



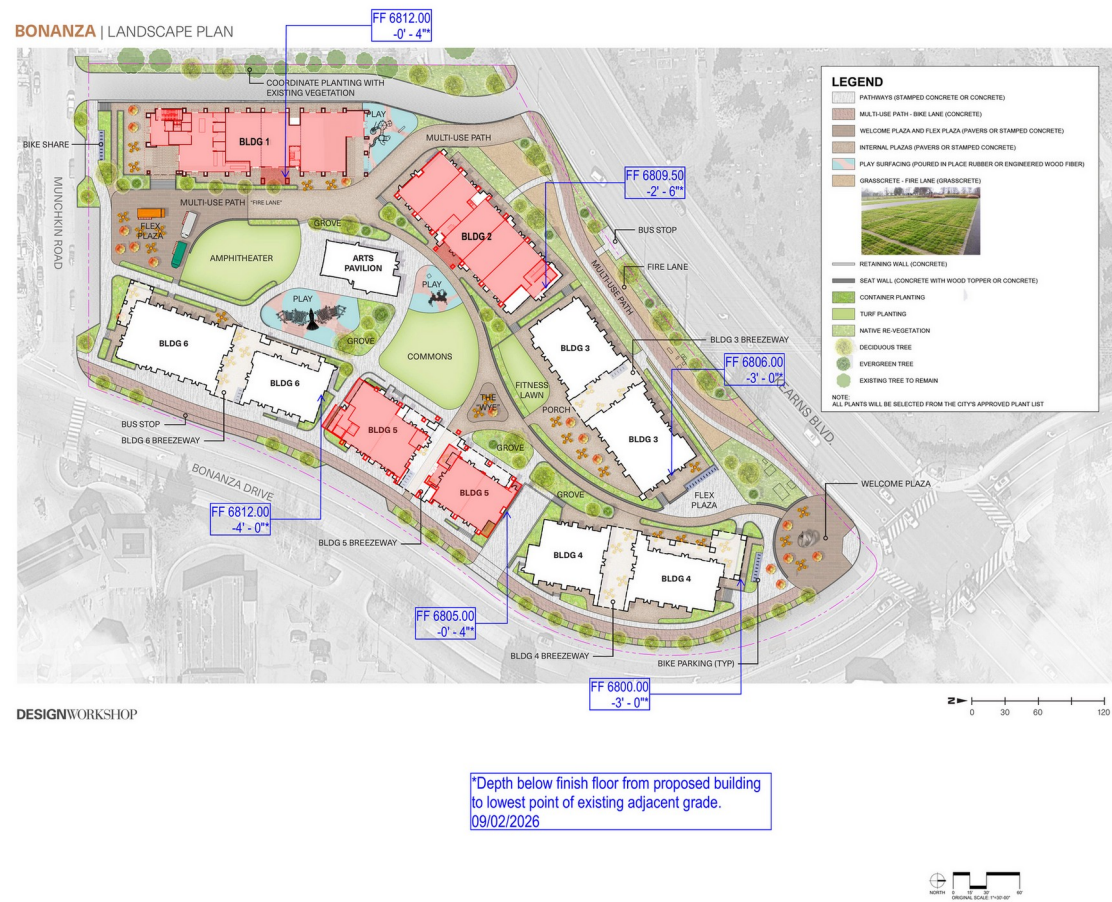
R. McConnell Group PLLC

Seven buildings at Kearns and Bonanza

What the City's own record shows about parking, traffic and height

Comment on behalf of twenty-two neighboring businesses · Public hearing and possible final action, October 14, 2026

The City owns it, proposes it, and will decide it.



106

apartments, in seven buildings

30,000+

square feet of shops, restaurants and arts space

980

seats in an outdoor amphitheater

280

parking spaces, underground

Applicant's landscape plan, September 2, 2026

General Commercial does not list an amphitheater as an Allowed or Conditional Use.

Sources: PC 09.09.2026 Staff Report; Exhibit A, Landscape Plan and Renderings; Exhibit D, Hales Engineering Parking Study (Sept. 2, 2026).

The City reports a surplus. The applicant's engineer reports a 235-space shortfall.

+72

spaces more than required

City staff report, September 9, 2026

–235

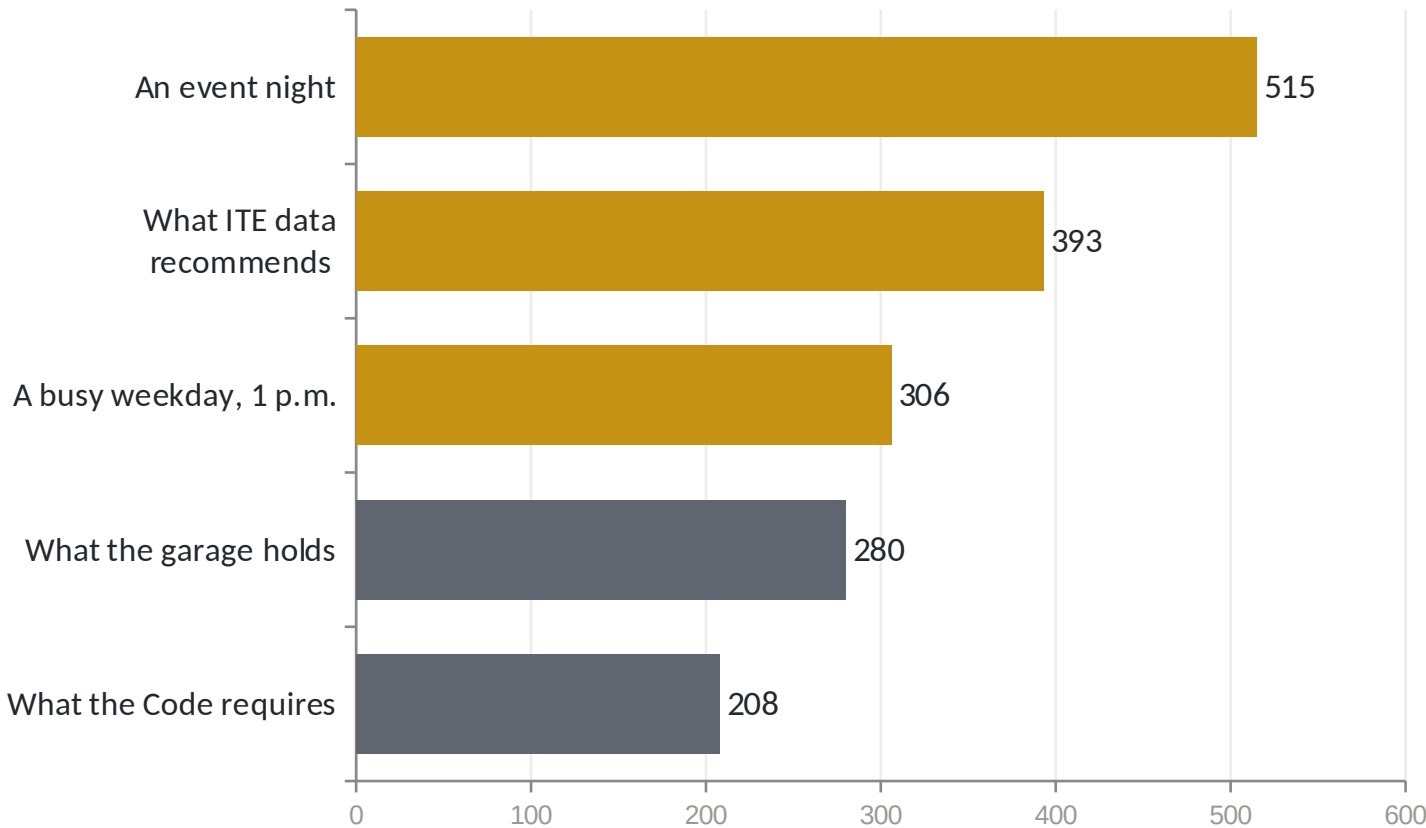
spaces short on an event night

Applicant's parking study, September 2, 2026

“This demand is 235 parking spaces greater than the proposed capacity of 280 stalls.”

Both documents sit in the same packet. This record states the Code requirement five ways: 165, 180, 208, 209, 210. § 15-6-6(A) requires a finding that the project complies with the Code. No finding can rest on five different numbers.

980 seats, a prohibited Use, and no line in the parking table.



980
seats
no line in the parking table

The applicant's own study counts an event at one space for every four seats: 245. The Code's Auditorium rate gives 196. The staff report's parking table has no line for the amphitheater at either rate. The Code does not list an amphitheater in this zone, and § 15-2.18-2(C) makes an unlisted Use a prohibited Use. A permit for a prohibited Use breaks the law.

Parking numbers do not comply with the law.

165

June study, as the City's
consultant read it

180

Applicant's sheet SD.G.01

208

City staff report table

209

The study's Table 2, per the
consultant

210

Applicant's Parking
Management Plan

The applicant's own parking plan says the Code requires 210 spaces, and says it four times. The staff report says 208. Rounding the fractions in that table as § 15-3-6(C) directs also produces 210. § 15-6-6(A) requires a finding that the project complies with the Code, and no finding can rest on five different numbers. The Commission cannot lawfully approve a requirement it has never fixed.

“The Park City Land Management Code requires 210 parking spaces for the proposed mix of residential, commercial, and other uses.”

The Code requires one height. The record gives none.



Building One as the neighbors would see it, 40 feet from the property line they share

What the zone allows



Option one, low roof



Option two



Option three, steep roof



Three roofs, three heights, one building. The Commission has not approved any of them, and the record states no height at all for three of the seven buildings. § 15-6-5(F) requires the approved height in a Finding of Fact. An approval that states no number breaks the law.

This Commission denied 45 feet. The applicant wants 58.

45'

Denied, five to one

March 26, 2025. 1800 Park Avenue,
the same General Commercial district.

58'3"

Building One, tallest option

Thirteen feet three inches taller than the building
the Commission turned down.

The zone allows 35 feet. The Commission denied 45. The applicant asks 58 feet 3 inches.

Same district, same limit, a larger exception. § 15-6-5(F) does not permit an approval that states no number at all.

The traffic study never counted the hour school lets out.



Kearns Boulevard at Bonanza Drive, a Thursday at about 2:30 p.m. A member of the public filed it with the City on August 30, 2026.

402

seconds of average delay, morning peak, turning left out of Prospector Avenue

689

seconds in the evening. Both from the study's 2037 Plus Project scenario, both failing

0

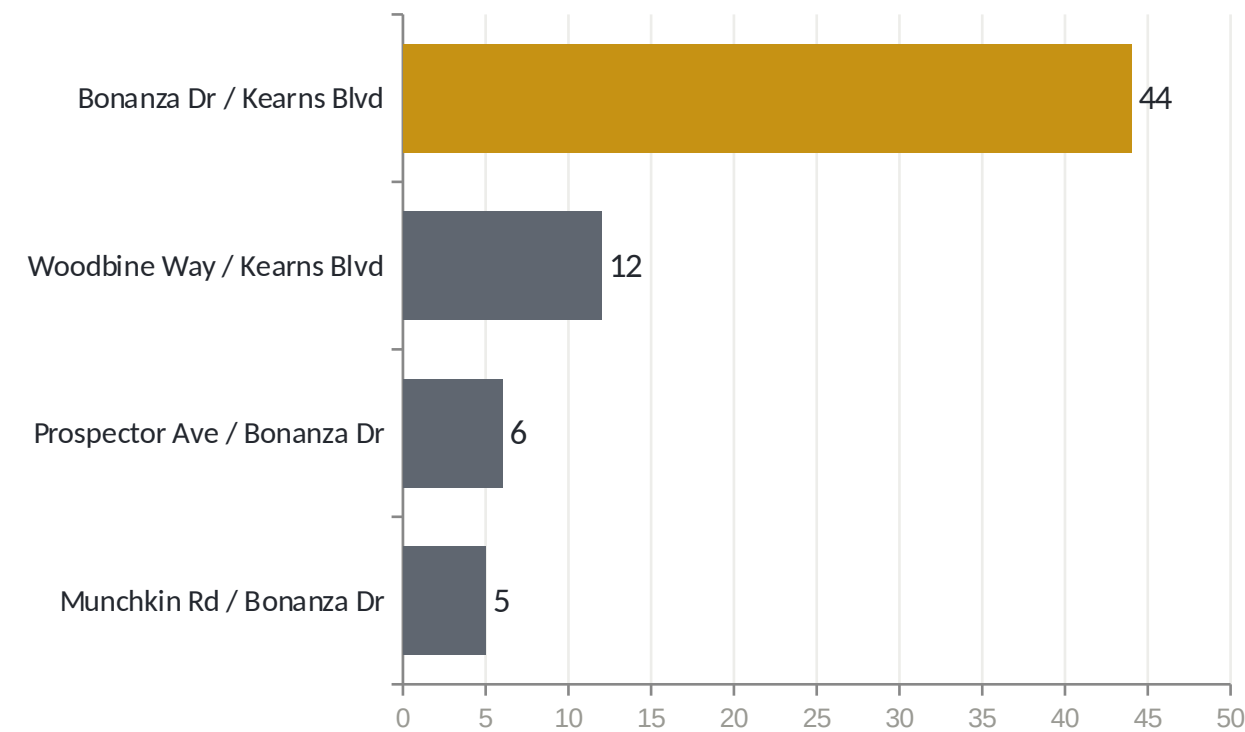
times the word "school" appears in the traffic study

2024

the year of the Kearns and Bonanza counts, which the City supplied

The study did not count the major intersections. The City supplied those counts from a Friday in February 2024. The high school releases its students hours before the afternoon analysis hour. No finding under § 15-6-6(P) can rest on it.

Forty-four crashes here. No analysis of a single one.



Crashes by intersection, January 2021 through December 2025. Sixty-seven across the study area. Bonanza Drive and Kearns Boulevard forms this project’s own corner.

“There are no trends or mitigation measures recommended based on the crash reports.”

Hales Engineering, Traffic Impact Study, p. 5

“None of the mitigation considerations were implemented and analyzed as part of the traffic impact study and are only provided for the City to consider.”

The same study, p. 10

If its multi-modal goals fall short, the study falls back on added vehicle capacity at three intersections. The General Plan says lane widening “must only be used to provide multi-modal improvements and should not be used to increase car driving lanes.” The word crash appears nowhere in the sixty-one-page staff report. § 15-1-10(E)(2) requires the Commission to weigh traffic capacity. This record gives it nothing to weigh.

Sources: Hales Engineering Traffic Impact Study (July 23, 2026), Tables 2 and 3, p. 5, and Mitigation Measures, p. 10; Park City General Plan 17 (2025); PC 09.09.2026 Staff Report.

The criterion names three impacts. The record reviews two.



Shadows

The August 12 study covers them, on the buildings as they then stood



Loss of solar access

The same August 12 study covers it



Loss of air circulation

The report names it five times. No one analyzes it.

The City's finding, in full

“Complies: The project is designed to exceed required Setbacks and the Applicant’s solar study indicates minimal off-site disturbance.”

Setbacks and a solar study cover two of the three.

The solar study looked at the buildings as the applicant drew them on August 12. The applicant filed the roofs now in front of the Commission on September 2. Nothing in this record studies the shadows those buildings would cast. Substantial evidence does not support a finding of compliance on a criterion the record never analyzes.

The open space unlawfully counts an amphitheater.



Applicant's rendering of the plaza between Buildings Five and Six

“Landscaped Areas ... but excluding Buildings or Structures.”

Park City's own definition of Open Space

The staff report quotes that exclusion. Its own breakdown then reads: “Active landscaped areas, including common areas, an amphitheater, and playgrounds – 22,756 square feet.” Counting a Structure as Landscaped Open Space contradicts the Code's own definition, and a finding that rests on it violates the law.

22,756 vs 23,108

The Code requires 218 square feet of recreation area for each of the 106 dwellings, or 23,108. The report meets that with the whole 142,114-square-foot open space total, trails and sidewalks included. The active recreation category holds 22,756.

What the file still lacks, four weeks from a vote.

No approved height

for any of the seven buildings. The report gives the applicant's requests. A request approves nothing.

No mine hazard map

and no mine hazard plan. The Code requires both before the Commission can approve a master plan.

No soil cleanup plan

on ground where the City told the EPA that arsenic, lead and mercury exceed screening levels.

No historic inventory

of the structures and sites on the property. The Code requires that too.

No lease

The City owns the land and still negotiates the ground lease with the applicant.

No traffic finding

No City department has found that this project addresses and mitigates traffic.

A failure to meet any mandatory requirement renders an application infirm, and approving it anyway breaks the law. *Sidwell v. Wasatch County*, 2026 UT App 67, ¶ 22. An approval on this record is illegal. Our clients do not ask the Commission to condition it, improve it, or continue it. They ask the Commission to deny it.