City Council
Staff Report

Subject: 5000 Royal Street
Project Number: PL-19-04374
Author: Alexandra Ananth - Senior Planner
Date: June 25, 2020
Type of Item: Administrative – Proposed 15-Lot Subdivision

Summary Recommendations
Staff recommends the City Council hold a public hearing for the proposed Huntsman Estates, a "Major" Subdivision, located at 5000 Royal Street, and consider approving the Subdivision Plat, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval, as found in the attached Ordinance.

Description
Applicant: DV Lodge, LLC, represented by Rory Murphy
Location: 5000 Royal Street
Zoning District: Residential Development (RD), Deer Valley MPD
Adjacent Land Uses: Residential- Single Family Dwellings, Open Space
Reason for Review: Subdivision Plats Require Planning Commission Review and City Council Action

Executive Summary/Proposal
The applicant is proposing to create a fifteen lot (15-lot) Subdivision to be known as Huntsman Estates, from a 40.69 acre site (Exhibits B and C). The site is located in the Residential Development District (RD) and is also within the Deer Valley Master Planned Development (DV MPD) where it is assigned 15 Units of density (Exhibit D). The site lies between Marsac Avenue and Royal Street southeast and uphill of the runaway truck ramp off of Marsac Avenue. Adjacent Subdivisions include American Flag to the north and Belleterre to the east. The property is heavily wooded and has one pre-existing Single Family Dwelling that will remain and occupy one of the proposed parcels, utilizing one (1) of the 15 Units of density.

The Planning Commission held a Work Session on this project on February 12, 2020, (Exhibits E and F, Staff Report and Minutes), and a Public Hearing on May 27, 2020, (Exhibits G & H Staff Report and Minutes). At the May public hearing the Planning Commission voted unanimously to forward a positive recommendation to the City Council for consideration.

It should be noted that there may be a second, or future phase, to this project. The current application, Phase 1, consists of the 15-lot subdivision with two lots reserved for potential additional density. For the purposes of this application these potential additional lots are shown on the site plan but are part of Lot 12. Phase 2 was discussed at the February 2020 Work Session and involves the transfer of density from an adjacently owned 20 acre parcel into the subject property. Employee and/or Affordable...
Housing obligations for this parcel were satisfied within the Deer Valley MPD and the proposed Subdivision does not change the obligations.

Phase 2 also requires an amendment to the Deer Valley MPD to incorporate the adjacent parcel into the MPD. This is expected to take some time, and is why the applicant would like to proceed with Phase 1 only, at the present time. The Planning Commission expressed support for Phase 2 at the February Work Session subject to the applicant submitting a Sensitive Lands Analysis and agreeing to donate this adjacent parcel to the City to be used as Recreation and Open Space. Deer Valley has also expressed conceptual support for this transfer. The Planning Department believes this is worth pursuing in exchange for City ownership of this parcel as Recreation and Open Space so that this heavily wooded and very visible site adjacent to Marsac Avenue remains undeveloped in perpetuity. This parcel is located within the Sensitive Lands Overlay Zone (SLO Zone), and contains trails used by the public and wildlife habitat.

Figure 1: Subject Property located between Royal Street and Marsac Avenue

**Background**
The proposed Subdivision is located in the RD Zoning District which allows for a maximum Density of three (3) units per acre. However, the site is also located within the Deer Valley Large Scale Master Planned Development Permit (DV MPD) which overlays additional development requirements and restrictions on the property.
The parcel has a long history and appears to be incorporated into the Deer Valley Second Amended and Restated Special Exception Permit dated January 27, 1982. In this Second Amendment the property is referred to at the Bench Single Family Parcel and has a Density Range of 35-36 Units in Exhibit 2 of the MPD. On May 12, 1982, the property was approved by the Planning Commission for a 34-lot Subdivision (Exhibit I) known as the Westview Subdivision which was approved and platted. A road was subsequently graded in, but no further improvements were installed.

The property was purchased by the Huntsman Family in 1987, and the Planning Commission approved 1) the vacation of the 1982 Westview Subdivision Plat; and 2) a 15 Unit Conceptual MPD (which continues to be known as the Westview MPD) for a family compound of up to 15 Units (Exhibit J). The Huntsman Family subsequently built a family estate on the property utilizing one (1) Unit, however, the 15 Unit entitlement remains intact with 14 development Unit entitlements remaining.

The current use of the site includes one large existing residence (approximately 22,000 square feet) and accessory buildings including a 1,000 square foot carriage house and a 6,000 square foot underground parking garage.

**Analysis**

The proposed Major Subdivision has been reviewed for compliance with the following Land Management Code Sections: **15-2.13 Residential Development (RD) District; 15-7 Subdivision General Provisions; 15-7.1 Subdivision Procedures; 15-7.3 Requirements For Improvements, Reservations and Design; 15-12-15(B)(4) Subdivision Approval; and 15-12-15(B)(9) Subdivision and Condominium Plat and Plat Amendment Review** as well as the Deer Valley MPD.

The proposed Huntsman Estates Subdivision Plat creates fifteen (15) Lots of record from the existing site and one Common Area parcel. All of the proposed lots meet the Lot and Site Requirements of the RD District and the Deer Valley MPD.

Condition of Approval # 13, requires that the applicant post a bond of $25,000 prior to plat recording, for the construction of a new trail connection between the intersection of the Lookout and Rossi Hill Trails and Royal Street. This new trail would provide a connection for alternative forms of transportation between Old Town and Deer Valley.

**House Size**

Although there is no Maximum House Size limitations within the Deer Valley MPD for this parcel (provided that following construction, the parcel contains a minimum of 60% Open Space and otherwise complies with the Deer Valley MPD and all applicable zoning regulations), the Planning Commission has the authority to designate maximum house sizes to ensure Compatibility with the surrounding neighborhood (LMC Section **15-7.3-3(C), Square Footage**). The Planning Commission, however, did not choose to set a maximum house size for this subdivision.
Not including the existing Huntsman house (approximately 22,000 SF), the average size of the homes in the adjacent Belleterre and Flagstaff neighborhoods (which also have similar lot sizes to the proposed Subdivision) is approximately 7,000 square feet. If we were to assume development of the remaining 14 Huntsman Units at 7,000 square feet this would equate to 98,000 square feet of development (or 2.25 acres of new development) on the 40 acre parcel. If average house size increased to 10,000 square feet this would equate to 140,000 square feet of development.

The applicant expressed concern with voluntarily limiting house size as they feel that it will impact the economics of the project and has not been done in other single-family subdivisions in the Deer Valley MPD. The applicant submitted a list of all of the lots in the single-family neighborhoods in Deer Valley and the corresponding square footages of the houses built on them. Of the 178 existing homes in the six Deer Valley single-family neighborhoods, 23 homes exceed 10,000. While American Flag has the lowest average home size at 6,330 square feet per lot, the Bald Eagle and Red Cloud subdivision have significantly larger average home sizes at 9,120 and 11,490 square feet respectively.

The applicant has identified Limits of Disturbance (LOD) on the proposed lots which takes into account front and side setbacks. These proposed LODs range from 9,148 square feet to 25,265 square feet, based on lot size, with the average LOD being 13,130 square feet (Exhibit M).

Although the Planning Department believes the proposed LODs are on the large size, we acknowledge that LODs do not equate to footprint or building size and that maximum house size restrictions have not been placed on other single-family subdivisions in Deer Valley in the past. We also acknowledge that the proposed LODs are set towards the front of the lots in order to minimize driveways and tree removal and the Ridge Line is protected from development. The LOD Exhibit estimates Open Space to be at least 88% based on the proposed LOD Areas inclusive of the large house on Lot 12.

For more information/analysis see the May Planning Commission Staff Report (Exhibit E).

**Consistency with the 2014 Park City General Plan**

The Upper Deer Valley Neighborhood was platted within the Deer Valley Master Plan to create a limited number of single family homes as well as clustered multifamily and hotel development in this resort oriented neighborhood. Housing in this neighborhood is primarily used as second homes as well as nightly rentals supporting this resort neighborhood. Development clusters exist within pods and each pod is surrounded by recreation open space. An extensive single track trail system provides for hiking and biking in the summer and connects Deer Valley to the Main Street Area. The proposed subdivision is consistent with the density allowed in the Deer Valley MPD.

Access from Marsac Avenue and Royal Street provides connections to the Main Street Area. This project will create an on call van service program that will support carpooling.
to the ski slopes and the Main Street area, particularly during peak periods. This is Condition of Approval # 15.

**Public Input**
The minutes from the February Work Session and the May public hearing are attached as Exhibits F and H. Other public input received are attached as Exhibit R.

**Process**
This application is considered a Major Subdivision as it contains more than four (4) Lots. The Planning Commission waived the Preliminary Plat requirement and recommends the proposed subdivision as the Final Plat.

The approval of this Subdivision application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 15-1-18.

**Significant Impacts**
There are no significant impacts from this application that have not been mitigated through careful planning and Conditions of Approval.

**Recommendation**
Staff recommends the City Council hold a public hearing for the proposed Huntsman Estates, a “Major” Subdivision located at 5000 Royal Street, and consider approving the Subdivision Plat based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached Ordinance.

**Exhibits**
Exhibit A: Ordinance
Exhibit B: Applicant’s Letter of Intent/Description of the Project
Exhibit C: Huntsman Estates Proposed Subdivision Plat
Exhibit D: Deer Valley Resort Twelfth Amended and Restated Large Scale MPD
Exhibit E: Planning Commission Work Session Staff Report 2/12/2020
Exhibit F: February 12, 2020 Planning Commission Work Session Minutes
Exhibit G: Planning Commission Work Session Staff Report 5/13/2020
Exhibit H: May 27, 2020 Planning Commission Public Hearing Minutes
Exhibit I: Approved 34 Lot Subdivision, 1982
Exhibit J: Notice of Planning Commission Action, December 17, 1987
Exhibit K: Applicant’s Forrest Assessment dated 3/28/2020
Exhibit L: Applicant’s Visual Analysis
Exhibit M: Applicant’s House Size Analysis
Exhibit N: Record of Survey and Existing Conditions
Exhibit O: Aerial Photograph
Exhibit P: Additional Site Photographs
Exhibit Q: Ownership Exhibit
Exhibit R: Public Input Received