

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
August 22, 2018

COMMISSIONERS IN ATTENDANCE:

Chair Melissa Band, Sarah Hall, John Kenworthy, John Phillips, Mark Sletten, Laura Suesser, Doug Thimm

EX OFFICIO: Planning Director, Bruce Erickson; Tippe Morlan, Planner; Laura Newberry, Planning Tech; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

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

ADOPTION OF MINUTES

August 8, 2018

MOTION: Commissioner Suesser moved to APPROVE the Minutes of August 8, 2018 as written. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Assistant City Attorney McLean asked if the Commissioners wanted to mention the Code Enforcement Report, which was heard recently by the City Council. She understood that Commissioner Hall had attended the meeting. She recalled that Commissioner Phillips was also involved. Commissioner Phillips stated that he was involved in the beginning but due to other commitment he was no longer able to participate.

Assistant City Attorney reported that the City Council had directed the Staff to work on Code Enforcement and to provide reports bi-annually. Ms. McLean asked if the Planning Commission wanted to send a representative to the next City Council meeting where Code Enforcement would be discussed. The representative could express

concerns that the Planning Commission has expressed in the past, and update the Commissioners on what took place at the meeting.

Commissioner Hall stated that she had attended the City Council meeting primarily to ask how Code Enforcement is done from a functional standpoint to make sure conditions of approval are being followed on long term projects. Code Enforcement had said they were looking at putting new information online so people could see the conditions of approval for each property.

Director Erickson stated that in addition, there would also be a distinction between the work by Code Enforcement and the conditions of approval over the long term that the Planning Department and Building Department enforce, which are relative to use and continuing to be used by the Planning Commission.

Commissioner Sletten understood from reading notes from the past that Code Enforcement was a big issue in public hearings.

Chair Band thought it was a good idea to have a representative attend the City Council meeting. Commissioner Phillips favored having a representative at every meeting because Code Enforcement is a major issue. He suggested that the Planning Commission could rotate so it would not fall to just one person. The Commissioners concurred. Chair Band volunteered to represent the Planning Commission at the next City Council Code Enforcement meeting on August 30th. Planner Suesser stated that she could also attend if she was in town.

Assistant City Attorney McLean commended Code Enforcement on the great job they do; especially in light of the Code Enforcement Officer in West Valley who was killed on-duty doing her job. It reminded her of the difficult people Code Enforcement Officers encounter when diligently doing their job.

Commissioner Kenworthy understood that posting the conditions online would enable the neighbors look up the conditions of approval before calling in a complaint. However, he wanted to know the position the City takes if the same people repeatedly commit violations. Assistant City Attorney McLean stated that the Planning Commission could address those issues as an agenda item for a future meeting. Commissioner Phillips thought it would be helpful to have that discussion after the next Code Enforcement Update, and invite the Chief Building Official to be present to answer questions.

Assistant City Attorney McLean noted that the Code Enforcement Staff report from the last meeting was online. It was a work session item and she offered to forward it to the Commissioners.

CONTINUATIONS (Public Hearing and Continue to date specified)

Municipal Code Amendments regarding Recreational Vehicle Parking in Title 9: Parking Code (Chapters 9-1 and 9-2), Title 11: Buildings and Building Regulations (Chapter 11-15), and Title 15: Land Management Code (Chapters 15-3, 15-5, and 15-15).
(Application PL-17-03479)

Planner Tippe Morlan gave a brief review of what the Staff has done to date regarding the RV parking regulations. It was given to the Staff at the direction of the City Council; and numerous work sessions have been held with both the City Council and the Planning Commission.

Assistant City Attorney McLean noted that this item was noticed as a Continuation. She recommended that Planner Morlan wait to give her presentation until it is scheduled as an agenda item. She was concerned that the public who might be interested in the Amendments had not attended this evening, thinking that it would not be addressed until the date listed on the agenda.

Planner Morlan noted that a public Open House was held on August 7th. Based on the input received, the Staff has tried to work through the issues, in conjunction with the direction received from the City Council and the Planning Commission. The Staff requested that the Planning Commission continue this item to September 26th rather than the 12th listed on the Agenda, to allow the Staff time to work through the changes

Chair Band opened the public hearing.

Cyndi Schwandt, an Old Town resident, asked if vans would be included as an RV.

Planner Morlan stated that the Staff was still working through the changes on the redlines.

Cyndi Schwandt noted that Director Erickson had mentioned a van that had been on Woodside for a couple of days. She clarified that it is a motor home that is parked there for months every year.

Commissioner Suesser noted that in the proposed changes the Staff will define RV. She noted that an RV is a motorized vehicle used for recreation, and she thought that might include a van. Director Erickson stated that one of the changes is not to attempt

to define a recreational vehicle. The Staff was working on other ways to address it. He recommended that the Commissioners wait until it comes back before making their comments.

Assistant City Attorney noted that the September 26th agenda was already lengthy. Director Erickson suggested that the Planning Commission continue this item to September 26th. If the Planning Department finds any issues that would generate a lengthy discussion or significant public input, this item could be continued again to a later date.

Helen Stanley stated that she has lived in Prospector for 18 plus years. It is a family neighborhood and there are already restrictions in that area on some of the things being discussed. Ms. Stanley noted that parking on gravel is due to the soil restriction, but they cannot get that restriction enforced. She walked around the block and found 15 violations. Ms. Stanley wanted to know who would enforce the proposed amendments. She does not consider a boat a motorized vehicle, but it is a recreational vehicle. Ms. Stanley asked if areas that already have HOAs restrictions in place will be forced to abide by whatever decision the City makes regarding "recreational vehicles", even if they are currently not allowed by the HOA.

Assistant City Attorney McLean explained that the City only enforces City laws and regulations. If the HOA has more restrictive requirements, the City would not enforce the more restrictive. If the HOA has less restrictive requirements, the City restrictions would apply to all homes within the City jurisdiction.

Ms. Stanley thought that was happening adversely, because her area has single-family homes and they are not allowed to rent short-term, and it is spelled out in the HOA. She understood that the Legislature has basically eliminated doing anything about advertisements for rentals without proof that it is happening. The fact that it is being advertised for short-term rental is not proof. Ms. Stanley believed that everything they think will help tourism actually compounds family neighborhoods because it does not help the residents who live there year-round. Ms. Stanley stated that if the City does not intend to enforce HOA restrictions, they are asking people to pay double or more homeowners dues to provide their own enforcement. She did not believe that was fair and requested that the Planning Commission address that issue at the next meeting. Ms. Stanley pointed out that the car situation in Park City has never been addressed in her 18 years living there. If the City puts restrictions in place but refuse to enforce those laws or the HOA laws, the burden is unjustly placed on the homeowners. Ms. Stanley emphasized the importance of addressing all these issues at the next meeting, because they are ignoring the fact that some of these areas are totally residential.

Unless the City has taken a survey of the neighborhoods that will be severely impacted, she did not believe they had a clear idea of what actually occurs.

Commissioner Phillips suggested that Ms. Stanley attend the City Council meeting on August 30th to hear the Code Enforcement discussion. Ms. Stanley replied that she intended to attend that meeting and provide pictures.

Chair Band closed the public hearing.

MOTION: Commissioner Thimm moved to CONTINUE the Municipal Code Amendments regarding Recreational Vehicle Parking in Title 9: Parking Code; Title 11: Buildings and Building Regulations; and Title 15: Land Management Code to September 26, 2018. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

- 1. Prospector Village Subdivision Amended Lot 9 – Proposal to combine one existing lot and a remnant portion of a second lot into one new lot of record. (Application PL-17-03745)**

Planner Laura Newberry reviewed the proposal to combine a lot and a remnant portion because a road was built over the lot, which created a remnant parcel. The applicant was only combining what is already combined for tax purposes. Chair Band noted that the project on the lot was well under construction and this plat amendment was necessary for access.

Chair Band opened the public hearing.

Helen Stanley noted that currently there are 15 cars parked in that area. She was not aware that she had the option to make public comment because it is not in the area of Prospector that she lives in.

Chair Band informed Ms. Stanley that anyone could speak on any item. She clarified that this item was a proposal to combine an existing lot and a remnant portion into one lot. It was not about parking or any other issues.

Ms. Stanley remarked that since it was already under construction there was nothing to comment on.

Chair Band closed the public hearing.

MOTION: Commissioner Sletten moved to forward a POSITIVE recommendation to the City Council for the Prospector Village Subdivision Amended Lot 9 Plat Amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as contained in the draft ordinance. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Prospector Village Subdivision Amended Lot 9

1. The property is located at 2262 Comstock Drive.
2. The site consists of the entirety of Lot 9 and the southernmost remnant parcel of Lot 8 of the Prospector Village Subdivision.
3. The property is in the Single Family (SF) District.
4. There is an active Building Permit at this address.
5. On August 8, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on August 4, 2018, according to requirements of the Land Management Code.
6. The City received a complete Plat Amendment application for the 2262 Comstock Drive Amendment on January 26, 2018.
7. The proposed plat amendment will create one lot approximately 7,405.2 square feet in size.
8. The existing Prospector Village Subdivision was recorded in 1975.
9. In 1977, the right-of-way, Little Bessie Avenue, bisected Lot 8 of Prospector Village, creating two remnants, one on either side of the road.
10. The applicant proposes to combine the subject lots into one lot of record.
11. No known encroachments exist on this property.
12. The proposed lot will also be approximately 115.98 feet deep and an average of 63.325 feet wide.
13. The minimum front setback is twenty (20) feet. New front-facing garages must maintain a minimum of ten (10) feet from the Front Lot Line. The proposed house has a twenty (20) foot front setback for the main house and the garage will be setback more than twenty-five (25) feet.
14. The minimum rear setback is ten (10) feet. The proposed house has a ten (10) foot rear yard setback.
15. The minimum side setback is five (5) feet on the interior (south) side and ten (10) feet on the exterior, Street facing (north) side. The proposed house has a five (5) foot side setback on the south side and at least ten (10) foot side setback on the

north side.

16. The plat amendment does not create any remnant parcels.
17. The plat amendment does not create any non-conforming or non-complying situations.
18. The proposed house meets the Single Family building zone height of 28 feet.
19. The property is located within the Park City Soils Ordinance Boundary and must obtain a Certificate of Compliance.
20. The property is located within the FEMA Flood Zone X and this shall be noted on the Plat.
21. Ten foot (10') wide public snow storage easements along the frontage of Little Bessie Avenue and Comstock Drive are required and shall be provided on the plat.
22. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – Prospector Village Subdivision Amended Lot 9

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

Conditions of Approval – Prospector Village Subdivision Amended Lot 9

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, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. Side lot line snow shedding easements may be required for new construction per requirements of the Chief Building Official.
5. A 10 foot (10') wide public snow storage easement along both the Little Bessie Avenue and Comstock Drive frontages shall be shown on the plat.

2. **Sunny Slopes Park Meadows Subdivision No. 6A Plat Amendment amending Lots 24A & 25 – Proposal to alter a lot line between Lot 24A and Lot 25 which will increase Lot 24A by approximately 1,116 square feet and reducing lot 25 by the same amount. (Application PL-18-03929)**

Planner Newberry reported that the applicant was requesting to alter the lot line to accommodate a driveway.

Chair Band opened the public hearing.

There were no comments.

Chair Band closed the public hearing.

Commissioner Phillips asked if both lots were owned by the same person. Planner Newberry answered no. Planner Astorga clarified that the two lot owners were co-applicants.

MOTION: Commissioner Hall moved to forward a POSITIVE recommendation to the City Council for the Sunny Slopes Park Meadows Subdivision No. 6A Plat Amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the Draft Ordinance. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Sunny Slopes Park Meadows Subdivision

1. The subject Lot Line Adjustment via this Plat Amendment application is located between 2467 Sunny Knoll Court (Lot 24A) & 2463 Sunny Knoll Court (Lot 25).
2. The site is within the Single Family District.
3. The proposed Plat Amendment shifts a current side lot line with a length of approximately seventy-five feet (75') fifteen feet (15') to the south.
4. The proposed Plat Amendment increases Lot 24A by 1,116 square feet.
5. The proposed Plat Amendment decreases Lot 25 by 1,116 square feet.
6. The proposed Plat Amendment does not affect the density of the subdivision.
7. The proposed lot size of Lot 24A is 44,659 square feet.
8. The proposed lot size of Lot 25 is 31,174 square feet.
9. The proposed Plat Amendment meets lot and site requirements of the Single Family District.
10. The proposed Plat Amendment does not create any non-compliance issues and is consistent with the Sunny Slopes Subdivision.

11. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – Sunny Slopes Park Meadows Subdivision

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

Conditions of Approval – Sunny Slopes Park Meadows Subdivision

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, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat 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 City Council.

3. **The applicant is requesting a Conditional Use Permit for a City owned and operated Golf Maintenance Facility at 1884 Three Kings Drive.**
(Application PL-17-03919)

Planner Tippe Morlan reviewed the request for a conditional use permit for an essential municipal public utilities structure greater than 600 square feet. The structure could also be classified as an accessory building greater than 600 square feet. Planner Morlan stated that the primary use, which is a golf course, is also identified as a conditional use in the Recreation and Open Space Zone.

Planner Morlan presented a rendering of the new golf maintenance facility. She explained that the current facility is housed in the Spiro Public Works Building. The Spiro building will be torn because the State has required the Spiro Water Treatment facility to be reconstructed. As part of that, the Golf Maintenance Facility will be constructed as its own new structure, and the existing water treatment plant will be constructed onsite as the new Three Kings Water Treatment. The Three Kings Water

Treatment Plan is a separate conditional use application that will come before the Planning Commission in the next few months.

Planner Morlan stated that the proposed golf maintenance facility building will be located between Hole 10 of the golf course and the Driving Range. Therefore, it will not affect the golf operations. It is proposed to have a total of 8,170 enclosed floor area over three building structures and two canopied operations and materials storage areas.

Planner Morlan reported that the number of employees for the golf maintenance facility will not change. When the uses within the current Spiro Water Treatment Facility are separated, approximately half will be used as the golf maintenance area and half as Public Works and the Water Treatment Facility. Planner Morlan stated that the golf maintenance use has seven employees in the summer and one to two employees in the winter; and that number will not change. The proposed use meets the ROS requirements and meets all required setbacks. It does not require additional parking. Based on the number of employees for the new structure, nine parking stalls are required and ten are proposed as part of the parking agreement the City has with the Silver Star subdivision. Planner Morlan remarked that in the conditions of approval, the City recommends that the ten parking spaces for this project, as well as the 20 spaces that the City has, be striped and allocated to indicate that those spaces are for this particular site. Currently, the spaces are in the lot but not allocated.

Chair Band asked if the City had permission from the property owner to stripe and allocate those spaces. Planner Morlan replied that there is a parking agreement. The document was submitted with the Water Treatment Plant and it will be attached to that file. Planner Morlan had it available if the Commissioners wanted to see it.

The Staff recommended approval finding good cause that this facility is necessary because the existing building will be torn down; and it does not impede the current use of the golf course.

Planner Morlan stated that the Staff was recommending several conditions of approval, including the parking striping. She had received late comments and recommendations from the Engineering Department that require minor changes to the conditions of approval. Condition of Approval #2 refers to the Construction Mitigation Plan. Engineering recommended under 2(a) that instead of saying for "No construction related parking or material storage shall be allowed on this street"; that it say "...in the right-of-way". Conditions #3, 4 and 5 are all prior to issuance of a building permit. However, this structure will be constructed in phases with a grading permit separate

from the building permit. Therefore, the Engineering Department wanted it specified that this only pertains to the building permit; not the grading permit.

Commissioner Suesser wanted to know the square footage that the existing maintenance facility occupies in the Spiro Water Treatment Building.

Roger McClain with the Department of Public Utilities stated that the existing golf maintenance building is slightly over 5,000 square feet. The Parks Department Building is slightly over 5,000 square feet. With the bifurcation of the two departments and the fact that the Parks Department will no longer be on the site, the new building allows for additional space for personnel that is currently shared. Mr. McClain explained that the existing Water Treatment Plan will be demolished and a new Water Treatment Plant will be rebuilt on the same site. The Parks Department will leave the site and move to Public Works; and golf will occupy the new building.

Commissioner Suesser asked if the maintenance needs of the golf course were doubling since they would occupy a facility twice the size of their current space. Mr. McClain replied that it was not doubling, but the additional space would be used for restrooms, office space, maintenance and other things that are shared with the Parks Department and the Golf Department in the current space. He noted that the storage space for fertilizer and pesticides would be larger than the existing site.

Chair Band opened the public hearing.

Frank Jenger, a resident at 1 Kings Court, commented on the new maintenance facility for the golf course; specifically, the access in and out. He used a map Planner Morlan had shown to orient the Commissioners to the area he was talking about. Mr. Jenger thought there appeared to be competition between how to get in and out of the maintenance facility. The path shown in green would go in a northerly direction to Thaynes Canyon Drive. The other choice, shown in white, was an existing access drive that is actually a cart path that exits on to Three Kings Drive. Mr. Jenger understood that the current plan was to go to the Access Road as opposed to the option shown in green. He spoke in favor of choosing that option because it is shorter and less expensive. If they choose the access drive in and out, it comes out by Silver Star. The road turns to left on a horizontal curve, and it also goes down. Mr. Jenger indicated a dip in the road and noted that once people get over the dip, some tend to accelerate and go faster than they should creating a safety issue. Mr. Jenger pointed to two major water measuring devices. There is also a large electrical box. For safety reasons, he questioned why they would want traffic to come out at that point. He did not believe it passed the common sense test.

Mr. Jenger remarked that a competing interest is the driving range. He suggested that they install a fence to separate the golf balls from the residents. Mr. Jenger reiterated his preference for using the road identified in green.

Suzanne Lamb, a resident at 63 Three Kings Drive, stated that the road identified in green is supposed to be for fire trucks in the case of fire in the new building. The road is supposed to be camouflaged to protect the driving range. Ms. Lamb noted that the parking will be at Silver Star, which is across the street and up the hill. It is nowhere close to the green path coming off of Thaynes Canyon Drive. Employees will have to walk from the parking to the building, which is not a short walk. Ms. Lamb thought this building was being shoe-horned into a very tight space. She was opposed to this proposal and she did not believe the green Access Road would work.

Suzette Lamb Robarge, stated that she lives next door to her mother, Suzanne Lamb. Ms. Robarge noted that her house is directly behind the driving range. Her home will be most affected by the Geo-Grid Road, which is actually a sub-surface grass support to support vehicles that will be coming across that road. Ms. Robarge stated that it was never presented to her as an option for regular use. Vaughn Robinson and Roger McClain had said that it would be used during construction to bring in vehicles, and in the winter as a potential fire department access. Mr. Robarge wanted to speak on those points, and to address the potential of using that road as regular access to the facility.

Ms. Robarge stated that she has owned the lot since 1994 and she built her home in 1999. She has been a full-time resident since 2006. Over the course of the years, she and Mr. Robinson have worked together on mitigating the influence and effect of the driving range on her home. She placed nets and Mr. Robinson controls the number of drivers. It is a good situation that has led to no broken windows in five years. Ms. Robarge stated that in building on that lot, she was unable to place any nets along the Aspens because of view shed issues. She believes that having any type of wire cage for a walking path or driving path would exceed the allowable height of fencing in a view shed. She believed that was the reason why she, Mr. Robinson, and previous golf course managers have worked carefully to mitigate the influence of the driving range.

Ms. Robarge stated that a benefit of living on the driving range that she holds near and dear is the fact that she gets to look at gorgeous, pristine snow all winter long. If they install 100 yards of cage, she would lose that element of her property that she holds so dear and really enjoys. She loves listening to the sound of the skiers, and she loves her view Park City during that time of the year. That would all be spoiled by a cage that would probably not meet the height requirement in a view shed. Mr. Robarge stated that at the last public meeting at the City Library, Mr. Robinson told her that the Fire

Department is requiring the Geo-Grid Road to be plowed during the winter. Being able to watch the fence line and tree line all winter long is already impacted by people looking for a shortcut or trespassers onto the cross-country ski course who do not understand ski course ethics. Having a road that is plowed in the winter for fire department access will only encourage the ongoing and slowly increasing use on the back side of the driving range. Ms. Robarge has tried to explain to people that it should not be used as a pathway because it destroys the cross-country ski course. She did not want to see that become habituated as a potential path.

Ms. Robarge understood that the Planning Commission does not always get involved in health and safety life issues. However, she pointed to an existing fire lane that she would like them to continue to use, even during the winter. She suggested that if a full capacity fire hydrant could be placed in that location, the fire department would not need to drive across the road and there would be no need to keep it plowed in the winter. Another alternative or additional measure would be to add fire sprinklers to the building design. On another issue, Ms. Robarge noted that Mr. Robinson preferred not to have a green roof because of maintenance costs; but she suggested that the energy efficiency of a sod roof would mitigate some of the costs of having the roof. Ms. Robarge believed that plowing Geo-Grid road would be an added cost to the golf facility, which is on its own for funding. Ms. Robarge reiterated her request that they consider other viable options and not plow that road in the winter. She agreed with the comment that the facility was being shoe-horned onto the lot.

Leslie Baliff stated that she lives in one of the houses on the lake. She agreed with her neighbors that they were facing a lot of things going on in the area with the Ranch, the Golf Maintenance Facility, and the Public Works space. Ms. Baliff supported Mr. Jenger's statements regarding the problems with the white Access Road as opposed to the green Access Road. She noted that where the road comes out on Three Kings Road right by Silver Star is very narrow. In the summer it is heavily traveled by bikers and walkers; and two cars are unable to pass each other. The road is also directly across from the shuttle stop. On a winter morning families with their skies walk down from the Silver Star area and the homes in Pay Day to the bus stop. She did not have a good sense of the intent for use of that road, but adding another element of vehicles coming in and out in that area is dangerous to those who use the road recreationally. Safety was her primary concern, and she cited one example of an incident that occurred today between bikers and vehicles on this very narrow road.

Chair Band closed the public hearing.

Director Erickson noted that Vaughn Robinson, the Golf Course Manager; Clint Dayley, Parks and Golf Maintenance Manager; and Roger McClain with Public Works were present to answer questions regarding access and facility operations.

Planner Morlan reported that an open house was held on July 16th to introduce the public this project.

Vaughn Robinson, the Golf Manager, remarked on the difficulty of making the road identified in green as in and out access. The balls will be more likely to bounce into the backyards of the homes at the back of the range, which can cause damage. In addition, if people are hitting range balls throughout the day, someone would have to stop people from hitting balls when someone is on the road. There are 19 stalls on the range and most times it is very busy. These were two main reasons for not making that the normal access road. Mr. Robinson stated that cross-country skiing was another reason why they could not move the access down below or in the middle because most of the ski training and teaching is done in that area. Mr. Robinson noted that the access would be the Geo-Grid road and they will try to grow grass to keep balls from bouncing.

Mr. Robinson explained that they did not take the fire access down the road identified in white because the access road needs to be twice as wide as that road for the various trucks that need access. He understood the comments regarding safety concerns with the exit point. He was also worried about safety concerns for their employees. Mr. Robinson remarked that there is an access for enter and exit that is approximately 40 yards to the south. The main entrance to the Golf, Spiro, and Parks facility will be 200 yards away. Mr. Robinson did not believe it would be a major impact because typically two vehicles a day on average go in and out. It would be someone bringing in something they need or to haul sand and seed once a month. He clarified that the road would not be access for employees driving in and out every day. The employees will park at Silver Star and walk down. He did not believe the road is plowed during the winter; therefore, there should not be any winter access because the employees working at the maintenance facility will park at the Hotel Park City and walk up.

Clint Dayley, Park City Parks and Golf Department, agreed with the comment that Three Kings is very busy. He noted that a positive change is that the 14 City vehicles will now be relocated at Public Works. The vehicles that currently come out of the Parks and Golf site four times daily, will all be relocated to the Public Works site. Mr. Dayley stated that the golf course only has two vehicles; a one-ton truck and a Colorado, and they would only be using the white road.

Chair Band understood that the Geo-Grid was only for fire access. No one else would ever use that road unless there is a fire. Commissioner Phillips asked if that road needed to remain plowed throughout the winter. Mr. Dayley answered yes.

Commissioner Phillips wanted to know why the access could not come right in front of the driving tees down at the bottom. Ms. Robinson identified on the map the area he thought Commissioner Phillips was referring to at the bottom by the hotel. He explained that when it was discussed with cross-country skiing, they had stated that higher up was better for safety reasons because that is where they stage and put on skis, as well as doing children and youth activities. Commissioner Phillips asked if the fire access could go over the same area that will be cleared for the skiers. Mr. Robinson replied that the concrete pad is not cleared because it is better to leave the snow on it.

Director Erickson asked them to clarify the fire sprinkling and fire hydrant. Mr. McClain stated that the buildings will be fire sprinkled per City requirements. He stated that they had considered the flumes and electrical box at the intersection. They met with some of the residents onsite to discuss a better location and determined that it could be moved slightly to the south. The existing flumes will be eliminated when the Treatment Plant is constructed. The box is a diversion box that is in the design process, but that will likely be reconfigured or eliminated. The location of the road and access is not dependent on those structures.

Commissioner Suesser asked the applicant to walk through the diagrams. She referred to Buildings A, B and C and the canopied storage area, and asked if they were seeing all of those structures in the schematic drawing on page 143 of the Staff. Commissioner Phillips believed those were cross sections that referred to another view in the plans.

Mr. McClain explained that there are two buildings separated by a driveway corridor. The southern building on the left side is the office and repair bank. On the right side is the fertilizer and pesticide storage building. In between those two buildings is open space for mower cleaning and a wash bay. The building on the north is one complete structure for vehicle or equipment storage. The building is not heated above freezing for energy considerations. Commissioner Suesser asked if the two canopied operations were overhangs that come off into the middle of the two buildings. Mr. McClain pointed to a canopy over the golf course material storage bunks. The area between the buildings is screened to protect the operators from golf balls or other activities. The area on the other side of the building has solar panels. Commissioner Thimm asked if it would be a living roof. Mr. McClain replied that that roof was not living. There will be PV array panels to offset the energy on the south building. There will be a living roof on the north building.

Commissioner Suesser questioned why they needed twice the space that they currently have. Mr. Dayley stated that currently the Parks and Golf facility total is 10,000 square feet. The golf maintenance part of the building is 5,000 square feet; however, the golf maintenance department shares space within the Parks. The lunchroom, offices, and bathrooms are all shared space. It may only be 5,000 square feet, but both departments utilize much of the same space. Another consideration is that the current building is two levels. There are mezzanines where they are able to stack equipment. This new building will be lower and they needed to increase the footprint in order to maintain the same size. Even though the building is larger, the working square footage is close to the same.

Commissioner Suesser asked for the number of employees who work out of the current space. Mr. Dayley replied that there are 17 employees in the summer seven days a week. Five are part-time, which could only be five to ten hours per week. There will only be two employees in the winter, and they will park at the Hotel and walk up. Mr. Dayley stated that approximately 10 to 11 employees would be working at any given time during the summer months.

Commissioner Kenworthy understood that they were allocating 20 parking spaces for the future redevelopment of the Spiro Water Treatment Plant. He wanted to know how that relates to the size of the building and number of employees. Planner Morlan stated that the Three Kings Water Treatment Plan is redoing the parking area onsite where the water treatment plant sits now. There will be additional parking in that location, as well as the 20 parking spaces at Silver Star. She had not yet completed the full Staff analysis, but it would be attached to the CUP for the Treatment Plant. Commissioner Kenworthy clarified that there would be additional parking if needed for the size of the building and number of employees. Planner Morlan answered yes.

Commissioner Kenworthy asked about the success of living roofs. Director Erickson replied that it works well if the roof is maintained. He noted that the architect for this project has done living roofs on other buildings in this local exposure. Commissioner Kenworthy asked for Director Erickson's opinion on the liquor store roof. Director Erickson thought the liquor store was coming along better than expected. The maintenance is low but it was not irrigated at all this year as a test for how the succulents thrive without irrigation. Director Erickson remarked that the difficulties with living or green roofs is when people use them for parks and people walk on the grasses. Another factor are poorly selected plant materials. He had faith in the living roofs for this project because he trusts the Park City Parks Department. In addition, there is a lot of mitigation strategy and reduction of ambient noise and active noise. He could imagine the noise if golf balls bounced off a metal roof.

Commissioner Kenworthy wanted to know who would maintain the living roof. Mr. Dayley replied that Golf Maintenance would be responsible for maintaining the roof. He pointed out that the liquor store roof is maintained by an HOA and not by the City.

Commissioner Kenworthy asked if both the Access Drive and the Geo-Grid would be plowed. Chair Band replied that the Access Drive would not be plowed.

Commissioner Suesser asked if materials or supplies need to get in and out of the building during the winter. Mr. Dayley stated that most of the supplies could be hauled in.

Commissioner Thimm asked if the applicants would be opposed to adding a condition of approval prohibiting the road from being used as access. He also suggested adding another condition to limit the amount of traffic on the access drive to a maximum of ten vehicular trips per day, except in the event of an emergency.

Mr. Dayley was not opposed to adding the conditions of approval; however, there will be one day a month where approximately ten loads of sand would be brought in. He believed ten vehicular trips on an average day would be excess.

Director Erickson recalled a Staff discussion regarding mitigating construction impacts for the neighborhood and Silver Star. He asked if they had agreed on the end of day construction time. Planner Morlan stated that it was discussed but she did not have the opportunity to talk to the Chief Building Official about construction times prior to this meeting. Director Erickson explained that based on comments received from Silver Star and the neighbors, the Staff was considering reducing the construction time period from 9:00 a.m. to 6:00 p.m. Chair Band favored the 9:00 a.m. start in a residential neighborhood. In an effort to reduce construction impacts, Director Erickson asked if the applicant was willing to restrict construction from 9:00 a.m. to 6:00 p.m. as a condition of approval. Mr. McClain had no objection to the proposed construction times.

Commissioner Suesser thought it appeared that the presentation was initially envisioned to present both the design of the Three Kings Water Treatment Plant and the Golf Maintenance Facility. She wanted to know why they were separated, because it would be helpful to see the plans for both building. Commissioner Suesser thought the plans for the Golf Maintenance Facility were vague, and she was interested in knowing more about the Treatment Plan in conjunction with an approval for the Golf Maintenance Facility.

Planner Morlan explained that she had received the application for each building at different times, and each application has different timelines. Director Erickson noted that the new water treatment plant would remain on the same site as the existing Public Works and Treatment Plant. They had originally conceptualized expanding the Spiro site; however, the building is now inside the constraints of the existing Spiro site.

Roger McClain explained that Public Works worked with the Golf Managers to keep the site within the two golf holes. The site was elongated slightly to set it back away from Three Kings Drive, but it remains in the same location. Commissioner Suesser asked if they had considered demolishing the existing Treatment Plant and constructing one facility to meet both needs. Mr. McClain stated that they looked at whether the site could hold both facilities, but they could not make it fit without exceeding the height requirements or other issues; or pushing it out onto the golf course.

Commissioner Sletten asked if it was within the same footprint and height, or whether either of those elements would change. Mr. McClain replied that it pushes out somewhat in length and width from what it is today. They worked hard to make it fit within the constraints of the playability and aesthetics of the golf course without impeding on the two golf holes. In terms of height, they need to accommodate the equipment that will be stored, but it will be shorter than the existing tower. He believed the Planning Commission would be pleased with the look of the facility and the layout. Mr. McClain clarified that in their efforts to try to fit everything on one site, it became apparent that the Parks Department had to move off the site. He pointed out that one benefit is that it will reduce the amount of traffic in the neighborhood.

Commissioner Kenworthy asked for the height restriction. Director Erickson replied that it is a maximum of 28 feet; and 35' to the peak.

Commissioner Suesser clarified that the Parks Department employees would be moved off the site, but the building was being made larger. Director Erickson explained that the treatment process that needs to go into the new building is significantly more sophisticated than what they have now. The Staff asked them to squeeze all the pumps, valves, and other things into the parcel that currently exists. The building shape will be different but the parcel will not change. Commissioner Suesser wanted to make sure the buildings are only what is needed and nothing in excess. It is a residential neighborhood and it is important that they are only designed for what is absolutely necessary. She used the Pump Houses off of Holiday Ranch as an example of designing for what was needed and nothing more. Mr. McClain stated that they would have liked to build more space, but they were constrained to the site and had to maintain the same footprint. It was the direction they were given, and what they had accomplished and submitted to the Planning Department.

Commissioner Hall asked for clarification as to why the Access Drive is not suitable for fire access in lieu of having the Geo-Grid. Mr. Robinson replied that the main difficulty is that the road would have to double in width and would require removing trees. It also narrows by the #10 green. If they widen the road it would go into the neighbors' property and remove trees that provide seclusion and protection from golf balls. Commissioner Suesser asked if it was a single lane road as proposed. Mr. Vaughn answered yes. Chair Band was surprised that the road was being driven on at all because it is a golf course. Commissioner Suesser emphasized that she was trying to clarify that the proposed access route was only 12'. Commissioner Hall clarified that the general consensus was that everyone preferred the Geo-Grid as a second route, rather than expanding the existing Access Drive.

Commissioner Suesser asked for an explanation of how the road will work as a fire access road during the winter. She was told that the Geo-Grid road would be plowed down to the grass. It would only be used for fire access during the winter. Commissioner Phillips thought it would be difficult to plow the road without tearing up the grass. Mr. Vaughn noted that they already have experience with plowing at Quinn's Junction. He envisioned a similar operation. It would be plowed to the minimum plowing requirements of the Fire Department.

Planner Morlan summarized the proposed added and amended conditions of approval. She reiterated the changes she had made earlier in her presentation. In addition, a condition was added that there would be no plowing of the access drive in the winter. For Condition #2c in the construction mitigation plan she added, "The hours of construction shall end by 6:00 p.m." Chair Band asked if they should add a start time of 9:00 a.m. Director Erickson was prepared to recommend a start time because there were already constraints on the construction operation. Commissioner Kenworthy pointed out that limiting both the start and stop times would extend the length of the project, and that would be an impact on the neighbors.

Planner Morlan continued that in Conditions 3, 4, and 5 she had added "not including the grading permit" to clarify that there will be several permits for this project. She had added a Condition stating that "Traffic on the Access Road from the structure to Three Kings Drive shall be limited to no more than ten trips per day on average. A Condition of Approval was added stating that "The Access Road shall not be plowed in the winter".

Suzette Robarge requested the opportunity ask a question.

Chair Band re-opened the public hearing.

Suzette Lamb Robarge asked if all the construction traffic would use the Geo-Grid Road.

Mr. McClain did not believe the Geo-Grid Road would be completely in before construction starts. There will also be utility work towards the bottom that is a point of access. Therefore, there could be three or four points of access. Mr. McClain noted that access issues would be addressed in the Construction Mitigation Plan that will be presented to the City. They were looking at a schedule for completion where access range would be back up and operable by early next year. It involves a lot of concrete work and grading and excavation. It also involves additional site work associated with the berming and other efforts to make the golf course operational without any lost time.

Commissioner Hall understood that the Geo-Grid Access Road would not have the Geo-Grid in during construction; and the pathway would essentially be used for construction trucks next summer. Mr. McClain answered yes. Mr. McClain explained that once there is substantial completion of the building, the Geo-Grid would have to be completed in order to obtain occupancy permits because it will fire access.

Commissioner Suesser asked if the Access Road that would not be plowed during the winter will be used for any construction access. Mr. McClain replied that the use would be limited because of interference with the golf course. Most of the construction traffic would be off of Thaynes Canyon Drive. Commissioner Suesser assumed they could apply the condition of approval limiting an average of 10 vehicles per day on the access drive during construction. Mr. McClain agreed. He asked that it be more related to access from Thaynes Canyon Drive versus Three Kings Drive. Commissioner Thimm asked if they could work out where there would be no construction access on the Access Drive; and only on the service drive. Mr. McClain preferred to say "limited" because they have to construct the access drive.

Planner Morlan added language to the Construction Mitigation Plan limiting construction traffic on the Access road to only that needed for construction of the access road and utilities associated with that area.

Josephine Jenger, a resident at 1 Kings Court, commented on the ten trucks per day that will be coming in and out. She asked if the golf cart road would still be used for people driving golf carts.

Mr. Robinson replied that the golf court road would be right up by the green. The access road will be behind the trees. They will do whatever they can to make sure people do not confuse those two roads. Mr. Robinson clarified that the Access Road

will be built separate from the current cart path. The cart path will remain similar to what it is now. The access road will be separate as much as possible; with the exception of 20 feet right by the green, and that area will have signage. Ms. Jenger asked what would happen if a truck is coming in and a golf cart is going out. Mr. Robinson reiterated that the roads would be separated. Ms. Jenger pointed out that it is illegal for golf carts to ride on the sidewalk, but they do every day on Three Kings Drive. Mr. Robinson thought that issue would be mitigated or even eliminated when the new building is in a different location. Ms. Jenger remarked that the little lawn mowers and the golf carts that go on Three Kings is part of the normal traffic pattern. She was unsure how that could be mitigated during construction.

Chair Band asked if the golf carts were driven by employees or golfers.

Ms. Jenger replied that the golf course workers ride the streets. She believed it was also a safety issue. It is not a good exit for all the vehicles because of Silver Star. She stated that Silver Star generates a significant amount of delivery traffic.

Commissioner Suesser informed Ms. Jenger that the Planning Commission had amended the conditions of approval to keep the construction trucks coming off Thayne Canyon and not going up Three Kings.

Chair Band closed the public hearing.

Suzette Lamb Robarge requested to speak again. Chair Band informed her that the public hearing had been opened twice and it was now closed.

Assistant City Attorney commented on the condition of approval limiting the number of vehicular trips to 10 trips on average. She thought Code Enforcement would have a difficult time counting trips to enforce the condition. Ms. McLean asked the Staff to consider how they could manage the condition to make sure it occurs to mitigate the impacts. Mr. Dayley stated that his Staff would manage it to make sure they do not exceed the 10 vehicle trips. He pointed out that only two City vehicles would be allowed to use that access. All the employees will park at Silver Star and walk down that path.

Commissioner Suesser thought Ms. McLean was specifically asking about vehicles during construction. Ms. McLean replied that she was correct; but it was helpful to know how the golf maintenance operations would be managed.

Mr. McClain clarified that any access would be part of the approved Construction Mitigation Plan. The City Engineer would put it in his encroachment permit on to the roadway, and that could be enforced through the construction manager and the

construction team. Assistant City Attorney McLean asked if someone from the City would be managing it as well. Mr. Dayley stated that it would be a City managed project and there would be a representative onsite at all times. He believed the representative would be Nick Rowley with the Department of Public Utilities.

Suzanne Lamb asked to speak again.

Chair Band reopened the public hearing.

Suzanne Lamb was displeased that Chair Band had cut off her daughter when she requested to speak. This was a public hearing and they have sat here the entire evening so their comments could be heard. She wanted her daughter to have the chance to say what she wanted.

Suzette Lamb Robarge wanted everyone to be aware that as the corner house at 3 Kings Drive and Thaynes Canyon Drive, she will endure the brunt of construction traffic. She wanted that clearly understood. Also, she would have a nicely plowed swath behind her house for eternity on the fire access. Mr. Robarge did not believe they had address the possibility of having a fire hydrant for fire safety versus a plowed Geo-Grid road. Ms. Robarge stated that the speed limit on their street is 20 miles per hour. She did not feel that the golf course equipment is a hazard because they travel within the speed limit to accomplish their job. In her opinion, that is a non-issue.

Dave Thacker, the Chief Building Official and Fire Code Official responded to the fire hydrant question. He stated that a fire hydrant is a great suggestion but it does not take the place of the requirement for fire access per Fire Code. The fire access is required even if the building is sprinkled and there is a fire hydrant next to the building. He pointed out that a fire hydrant is only a way for a fire truck to utilize the water. The truck needs to reach the building in order to use the hydrant. Mr. Thacker emphasized that a hydrant and sprinklers would not alleviate the requirement for the access road.

Chair Band closed the public hearing.

MOTION: Commissioner Sletten moved to APPROVE the Conditional Use Permit for the Golf Maintenance Building to be located at 1884 Three Kings Drive in the ROS Zone, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the Staff report and as amended. Commissioner Thimm seconded the motion.

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

Finding of Fact – Golf Maintenance Facility

1. The site is located at 1884 Three Kings Drive.
2. The site is located in the Recreation and Open Space (ROS) zoning district.
3. The proposed facility is to be located between the existing driving range and Hole 10 of the Park City Golf Course.
4. The proposed structure complies with all setback and LMC requirements as outlined in the analysis.
5. An essential municipal public utility use, facility, service, or structure greater than 600 square feet, and an accessory building greater than 600 square feet are classified as conditional uses in the ROS zone.
6. The primary use for this address, a golf course, is also classified as a conditional use in the ROS zone.
7. On July 10, 2018, the City received a complete Conditional Use Permit application for this golf maintenance facility.
8. On July 16, 2018, the applicant held a public Open House for the Three Kings Water Treatment Plant and for the golf maintenance facility.
9. The proposed facility is intended to replace the portion of the Spiro Public Works building currently used as a golf maintenance facility.
10. This facility is intended to serve as the primary support facility for golf course operations.
11. This development will not affect the operations of the golf course including the driving range.
12. The proposed facility consists of three building structures and two canopied operations/materials storage areas.
 - a. Building A is identified as a 2,270 square foot administrative office and maintenance building.
 - b. Building B is identified as a 5,000 square foot tempered equipment building.
 - c. Building C is identified as a 900 square foot fertilizer and chemical (pesticide) storage building.
 - d. There will also be a covered wash and fuel bay (1,150 square feet) and a covered bulk material storage area (1,080 square feet).
 - e. In total, this facility will consist of 8,170 square feet of enclosed floor area and 2,230 square feet of covered space totaling 10,400 square feet in all.
13. The applicant has indicated that all structures will be constructed concurrently.
14. The applicant is proposing two access points to the site designed to minimize impacts to the golf course and driving range. The first is an access via private cart path extending from Three Kings Drive, and the second is a secondary access road consisting of grass covered reinforced geo-cell will extend to the project site across the rear of the driving range from Thaynes Canyon Drive.

15. Parking for the project is provided at the adjacent Silver Star Subdivision through an existing parking easement granted to Park City Municipal Corporation (Entry No. 00762729).

16. This agreement allocates 30 spaces to the City, of which 10 are assigned to this facility and 20 are assigned to the future Three Kings Water Treatment Plant project.

17. Operations vehicle parking is provided on site.

18. Off-street parking standards in the LMC require 9 spaces for this site which are met with the existing 10 spaces.

19. Green roofs are proposed Buildings A and B (the administration building and the equipment storage building), and photovoltaic panels are proposed on Building C (the fertilizer and chemical storage).

20. The ROS District requires 25 feet minimum Setbacks from the boundary line of the Lot, district, or public Right-of-Way. The proposed facility meets these requirements with these setbacks:

- a. 285 feet from Thaynes Canyon Drive
- b. 215 feet from the western property line
- c. 30 feet from the southern property line
- d. 175 feet from the eastern property line

21. All structures must be no higher than 28 feet from Existing Grade. The maximum height above Existing Grade on any of the structures is 23.89 feet in compliance with this standard.

22. This site is not located within the Park City Soils Ordinance Boundary.

23. The location of these structures on the existing golf course is not located within a designated flood zone.

24. The proposed facility meets the criteria for a Conditional Use Permit found in Section 15-1-10 (E) of the LMC as detailed in the Analysis.

Conclusions of Law – Golf Maintenance Facility

1. The Application complies with all requirements of this LMC.
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 - Golf Maintenance Facility

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.

- a. No construction related parking or material storage shall be allowed in the Right-of-Way.
 - b. There shall be no construction vehicle staging on the street and deliveries shall be “just in time” to the satisfaction of the City Engineer and Building Department.
 - c. The hours of construction shall end by 6:00 PM.
 - d. Limit construction traffic on the Access Road to only that needed for construction of the Access Road and utilities associated with that area.
3. A final utility plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers prior to issuance of a building permit (not including the grading permit).
 4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance (not including the grading permit).
 5. A final landscape plan, including details for the green roofs, shall be submitted for review and approval by the City Planning Department, prior to building permit issuance (not including the grading permit).
 6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit.
 7. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions.
 8. The applicant shall submit a detailed shoring plan prior to the issue of a building permit. The shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
 9. Access to the site must meet fire access requirements including adequate road widths and turnaround areas.
 10. Traffic on the Access Road from the structure to Three Kings Drive shall be limited to no more than 10 trips per day on average.
 11. The Access Road shall not be plowed in the winter.
 12. Designated parking spaces which are a part of the Silver Star Subdivision parking easement shall be clearly marked and identified for this use.
 13. Green roofs and photovoltaic panels shall meet best practices for green roofs in the Intermountain West, in terms of the structural design, substrate base materials (what plants are planted in), the types of plant materials, and the irrigation system as reviewed and approved by the Planning Department before a building permit may be issued.

14. This approval will expire on August 22, 2019 if a building permit has not been issued by the building department before the expiration date, unless a written request for an extension is submitted prior to the expiration date and the extension is granted by the Planning Director.

15. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission.

The Park City Planning Commission Meeting adjourned at 7:20 p.m.

Approved by Planning Commission: _____

APPROVED