARY 21, 2024 CUP (PL-22-05318 AND PL-23-05523), SSCUP (PL-23-05571), AND PLAT AMENDMENT (PL-22-05319) FINAL ACTION LETTERS, AND THE PLANNING DIRECTOR'S HISTORIC DISTRICT DESIGN REVIEW WAIVER LETTER (PL-25-06533).



200 KING ROAD UPGRADES TO DRIVEWAY WITHIN NON EXCLUSIVE DRIVEWAY EASEMENT

PARK CITY, UT 84060

SHEET INDEX

- C1.0 EXISTING CONDITIONS
- C2.0 SITE PLAN
- C3.0 DRIVEWAY PLAN & PROFILE
- C4.0 CONSTRUCTION MITIGATION PLAN AND STORM WATER POLLUTION PREVENTION PLAN

CIVIL ENGINEER



GENERAL NOTES

1. ALL WORK PERFORMED SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING PLANS AND SPECIFICATIONS:
 - A. Park City Design Standards, Construction Specifications, and Standard Drawings, Latest Edition.
 - B. Manual on Uniform Traffic Control Devices 11th Edition, December 2023.
 - C. Special conditions of approval and/or permits as required and/or issued by regulatory bodies.
 - D. Approved Construction plans and details.
2. Contractor/Bidder shall obtain a copy of the specifications, at his cost. Copies of the specifications shall be kept at the job site by the Contractor and be available for the contractor, subcontractor, owner or his agent, design engineer, city engineer, and their designated representatives and inspectors.
3. The Contractor shall be responsible for ground and surface water during construction
4. Prior to any excavation work, the contractor shall contact Blue Stakes for location of existing utilities. The Contractor shall be responsible for determining the location of utilities, whether shown on the plans or not, and protecting the utilities during construction. If existing utility lines conflict in location with new construction, the Contractor shall notify the engineer in order to resolve the conflict. Save and protect all existing utilities including irrigation features.
5. All work performed shall be guaranteed by the Contractor and/or his surety against all defects in materials and workmanship of whatever nature for a period of one (1) year from the date of final acceptance of the work by Park City.
6. The Contractor shall be responsible for the installation and maintenance of adequate signs, traffic devices, and warning devices to inform and protect the public during all phases of construction.
7. Quality control testing is required for the concrete footings. Concrete compressive strength testing shall be performed by a qualified, independent testing company retained by the Contractor. The native material shall be compacted as necessary prior to concrete footing. Compaction shall occur with a jumping jack or equivalent.
8. The Contractor shall take all necessary steps to prevent tracking mud or debris onto public streets during operations. Contractor will be required to provide street cleaning/sweeping on a weekly basis. A final clean/sweep of King Road is required at project completion.
9. The Contractor shall install orange construction fencing inside perimeter of easement area. Use t-post to secure orange fencing. Silt fence is required on all downhill slopes of disturbed area to prevent sediments from leaving the work site. The Contractor shall protect and replace fencing if damaged, and no equipment or vehicles will be allowed outside the limits of disturbance. Minimize disturbance of equipment access.
10. Vegetation and excavation material shall be hauled to a suitable disposal site.
11. The Contractor shall be responsible for securing a building permit from the Park City Building Department. The Contractor is responsible for submitting a Construction Mitigation Plan.
12. The contractor shall maintain accurate records of "As Built" conditions of all underground work. The "As Builts" shall be tied to easily defined monument and/or surface improvements or as required by accuracy for the as-built conditions. The as-built information shall be given to the owner and be incorporated in the final "As Built" drawings.



VICINITY MAP

SCALE: 1" = 100'



REVIEWED FOR CODE COMPLIANCE
PARK CITY BUILDING DEPT.

Plan Check Coordinator - Brenda Turblom
11/20/2025



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ESS	EXISTING SEWER	SS	PROPOSED SEWER
EW	EXISTING WATER	W	PROPOSED WATER
ESD	EXISTING STORM DRAIN	SD	PROPOSED STORM DRAIN
EFO	EXTG. FIBER OPTIC	FO	PROPOSED FIBER OPTIC
EG	EXISTING GAS	G	PROPOSED GAS
ET	EXISTING TELECOMM	T	PROPOSED TELECOMM
EP	EXISTING POWER	P	PROPOSED POWER
X	EXISTING FENCE		



- NOTES**
1. EXISTING CONDITION SURVEY WAS DONE BY UTAH LAND SURVEYING, LLC.
 2. EXISTING UTILITIES SHOWN FROM BLUE STAKE SURVEY.

Reserved for permit stamp

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Salt Lake City, UT 84143
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Olson Kundig

project: 200 KING ROAD UPGRADES TO DRIVEWAY WITHIN NON EXCLUSIVE DRIVEWAY EASEMENT
PARK CITY, UT 84060

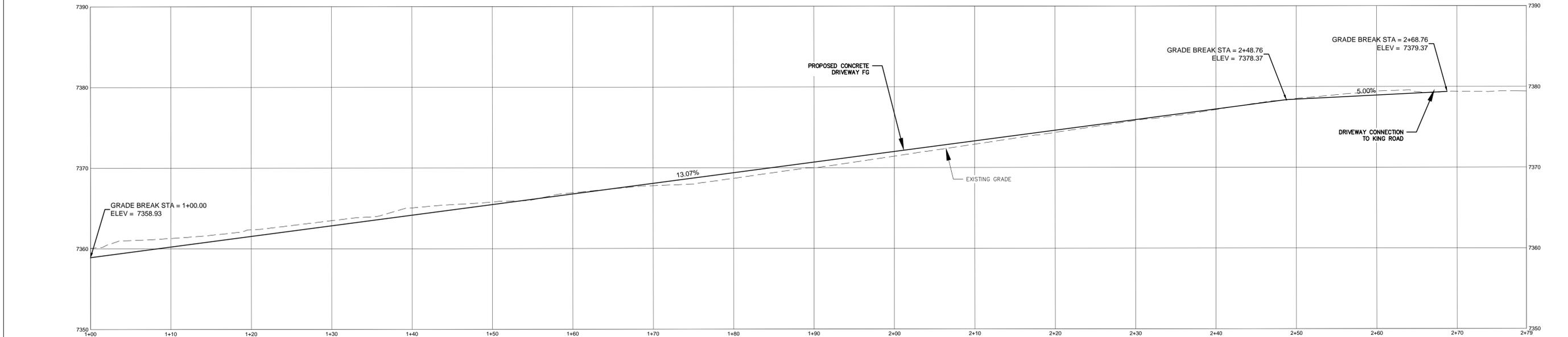
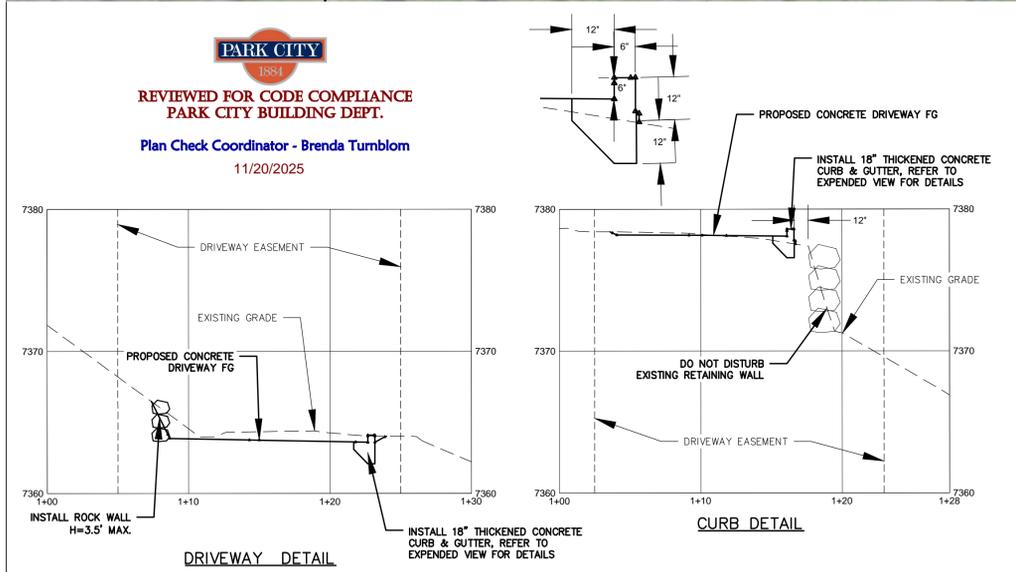
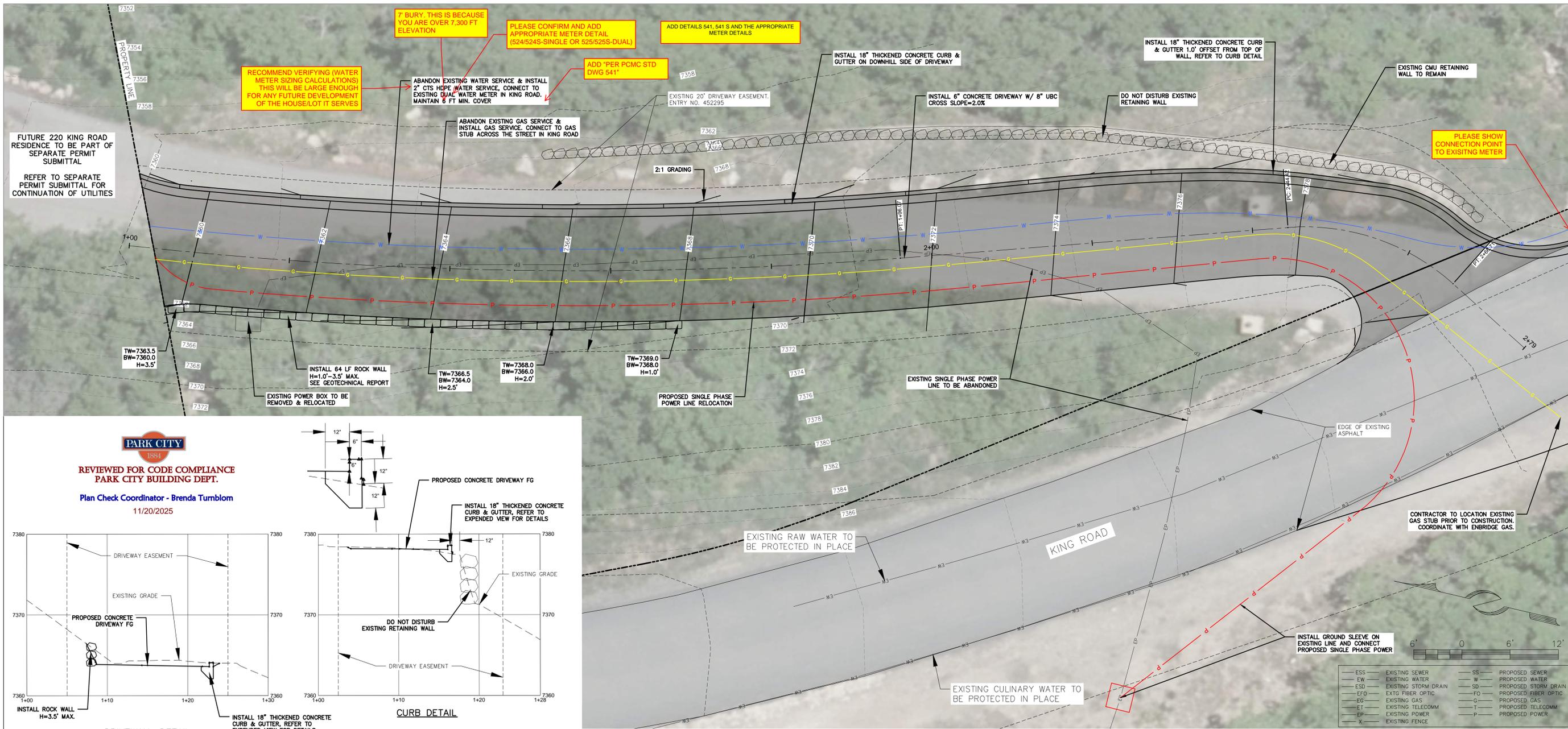


principal engineer CD
project manager CD
drawn by CD
checked by CD
job no. 080323
date 11/19/2025
revisions:
no. date by

NOT FOR CONSTRUCTION
PERMIT SET
11/12/2025

EXISTING CONDITIONS & DEMOLITION PLAN

C1.0



PLAN SET

SEE CONDITIONS OF OTHER SHEETS OF THIS PLAN SET

Olson Kundig

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project: 200 KING ROAD UPGRADES TO DRIVEWAY WITHIN NON EXCLUSIVE DRIVEWAY EASEMENT PARK CITY, UT 84060

PARK CITY
1884

REVIEWED FOR CODE COMPLIANCE
PARK CITY BUILDING DEPT.

Plan Check Coordinator - Brenda Tumblom
11/20/2025

MARTIN CONNOR DINSMORE
11/19/25
STATE OF UTAH

ALLIANCE
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STE 40 W 40
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435-261-8454

(435) 648-8487

principal engineer CD
project manager CD
drawn by CD

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DRIVEWAY PLAN & PROFILE

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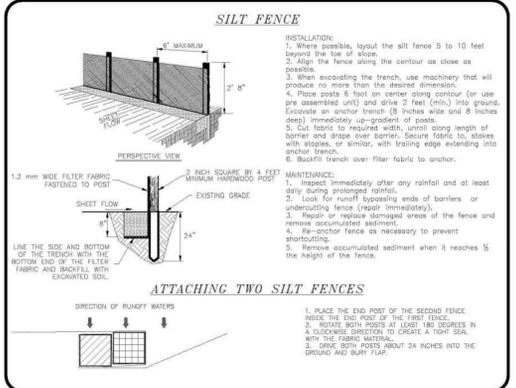
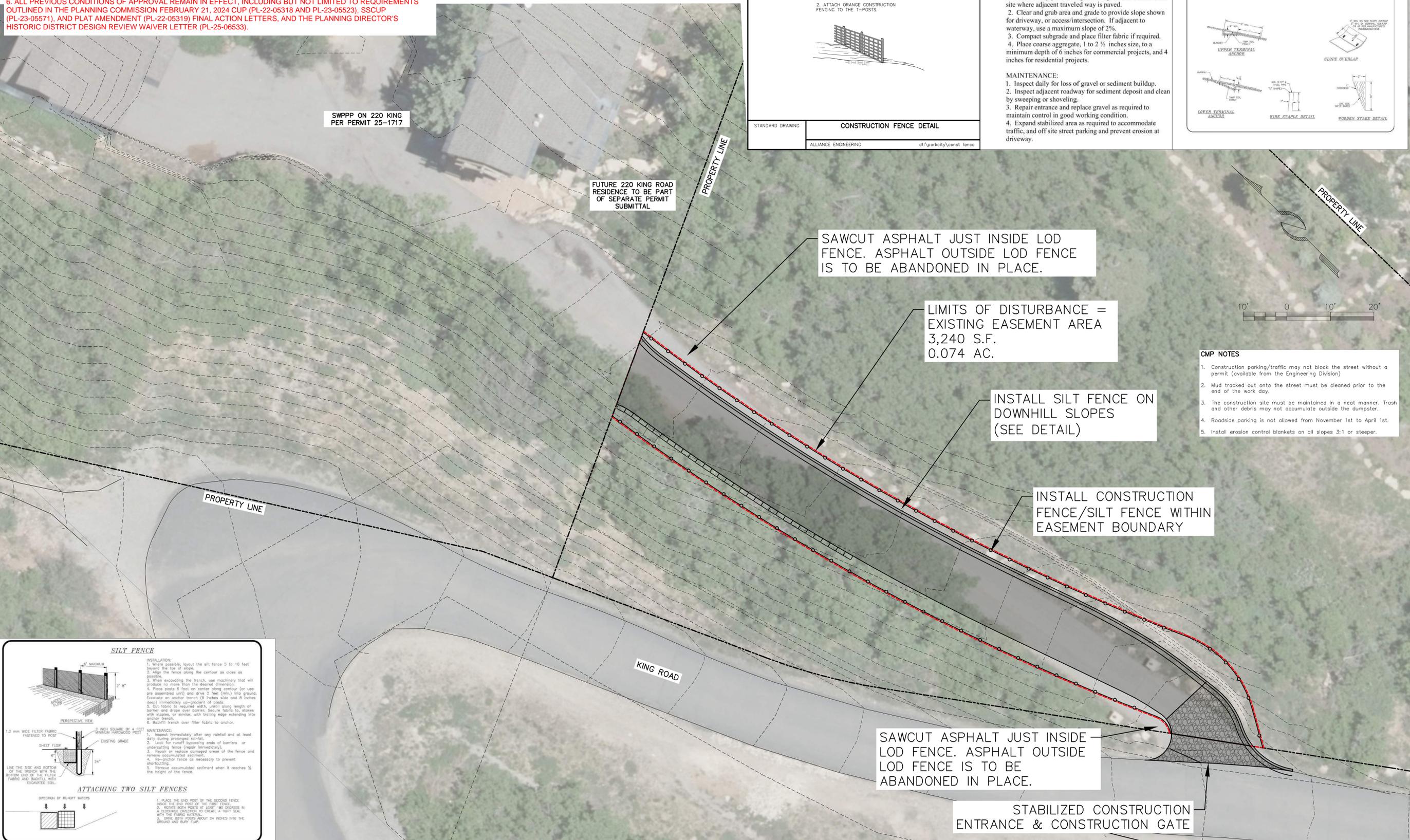
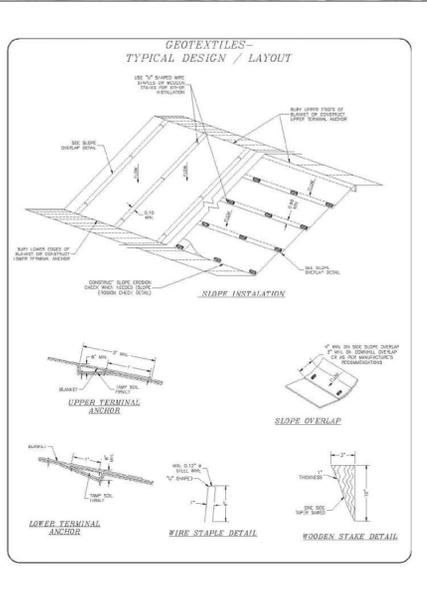
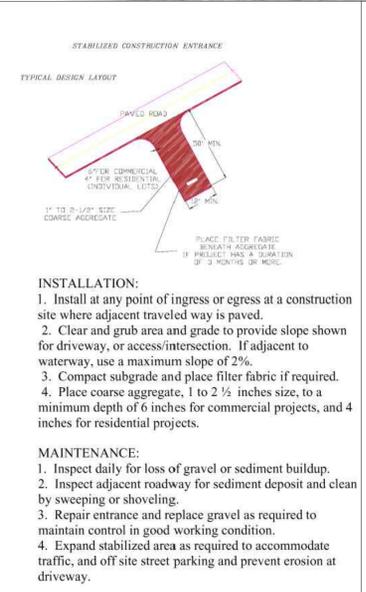
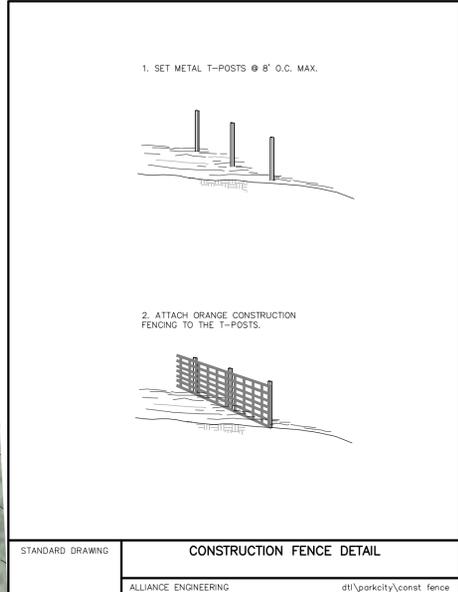
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PARK CITY
1884

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Plan Check Coordinator - Brenda Turblom
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project: 200 KING ROAD UPGRADES TO DRIVEWAY WITHIN NON EXCLUSIVE DRIVEWAY EASEMENT PARK CITY, UT 84060

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revisions:

no. date by

NOT FOR CONSTRUCTION

PERMIT SET
11/12/2025

CONSTRUCTION MITIGATION PLAN / SWPPP
C4.0

February 20, 2026

**VIA E-MAIL: BILL.JOHNSON@PARKCITY.GOV; CHRISTIN.VANDINE@PARKCITY.GOV;
GRANT.TILSON@PARKCITY.GOV; HENRY.SIGG@PARKCITY.GOV; JOHN.FRONTERO@PARKCITY.GOV;
RICK.SHAND@PARKCITY.GOV; AND SETH.BEAL@PARKCITY.GOV**

Park City
Planning Commission
Park City Municipal Corporation
445 Marsac Avenue
Park City, UT 84060

Re: *PL-25-06787 Appeal of Building Permit Approval of Driveway Plans*

Dear Planning Commissioners:

This firm represents Pesky Porcupine, the owner of the lot at 220 King Rd. Last year the Planning Director correctly signed off on the Building Department's approval for the building permit related to driveway improvement plans for 220 King Rd (PLAN25-2250), which crosses over 200 King Rd. in a non-exclusive easement. The Hermanns have appealed the approval with PL-25-06787 ("Building Permit Appeal"). The Building Permit Appeal does not belong before this body. It is also not well founded.

Park City has established the Board of Appeals to hear all appeals related to the issuance of a building permit that was approved through Title 11 - Buildings and Building Regulations (see Park City Code §2-8-14). The Hermanns attached the approved building plans to their appeal letter at Exhibit B. Those plans are stamped and approved by the Building Department because it is a building permit. If the Hermanns wish to appeal a building permit, Park City Code is clear that those appeals are to be heard by the Board of Appeals.

The merits of the Building Permit Appeal are lacking, even if it was appropriate for the Planning Commission to hear the appeal. The driveway improvements are a separate issue from the home. The relationship between the two issues is an asymmetrical dependency: the home could not be constructed unless the driveway is improved, but the driveway can be improved without the home being constructed. The driveway in question was constructed in the mid-1990's and has aged over the last 30 years. The building permit that was submitted is an effort to improve the driveway and upgrade it so it would meet City Code. These driveway improvements are needed whether a new home was to be built on 220 King Road in compliance with the approved CUP's, or whether Pesky Porcupine wants to merely set up lawn chairs on the property in order for the owners of Pesky Porcupine to watch the sunrise over the mountains to the east or otherwise enjoy the property. The CUP approvals issued by the Planning Commission had conditions that

the driveway had to be improved, if the house was to be built, as approved. However, there was no condition that the driveway could only be improved if the building plans for the new home were approved.

Additionally, the Building Permit Appeal is nonsensical. Its only claim is that because a permit time extension for a separate issue was being appealed all permits associated with the property should not be issued pursuant to an argument by the Hermanns regarding an automatic stay. That appeal was correctly denied by the Planning Commission and, therefore, this issue is moot. This argument defied and still defies logic and the permitting structure outlined in Park City Code, which requires a separate permit for all work, including driveway improvements (see Park City Code §11-3-1, §11-12-14). It would be silly for the Planning Commission to remand this matter for the Planning Director to re-make the same decision after any supposed automatic stay has now been terminated by the Planning Commission's extension of time decision.

If the Planning Commission does not want to determine that this appeal belongs before the Board of Appeals, we ask that you deny the Building Permit Appeal as it is without merit and the Building Official appropriately approved the building permit.

Bruce Baird will be at the hearing on the 25th to represent Pesky Porcupine.

Sincerely,

SNELL & WILMER L.L.P.



Wade R. Budge, P.C.

Enclosure

cc: client
Justin Keys, Esq.
Planning Director Ward
Mark Harrington, Esq.