

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
AUGUST 14, 2019

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, Sarah Hall, John Kenworthy, Mark Sletten, Laura Suesser, Doug Thimm, Christin Van Dine

EX OFFICIO: Planning Director, Bruce Erickson; Hannah Tyler, Planner; Caitlyn Barhorst, Planner; Laura Kuhrmeyer; Planner; Alexandra Ananth, Planner; Rebecca Ward, Land Use Policy Analyst; Margaret Plane, Legal Counsel

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ROLL CALL

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

ADOPTION OF MINUTES

July 10, 2019

MOTION: Commissioner Kenworthy moved to APPROVE the Minutes of July 10, 2019 as written. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Bruce Erickson reported that he would be presenting the Annexation Policy Plan on August 28th. A powerpoint would be made available to the public on the website. The powerpoint was presented to the City Council a few weeks. The Staff report with the recommendations will be available on Friday, August 23rd. Director Erickson noted that the Staff had met with Wasatch County earlier that day and would be meeting with Hideout Town the following day.

Chair Phillips disclosed that he would be recusing himself from 158 Main Street this evening because he is working on that project. He would also be recusing from both applications for 901 Woodside Avenue due to a prior working relationship with the

applicant. He did not want that association to impact the Planning Commission's decision.

Commissioner Suesser disclosed that she would be recusing herself from 900 Round Valley Drive because he was involved in the original annexation agreement with Intermountain Health Care. Commissioner Suesser disclosed that she had a meeting with Steve Issowitz regarding the trails around the Deer Valley ponds, but that meeting would not impact her discussion or decision on the Deer Valley parking issues on the agenda this evening.

Commissioner Kenworthy disclosed that he is a landlord to Deer Valley seasonal housing. It has been a long-term relationship and it would not affect his decision this evening. Commissioner Kenworthy would not be recusing himself. Commissioner Kenworthy disclosed that Jerry Fiat was his neighbor on Woodside but that would not affect his decision on the 901 Woodside items on the agenda.

Commissioner Sletten disclosed that three weeks ago he had breakfast with Steve Issowitz on a subject completely unrelated to the Deer Valley item on the agenda. Mr. Issowitz mentioned that the item would be on the agenda and that was the extent of the conversation on that matter. Commissioner Sletten would not be recusing himself.

Commissioner Thimm noted that John Nepstad, with Fehr and Peers, was present for an agenda item. He disclosed that his company has worked with Mr. Nepstad's company over the years but never on anything in Park City. Commissioner Thimm stated that their association would not have any bearing on his decision or vote this evening.

Commissioner Kenworthy disclosed that he has had conversations with Steve Issowitz on matters unrelated to the Deer Valley Parking Plan on the agenda.

Director Erickson noted that the last item on the agenda, Marsac Mining Claim 61, was being to continued. He requested that the Planning Commission move this item under the Continuations Section of the agenda as item V.B.

MOTION: Commissioner Thimm made a motion to rearrange the agenda and move Marsac Mining Claim 61 to the Continuations Section as Item V.B. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

CONTINUATIONS – (Public Hearing and Continue to date specified.)

- V.A. 245 Woodside Avenue – Plat Amendment – Proposal to remove an interior lot line to create one (1) lot of record 2,812 square feet in size.
(Application PL-19-04209)

Chair Phillips opened the public hearing. There were no comments. Chair Phillips closed the public hearing.

MOTION: Commissioner Sletten moved to CONTINUE 245 Woodside Avenue plat amendment to September 11, 2019. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

- V.B. Marsac Mining Claim 61 (approximately 8925 Marsac Avenue)– Zoning Map Amendment The Applicant is proposing to rezone a 1.2-acre portion of Marsac Mining Claim 61 (approximately 8925 Marsac Avenue) located within the Flagstaff Annexation Area from Recreation Open Space to Residential Development.
(Application PL-18-04046)

Director Erickson reported that the Staff was requesting a Continuation to September 11, 2019 in order to continue the reviews for the Staff report. The applicant has stipulated to a continuance at this point. The Planning Commission could open a public hearing; however, he encouraged people to hold the majority of their comments until after the Staff report and the analysis are completed for the meeting on September 11th. Chair Phillips opened the public hearing.

John Rachin was confused about the exact plat they were talking about. He asked if it was application PL-18-04046 referred to in the letter or something different. He did not have the 46 number on his page and that was the reason for his confusion. Chair Phillips informed him that it was the same Application PL-18-04046.

Mr. Rachin was bothered by the continuation because he is an owner on 1 Empire Pass. He has great interest in this application, but he will not be in Park City in September. He requested to make his comments now and hopefully someone else would speak in September on behalf of the Owners from 1 Empire Pass.

Mr. Rachin asked for the reason for changing the ROS designation. Director Erickson stated that because this item was being continued, he preferred to take the questions and provide responses in the Staff report so all the public could see their responses.

Mr. Rachin wanted to know what was planned for the Empire Link trail that goes through the property. Chair Phillips assured Mr. Rachin that the Staff would address his questions when they prepare the Staff report. Commissioner Suesser stated that he was also welcome to submit comments to the Planning Department prior to the meeting on September 11th and the Planning Staff would forward them to the Planning Commission and include them as part of the record. He could email his comments to planning@parkcity.org. The Staff report for the September 11th meeting will be available on the City website on Friday, September 6th.

Mr. Rachin noted that this was the second continuance, and he asked if he could expect another continuance on September 11th. Director Erickson noted that the applicant had requested the Continuance. The item was being continued to give the Staff the opportunity to work through the Staff report to make sure the report is accurate and all comments are addressed.

A representative for the applicant was present and offered to give his contact information to Mr. Rachin. The two stepped into the hall to exchange the information.

Chair Phillips closed the public hearing.

MOTION: Commissioner Suesser moved to CONTINUE Marsac Mining Claim 61 to September 11, 2019. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

WORK SESSION

VII.A Deer Valley Resort Base Area Parking Plan update pursuant to the Twelfth Amended and Restated Large Scale Master Planned Development Permit Section G. Off-Street Parking. The capacity of the surface parking lots in the Snow Park Community was exceeded on 10% or more of the days during the 2018-2019 ski season. Therefore, the Planning Commission is reviewing the parking in said area.

Director Erickson wanted it clear for the public and the Planning Commission that this as the beginning of the process. Draft information regarding transit counts, etc. was contained in the Staff report; however, the Staff would not their analysis until they hear direct proposals from Deer Valley Resorts. The purpose of this work session was to get input and questions from the Planning Commission on the record to help with the

analysis. It would also give Deer Valley the opportunity to respond with how they see their planning going forward.

Planner Hannah Tyler stated that the item this evening is the Deer Valley Resort Base Area Parking Plan Update, which was in response to a directive in the Development Agreement. During the 2018/2019 ski season the City found that Deer Valley had exceeded parking allocations established within the 12th Amended and Restated Large Scale Master Planned Development. Section G of that development agreement addresses parking allocations. Planner Tyler noted that the Development Agreement establishes that if Deer Valley Resort exceeds the surface parking lot capacity on more than 10% of the skier days, they needed to come back to the Planning Commission to discuss construction of additional parking.

Planner Tyler stated that as detailed in the Staff report, the language with regard to this capacity has been in the Development Agreement since 1993 or the 7th Amended. Since 1993 there have been a series of expansions to the parking areas, as outlined in Exhibit C. Currently, Deer Valley reports that there are 5 numbered parking lots totally approximately 1,250 parking spaces. During the 2018/2019 ski season, overflow days resulted in approximately 80 street parking spaces that were reported. Deer Valley was proposing to expand parking lot #5 by at least 80 parking spaces.

The Staff had reviewed the proposal and found that solely expanding the parking lot is not consistent with the General Plan or the City Council priorities. The pave-first strategy was in direct opposition to those goals. The City would like to see other implementation strategies coupled with that. Planner Tyler noted that the implementation strategies were outlined in the Staff report.

Planner Tyler reported that the City Engineer had provided a draft study of Deer Valley Drive, and he found that in order to accommodate safe street parking the bike lanes would need to be eliminated, which is also in direct opposition to the General Plan. That option was being looked at as a last resort. Planner Tyler believed many other implementation strategies could be executed first.

Planner Tyler stated that this was the first step in the process and the Staff would come back with other recommendations based on feedback from the Planning Commission.

Steve Issowitz with Deer Valley Resort stated that Deer Valley started talking about this parking plan during the season, and with all the heavy snowfall they worked with the City to try to eliminate street parking and take other measures. Mr. Issowitz stated that Deer Valley has always had a great working relationship with the City throughout the years. More recently, Planner Tyler has been very impressive and great to work with.

Mr. Issowitz introduced Tom Bennet, Legal Counsel; Garrett Lang, Mountain Venue Operations Manager; John Nepstad, a Consultant with Fehr and Peers; and William Keitor, part of the Guest Services Crew who is very knowledgeable about Deer Valley parking. Mr. Issowitz stated that the team was prepared to answer questions and address comments from the Planning Commission.

Mr. Issowitz originally thought they would have a work session and then work with the Staff administratively to move forward. However, they were pushed back a few meetings and since it is already August, they were losing their windows to schedule adding additional asphalt.

Mr. Issowitz remarked that within the existing Snow Park base area development parcel, they were planning to expand the parking lot from Snow Park Lodge over to the future development parcel. They have been active in the last six months moving forward. They have a fairly ambitious approach and the plan is to have something in front of the Planning Commission either by the end of the year or in the early part of winter next year. The entire village will not be planned at that point, but they would like to talk about streets, utilities, and the parking garage. Ms. Issowitz noted that this parcel is part of their future development parcel.

Mr. Issowitz stated that the goal is to provide some breathing room and expand the asphalt only in Lot 5. That would be the area furthest to the north; and approximately 65-75 feet; depending on the section. Alliance Engineering had included another piece to the far north, but they were not asking about anything related to that piece this evening.

Mr. Issowitz stated that where they built first the south section of Lot 5 and subsequently the north section of Lot 5 there is a jog. They would like to take the asphalt on the eastern edge and straighten it out because that little jog makes it difficult to park cars straight. Mr. Issowitz stated that their request represents approximately 48,000 square feet of asphalt or 1.1 acres. It should give them 2 full rows of parking, which should accommodate 90 cars with 45 cars in each row.

Mr. Issowitz stated that the Deer Valley MPD has always had a requirement that the development parcels going up to Silver Lake, Lower Deer Valley, etc., contain parking within each development. In the 7th Amendment in 1993, language was added stating "If the capacity of the surface parking lots in the Snow Park community exceeded on 10% or more of the days during any single ski season, the need for constructing additional parking in said area shall be reviewed by the Planning Commission." Mr. Issowitz noted that the MPD always contemplated a phased approach to constructing

parking over time and based on need. He stated that Deer Valley never had a desire to build all the parking up front. They do what they can with parking until it reaches a point where it is evident they need to build more. Mr. Issowitz noted that the Snow Park parking lot is a development parcel and it will be very dense. It is also designated as a receiving zone under the TDR ordinance. As an example, through the Treasure Hill negotiations, as the City was trying to get density off the hill, they designated both base areas of Park City Mountain Resort and Deer Valley as a receiving zone for that type of density.

Mr. Issowitz stated that prior to the MPD Deer Valley had a Special Exception Permit, which talked about skier capacity. The Special Exception Permit contemplated that parking would be based on skier capacity with one parking space for every five skiers on the hill. He presented an update that was done to the Master Plan in 1979. The update talks about a comfortable turning capacity at the resort. In 1978/1979 it was calculated as 9700 skiers. Dividing 9700 skiers by the 5 parking spaces in the Special Exception Permit results in 1,940 parking spaces. Currently, they have 1,250 spaces. If necessary, they can squeeze in a few additional cars.

Commissioner Thimm asked where the ratio of one car per 5 skiers originated. Mr. Issowitz assumed it was calculated in 1978. It was made as a reference and he was unsure whether or not it was a requirement to open. Planner Tyler explained that it was the measurement that was used in 1978. The bases areas counted quite a few skiers per car in the beginning of these development agreements.

Mr. Issowitz reviewed the history of the lots and how they have morphed over time. He noted that initially Lots 1, 2, 3 and 4 were there to serve the start-up years. In the early 1990s a side section of Lot 5 was added. When they were preparing for the Olympics, a temporary parking lot was added across the street from the Lodges. After the Olympics the lot was used for snowmaking. The north section of Lot 5 was added after the Olympics. Over the past 16 years Deer Valley has managed parking without further expansion.

Mr. Issowitz did not believe Deer Valley has ever tried to apply the paved first strategy; and they have done other things to combat paved parking. However, at this point they were requesting additional paving.

Mr. Issowitz stated that Deer Valley had many years where they exceeded their parking capacity and parked on the street. In past conversations between Deer Valley and the City, the answer was to open more asphalt the few days a year when additional parking is needed. The City and Deer Valley were always in agreement about street parking. He noted that during a City Council meeting this past winter, someone asked why the

no parking signs were even on the street if Deer Valley is allowed to cover the signs and park cars on the street. Mr. Issowitz stated that in the past when parking was being addressed, they knew that people would park on the street every day if they could. The answer was to put up no parking signs so everyone would park in the parking lots. When overflow parking is necessary, Deer Valley contacts the Police Department, it goes into the log, and they have the bags from the Police Department to cover the signs so people are not ticketed. That is how parking has always worked.

Mr. Issowitz presented a few points from Ski Utah which showed how far above average they were this past ski season. He presented another slide to show why he believes weather and snowfall correlate directly to the number of cars. The years of a booming economy also add to that factor. Mr. Issowitz stated that Deer Valley Resort considers the 2018/19 ski season the best year ever because people came consistently.

Mr. Issowitz noted that the Deer Valley parking lots are also used for various community events such as Sundance, the Arts Fest, and Tour Utah. Contractors use the parking lot to help with construction mitigation plans. They work closely with Fire Department Practices and other things in the park lot. Mr. Issowitz reviewed a chart that he believed supports the idea of how snowfall affects parking and the number of days they parked overflow. He noted that many days they had to park 10 to 15 cars on the street. There were only 11 days when they were above 90 cars. Mr. Issowitz stated that if they could add extra asphalt it would combat the number of days they would need to use overflow measures.

Mr. Issowitz commented on the discussion regarding Ikon. Deer Valley is different than some of the other Ikon owned resort. They have limited days when pass owners can ski and they have blackout days. Mr. Issowitz stated that last season they were up 14% from the prior year, and he attributed the increase to the snowfall. Of the 14% increase, only 2.1% was Ikon. Mr. Issowitz pointed to increases in other resorts throughout the State as evidence of how good the ski season was last winter.

Mr. Issowitz presented slides showing what Deer Valley has been doing outside a paved first strategy that were implemented over time. In terms of affordable housing in the Development Agreement, Deer Valley satisfied its affordable housing obligation for development in 1995. Included in that was their assistance in getting Mountainlands Community Housing Trust operational; as well as starting the Peace House. In addition, Deer Valley has its own employee housing with exactly 423 beds across four properties; Prospector and Snowshoe Inn, which are owned by Deer Valley; Rivers Edge, which they lease; and most recently 20 beds in Snow Country Condos. They plan to continue to add employee housing to the inventory moving forward. Mr. Issowitz

stated that the majority of the Deer Valley staff live within the Park City ZIP Codes. Wasatch County has the next highest percentage, followed by Salt Lake City and beyond.

Regarding transportation, Mr. Issowitz stated that Deer Valley continually discussed with the City the need for more direct and frequent transportation. However, most of the solutions are long-term and will not help Deer Valley in the next few years. Mr. Issowitz noted that Deer Valley fully subsidizes any of their Staff coming from the Valley on UTA. They also run buses daily from Heber. They also run their own shuttles between Deer Valley and the Rivers Edge at approximately 21 trips per days to and from the campground. Shuttles are also used to take the Staff into Heber for shopping trips.

Mr. Issowitz noted that Deer Valley provides Staff dining experiences across the Resort. They have three employee cafeterias for convenience and to keep the employees from having to travel for meals. Deer Valley has on-site child care; and based on need and eligibility the Staff can get an approximate 50% discount. Deer Valley also offers other benefits to their Staff.

Mr. Issowitz stated that they have been working with Park City Municipal, The Canyon, and Park City Mountain Resort to develop a ride-share app. After considering all the options, the Ride Amigos was the best fit and they hope to have it in place for the next ski season. The ride-share app should help to combat single-occupancy vehicles.

Commissioner Sletten commented on mass transportation and utilizing the City's bus system. He asked if Deer Valley had any discussions with the City Transportation Department. When he attended the Arts Festival, he noticed that lanes were blocked off just for buses. Commissioner Sletten remarked that if the City wants to encourage people to use buses, they need to make sure they are not stuck in traffic with everyone else. Unless there is an advantage, no one will ride the bus. Mr. Issowitz stated that for a number of years Deer Valley and the City have been having those types of discussions. He pointed out that UTA ridership dropped off once the electric buses came on and the routes changed. UTA buses used to come up the canyon and directly to the ski area. Now UTA goes to Kimball Junction and people need to make bus connections from there. It not only makes taking the bus less attractive to riders. Also, until the buses started using the shoulders, they were stuck in traffic. The buses coming from SR248 still sit in traffic.

Mr. Issowitz stated that he has been on the Transportation Task Force with the City and County for the last three years. They have all been working towards going to the plan that was recently implemented by UDOT, and they will wait to see how it progresses.

Commissioner Suesser commented on the shuttles coming from Summit and Wasatch and asked if those employees could utilize the gondola instead of coming into town. Mr. Issowitz replied that the gondola has a small parking lot and parking is an issue. The developer was supposed to build roughly 300 spaces, but the base area development was never done and those parking spaces never happened. Mr. Issowitz remarked that the gondola only goes to the top of Little Baldy and an employee would need to get into the gondola building and transport that way. He noted that Staff does not drive through Deer Crest and for that reason they do not have people coming through the gondola entry.

Commissioner Suesser asked if there were plans to expand the gondola parking lot. Mr. Issowitz clarified that it is Deer Crest property and there is no longer anyone from Deer Crest in the Country to work with. The road that UDOT is doing with the Jordanelle Parkway and with the portal that will go underneath Highway 40 will be started next Spring. Mr. Issowitz understood that the road is projected to be online by the end of 2020. It should be open for the 20/21 ski season if it stays on schedule. With the portal, Deer Valley has been in discussions with other developers on the other side of the highway the possibility to co-share or do something with parking and garages to access through the gondola. He pointed out that it was not a short-term solution.

Commissioner Kenworthy asked if Deer Valley owns all the one-acre property they were considering to pave. Mr. Issowitz answered yes. Commissioner Kenworthy asked if it would be part of the development that was entitled years ago. Mr. Issowitz answered yes. Commissioner Kenworthy understood that the request was for a temporary one-acre of asphalt. Mr. Issowitz replied that in 1980 Deer Valley did not want to build the entire parking lot because it was not needed at the time and it was expensive to maintain. In addition, they always imagined that would be the Village. Commissioner Kenworthy wanted to know the timing for construction. Mr. Issowitz estimated a year of solid planning for the Village itself, with tweaks for CUPs for the buildings above. The ability to put a shovel in the ground with utility work and potentially relocating Deer Valley Drive on the south end, he estimated the Spring of 2021.

Commissioner Kenworthy stated that if the Planning Commission allowed those parking spaces to be added, he assumed Deer Valley would not be averse to a five-year maximum time frame, and then it would be developed with green space. Mr. Issowitz did not think it could be turned into greenspace because as they build the village they need a place to park. The goal is to be able to phase the parking such that bite-sized pieces are taken each building season and have the garage open for use during that winter. He clarified that the area would serve as temporary parking for winter skiing, for

contractors, and various other things. If they were not here this evening, they would be here in 6-12 months asking for construction mitigation measures for constructing the parking lots.

Commissioner Kenworthy referred to page 20 of the Staff report and noted that one of the goals is to ensure transportation systems efficiently serve Deer Valley. He was in line for having efficient transportation systems serve Deer Valley. He sits on the Transportation Board on behalf of the Planning Commission and he has no idea how long that would take. Planner Tyler replied that the Transportation Planning Director was working towards that goal; however, there are issues with Federal funding and other matters. It was not as simple as sending a bus that direction. Transportation Planning was working effectively towards that solution.

Commissioner Kenworthy understood and respected the other goals outlined on page 20; but he thought it was important to have some kind of timeline or reality to achieving those goals. Director Erickson stated that if Deer Valley submits a development application over the next year they would need a hard plan in place on how they would respond to all these matters. The one within the City's control is attempting to reset the City Transportation Plan. One goal is to understand the Deer Valley customer and where that customer service standpoint lives inside of the transit system. They also need to understand where the Deer Valley employee customer sits inside that transportation system. Once they have that understanding, they can adjust the system to accommodate it. Director Erickson did not expect the Planning Commission to approve a development application until all the issues are figured out and addressed. Director Erickson remarked that the Planning Commission was looking at the current situation for Deer Valley. Once they get feedback from the Planning Commission on the prioritization Planner Tyler had included in the Staff report and listen to the public, they will have a better understanding of how to proceed.

Mr. Issowitz clarified that in conversations with Director Erickson and City Officials, they were asked to come in and make sure the Planning Commission understands what they do and what they were working towards. Many of the things they are working towards are complicated and take a long time.

Chair Phillips stated that when Deer Valley develops the base, transportation will be a major component in making the development function. Chair Phillips agreed that the paved parking could be seen as somewhat temporary; however, he did not want to discourage the applicant from looking at other options. He recognized how much Deer Valley already does in transporting employees and Staff. He believed they were trying to address transportation on their end.

Commissioner Suesser asked what percentage of the employee housing use the shuttles that Deer Valley provides. Mr. Issowitz stated that Prospector and Snowshoe are on the bus routes. There are exceptions, but Deer Valley does not allow their Staff to have cars at those properties. The employees at Rivers Edge are allowed to have cars, but nearly 100% take the shuttle. The shuttles are full and if someone works a late shift and misses the last shuttle, the need to find another ride.

Commissioner Suesser clarified that almost 100% of the Staff in employee housing get to Deer Valley by public or private shuttle. Mr. Issowitz was hesitant to say 100% but it was very close to that number.

Chair Phillips assumed this came to light because of the heavy snowfall and higher capacities this year. They have been over the 10% before and he wanted to know what triggered the conversation this time. Chair Phillips stated that if there is a public safety concern, he wanted to know how it would be addressed for the upcoming season. Rather than paving, he asked if they could facilitate those areas strictly for overflow parking.

Director Erickson explained what they were expecting from Deer Valley over the course of working administratively is to figure out some of the more fluid management techniques that could be applied this winter. For example, he thought Mr. Issowitz could address how his guest services are parking people along the street. He could address the snow removal on the walking paths along the street. The City may consider removing the bike lane for the winter and putting back in the summer. He stated that some aspects are flexible and moveable without building a parking lot. Director Erickson clarified that the City was not opposed to considering the parking lot; however, underlining technical issues need to be resolved.

In response to Chair Phillips, Mr. Issowitz stated that this came to light due to two complaints from owners in the Courchevel condos, which is across from Lot 5. That spiraled into using the MPD because they were supposed to look at this and Deer Valley agreed. As far as safety on the street, Mr. Issowitz stated that they sat down with the Police Department and he was told that the Police had not had any issues or complaints; or issues with emergency service vehicles. It's a matter of people being in the street and walking with ski boots, or doors opening. It is a low speed area and it has worked in the winter time for a lot of years. However, that was not an excuse for not looking at something different. For that reason, they asked John Nepstad with Fehr and Peers to do a full study with recommendations. Mr. Issowitz did not favor removing the bike lanes for the winter if there was another alternative.

Chair Phillips understood that this was the beginning of the process and a lot of work needed to be done. However, in general, knowing that there will be redevelopment and some of this would completely change, he encouraged the transportation to be amplified during the building out of these lots. He was also willing to consider more temporary arrangements with a sunset of some type. Chair Phillips emphasized that a lot of the transportation will change with the redevelopment. He was not comfortable looking at what it is today without looking at what it might likely be in ten years. Mr. Issowitz noted that there is a very significant component of the Snow Park development to be included for transit. If they adjust how Deer Valley Drive flows they may be able to have a more direct bus in and out without a passenger vehicle, which would help with flow and promote bus usage. Mr. Issowitz did not have the conceptual drawing available to show the Commissioners this evening.

Commissioner Suesser asked if there was still a skier cap in Deer Valley. Mr. Issowitz answered yes. Ms. Van Dine asked if the skier cap would be expanded at some point. Mr. Issowitz replied that the skier cap is related to the restaurant seating and experience in the lodges. On a per acre basis they have more than everyone else. From that standpoint the carrying capacity is substantial, but they have always had a value associated with lodges, dining, and other things of that nature, and the number fluctuates.

Commissioner Hall asked if Deer Valley provides incentives for staff or skiers for not using a single-occupancy vehicle. Mr. Issowitz stated that they did last year; however, they found some abuse. The HR group has plans in place for incentives. The Ride Amigos app will also tie into a way to incentivize and that can be more measured and tracked. Commissioner Hall asked if those incentives would only be for staff, or for skiers as well. Mr. Issowitz replied that it would be for skiers as well.

Commissioner Hall asked if Mr. Issowitz knew the percentage of skiers who are ski in/ski and the skiers who do not use parking. Mr. Issowitz did not have an exact number, but he noted that a significant number of condos and hotels in Deer Valley that are ski in/ski out. Holidays are not the biggest parking days because hotel occupancy is high.

Commissioner Kenworthy thought the additional parking would help with public safety because it will keep cars off the road. Looking at the big picture, he thought it was obvious that everyone wants an efficient and reliable transportation system. The question is what it will take to get there. Commissioner Kenworthy remarked that this was different than the SR248 issue because SR248 is a State Road and the 100 yards of asphalt will be there forever. They need to make hard decisions and they need to

find solutions as they find this roadway to an efficient and reliable transportation system.

Commissioner Sletten asked if the requested parking was ultimately approved by the Planning Commission and the City Council if it would be paved and operational by this coming winter. Mr. Issowitz stated that being operational this winter was the goal when they started talking about it months ago. Due to the delays in coming to the Planning Commission, they were losing their window to lay the asphalt. The goal was still to have the parking in place this winter. Ms. Issowitz pointed out that they were only proposing to expand the asphalt 65-75 feet on the west and straighten out the jogged piece. They were not adding an entire parking lot or doing additional grading. It would be an easy job but they need approval before anything can be scheduled.

Planner Hall agreed that pavement would reduce the number of times people would be parking on the street. Currently, 10% was 12-13 days. She suggested that if the Planning Commission approves this project for additional asphalt there should be a cap and Deer Valley would not be allowed the 14th day regardless of other circumstances. Commissioner Hall wanted to know what would happen on the 14th day.

Director Erickson stated that part of the management strategy would be to build a harder stop than what is already in the Development Agreement. He remarked that in some development agreements lift tickets sales can be restricted; but that clause does not exist in this Development Agreement. Director Erickson anticipated additional questions that would need a response. For example, would the cap apply on an event day or would special events be controlled by negotiating with transit and mitigations. He explained that the 10% number requires Deer Valley to go back to the Planning Commission and it was up to the Planning Director to enforce. Mr. Issowitz agreed.

Commissioner Thimm had several thoughts as to what might be done to mitigate without doing more paving. Most of his points had already been covered in the discussion, but he wanted to know if Deer Valley had looked at options for the current parking layout before devising a plan to expand the parking lot. Commissioner Thimm note that adding 1.1 acres of paving to park 90 cars is approximately 532 square feet per stall, which is not very efficient. He wanted to know if they had looked at the current parking layout to see if they could add two more rows at x-number of cars per row, rather than adding the asphalt. Mr. Issowitz remarked that the number would need to include drive aisle to be able to access the two additional rows. In terms of efficiency, Mr. Issowitz travels to other ski resorts and he would challenge anyone to find another ski area that parks more efficiently than Deer Valley. He acknowledged that some days they become a little less efficient, but overall it is the most efficient. He assured Commissioner Thimm that it had been considered.

William Keitor with Deer Valley Guest Services, stated that if the Planning Commission approved the requested parcel, he thought they could eliminate a number of those overflow parking days on the street. If this parcel is paved for parking, it would eliminate a mile of street parking from the St. Regis to Queen Esther. Street parking from Queen Esther to the firehouse generally occurs on the weekends when the Treasure Mountain protocols are in place, and that helps. The concern is when they have street parking mid-week and they do not have the Treasure Mountain protocol. At that point all they can do is send people to China Bridge, which takes up space on China Bridge for the other businesses and people who need to use China Bridge.

Mr. Issowitz stated that Deer Valley had spoken with the Main Street Alliance about parking at China Bridge and whether that would be helpful. They will continue having discussions to see if incentives can be offered to help bring more business to Main Street and at the same time have the potential for overflow traffic parking at China Bridge. Mr. Issowitz questioned whether that was a perfect solution because there are always unintended consequences. He emphasized that this small area of additional asphalt would reduce the number days they would need to park cars on the street and the number of cars parked on the street. When they went before the City Council, the Council felt that parking from the curve down by Queen Esther and around was more bearable than the section of Deer Valley Drive from St. Regis down.

Commissioner Thimm favored eliminating street parking. If the expansion results in less days for street parking, that is a positive benefit. Increased paving and the heat island effect is a negative factor; however, they were not proposing paving on an undisturbed area. Trees would not be cut down and nature would not be ruined or affected. In terms of losing the bike path for even part of the year, Commissioner Thimm preferred to have that as a last choice. For the next meeting he would like to see a parking layout so the Commissioners could understand the efficiency. Mr. Issowitz had the layout that was done by Alliance Engineering and he would include it in the next submission.

Commissioner Sletten noted that it was already August 14th and winter was coming quickly. If the plan is to build the parking lot in the very near future, they need to look at fast-tracking the additional parking.

Commissioner Suesser stated that she goes to the ponds a lot and she walks her dog in that area. She loves the space, but she did not believe that expanding the parking lot would infringe too much on the open space. It is a good solution. The neighbors would be less impacted and it will preserve the bike path. It would also eliminate the public safety issues and snow removal issues to a great extent. Commissioner Suesser

agreed that this was a good solution for a space that will eventually be redeveloped in the near future.

Commissioner Hall was impressed that 15% of the employees are not taking a vehicle to the parking lot. She asked what percentage of employees come from Park City and the percentage of that staff that drives to Deer Valley. Mr. Issowitz did not have those numbers because they do not have the means to track every staff car. He noted that the total staff is 2800 but only 1400 work on any given day. As technology advances they might be better able to understand how many drive and how many use other means of transportation. Commissioner Hall did not favor removing the bike lane. She bikes a lot and she dislikes street parking for the same reason. Commissioner Hall supported removing the cars off the street and keeping the bike lane. She also favored the carrot rather than stick approach to incentivize people to carpool or use public transportation as opposed to single-occupancy vehicles.

Commissioner Kenworthy agreed with his fellow Commissioners. He echoed Commissioner Sletten in terms of running short on time to pour asphalt. Garrett Lang, Mountain Venue Operations Manager, stated that asphalt can be poured in an average temperature of 60 degrees or above. However, in September the chances of maintaining 60 degree temperatures being to fade. The 60-degree window during the day gets shorter as well. Commissioner Kenworthy emphasized that if the Planning Commission chooses to approve this request, they need to move forward quickly. Mr. Lang stated that mid-September would be pushing it weather-wise.

Chair Phillips called for public input.

David Bowles stated that he was representing the Fawn Grove HOA. Fawn Grove has approximately 60 units that surround these lakes and this green area and they would like to see it stay that way. However, people park in their parking lots and along the street making it harder for the residents to get in and out of their units. Mr. Bowles thought the best question was whether the cap was increasing. He commented on the increased number of skiers on the Mountain with Ikon and he was concerned that increasing the cap would use up the additional parking space for new skiers and people would still be parked on the street. Mr. Bowles believed the HOA had a valid concern that increasing the space and taking away from the green area was not necessarily the right solution.

Mr. Bowles requested that Deer Valley explore other solutions, such as creating busing on and off site; putting a parking lot elsewhere and incentivize people to use that parking lot and take the bus. He recognized that taking the bus is a hassle, but if Deer Valley would consider incentivizing skiers with the money they intend to use to expand the

asphalt parking, the Fawn Grove residents would like see that type of program put in place. Mr. Bowles stated that another idea would be to expand the Deer Crest parking area. If they need to expand the parking lots, he asked if they could build it closer to the Resort.

Mr. Bowles stated that because this was a work session the Fawn Grove HOA wanted to provide input and express their opinion that there could be other solutions besides taking away the grass. Mr. Bowles stated that with so much snow last year, he believed there was room for improvement on clearing the parking lots. A lot of times the snow is piled up in parking spaces, which reduces the number of available spaces. The residents would appreciate it if Deer Valley could address that issue. Mr. Bowles noted that Mr. Issowitz had mentioned only 2% of the skiers were Ikon passes. He believed there were more skiers on the mountain and he asked if they increase the cap each year.

Mr. Issowitz replied that the cap does not change. It only changes on a daily basis based on weather. He explained that the skier cap is based on restaurant seating; not on parking or chair lift capacity. Mr. Bowles thought it should be based on parking. Mr. Issowitz pointed out that the cap would allow more skiers if it was based on parking.

Mr. Bowles commented on concerns related to the reduction of the greenspace. The residents saw the ponds go down and recently a motorized skateboard park was built on one of the islands. The resident felt like they were being hit from several sides, and that the greenspace area should be preserved as best as possible. Mr. Bowles expressed concern with adding additional asphalt even in their view plains. He hoped Deer Valley would take their comments and concerns into consideration.

Commissioner Hall asked Mr. Bowles if he takes the bus to Deer Valley. He stated that he only needs to walk across, but he does use the bus and shuttles. Fawn Grove appreciates Deer Valley and they like working with Deer Valley, but a number of the units face directly where they are talking about putting the parking area. The residents know the Village will be built someday, but if they could build the parking closer to the ski resort, it would be a better and longer term solution.

Mr. Bowles thanked the Planning Commission for the opportunity to speak. He was willing to work with Deer Valley to find solutions to their concerns.

Mr. Issowitz noted that Deer Valley has encouraged various subdivision in lower Deer Valley to form a group so as they move forward with the Village plans they will have a cohesive group to talk to. The residents will work together and the group will be their

voice to work with Deer Valley on future plans. He believed Lakeside HOA was spearheading that effort and he encouraged Mr. Bowles to contact them.

Troy McLean stated that he was representing Deer Lake Village. He noted that Deer Lake Village is one of the communities who pay to have the shuttle come through their community so there is no need for any parking. Mr. McLean encouraged other communities to pay for the shuttle and have the shuttle come through for their residents because it works very well. However, it does not work when there is so much traffic on the Loop that the shuttles cannot get through, which happens several days. He heard from the shuttle drivers that at one point the traffic was reduced to one lane. He did not know how the police allowed that to happen because there is no way the fire department could get out if something happened. A car was parked in the middle of the lane and left, and it stayed there all day while the driver was skiing.

Mr. McLean stated that Deer Valley is owned by a corporation and their job is to make money. He found it interesting that they were having conversations about something that is a public safety and quality of life issue for many people who live in or near Deer Valley. The context is if this was occurring by some mistake or that nature was creating the problem. Mr. McLean stated that people were creating the problem. He acknowledged that the residents need to co-exist with the businesses that support their community; but the purpose for Deer Valley is to get more skiers and take more money from those skiers and develop the property. He suggested that the Planning Commission allow Deer Valley to expand the parking spaces and stop parking on the street completely. In the end the most important factor is to ensure safety for the people who come to ski and for the residents, and to improve the quality of life for everyone. Mr. McLean encouraged the Planning Commission to force Deer Valley to come up with more creative solutions. He thought they should stop the parking altogether.

Mr. McLean thought it was inaccurate to say that there were no safety problems or no reports to the police. He and others called the police department. They called Deer Valley and were never called back. He saw a car get sideswiped and multiple times people almost got hit. They should build the additional parking spaces, eliminate street parking and focus on coming up with a timetable to increase the parking.

Mr. Keitor commented on the issue with the fire house. He has worked the parking lots for four years, and he heard nothing about the firehouse until this year. The minute he heard about the problem he went to the fire house and arranged with them where to put cones to prevent street parking so the fire department would have access to get out. They coordinated with the fire department and it was communicated to every crew throughout the seven days.

Commissioner Kenworthy asked if Deer Valley schedules additional employees on powder days because the crowd comes early and hard. Mr. Keitor stated that when they go into street parking, they borrow from the Corral. They are staffed larger on weekends but if it is a mid-week day and they might have to go to the street, he makes sure to have people who are experienced in parking Lot 5 in order to avoid street parking. If they need to go to street parking, there is additional staff to do that. They borrow from the Corral, which means that the people left in the Corral need to be quicker.

Chair Phillips closed public comment.

Chair Phillips stated that if the Planning Commission decides to approve the additional pavement, he thought they should also look at street parking strategies and where it is occurring to understand it better. Street parking would hopefully be less, but he wanted to look at sections where street parking could be eliminated completely to ensure the public safety.

Mr. Issowitz asked if they would work with the Planning Commission or Engineering on the street parking idea. Director Erickson believed it would be a group effort with Staff. The City Engineering, Transit Planning, and the Planning Department would all need to be involved. He would think about doing a Staff Communication Report back to the Planning Commission. It would be informational only and not a regulatory action.

Chair Phillips clarified that he was not suggesting a requirement to completely eliminate street parking. He was only suggesting that they find ways to have more control over how street parking occurs.

VII.B. 900 Round Valley Drive, Park City Medical Campus – Master Planned Development Amendment—The Applicant is proposing to amend their Master Planned Development Agreement to increase square footage for the Park City Medical Campus to build a 20,000-square-foot medical support building on Lot 6, and a 30,000-square-foot medical office space addition to the hospital on Lot 1. (Application PL-19-04204)

Commissioner Suesser recused herself and left the room.

Planner Rebecca Ward reported that the applicant filed a request in 2015 to increase the density for the Park City Medical Campus. At that time the discussion was continued to a future date. In April 2019 the applicant filed another application on the medical campus to request 20,000 square feet for an ambulatory surgery center on Lot

6. They were also requesting an additional 30,000 square feet of medical support offices to be located on Lot 1 where the current hospital is located.

Planner Ward provided a brief background. She stated that the 157,000-acre medical campus site was annexed into Park City in 2006. It is located on the northwest quadrant of the Quinn's Junction intersection. Originally the campus was an 11 lot subdivision. In 2016 Lot 8 was divided creating Lot 12. Earlier this year, Lot 4 was divided creating Lot 13.

Planner Ward stated that based on the current density on the Park City Medical Campus, the hospital has been granted 180 unit equivalents. The annexation agreement established 1,666.67 square feet per unit equivalent. Planner Ward remarked that the hospital was granted 300,000 square feet for hospital uses. The reason for that increase was to accommodate larger hallways and other needs of the hospital. That square footage was counted as 180 unit equivalents. Planner Ward pointed out that The United States Ski and Snowboard Association was granted 85,000 square feet for a training facility at 85 unit equivalents. For support medical, the applicant was granted 150,000 square feet or 150 unit equivalents. Planner Ward stated that on Lot 7 25 unit equivalents were constructed for the Physicians Holdings Medical Support Offices. Another 25 UEs were constructed for the People's Health Clinic and Summit County Health. She noted that 25,000 square feet from Lot 8 was transferred to Lot 1 for support medical offices. In addition, 25,000 square feet from Lot 6 was transferred to Lot 1. Lot one has a total of 100 unit equivalents of support medical offices. Planner Ward noted that 100,000 unit equivalents have been built.

Planner Ward reported that Lot 2 is open space. IHC dedicated Lot 5 to Park City at the time of annexation. It is a 15-acre lot and potential recreational facilities will be considered for the lot at some point. Lot 12 is currently allocated as open space. Earlier this year, Lot 13 was created for a future fire station. Planner Ward stated that IHC was leasing Lot 8 to Peace House to construct a facility. She pointed out that the fire station and the Peace House facility would not count against IHC density.

Planner Ward noted that page 57 of the Staff report outlined the density for each lot on the IHC campus. Approximately 162,000 square feet are remaining for hospital use.

Planner Ward stated that because the Medical Campus is located in the Community Transition District, the applicant was requesting an additional 50,000 square feet, which would put the density at 2.96 unit equivalents per acre. The Annexation Agreement granted 2.64 unit equivalents per acre. Under the Code, in order to approve the additional density, the requirements include 80% open space; a 300-foot Frontage Protection Zone setback; tiered parking; potential connections to public transit; trails

and pedestrian improvements; compliance with Sensitive Lands, and 110% of the base affordable housing requirement.

Morgan Bush, representing IHC, stated that IHC has been working with the City since 2002, starting with the Annexation process, to try to create a campus that is consistent with the values of Park City in terms of observing open space, etc.

Mr. Bush stated that the objective this evening to talk about the additional density request, the history of their request, to review the Development Agreement that was put in place in 2017, and how IHC complies with the CT zone requirements for the 3 to 1 bonus. He was also looking for direction from the Planning Commission on parking and affordable housing. Those two issues need to be addressed in order to get approval for additional density on campus.

Mr. Morgan reported that IHC was requesting 50 additional UEs; 20 on Lot 6 for the surgery center and 30 UEs on Lot 1. He presented a slide showing their version of the Master Plan. The buildings identified in white were already constructed. The two shown in yellow behind the hospital and to the side of the hospital were the proposed sites for the already approved future hospital additions. The purple lots represented the surgery center on the lot by the roundabout, and the medical support space potentially being on Lot 1 adjacent to the new hospital addition. The blue color represented the proposed surface parking that would be part of the ambulatory surgery center. The turquoise color represented the existing 128 surface parking spaces behind the hospital located next to the existing 92 structured two-deck parking terrace. Mr. Bush stated that the terrace would be extended over the 128 surface parking spaces to create more structured parking on the back of the facility. Mr. Bush remarked that the goal is to increase the parking without having to encroach on any undeveloped land and to stay within the original limits of disturbance.

Mr. Bush reported that in 2015 IHC submitted their second amendment that included 5 items; including Peace House. In October 2015 the Planning Commission requested that IHC delay consideration of the additional density and it was continued to a date uncertain. In January 2016 the other four items were approved. Mr. Bush stated that he started attending Planning Commission meetings during the Treasure Hill hearings and decided to wait until Treasure Hill was resolved. After the bond election was held they started conversations with the City due to their need for the surgery center. Mr. Bush clarified that the application for additional density was resubmitted in April 2019.

Mr. Bush stated that in December of 2017 the Development Agreement was completed and the five outstanding obligations were met. They completed, executed, and recorded the trails easement. Regarding the first affordable housing obligation, a

contribution was made to Peace House and the facility was currently under construction. Mr. Bush had met with the Housing Authority earlier this year proposed a plan to fulfill the remaining 6.82 unit equivalents and that plan was approved. IHC is working with the City to have units deed restricted at 1440 Empire and Rail Central to fulfill that obligation. The Frontage Road easement was on the subdivision plat. The parking study was submitted with this MPD amendment. Mr. Bush pointed out that IHC made sure they had met the existing obligations before requesting approval for additional density.

Mr. Bush stated that the request was to move from 2.64 to 2.96 unit equivalents. As part of the original MPD, they fulfilled the 80% open space, the frontage protection zone, and the enhanced public benefits. Per an agreement they did not need to fully comply with the parking and the affordable housing before the hospital was opened because they were not building all the density at that time. However, the parking and affordable housing eventually needed to be fulfilled.

Mr. Bush stated that parking was still an outstanding issue. IHC had commissioned Fehr and Peers and the traffic study shows that even with the 50 additional units, all the intersections on Campus would operate at a C or better level. He pointed out that the additional density would not have a significant impact on roads and traffic. Mr. Bush noted that the additional density would impact the parking. Fehr and Peers recommended that IHC provide 75 stalls for the Ambulatory Surgery Center and additional parking on the hospital, not for the 30,000 square feet of medical support, but as the hospital is expanded additional parking should be provided. Fehr and Peers estimated 98 parking stalls. The 128 parking surface spaces in the rear would be decked over to create the additional required parking as they do the other additions.

Mr. Bush reported that Fehr and Peers also recommended that IHC consider Traffic Demand Management Strategies. He noted that IHC received the report in February and the hospital administration was evaluating the recommendations. When they come back with a final application, they will talk about which strategies IHC will pursue and implement as part of the application for additional density.

Regarding affordable housing, Mr. Bush stated that IHC had proposed to deed restrict all the units at 1440 Empire and Rail Center, and to use the extra units above the 6.82 UEs to count towards future affordable density for this project. That additional proposal was not approved because the Housing Authority did not want to presume a Planning Commission decision. They suggested that Mr. Bush talk with the Planning Commission and return to the Housing Authority with an affordable housing plan which may include those units or other projects. Mr. Bush stated that he committed to working

with the Community Development Department to amend the housing mitigation plan; depending on the decisions of the Planning Commission.

Mr. Bush requested that the Planning Commission provide direction on any additional information they would like IHC to provide with the final application for approval; as well as any issues IHC should be prepared to discuss when they come back to the Planning Commission.

Commissioner Sletten referred to the color-coded slide and thought it appeared there were two locations for the surgical center. Mr. Bush stated that the purple color was the actual building, and the blue color was the parking on Lot 6.

Commissioner Thimm referred to page 65 of the Staff report and commented on the amount of math. He asked if the numbers could be cleaned up for the next Staff report. Commissioner Thimm stated that the language talks about an 8,000 square foot obligation and a total density bonus of 48,000 square feet, which was the result versus the 50,000 square feet.

Mr. Bush explained that when Peace House was presented to the Housing Authority and IHC asked for credit towards part of the affordable housing obligation, Peace House had received funding from Summit County for some of the Summit County affordable housing obligations. Therefore, the Park City Housing Authority determined that 8 units of density on this Campus needed to be counted towards Peace House and would not be available for IHC to develop. Mr. Bush stated that when he originally tried to figure out the application, he referred to the subdivision plat and believed he had 158 acres rather than 157 acres. He was asking for 50,000 square feet and leaving 9,000 square feet undeveloped thinking that the Planning Commission could make a Finding that the remainder of potential density under the 3 to 1 bonus was not available for development in order to satisfy the Housing Authority requirement. In conversations with Staff, he could either request 58,000 square feet and have it reduced to 50,000 square feet; or they could request 50,000 square feet and document that 8,000 square feet is undevelopable in order to fulfill the Housing Authority requirement. Mr. Bush was open to either option in order to satisfy all their obligations. He emphasized that it was a finding of the Housing Authority and it needs to be taken into account as they go through the application.

Commissioner Thimm preferred to have that issue resolved when the actual application comes to the Planning Commission. Mr. Bush stated that he would work with Staff on the application and how they would fulfill the decision of the Housing Authority.

Commissioner Kenworthy asked who currently leases the 1440 Empire and the Rail Trail units. Mr. Bush stated that Mark Fischer owns and manages the building. As part of the Bonanza agreement he was given the opportunity to monetize the affordable housing obligation. Physician Holdings, who owns the building next to the proposed surgery center, has an outstanding affordable housing obligation. IHC has an agreement with Mark Fischer. If he deed restricts those buildings, he will be compensated by IHC.

Commissioner Kenworthy asked if the current tenants meet the affordable housing guidelines. Community Development Director, Anne Laurent, stated that the deed restrictions were not yet on the unit. She understood that over the last few years they were master leased to Stein Lodge and their employees are housed there in dorm style housing. Most of the units are two-bedroom and there are two beds in each room. Ms. Laurent remarked that once the deed restrictions are in place, all the tenants will need to be qualified. Mr. Fischer has assured that all the tenants qualify and no one will be dislocated. However, until the deed restriction is in place, the City will do an annual compliance the same as they do with deed restricted rental property.

Chair Phillips recalled that when Mr. Fischer came in with an application that was eventually withdrawn, he was using it as being progressive in affordable housing. Chair Phillips wanted to make sure it was not being counted as affordable housing towards multiple applications.

Commissioner Van Dine referred to the surgery center and wanted to know the number of operating rooms and how many cases are anticipated each day. Mr. Bush stated that the initial projections estimated 2 operating rooms to start and going to three and potentially a fourth operating room when it is fully built out. He noted that most of the cases will shift from the hospital to the surgery center. The primary reason for the surgery center is to lower the prices of routine out-patient surgeries. Commissioner Van Dine thought the parking was significant for two operating rooms. Mr. Bush stated that the parking was a recommendation from Fehr and Peers based on full built-out. Four would be the maximum number of operating rooms at build-out. Mr. Morgan stated that when they come in for the CUP, he could potentially see a phased parking plan. However, for the master plan, they needed to show the full potential building and the full potential parking in back. The diagram was intended to show full build-out.

Chair Phillips clarified that the parking structure in the back was always planned. Mr. Bush answered yes. In order to achieve the parking and preserve the open space, they had to do structured parking. They preferred to put the parking in the back so the hospital will look good and be visible. Chair Phillips recalled that the berm was also placed to help screen the parking.

Commissioner Kenworthy asked if there has been discussion about the public transit facility component. Mr. Bush stated that when Fehr and Peers did the traffic and parking study, they noticed the stop in front of the Public Health Building; but they did not notice the transit stop at the front door of the hospital. The stop is not obvious and they have not had regular bus service scheduled to the hospital yet. The circulation and front door entry was designed for the ability to facilitate public transit when the City was ready to provide the service.

Chair Phillips called for public comment.

There were no comments.

Chair Phillips closed the public comment.

Director Erickson provided an update on what the Planning Department was looking for. If the Planning Commission agrees he would add it to the list of things to do. Director Erickson stated that since this was a phase development over a period of time, and keeping with the Campus, the Staff was not looking for detailed exterior architectural drawings at this point. They were trying to figure out how to write design guidelines so the buildings are consistent but not replicative of the hospital. If and when the Planning Commission elects to approve this application, there would be a set of design guidelines that future buildings would need to meet. Director Erickson remarked that the Staff needed to work on the difference between a bus stop and a transit center. He noted that the other information the Planning Commission was requesting would be in the application and clarification of the housing. They would also check the parking against the building uses.

Commissioner Kenworthy asked if a public transit center would affect the density and approval. Director Erickson thought the hospital was too remote for a pure transit center because it is at the end of the line. A comfortable waiting area for those waiting for transit would be sufficient.

Mr. Bush noted that design guidelines were development for the Campus with the original facility. Those guidelines were shared with Physician Holdings, with the Summit County, and with Peace House because IHC has an interest in looking consistent and not having buildings that detract. He was open to sharing their guidelines for the Campus and if the Staff or Planning Commission wanted to make adjustments, IHC could take that under consideration. Director Erickson was not aware of the guidelines and having those would be very helpful.

Commissioner Hall asked about open space. Mr. Bush stated that when they originally did the 80% open space calculation, it did not include any of the open space inside of Round Valley Drive and Gilmore Road. The Surgery Center, the trail, the Physicians Holdings Building, and Peace House were not originally counted in the 80%. As they continue to develop and subdivide, there is potential open space in Lot 12 that was not counted in the past. Mr. Bush noted that they were being very careful to keep the new proposals within that original disturbance area. He believed they would be above 80% open space when they come back with the final calculations. The intent has always been to keep Quinn's Junctions as an appeal entryway for Park City.

Chair Phillips was comfortable with what was being proposed.

Commissioner Thimm commented on a recommendation in the Staff report about submitting an open space analysis. He asked if that would be provided when the application comes back for action.

Mr. Morgan stated that the Staff has requested three items; the open space analysis, the peak daily demand for water and to validate it with the Water Department, and the design guidelines. He intends to provide that information when they back so the Planning Commission will have everything they need to make the right decision.

Commissioner Hall asked if the plan was to leave everything not marked as open space, but without improvements or tree plantings. Mr. Bush replied that it was left open. However, they took part of the open space when they put in the community garden at the west side of the front parking lot. They did not plan improvements because this development borders on City Rec property. The intention is to keep the feeling of having more of the recreation property open space and natural with trails, and not try to develop a lot of recreational components. The recreational components tie more with the City Rec property. For that reason, Lot 5 was given to the City as a community benefit to allow additional resources and connect with the City Rec property. That was the intent of the original Master Plan and that has not changed.

Commissioner Van Dan asked if IHC was planning to apply for 56 units or 50 units for affordable housing. Mr. Bush stated that he would coordinate with Staff in terms of how many would apply and how they account for the 8 units that need to be withheld. He will work with the Staff so it will be clear in the application.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

VIII.A. 3800 Richardson Flat Rd – Conditional Use Permit – The site currently contains the Quinn’s Water Treatment Plant. The Applicant is proposing one additional structure that will contain equipment/materials storage and will consist of 2,400 square feet. This structure is classified as an essential municipal public utility use, facility, service, or structure greater than 600 square feet, which is a conditional use in the Recreation and Open Space (ROS) zone. (Application PL-19-04184)

Planner Laura Kuhrmeyer reported that the original MPD approved a future building of 4800 square feet. Park City Municipal is the applicant. The applicant was proposing an 824 square foot building, which is half the size allowed per the MPD.

The Staff recommended that the Planning Commission conduct a public hearing and considering approving the request for a CUP for a water treatment plant at 3800 Richardson Flat Road within the ROS zone, based on the findings of fact, conclusions of law, and conditions of approval found in the Staff report.

Roger McClain with the Park City Water Department was present to answer questions.

Commissioner Suesser referred to Item 7 in the Staff Analysis section, which states that the applicant was proposing berms to visually screen the new parking area. However, Finding of Fact #26 states that the applicant was not proposing any new landscaping. Planner Kuhrmeyer believed it was a typo. The applicant was proposing berms and she would amend the findings.

Mr. McClain stated that the intent was to do a combination of bermings and screen fencing, and associated landscaping. He noted that it was always intended to be landscaped for the parking areas between the visual Rail Trail roads and the Richardson Flat road.

Commissioner Suesser commented on the proposed parking and asked if they anticipated having a lot of employees at these facilities. She thought the building was more for equipment storage.

Planner Kuhrmeyer stated that the new structure was mainly for maintenance equipment and storage. There would be no additional employees for this structure. She understood that the additional parking was for employees when the spaces are taken up by City vehicles that are parked and not in use. Mr. McClain stated that they were relocating a number of employees to this location from Public Works and the proposed Three Kings Treatment Plant. That staff will be moving out onto the second floor, which is part of this application, and that space will be remodeled. The parking

supplements the existing parking and it is intended for the relocated employees and operations vehicles. The operations vehicle parking will be located at the rear of the site so it does not conflict with employee parking.

Mr. McClain remarked that the proposed maintenance building will be used to store equipment, trailers, pipe, and other items inside.

Chair Phillips asked for the purpose of expanding the detention basin. Mr. McClain stated that expanding the basin is for the purposes of pigging the water lines from Signal Hill at Promontory down to the treatment plant; or from Three Kings Water Treatment Plant. The process is to put a swab through the pipeline to clean it on an occasional basis to make sure they do not lose capacity in the pipelines. Pigging occurs on an infrequent basis, depending on how much materials carry in the lines from Rockport Reservoir. The basin is full of water for a short period of time. It is raw water and the Division of Water Quality has looked at that with respect to potential impacts on surrounding areas, such as brown water in the stream and wetlands. The DWQ approved the use for expansion.

Mr. McClain stated that they also worked with the Army Corps of Engineers and the EPA. Their concerns related to the operating unit and they wanted to make sure there were clean materials underneath any of the areas they were proposing to clear out and that the materials were handled properly. Mr. McClain remarked that the pond is a receiving area and combination storm water from the site. There is no discharge from the pond. It infiltrates into the ground over a period of time.

Chair Phillips thought there would be significant re-grading in those areas. Mr. McClain answered yes. Chair Phillips asked if they anticipated displacing the materials on site, or whether materials would be trucked in to build the expansion. Mr. McClain replied that the intent was to keep all the materials on site. Exploratory work was done to see if there were contaminated soils. It appears that there is but within the limits to be able to keep them in the berming areas on the site.

Chair Phillips asked if most of the material would come from the site to build the berms. Mr. McClain answered yes. It would come from the excavation of the pond area and other area. Chair Phillips initially had concerns with visual impacts from the Rail Trail, but it was apparent that landscaping and trees were proposed to help mitigate the visual impacts. Chair Phillips noted that the illustrations in the exhibits show very large trees. He asked Mr. McClain to make sure the trees are large enough to actually fill in and help screen the facility.

Commissioner Suesser asked if this was the same lot that was proposed for the park and ride. Director Erickson answered no. The park and ride lot is in a completely different area.

Chair Phillips asked if this proposal would satisfy the needs for this facility for the next 30 or 40 years. Mr. McClain stated that the projection is for this plant to suffice for an extended period of time.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to APPROVE the Conditional Use Permit for the expansion of the Essential Municipal Public Utility Use at 3800 Richardson Flat Road, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended with the revision to Finding #36 to include the berms and landscaping. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Quinn's Water Treatment Plant

1. The site is located at 3800 Richardson Flat Road.
2. The site is located in the Recreation and Open Space (ROS) zoning district and is within the Entry Corridor Protection Overlay (ECPO).
3. The proposed project includes:
 - a. A new 2,400 square foot treatment/equipment/materials storage building
 - b. Additional operations and employee parking
 - c. Two (2) treatment equipment buried/bunkered vault structures and piping
 - d. Existing storm water retention basin grading modifications
 - e. Interior improvements to the existing water treatment building
 - f. Remodeling of the existing second level operations and administration area (including new windows)
4. The Master Planned Development (MPD) and existing Conditional Use Permit (CUP) allowed for a 4,800 square foot future building.
5. The proposed additional structure has a total of 2,400 square feet of gross floor area with a footprint of 2,400 square feet.
6. The proposed additional structure is proposed to be located to the south west of

the existing Water Treatment Facility.

7. A water treatment facility is an essential municipal public utility use, which is classified as a conditional use in the ROS zone if it is greater than 600 square feet.
8. The proposed Lot is 4.17 acres in size.
9. The proposed structure complies with all setback and LMC requirements.
10. On June 13, 2019, the City received a complete Conditional Use Permit application for this water treatment plant.
11. The subject area is located within the Park City Soils Ordinance boundary.
12. The construction mitigation plan will detail all work related to the soils ordinance area, and all construction will meet the requirements of the ordinance.
13. The existing access to the site from Richardson Flat Road will remain.
14. The project meets the ROS Setback requirements of 25 feet from the property line or ROW and is outside the ECPO 200 foot zone setback area.
15. Operations and employee vehicle parking is provided on site.
16. The proposed use and site improvements require 34 parking spaces.
17. The applicant is proposing a total of 55 parking spaces.
18. The maximum Building Height in the ROS zone is twenty-eight feet (28') from Existing Grade, with an additional five feet (5') for a pitched roof of 4:12 or greater.
19. The proposed structure has a maximum height of twenty-three feet (23').
20. The Applicant is not requesting any Building Height exceptions at this time.
21. The original MPD Approval allowed for a total footprint of 29,602 square feet, including the 4,800 square feet for a future building. The current proposal will create a total footprint of 27,202 square feet.
22. All proposed structure meets the 25 feet MPD Setback requirements.
23. The minimum required open space is 60 percent of the site. The original MPD approval included Lot 1 consisting of 4.168 acres (approximately 181,558 square feet) and accommodated 32,234 square feet gross area for the water treatment plant, circulation, and parking. The original approval was for 82.25% Open Space and 17.75% covered. Since the original approval included 4,800 square feet for a future building, and only 2,400 square feet is being proposed, the Open Space is actually increasing to approximately 83.57% Open Space with only 16.43% covered. Further, Lots 2 and 3 of the Subdivision provide additional Open Space.
24. The proposed new structure does not trigger a requirement for employee or additional housing since it will not generate an increase in staff and is smaller than the originally approved 4,800 square foot future building.
25. The entirety of the lot is within of the Sensitive Lands Overlay Zone.
26. Portions of this property are located within Flood Zone A, all development within the Flood Zone shall provide elevation certificates certifying compliance with the minimum FEMA Flood Zone requirements outlined in 44 CFR 60.3.

27. The Army Corps of Engineers (ACOE) provided a verification letter stating the proposed activities in waters of the U.S. associated with the project are authorized by Nationwide Permit Number (NWP) 39. The verification is valid until March 18, 2022, when the existing NWPs are scheduled to be modified, reissued, or revoked.

28. The Division of Water Quality provided a letter dated February 28, 2019 verifying permitting and monitoring will not be required for Quinns Junction Water Treatment Plant raw water pig receiving basin.

29. Based on the original MPD Approval, at least four (4) bicycle parking spaces have been provided, according to LMC Section 15-3-9: Bicycle Parking requirements. No additional bicycle parking is required as the number of required Off-Street Parking Spaces has not increased.

30. The proposed facility meets LMC 15-1-10(E)(1) in that the Lot is 181,645.2 square feet (4.17 acres). The site is located on Richardson Flat Road and is within Recreation Open Space. The proposed building meets all ROS and ECPO zoning requirements (building height, setbacks, etc.).

31. The proposed facility meets LMC 15-1-10(E)(2) in that the proposed additional building is mainly for maintenance and equipment storage and will not increase traffic. There is no change in Use that would generate additional vehicular trips beyond the current Use. Construction related traffic will also be mitigated, through the Building Permit review, with specific hours of operation and access to the site.

32. The proposed facility meets LMC 15-1-10(E)(3) in that two additional treatment equipment buried/bunkered vault structures and piping are proposed on site. The proposed additional building will not require any additional utility capacity for this site.

33. The proposed facility meets LMC 15-1-10(E)(4) in that the existing access to the project site is via a driveway entrance from Richardson Flat Road. This access will remain with the new facility.

34. The proposed facility meets LMC 15-1-10(E)(5) in that while the current Land Management Code requires a minimum of thirty-four (34) parking spaces for the existing and proposed structures on Site, the Applicant has proposed additional parking, to include a total of fifty-five (55) parking spaces on site. The applicant proposes 30 "Employee/Visitor" designated spaces, 1 "ADA" designated space, and 24 "Operations" designated spaces. Employee parking will generally occur between 7am and 4:30pm Monday through Friday while the Operations parking will be used 24/7 365 days per year for City vehicles that are not in use. The idea is to separate the Operations parking from the Employee/Visitor parking to ensure that employees are always able to find a parking space. The applicant proposed berms to "screen" the parking visually. Currently, there are some informal "parking spaces" that are located on gravel or unpaved surfaces. Since

this is not allowed by the Land Management Code, the applicant is proposing to improve the site by providing additional paved parking. The proposed additional parking is not anticipated to increase traffic as the number of employees is not changing.

35. The proposed facility meets LMC 15-1-10(E)(6) in that the existing vehicular and pedestrian circulation will remain the same. While some informal "parking" is provided on gravel/unpaved surfaced, the applicant proposes to pave this area to meet LMC standards of paved parking. The applicant proposes an additional paved parking area (see Exhibit C) to accommodate the maintenance and equipment storage building and to provide extra parking for employees as well as year-round Operations vehicles that will be stationed there when not in use.

36. The proposed facility meets LMC 15-1-10(E)(7) in that the applicant is not proposing any new fencing, but is proposing landscaped berms to shield the parking from public view. The proposal has been conditioned so that any disturbed landscaping shall be brought back to existing conditions or improved.

37. The proposed facility meets LMC 15-1-10(E)(8) in that the proposed additional building is in compliance with the Zone building height requirements and is smaller than the surrounding buildings. The proposed structure is intended to match the mass, bulk, and orientation of the existing Water Treatment facility on site.

38. The proposed facility meets LMC 15-1-10(E)(9) in that the minimum required open space is 60 percent of the site. The original MPD approval included Lot 1 consisting of 4.168 acres (approximately 181,558 square feet) and accommodated 32,234 square feet gross area for the water treatment plant, circulation, and parking. The original approval was for 82.25% Open Space and 17.75% covered. Since the original approval included 4,800 square feet for a future building, and only 2,400 square feet is being proposed, the Open Space is actually increasing to approximately 83.57% Open Space with only 16.43% covered. Further, Lots 2 and 3 of the Subdivision provide additional Open Space.

39. The proposed facility meets LMC 15-1-10(E)(10) in that there are no proposed signs or lighting on site. Any proposed signs must submit a separate sign permit application and must meet City sign standards in the Municipal Sign Code. Any lighting on the exterior of the proposed structure will be down directed and shielded.

40. The proposed facility meets LMC 15-1-10(E)(11) in that there is no impact to the Compatibility with surrounding structures or perceived mass from the Street as the proposed additional structure is smaller in scale and size to the existing structures on the site. Physical design is compatible with adjacent structures in mass, scale, style, design and architectural detailing.

41. The proposed facility meets LMC 15-1-10(E)(12) in that there is no noise, vibration, odor, steam, or other mechanical factor that may affect neighboring

properties outside of the construction period. The applicant has indicated that the facility has been designed in a way to minimize noise from operations occurring at the site. No glare, dust, pollutants, or odors are expected from the site.

42. The proposed facility meets LMC 15-1-10(E)(13) in that there are no changes that will impact the control of delivery and service vehicles, loading and unloading zones, or Screening of trash pickup Areas.

43. The proposed facility meets LMC 15-1-10(E)(14) in that this is a municipal facility with no residential uses proposed.

44. The proposed facility meets LMC 15-1-10(E)(15) in that the Site is located within the Park City Soils Ordinance Boundary. The construction mitigation plan will detail all work related to the soils ordinance area, and all construction will meet the requirements of the ordinance.

45. The proposed facility meets LMC 15-1-10(E)(16) in that this proposal has been reviewed for consistency with the Goals, Objectives, and Implementation Strategies of the Park City General Plan. The proposal aligns with the General Plan in several goals and objectives specific to Small Town and Natural Setting, including, but not limited to:

- a. Objective 2C: Regional institutions and services (e.g. government, stadiums, museums, etc.) should be located within existing development nodes.
- b. City Implementation Strategy 5.19: Identify opportunities for and implementation where appropriate of, micro hydropower systems in Park City's water infrastructure.
- c. City Implementation Strategy 5.20: Continue to review and investigate best practices that have the potential of substantially improving the environment.
- d. City Implementation Strategy 6.10: Upgrade public infrastructure not only to manage water supply for extreme (high and low) water years but also to maintain and enhance the community's water quality.

46. All Findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – Quinn's Water Treatment Plant

1. The Application complies with all requirements of the current Land Management Code (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 – Quinn's Water Treatment Plant

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.
3. Any improvements within the Soils Boundary Ordinance area must meet the requirements of the ordinance.
4. A soils conditions report shall be submitted prior to issuance of any building permits and shall be reviewed by the City Engineer.
5. Monumentation shall be placed on the property corners prior as required by the Land Management Code or as otherwise approved by the City Engineer.
6. Any improvements shall comply with all terms and conditions of the Nationwide Permit Number 39 and permitted activity is subject to inspection by U.S. Army Corps of Engineers.
7. City Engineer shall review and approve 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).
8. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance (not including the grading permit).
9. 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.
10. 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.
11. Access to the site must meet fire access requirements including adequate road widths and turnaround areas.
12. Modified 13-D fire sprinkler system is required for any new construction/addition.
13. All above grade utility facilities shall be located on the property and properly screened.
14. Portions of this property are located within Flood Zone A, all development shall provide elevation certificates certifying compliance with the minimum FEMA Flood Zone requirements outlined in 44 CFR 60.3.

15. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission on August 14, 2019.

16. This approval will expire on August 14, 2020 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.

17. All Conditions of Approval from the Master Planned Development (MPD) and original Conditional Use Permit (CUP) shall continue to apply.

VIII.B. 158 Main Street – Conditional Use Permit – The applicant is proposing 1) Construction of an addition to an existing Historic Structure located within the building setback. The proposal is to add a basement beneath the existing footprint of the Significant Historic Structure that is located within the side setback area; and 2) Construction of a front porch wider than the allowed ten (10) foot wide porch exception of the front setback.
(Application PL-19-04256)

Commissioner Phillips recused himself and left the room.

Vice-Chair Suesser assumed the Chair.

Planner Caitlyn Barhorst handed out public input from Ellen Hendrickson, a neighbor at 150 South Main St., adjacent to the subject property at 158 Main Street.

Planner Barhorst reviewed the conditional use permit application for a historic structure addition located within the building setback. The applicant was requesting an exception to convert the unfinished floor area into a habitable basement and using the existing footprint within the building setback. They were also requesting an exception to construct a front porch wider than the allowed 10-foot porch exception. The intent is to reconstruct the front porch to its more historic form.

Planner Barhorst presented a historic photo from the 1940s with the original porch. Another photo was dated 2018. She also showed a photo of the approved HDDR design with the addition in the rear. The applicant already had approval to remove the current windows to return it to the more historic front façade.

The Staff recommended approval of the conditional use permit based on the Findings and Analysis found in the Staff report.

Commissioner Hall understood that because this is a historic house it was not required to provide on-site parking. David Baglino with Wasatch Engineering Contractors,

pointed out that the applicant was keeping the existing garage, which is within the setback area. They would like to use that area in the existing garage to fit a car.

Planner Barhorst presented the existing conditions with the garage within the five-foot side yard setback. She clarified that the applicant was only requesting to use the existing footprint to construct the basement and the addition above.

Commissioner Sletten referred to the letter from Ms. Hendrickson and the last paragraph in which she states that if the expansion occurs as proposed, it would create health and safety issues relative to her ability to park in her driveway. He asked if the Staff had the opportunity to address her concern.

Planner Barhorst replied that the Staff and the applicant had discussed the actual dimensions of the front porch in their proposal. The applicant was willing to update the actual dimensions from 22' to slightly smaller to accommodate Ms. Hendrickson.

Mr. Baglino explained that Ms. Hendrickson has a driveway adjacent to the property. Currently, there is a 5' retaining wall and if she tried to cross over onto the property to get out of her car she would fall off the retaining wall. Mr. Baglino did not believe their proposal would change that at all. However, the applicant was willing to reduce the size of the front porch to give Ms. Hendrickson a little more space.

Commissioner Sletten asked about the reduction. Mr. Baglino replied that the applicant was proposing a 1 foot reduction. Betsy Wallace, the applicant and homeowner of 158 Main Street, stated that they had already shrunk the porch approximately 2-feet from where it was historically so Ms. Hendrickson could swing open her car door. However, Ms. Hendrickson was requesting another foot and Ms. Wallace was agreeable to the additional foot.

Commissioner Suesser asked if there were schematics of the building with the proposed porch. Mr. Baglino replied that they only had an overview. Ms. Wallace stated that there is already a porch on the front and they were only proposing to extend it a little wider. Planner Barhorst presented a photo of the approved porch and noted that it would still be the same style only wider to match the historic photo as best as possible.

Ms. Wallace stated that the thought was to take it outside the lines for the single-windows. However, it still leaves Ms. Hendrickson approximately three feet. It was two feet when the schematics were initially done but they were willing to give her an additional foot to make it three feet.

Commissioner Sletten asked if Ms. Hendrickson had verbally said that the one-foot reduction was sufficient. Ms. Wallace stated that she had not spoken with Ms. Hendrickson. Planner Barhorst explained that the Staff received the letter from Ms. Hendrickson late and she was not able to attend the meeting. However, in discussing her comments with the applicant, they decided to update the design to accommodate the reduction.

Mr. Baglino indicated the concrete retaining wall and pointed to the window that would be eliminated. He stated that from the edge of her driveway it would be impossible for Ms. Hendrickson to touch the roof of the new structure.

Commissioner Thimm wanted to know the point of widening the porch beyond what Code would allow. Mr. Baglino replied that it was an effort to replicate the porch as closely as possible to the historic porch. Planner Barhorst stated that it was also to encourage the pedestrian front façade in its historic form. Ms. Wallace remarked that the Historic Society suggested that they try to return the porch to the width of the original porch. Commissioner Thimm clarified that they were returning it to the historic as much as possible but still mitigating the neighbor's concern. Ms. Wallace replied that he was correct.

Vice-Chair Suesser asked if the concrete wall would be removed. Mr. Baglino replied that the retaining wall would remain. It is on the property line and it supports Ms. Hendrickson's driveway.

Commissioner Hall was comfortable with the proposal, especially since the Historic Board had requested that it look more consistent with the historic rendering; and as long as it takes the neighbor into consideration. Planner Barhorst explained that the Historic Preservation Board approved the material deconstruction for the site. The applicant approached the idea of a wider porch and it was taken to the internal design review team and approved per the Historic District Design Guidelines. They were now moving forward with the CUP.

Ms. Wallace stated that the intent was to make sure it looks historic. In addition, that portion of the street has front facing porches which creates an unusual dynamic of people being outside talking to their neighbors. Most of the neighbors are full-time residents.

Commissioner Kenworthy noted that porches were a big part of the historic community and a part of historic preservation. He appreciated Ms. Wallace's willingness to work with the neighbor.

Vice-Chair Suesser was not clear on the neighbor's comment that she would suffer a significant loss of the use of her property and it would affect her ability to park on her property. She asked if this would cause a reduction in her parking area. Mr. Baglino replied that the parking would not be affected. He was confused by the comment as well. Planner Barhorst explained that Ms. Hendrickson was concerned about opening her car door once she is parked on the parking space on her property. The car door would open across the property line onto 158 Main. Vice-Chair Suesser understood that currently the space was narrow and tight because of the retaining wall, and that would not change. Planner Barhorst remarked that the wall across the property line was never moved. The porch is on the front area and it would be pushed back. Ms. Wallace pointed out that with the basement the house would be raised a couple of feet giving Ms. Hendrickson more space. Planner Barhorst stated that it was determined as part of the HDDR that lifting the house would raise the roof eave that currently overhangs onto the neighbor's property. Mr. Baglino noted that Ms. Hendrickson has a high profile vehicle and with the higher eave, she would be able to pull fully into her driveway.

Mr. Baglino reported that a plat amendment was done years ago and the property line was adjusted so the overhang now falls within the property at 158 Main, but it still encroaches slightly onto the neighboring property.

Vice-Chair Suesser opened the public hearing.

Rob Dixon, a resident at 166 Main Street, agreed with Commissioner Kenworthy that historically front porches were important to the community. Mr. Dixon believes front porches are still important because people use their front porches all the time. He believed a front porch at 158 Main Street would be a perfect addition to the community. He strongly favored the proposal.

Jeff Crabling, a resident at 129 Main Street, stated that in looking at the photographs in the proposal he could understand why the applicant wanted to increase the size of the porch. Porches are an important part of Old Town Park City. They were the community areas and walkability. He was very much in favor of this proposal. Mr. Crabling thought there were two issues. The first one was the increased space of the basement out to the existing wall of the historic house. The second issue was widening the porch. He thought it was interesting that both issues fell under the LMC recommendation to change from a variance application to a CUP. In both cases he felt a variance request was more appropriate when dealing with setbacks. However, beyond that, Old Town was historically a deed. In the early 1980s the entire Old Town was platted to put metes and bounds and establish benchmarks. There is a considerable amount of variation everywhere. His property is a new house. The historic house that was there

from 1880 to 1984 was the leaner that leaned onto Alaska House. That house was by the City and removed. Mr. Crabbling thought a lot of the LMC applies but it is all based on interpretation. When the plat was redone in 1997 to include all the little parts, it is not a straight line but it needed to be done in order to get the building onto the property. There are still encroachments. His neighbor's house encroaches over his property. Mr. Crabbling suggested that the discussion was about common sense. This applicant was proposing to maintain a historic structure and return it as best as possible to its historic presence. He thought the language, "to maintain the historic residential aspect of the neighborhood friendly feeling" was important because that needs to be established as the reason for why the Planning Commission would allow this application. Mr. Crabbling noted that historically the front porch wrapped around. There were no cars in 1884 and parking was not an issue. He believed that bringing the front porch in makes the historic reference a solid piece. Unfortunately, it does not meet the LMC as it exists and it needs a CUP approval. Mr. Crabbling urged the Planning Commission to grant the applicant's request.

Mr. Crabbling stated that on another matter regarding the back of the lot, many of the properties on the back of Main Street also face the park and the trail. Some properties have more issues because of the metes and bounds versus deed. He thought the decision the Planning Commission makes today will be important for future applicants requesting a variance, a CUP or a special exception. The language used in the motion for approval will be leaned on when other people make the same or similar requests. Mr. Crabbling stated that Old Town Main Street is very high profile and what this applicant was requesting meets and exceeds the goal. He thought they should be commended for their efforts.

Commissioner Thimm asked for the dimensions of the porch off the property line to where it was going to be with the added foot and the condition of approval requiring that they hold that dimension off the property line. Planner Barhorst replied that it was originally 1'9" from the property line as proposed. Following the letter from the neighbor, the applicant was willing to change that to 2'9". Commissioner Thimm suggested adding a condition of approval requiring the setback to be 2'9" from the existing property line. Ms. Wallace was not opposed to adding that condition. Commissioner Thimm appreciated that Ms. Wallace was making the effort to keep harmony with her neighbors.

Vice-Chair Suesser thought 3' was a cleaner number. She also noted that the neighbor mentioned a construction fence in her letter as being an issue. Apparently her car door bangs into the construction fence and it is damaging her car. Mr. Baglino stated that he would check the construction fence to make sure it is on the property line. He

explained that the house is directly on the property line and the construction fence needs to be kept against the outside wall of the house for safety reasons.

Vice-Chair Suesser called for additional public comments before closing the public hearing.

Mr. Crabbling thought they needed to be careful about rounding the dimensions. The building is not symmetrical and one side is already 2'5" or 2'9" already. He believed 2'9" is fine for the other side. He pointed out that the driveway is already narrow and the car door was being opened. It will be 8" or 9" further in because of the thickness of the retaining wall. He thought it was better to make the dimensions of the structure match as opposed to rounding the number. He pointed out that 2'9" was the number that was derived in an effort to accommodate the neighbor. Mr. Baglino remarked that they would not need to shrink the other side much, if at all, if the reduction was 2'9".

Commissioner Kenworthy asked Ruth Meintsma for her opinion as a member of the public. He asked what she thought about the symmetry for the house in terms of historic preservation if the porch was moved an additional 1'3". Mr. Baglino explained that they were trying to keep both edges of the porch equal distance from the edge of the house to keep it symmetrical.

Ruth Meintsma agreed that historically there was a lot of symmetry. She preferred to defer to Planner Barhorst since she is the Historic Preservation Planner. Ms. Barhorst thought the drawing in the proposal was not accurate. She believed there was an opportunity to determine the distance of the historic photo. Mr. Baglino noted that the porch needed to be changed from the historic photo because he was not able to wrap the porch around the sides. He stated that the architect came up with the distance of 1'9" because it was the offset of the original historic porch.

Commissioner Thimm clarified that 1'9" was based on historic research. Mr. Baglino answered yes. It was a guesstimate, but the architect reached the conclusions from scaling the photo. Ms. Meintsma pointed out that it was shown on the Sanborn maps.

Planner Hannah Tyler understood the applicant was willing to move the porch to accommodate the neighbor's car door. However, the applicant was trying to construct a porch that is most consistent with the historic porch. When they change a porch for a car door that swings across the property line, the question is whether that is being done for preservation or for livability. She cautioned the Planning Commission about changing the porches for something that swings across the property line.

Ms. Wallace preferred to keep the reduction at 2'9" believing that it was enough space for the neighbor.

Commissioner Thimm stated that in looking at the historic photo there was no symmetry in the porch at the time when it was part of the hip roof that carried around the side and all the way to the end. Commissioner Thimm preferred to keep the 2'9" dimension. He thought there was something to be said about making accommodation to an ongoing use of someone in the neighborhood.

Vice-Chair Suesser closed the public hearing.

Commissioner Hall agreed with Planner Tyler if this would be setting a precedent. It is important to keep friendly relationships with neighbors and she deferred to the experts.

Vice-Chair Suesser noted that this home is encroaching onto their neighbor's building. In talking about trying to accommodate a car door that swings onto their property, it actually opens into the encroaching area. Planner Barhorst replied that based on the plat amendment that was done, the property line goes all the way around the roof overhang. Ms. Hendrickson is claiming that the overhang encroaches onto her property because it did at one point, but the plat amendment included all those dimensions. Vice-Chair Suesser clarified that the applicant no longer encroaches onto their neighbor because the lot line was adjusted. Planner Barhorst answered yes.

Planner Barhorst added a condition of approval to address the 2'9".

Director Erickson noted that the motion should include two actions. Vice-Chair Suesser clarified that the public hearing included comments on the construction of the front porch and construction of the basement addition.

MOTION: Commissioner Thimm moved to APPROVE the Conditional Use Permit for 158 Main Street for both the extension of the floor space to the foundation wall and for the extension of the porch, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended to include a condition to address the additional one-foot reduction in the porch width of 2'9" from the property line. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 158 Main Street

1. The subject property is located at 158 Main Street, is located in the Historic

Residential (HR-2B) Zoning District, and is listed as “Significant” Historic Site on the City’s Historic Sites Inventory (HSI).

2. The applicant is requesting to excavate the existing basement level foundation to turn into habitable basement area for a garage. The north side of the unexcavated basement foundation currently encroaches two feet (2’) at the farthest point into the allowed five foot (5’) Side Setback. The total area of discussion is 46 square feet. The total proposed garage area is 320 square feet.

3. A Historic District Design Review (HDDR) application was approved April 30, 2018 for the complete restoration of the Historic Structure, construction of an addition to the rear (east), and excavation of the existing foundation. As a part of the HDDR proposal the existing garage floor level was altered to allow the unexcavated basement under the garage to become habitable space. Because previous renovations done between circ. 1997-1998 to the Historic Structure constructed the basement foundation into the side and front setbacks, per LMC § 15-2.3-5, the Existing Historic Structure footprint is allowed within the setbacks.

4. The Planning Department received a Conditional Use Permit (CUP) application on June 17, 2019 that was deemed complete on June 19, 2019. Staff has included

5. The Historic Structure at 158 Main Street is a Single-Family Dwelling. A Single-Family Dwelling is an Allowed Use in the HR-2 Zoning District.

6. A Plat Amendment for 158 Main Street was approved by City Council on June 29, 2017 (Ordinance 2017-33).

7. The proposal has little to no impact on the exterior of the Historic Structure. The 2018 HDDR was reviewed and approved for compliance with the Design Guidelines for Park City’s Historic Districts and Historic Sites.

8. Per LMC 15-2.3-3 The Planning Commission shall review any CUP application in the HR-2 District per the review criteria.

9. Per LMC 15-2.3-5(A), the Planning Commission may grant an exception to the Building Setback for additions to existing Historic Structures in order to achieve new construction consistent with the Design Guidelines for Park City’s Historic Districts and Historic Sites, based on the following criteria.

10. Per LMC 15-1-10(E), the proposal is subject to review according to the Conditional Use Permit Criteria.

11. The proposal complies with LMC 15-2.3-3 as the Planning Commission has reviewed and approved a Conditional Use Permit for the proposed Use.

12. There are no unmitigated impacts to LMC 15-2.3-3(A) as the 2018 HDDR was reviewed and approved for compliance with the Design Guidelines for Park City’s Historic Districts and Historic Sites.

13. There are no unmitigated impacts to LMC 15-2.3-3(B) as the proposal No.1 has little to no impact on the exterior of the Historic Structure. The 2018 HDDR was reviewed and approved for compliance with the Design Guidelines for Park City’s

Historic Districts and Historic Sites. There are no unmitigated impacts for Proposal No.2 as the proposal complies with the applicable Design Guidelines and aims to restore the house to the more Historic form.

14. There are no unmitigated impacts to LMC 15-2.3-3(C) as conditioned as the applicant is to dedicate a façade preservation easement to the City. Condition of Approval #7 has been added requiring the façade easement for the front façade including the porch.

15. There are no unmitigated impacts to LMC 15-2.3-3(D) as Proposal No.1 has unexcavated foundation area that is located within the Side Yard Setback and is beneath the north side of the existing structure. No increase in Building Footprint was achieved through the addition of the foundation area in question. Proposal No.2 aims to restore the house to the more Historic form. The HDDR application was approved with the proposed design.

16. There are no unmitigated impacts to LMC 15-2.3-3(E) as the existing home is not required to have off street parking as exempted per LMC 15-2.3-5, Existing Historic Structures that do not comply with Off-Street Parking are valid Non-Complying Structures. The proposed unexcavated foundation conversion into habitable area does not create a Lockout Unit or an Accessory Apartment; and will only expand the existing basement level to include a garage. The total area of the CUP is 46 square feet. The extension of the front porch does not alter the parking requirements.

17. There are no unmitigated impacts to LMC 15-2.3-3(F) as the landscape plan is under review in revisions under the Building Permit. The proposal does not remove any existing mature landscaping.

18. LMC 15-2.3-3(G) does not apply as there are no commercial Use; therefore, no separation between Residential and commercial Uses is required.

19. There are no unmitigated impacts to LMC 15-2.3-3(H) as there are no proposed utility equipment or service areas that are required to be screened.

20. The proposal complies with LMC 15-2.3-5(A) as the Planning Commission has reviewed and approved a Conditional Use Permit for the proposed Building setback exception to the Historic Structure.

21. The proposal complies with LMC 15-2.3-5(A)(1) as the Planning Commission has reviewed and approved a Conditional Use Permit for the proposed Use.

22. The proposal complies with LMC 15-2.3-5(A)(2) as the proposal is necessary for the rehabilitation of the Historic Structure. The HDDR application for the design of the basement level was approved in 2018 and the addition and/or driveway is Compatible with the Historic Structure.

23. The proposal complies with LMC 15-2.3-5(A)(3) as the addition has been reviewed for compliance with the Design Guidelines and LMC through the HDDR Application Approved April 30, 2018.

24. The proposal complies with LMC 15-2.3-5(A)(4) as the building permit BD-18-25831 was approved and issued September 4, 2018.

25. The proposal complies with LMC 15-2.3-5(A)(5) as the addition has been reviewed for compliance with the Design Guidelines for Historic Districts and Historic Sites through the HDDR Application Approved April 30, 2018.

26. The proposal complies with LMC 15-1-10(E) as the Planning Commission has reviewed and approved a Conditional Use Permit for the proposed Use.

27. There are no unmitigated impacts to LMC 15-1-10(E)(1) as the Lot is 3,485 square feet (.08 acres). The site is located on Main Street (west property boundary) and abuts undeveloped land to the east. This is a Historic Single-Family Dwelling with no change in Use proposed.

28. There are no unmitigated impacts to LMC 15-1-10(E)(2) as there is no change in Use that would generate additional vehicular trips beyond the current and Historic Single-Family use.

29. There are no unmitigated impacts to LMC 15-1-10(E)(3) as the increase in habitable space by the construction of the basement level garage will have no impact on the current utility equipment and capacity needs.

30. There are no unmitigated impacts to LMC 15-1-10(E)(4) as there is no impact to the existing emergency vehicle access.

31. There are no unmitigated impacts to LMC 15-1-10(E)(5) as the existing home is not required to have off street parking as exempted per LMC 15-2.3-5, Existing Historic Structures that do not comply with Off-Street Parking are valid Non-Complying Structures. The proposed unexcavated foundation conversion into habitable area does not create a Lockout Unit or an Accessory Apartment; and will only expand the existing basement level to include a garage. The total area of the CUP is 46 square feet.

32. There are no unmitigated impacts to LMC 15-1-10(E)(6) with Proposal No.1 as the construction of the basement level garage does not negatively impact the circulation of the house. Proposal No.2 does not apply as there is no impact to the existing internal and pedestrian circulation system.

33. LMC 15-1-10(E)(7) does not apply as there are no commercial Use; therefore, no separation between Residential and commercial Uses is required.

34. There are no unmitigated impacts to LMC 15-1-10(E)(8) with Proposal No. 1 as the unexcavated foundation area that is located within the Side Yard Setback is beneath the north side of the existing structure. No increase in Building Footprint was achieved through the addition of the foundation area in question. Proposal No.2 aims to restore the more Historic form. The HDDR application was approved with the proposed design.

35. There are no unmitigated impacts to LMC 15-1-10(E)(9) as there is no change of the ratio of open space to built envelope.

36. There are no unmitigated impacts to LMC 15-1-10(E)(10) as there are no proposed signs. The exterior lighting complies with the Design Guidelines and LMC

requirements.

37. There are no unmitigated impacts to LMC 15-1-10(E)(11) with Proposal No. 1 as the unexcavated foundation area that is located within the Side Yard Setback is beneath the north side of the existing structure. No increase in Building Footprint was achieved through the addition of the foundation area in question. Proposal No. 2 aims to restore the more Historic form. The HDDR application was approved with the proposed design.

38. LMC 15-1-10(E)(12) does not apply as there are no changes that will result in additional noise, vibration, odors, steam or other mechanical factors.

39. LMC 15-1-10(E)(13) does not apply as there are no changes that will impact the control of delivery and service vehicles, loading and unloading zones, or Screening of trash pickup Areas.

40. LMC 15-1-10(E)(14) does not apply as this is a Single-Family Dwelling.

41. There are no unmitigated impacts to LMC 15-1-10(E)(15) as the 2018 HDDR was reviewed and approved for compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites and LMC compliance.

42. There are no unmitigated impacts to LMC 15-1-10(E)(16) Reviewed for consistency with the goals and objectives of the Park City General Plan; however, such review for consistency shall not alone be binding, as This proposal has been reviewed for consistency with the Goals and Objectives of the Park City General Plan. In 2018, a HDDR was approved for the restoration, construction of a basement level garage, and construction of an addition to the rear (east). As a result, the Historic Structure which had once experienced many out-of-period alterations was restored to its Period of Historic Significance. The General Plan establishes several goals and objectives specific to Historic Preservation, including, but not limited to Goal 15A and Objective 15A.

43. On July 31, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published on the Utah Public Notice Website and Park Record on July 27, 2019 according to requirements of the Land Management Code.

44. The Findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – 158 Main Street

1. The application complies with all requirements of the LMC and satisfies all Conditional Use Permit review criteria as established by the LMC 15-1-10, LMC 15-2.3-3 Conditional Use Permit Review (HR-2), and LMC 15-2.3-5(A) Existing Historic Structures Exceptions.
2. The Use, as conditioned, is Compatible with surrounding Structures in Use, scale, mass and circulation; and
3. The effects of any differences in Use or scale have been mitigated through careful

planning.

Conditions of Approval – 158 Main Street

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.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards, to include driveway and Parking Area layout, is a condition precedent to building permit issuance. An approved shoring plan is required prior to excavation.
4. This approval will expire on August 14, 2020, if a complete building permit submittal has not been received, unless a written request for an extension is received and approved by the Planning Director prior to the date of expiration.
5. Portions of this property are located within Flood Zone A; all development shall provide elevation certificates certifying compliance with the minimum FEMA Flood Zone requirements outlined in 44 CFR 60.3.
6. Modified 13-D fire sprinkler system is required.
7. All above grade utility facilities shall be located on the property and properly screened.
8. The applicant shall dedicate façade preservation easement for the front façade including the porch to the City for the Historic Structure at 158 Main Street Avenue prior to the issuance of a Certificate of Occupancy.
9. The dimension from the south property line to the exterior of the south end porch column shall be 2'-9" (two foot nine inches).

VIII.C. **901 Woodside Avenue – Conditional Use Permit – The applicant is proposing the construction of an addition to an existing Historic Structure located within the building setback.**

Commissioner Phillips was recused.

Planner Barhorst reviewed the application for an addition to the historic structure within the building setback. The current foundation is the historic footprint. The Historic Preservation Board previously reviewed and approved this item for material deconstruction. Disassembly/reassembly/panelization of the structure was unanimously approved by the HPB on August 7th.

Planner Barhorst stated that the applicant was proposing to use the currently unexcavated basement floor area, which was highlighted in red. The current basement

allowed within the building setback was shown in yellow. The green color highlighted the allowed basement addition within the setback.

The Staff recommended that the Planning Commission conduct a public hearing and approve the application for an addition at 901 Woodside Avenue.

Vice-Chair Suesser opened the public hearing.

There were no comments.

Vice-Chair Suesser closed the public hearing.

MOTION: Commissioner Sletten moved to APPROVE the Conditional Use Permit for 901 Woodside Avenue, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval contained in the Staff report. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 901 Woodside – CUP to construct addition

1. The subject property is located at 901 Woodside Avenue is located in the Historic Residential (HR-1) Zoning District, and is listed as a “Landmark” Historic Site on the City’s Historic Sites Inventory (HSI).
2. The applicant is requesting to excavate the existing basement level foundation to turn into habitable basement area with a garage. The total area that is requested under the Historic Building setback exception is 91 square feet. The proposed basement footprint follows the existing building footprint of the Landmark Historic Structure. The applicant is not proposing to alter the current footprint, only excavate and create habitable space where the existing footprint is. The basement level garage entry is setback from the existing structure’s side (south east side) wall per the Historic District Design Guidelines.
3. The applicant’s proposal is required for the rehabilitation of this Structure and will raise the structure two feet (2’) from existing floor level to encompass the new basement.
4. A Historic District Design Review (HDDR) application is currently under review for the complete restoration and rehabilitation of the Historic Structure which includes Disassembly and Reassembly (Panelization) and construction of a basement foundation within the Building Setbacks.
5. On August 7, 2019, the Historic Preservation Board reviewed and approved the Material Deconstruction and Disassembly and Reassembly (Panelization) of the

Landmark Historic Site.

6. The Planning Department received a Conditional Use Permit (CUP) application on April 17, 2019 that was deemed complete on April 19, 2019.
7. The Landmark Historic Structure at 901 Woodside Avenue is a Single-Family Dwelling. A Single-Family Dwelling is an Allowed Use in the HR-1 Zoning District.
8. Per LMC 15-2.2-4 The Planning Commission shall review any CUP application in the HR-1 District per the review criteria.
9. Per LMC 15-2.2-4(A), the Planning Commission may grant an exception to the Building Setback for additions to existing Historic Structures in order to achieve new construction consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites, based on the following criteria.
10. Per LMC 15-1-10(E), the proposal is subject to review according to the Conditional Use Permit Criteria.
11. The proposal complies with LMC 15-2.2-4(A)(1) as the Planning Commission has reviewed and approved a Conditional Use Permit for the proposed Use.
12. There are no unmitigated impacts to LMC 15-2.2-4(A)(2) as the current HDDR application has been reviewed under the Design Guidelines for Historic Districts and Historic Sites and is compatible with the Historic Structure. The proposed garage entry preserves the Historic character of the Landmark designated Site by entering from the side and not changing the integrity of the character of the front façade.
13. The proposal complies with LMC 15-2.2-4(A)(3) as the addition has been reviewed for compliance with the Design Guidelines and LMC through the HDDR Process (pending HDDR and HPB approval).
14. The proposal complies with LMC 15-2.2-4(A)(4) as conditioned as the addition will be reviewed for compliance with the Building and Fire Codes through the Building Permit once submitted (pending approval of this CUP and the HDDR.)
15. The proposal complies with LMC 15-2.2-4(A)(5) as the current HDDR application has been reviewed under the Design Guidelines for Historic Districts and Historic Sites and is compatible with the Historic Structure. The proposed basement addition and garage entry preserves the Historic character of the Landmark designated Site by entering from the side and not changing the integrity of the front façade character.
16. There are no unmitigated impacts to LMC 15-1-10(E)(1) size and location of the site,
as the Lot is 1,875 square feet (0.04 acres). The site is located on Woodside Avenue (north east property boundary) and abuts a Platted Public Right of Way to the south east. This is an existing Historic Single-Family Dwelling, with approximately ninety-one square feet (91 sf) currently encroaching into the Side Setbacks. Per LMC 15-2.2-4, Historic Structures that do not comply with Building Setbacks are considered valid Complying Structures. The addition to basement that is subject to this CUP consists of approximately ninety-one square feet (91 sf) and does not affect the size or location of the site. No change in Use is proposed.

17. There are no unmitigated impacts to LMC 15-1-10(E)(2) as there is no change in Use that would generate additional vehicular trips beyond the current and Historic Single-Family use.
18. There are no unmitigated impacts to 15-1-10(E)(3) as the addition to basement that is subject to this CUP consists of approximately ninety-one square feet (91 sf) and does not impact the utility upgrades that are proposed with the allowed foundation footprint.
19. There are no unmitigated impacts to LMC 15-1-10(E)(4) as there is no impact to the existing emergency vehicle access.
20. There are no unmitigated impacts to LMC 15-1-10(E)(5) as per LMC 15-2.2-4, Existing Historic Structures that do not comply with Off-Street parking are valid Non-Complying Structures. There is no existing or proposed driveway at this time. The proposed basement addition does not create a Lockout Unit or an Accessory Apartment; therefore, no additional parking is required.
21. LMC 15-1-10(E)(6) internal vehicular and pedestrian circulation system, is not applicable as there is no impact to the existing internal and pedestrian circulation system.
22. There are no unmitigated impacts to LMC 15-1-10(E)(7) as there are no commercial Use; therefore, no separation between Residential and commercial Uses is required.
23. There are no unmitigated impacts to LMC 15-1-10(E)(8) as the current HDDR application has been reviewed under the Design Guidelines for Historic Districts and Historic Sites and does not change the building mass, location, or orientation. The proposed basement addition and garage entry preserves the Historic character of the Landmark designated Site by entering from the side and not changing the integrity of the front façade character. The total area of the setback exception is ninety-one square feet (91 sf). No increase in Building Footprint will be achieved through the addition of the subject basement area.
24. There are no unmitigated impacts to LMC 15-1-10(E)(9) usable Open Space, as the proposal does not change the amount of open space to built envelope.
25. LMC 15-1-10(E)(10) signs and lighting, is not applicable as there are no signs or lighting on site.
26. There are no unmitigated impacts to LMC 15-1-10(E)(11) as there is no impact to the Compatibility with surrounding structures or perceived mass from the Street. The current HDDR application has been reviewed under the Design Guidelines for Historic Districts and Historic Sites and does not impact the compatibility with surrounding structures. The proposed basement addition and garage entry preserves the Historic character of the Landmark designated Site by entering from the side and not changing the integrity of the historic character.
27. LMC 15-1-10(E)(12) is not applicable as there are no changes that will result in additional noise, vibration, odors, steam, or other mechanical factors.
28. LMC 15-1-10(E)(13) is not applicable as there are no changes that will impact the

control of delivery and service vehicles, loading and unloading zones, or Screening of trash pickup Areas.

29. LMC 15-1-10(E)(14) is not applicable as this is a Single-Family Dwelling.

30. There are no unmitigated impacts to LMC 15-1-10(E)(15) the proposed improvements will be appropriately re-graded and reviewed thoroughly through the Building Permit.

31. There are no unmitigated impacts to LMC 15-1-10(E)(16) reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding, as this proposal has been reviewed for consistency with the Goals and Objectives of the Park City General Plan. The General Plan establishes several goals and objectives specific to Historic Preservation, including, but not limited to Goal 15, Objective 15A and Objective 15B.

32. On July 31, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published on the Utah Public Notice Website and Park Record on July 27, 2019 according to requirements of the Land Management Code.

33. The Findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – 901 Woodside – CUP to construct addition

1. The application complies with all requirements of the LMC and satisfies all Conditional Use Permit review criteria as established by the LMC 15-1-10 and 15-2.2-4(A) Existing Historic Structures Exceptions.
2. The Use, as conditioned, is Compatible with surrounding Structures in Use, scale, mass and circulation; and
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval – 901 Woodside – CUP to construct addition

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.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards, to include driveway and Parking Area layout, is a condition precedent to building permit issuance. An approved shoring plan is required prior to excavation.
4. This approval will expire on June 26, 2020, if a complete building permit submittal has not been received, unless a written request for an extension is received and approved by the Planning Director prior to the date of expiration
5. Modified 13-D fire sprinkler system is required for any new construction/addition.

6. All above grade utility facilities shall be located on the property and properly screened.
7. All Conditions of Approval from the pending Historic Preservation Board Review for Material Deconstruction and Disassembly and Reassembly (Panelization) Action Letter shall apply.
8. All Conditions of Approval from the Action Letter for the pending Historic District Design Review application shall apply.

VIII.D. 901 Woodside Avenue –Conditional Use Permit – The Applicant is proposing the construction of a private driveway within a platted, un-built City Street. (Application PL-19-04152)

Commissioner Phillips was recused.

Planner Barhorst reported that the Historic Preservation Board reviewed and approved the Material Deconstruction and Disassembly and Reassembly (Panelization) on August 7, 2019. The property at 901 Woodside Avenue, is a “Landmark” Historic Site. The applicant worked with the City and the Engineering Department. The plans have been reviewed and amended by the internal Development Review Committee several times.

Planner Barhorst stated that as part of the proposal to construct a driveway in the public right-of-way, the applicant was also proposing to construct a public pathway marked and distinguished with a different color concrete for public use that could potential lead to another access farther up onto Norfolk.

Vice-Chair Suesser wanted to know how much of the right-of-way the applicant was proposing to use as part of the private driveway. Planner Barhorst thought it was almost the entire full width of the right-of-way because it goes to a retaining wall being constructed on the property line of the right-of-way.

Commissioner Hall asked if this was a common request. Vice-Chair Suesser replied that it was not common. In the past, the Planning Commission rejected requests to build within a foot of the right-of-way because it impedes on future development of the right-of-way.

Planner Barhorst stated that the Staff was recommending approval based on the fact that the Landmark status of the structure would be retained by not altering the setting or the architectural character of the front façade. Planner Barhorst noted that the Design Guidelines encourage a driveway access off the rear or side if feasible. However, if that is not approved, the applicant would propose to lift the structure following the approved

material deconstruction and construct a driveway beneath the landmark façade, which would significantly alter the character of the home and other historic characters of the Landmark Site. The applicant was working with the Design Review Team and the City in editing the plans with regards to the Landmark status of the site; as well as exploring the opportunity to access from the right-of-way as proposed in the requested conditional use permit for the side yard driveway.

Commissioner Kenworthy asked if the Landmark designation would remain if the driveway is approved to impede on the unbuilt City street. Planner Barhorst stated that the HDDR has not yet been approved; however, the approved material deconstruction and panelization of the site would not alter the Landmark status, especially if the front façade would be retained with the side yard access. The pedestrian scale would still be retained because it would still remain as a street approach. The access with the driveway and the garage underneath the side of the house would not significantly alter the Landmark character.

Commissioner Sletten noted that Section 15-3-5 of the LMC addresses that specific point. The Section is titled Driveway Standards for Private Driveways within Platted Unbuilt City Streets. Commissioner Sletten believed the LMC contemplates this type of request, even if it was not favored by past Planning Commissions. It is within the purview of the LMC.

Planner Barhorst reviewed a series of photographs showing the site as it currently exists. She noted that the grading and the retaining walls on the site would be retained and reconstructed. If approved, the access would come from the side.

Commissioner Hall asked if construction a driveway in the right-of-way has been done before. Director Erickson replied that it has been done in the past. At that time the City Engineer had the authority to approve construction in unbuilt platted right-of-ways. However, the Code was changed to give the Planning Commission the authority to approve it in specific cases. Director Erickson remarked that consideration needs to be given to the fact that unbuilt platted rights-of-way is used for open space; platted unbuilt City streets are used for snow storage; and for pedestrian circulation. In this particular case, the conditional use clause they would be trying to balance is whether an on-street parking space would reduce snow removal as opposed to having an off-street parking space.

Vice-Chair Suesser pointed out that the alternative is to raise the building and construct a driveway. Director Erickson agreed; however, that would alter the character of the Landmark structure. He noted that the HPB is rigorous about not changing the grade more than two feet and they do not like historic houses appearing to be too high above

the street. Vice-Chair Suesser remarked that many historic houses have been raised in Old Town. Director Erickson pointed out that the rules were changed in 2017 to keep that from occurring.

Vice-Chair stated that there were no other encroachments on the 9th Street right-of-way, and no other driveways were built inside this right-of-way all the way from Empire to Park Avenue. She believed if this was approved, they would be preventing future development of the right-of-way because it would impede the use. Vice-Chair Suesser recalled a house that was being built in 2017 and the applicant wanted to put a chimney within one foot of the right-of-way. The City Engineer specifically said the right-of-way space is reserved for stairway access, installation of utilities, snow storage, and open space. He told the Planning Commission that the rights-of-way function as critical infrastructure routes in Old Town. Vice-Chair Suesser reiterated that many historic homes in Old Town have been raised to accommodate a garage, and she could not find good cause for this request to impede the right-of-way and take the use away from the public for a private owner. She remarked that other historic structures in Old Town that do not have garages have the same problem, but they do not have the opportunity to present an application because they are not next to a right-of-way to access from the rear. Vice-Chair Suesser felt strongly that there was no good reason to impede into the right-of-way. It is short-sighted and would take away the ability for the City to use the right-of-way in the future for the community.

Planner Barhorst stated that the public pathway was the applicant's way of addressing the City Engineer's request for public access and a future stairway development.

Vice-Chair Suesser noted that the application contemplates an encroachment agreement. The homeowner would have the right to encroach into the right-of-way and that could potentially prevent the City from utilizing the right-of-way in the future. Director Erickson explained that the encroachment agreement would never be written in that way. The City would allow the use of the ground; however, if the City needs the ground in the future then the applicant would need to move the encroachment. The right-of-way remains and the City would not give up the City right-of-way.

Vice-Chair Suesser asked if they could give the encroachment and then take it back. Commissioner Thimm stated that it happens all the time in his work with other municipalities. Agreements are signed that are completely revocable.

Commissioner Van Dine thought it was a better option than having the owner redo the stonework and the entire front of the house. Planner Barhorst agreed that it would greatly impact the streetscape and the look of the Landmark structure.

Commissioner Kenworthy wanted to know what would happen if the HDDR did not allow the garage on the front of the house because the owner purchased the house knowing it was a Landmark structure.

Planner Tyler stated that Commissioner Suesser was correct about seeing other raised historic structures in the Historic District. She pointed out that the new Historic District Design Guidelines trends away from raising structures because it takes away from the historic integrity. Planner Tyler clarified that they would not approve a HDDR that would demote a structure from Landmark to Significant. The Staff would work with the applicant to get the garage to the point where it would not degrade the Landmark status. Planner Tyler noted that the applicant has not proposed to put the garage under the front, but the Staff would discourage it based on what they know about Landmark structures. For that reason, this specific Section of the LMC was written to allow for these requests.

Planner Tyler understood that the Planning Commission had concerns about the use of the right-of-way; however, the easements are written so they can be revocable. She stated that the Staff worked very hard with the Engineering Department to incorporate the pedestrian pathway. The discussion was so specific that they even regulated the material so it would not degrade the driveway area.

Planner Tyler realized the Planning Commission had a lot to consider. She noted that historic structures are exempt from parking so the owner is not required to have the garage. Planner Tyler was certain that the owner would have a car, and street parking would need to be incorporated if they did not allow the driveway. Planner Tyler emphasized that regardless of the outcome, Staff would not approve an HDDR that would take the structure from Landmark to Significant.

Vice-Chair Suesser did not believe that preserving the historic façade at the level it is, rather than being raised, outweighed the public use of the right-of-way. In her opinion, taking that away from the public was inappropriate. Vice-Chair Suesser stated that the applicant was able to make this request because the right-of-way is there. She did not think the applicant should be allowed to go outside of the property line. Vice-Chair Suesser thought the applicant should work with what he has like every other property owner and he should not be allowed to go outside the property line. She felt strongly that the right-of-way belongs to the public.

Commissioner Hall asked if it was possible to continue this item to the next meeting to give the Planning Commission the opportunity to get additional information on the easement. Director Erickson thought a continuance was appropriate unless the

Planning Commission was ready to make a motion to approve or deny. If they voted to deny, the Staff would need to create Finding for the Denial.

Commissioner Kenworthy stated that he could not find good cause for allowing the garage underneath or on the right-of-way. Planner Tyler encouraged the Planning Commission to continue to the next meeting to give the applicant the opportunity to be present and state their case. Commissioner Sletten agreed. Planner Tyler clarified that the Planning Department was only representing what the applicant provided.

MOTION: Commissioner Hall moved to CONTINUE 910 Woodside Avenue CUP for construction of a private driveway within a platted unbuilt City Street to a date uncertain. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

Commissioner Phillips returned to the meeting and assumed the Chair.

VIII.E. Park City Heights Located at Extended Piper and Ledger Way, Phase 4 – Subdivision – The Applicant, Ivory Development LLC, is proposing a subdivision plat for 48 single family lots on 12.54 acres consistent with the 2013 amended Park City Heights MPD, amended Park City Heights preliminary plat and amended phasing plan.
(Application PL-19-04190)

Director Erickson noted that the Planning Commission reviewed this item in a previous work session and there were no issues. Due to the late hour, he thought a brief presentation would be sufficient.

Planner Alexandra Ananth reviewed the application to move forward with platting Phase 4, which is located just south of Phase I. This phase includes 48 lots for deed restricted cottage lots. She noted that one deed restricted cottage lot was being shifted from Phase 5 into Phase 4. Therefore, the City would be getting one deed restricted unit earlier than anticipated.

Chair Phillips opened the public hearing.

There were no comments.

MOTION: Commissioner Sletten moved to forward a POSITIVE recommendation to the City Council for the Extension of Ledger Way and Piper Way Phase 4 Subdivision,

based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as contained in the Staff report. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Park City Heights Phase 4 Subdivision

1. The property is located south of Richardson Flat Road, south and east of SR 248 and west of US Highway 40.
2. The property was annexed into Park City with the Park City Heights Annexation on May 27, 2010, and was zoned CT-MPD (Community Transition subject to the Park City Heights MPD).
3. On May 11, 2011, the Park City Planning Commission approved the Park City Heights MPD for a mixed residential development consisting of 160 market rate units and 79 affordable units on 239 acres.
4. On June 22, 2011, the Planning Commission reviewed and approved a preliminary subdivision plat as being consistent with the Park City Heights MPD.
5. On November 17, 2011, the City Council approved the original Park City Heights Phase 1 final subdivision plat.
6. On January 24, 2013 the City Council approved an extension of the Phase 1 plat to allow the applicant additional time to resolve issues regarding historic mine soils.
7. On November 6, 2013, the Planning Commission approved an amended Park City Heights MPD and preliminary plat to address relocation of lots and streets due to mine soils mitigation.
8. On February 27, 2014, the City Council approved a revised Park City Heights Phase 1 final subdivision plat that was subsequently recorded at Summit County on November 4, 2014.
9. On May 3, 2018, the City Council approved the Park City Heights Phase 2 final subdivision plat. This plat has not yet been recorded.
10. On April 4, 2019, the City Council approved the Park City Heights Phase 3 final subdivision plat. This plat has not yet been recorded.
11. On May 30, 2019 the City Council approved a two year extension of approval for the Phase 2 subdivision plat to allow additional time for completion of the streets and utilities.
12. On June 12, 2019 the Planning Commission reviewed the Phase 4 Subdivision Proposal and held a Public Hearing. There was no public comment and the Hearing was Continued.
13. On August 14, 2019 the Planning Commission reviewed the Phase 4 Subdivision Proposal and held a Public Hearing and forwarded a _____ recommendation to the City Council.
14. The property is restricted by the Land Management Code, the Park City Heights

Annexation Agreement, and the Amended Park City Heights Master Planned Development Agreement and the Park City Heights Design Guidelines.

15. The lots are not within the Entry Corridor Protection Overlay zone (ECPO) and no portion of this plat is within the Park City Soils Ordinance boundary.

16. The proposed subdivision plat creates 48 lots of record for 11 Homestead houses and 27 Cottage homes including 4 deed-restricted Cottage homes, dedicates public streets, utility, snow storage, drainage, and provides access and trail easements.

17. The Homestead lots (Lots 418-428) range in area from 8,293 to 10,783 square feet. Cottage Home lots (Lots 401-417 and 429-448) range in area from 4,442 sf to 9,842 square feet. Parcels A- D are platted as open space parcels with blanket easement for public utilities, access and trails.

18. The lots are consistent with the Lot and Site Requirements of the Community Transition (CT) District as conditioned by the Park City Heights MPD and Design Guidelines.

19. No non-conforming conditions are created by the subdivision.

20. The Park City Heights development is accessed from Richardson Flat Road, a public road, and access to lots and parcels within the proposed subdivision is from local public drives and streets. No lots or parcels access directly to Richardson Flat Road.

21. The subdivision complies with the Land Management Code regarding final subdivision plats, including CT zoning requirements, general subdivision requirements, and lot and street design standards and requirements.

22. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code.

23. Sanitary sewer facilities are required to be designed and installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD).

24. There is good cause for this subdivision plat in that it creates legal lots and an open space parcel of record from metes and bounds described parcels; memorializes and expands utility easements and provides for new utility easements for orderly provision of utilities; provides for open space areas within and around the subdivision; dedicates easements and public streets consistent with the approved the Park City Heights Annexation Agreement and Master Planned Development.

25. As a condition of the Park City Heights MPD a total of 79 deed restricted affordable units are required. The Development Agreement states that all 28 Townhouse units and all 35 Park homes (all deed restricted affordable) are located in Phase 1, along with 5 Cottage homes and that "affordable units for subsequent phases will be identified with the final subdivision plats for those phases".

26. The affordable housing mitigation plan indicates that the Project may be platted in phases and that each primary phase may include sub-phases as market conditions

dictate and the phases may be adjusted.

27. On February 27, 2019, the Planning Commission approved an amended subdivision phasing plan that aligns with the Housing Mitigation Plan.

28. On January 8, 2019, the Housing Authority approved an amended Park City Heights Housing Mitigation Plan.

29. Findings in the Analysis section are incorporated herein.

Conclusions of Law – Park City Heights Phase 4 Subdivision

1. The subdivision complies with LMC Chapter 7 as conditioned.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. The subdivision is consistent with the Park City Heights Annexation and the Park City Heights MPD and preliminary plat as amended and conditioned.
4. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision plat, as conditioned herein.
5. Approval of the proposed subdivision plat, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – Park City Heights Phase 4 Subdivision

1. City Planner, City Attorney and City Engineer review and approval of the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recordation of the plat.
2. The applicant will record the subdivision plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A plat note shall indicate that conditions of approval of the Amended Park City Heights MPD and preliminary plat, as amended and approved by the Planning Commission on November 6, 2013, and memorialized in the Park City Heights Development Agreement, as amended, February 26, 2014 and March 8, 2017, shall apply.
4. A plat note shall state that this plat is subject to this Ordinance (2019-xx) (the Ordinance approving this subdivision).
5. Final approval of the sewer facilities by the Snyderville Basin Water Reclamation District is required prior to final plat recordation.
6. A plat note shall state that trees, structures and retaining walls shall not be located within SBWRD easements.

7. The plat shall indicate that all streets and utilities, except for sewer laterals, constructed within the ROW are dedicated to the City for public use. Final acceptance of these streets by the City shall occur upon completion and acceptance of the public improvements. The City will commence maintenance and snow removal from public streets once 50% of the units within this phase are complete and certificates of occupancy have been issued.
8. Ten-foot wide public snow storage easements are required along all street frontages.
9. All survey monumentation as required by the LMC is required to be completed prior to acceptance of public improvements.
10. Parcels A - D are non-developable open space parcels and shall be dedicated to the Park City Heights HOA as restricted open space, to be owned and maintained by the Master HOA, and shall be encumbered by utility, drainage, snow storage, access and public trails easements as determined by the City Engineer prior to plat recordation.
11. A plat note shall state that public trails within the open space parcels shall be constructed in type and location as approved by the City consistent with the MPD. Final constructed trails are agreed, by the recording of this plat, to be within ten (10') foot public trail easements. Trails within Phase 4 shall be constructed prior to recordation of this plat, or shall be bonded for as required by the City Engineer and City Open Space and Trails Manager.
12. A plat note shall state that all construction, including streets, utilities and structures shall comply with recommendations of the supplemental, updated soils investigation conducted by AGECE on December 20, 2011 that updated and supplemented the June 9, 2006 Geotechnical Study provided by Gordon, Spilker, Huber Geotechnical Consultants, Inc.
13. A plat note shall state that additional soils studies and geotechnical reports may be required by the City Engineer and Chief Building Official prior to issuance of any building permits for structures, utilities, and roads. The report shall be reviewed by the City Engineer and Chief Building Official and any recommendations for utilization of special construction techniques to mitigate soils issues, such as expansive clays, shall be incorporated into conditions of the building permit and ROW Permit approval.
14. A plat note shall state that a landscape and irrigation plan shall be submitted and approved by the City for each lot, prior to building permit issuance. Landscaping and irrigation shall be consistent with the Park City Heights Design Guidelines.
15. A plat note shall state that a limits of disturbance plan (LOD) and existing vegetation protection plan shall be part of the building permit submittal.
16. A plat note shall state that exterior lighting shall conform to requirements of the City's Lighting Ordinance and the Park City Heights Design Guidelines.
17. A plat note shall state that applicable requirements of the LMC regarding top soil preservation, final grading, and landscaping shall be completed prior to issuance of

a certificate of occupancy, or bonded for as determined and approved by the Chief Building Official.

18.A plat note shall state that grading, drainage and storm water run-off plans shall be approved by the City Engineer prior to building permit issuance.

19.A plat note shall state that prior to issuance of a building permit for any units within this plat, all building plans shall be reviewed for compliance with the Park City Heights Design Guidelines, including building setbacks, building height, maximum floor area, building articulation, architecture and materials, landscaping, lighting and other elements as stated in the Park City Heights Design Guidelines.

20.Confirmation of street names shall be provided by the City Engineer prior to plat recordation.

21.A note shall be added to the plat stating that all units shall be constructed to National Association of Home Builders National Green Building Standards Silver Certification (or other equivalent Green Building certification approved by the Planning Director) OR reach LEED for Homes Silver Rating (minimum 60 points). Green Building Certification or LEED rating criteria to be used shall be those applicable at the time of the building permit submittal.

22.A plat note shall state that In addition to meeting Green Building or LEED for Homes checklists and in order to achieve water conservation goals, each house must either:
1) achieve at a minimum, the Silver performance Level points within Chapter 8, Water Efficiency, of the National Association of Home Builders National Green Building Standards; OR 2) achieve a minimum combined 10 points within the 1) Sustainable Sites (SS2) Landscaping and 2) Water Efficiency (WE) categories of the LEED for Homes Checklist. Points achieved in these resource conservation categories will count towards the overall score, as further described in the Park City Heights Design Guidelines.

23.A plat note shall state that an industry standard Third Party inspector shall be 455

mutually agreed upon by the Chief Building Official and the applicant prior to issuance of a building permit to provide third party inspection for compliance with Green Building and Water Conservation requirements as required by the amended Master Planned Development Agreement. Final certification documenting compliance shall be provided to the Building Department prior to issuance of certificates of occupancy.

24.A construction mitigation plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, LMC, and the MPD conditions of approval prior to building permit issuance on individual lots as well as for construction of public infrastructure. The CMP shall address construction access, parking, allowed hours of work, temporary lighting, construction signs, limits of disturbance, recycling and stockpiling of materials, re-vegetation of all disturbance areas, noise, dust, and other items listed on the standard CMP form required by the Building Department.

25.To mitigate impacts on existing City streets and residents, temporary construction access to Phase 4 shall be from Richardson Flat Road onto a temporary graded or paved access road, utilizing Lot C-1 and Parcel G located east of Piper Way, then accessing Piper Way just south of the Kinley Drive and Piper Way intersection. If an access easement can be acquired from the UDOT to use the US 40 frontage road for construction access for Phase 4, that option should be pursued to mitigate impacts on existing residents. This temporary access may require paving in order to prevent tracking of mud. The disturbed areas of Lot C-1 shall be re-graded and revegetated

once constructed is complete or, if not used for a period of one year or longer.

26.Ledger Way (the section north of Calamity Lane) shall not be used for construction access to Phase 4.

27.A common construction recycling and excavation materials storage area within the development shall be utilized for this phase as required by the MPD.

28.All public improvements shall be completed and accepted prior to signing and recording of the plat, or a financial guarantee may be provided to the City, in a form and amount acceptable to the City for the value of all public improvements, including trails. All public improvements shall be completed according to City and provider standards and accepted by the City Council prior to release of this guarantee. Ten percent of the bond shall be held by the City for the warranty period and until such improvements are accepted by the City.

29.A plat note shall state that maintenance of sidewalks (including, without limitation, snow removal), trails, lighting, and landscaping within the public rights-of-way and common areas, with the exception of public trails, shall be provided by the Master HOA, unless otherwise agreed upon by the City Council.

30.A plat note shall state that a fire protection and emergency access plan shall be submitted and approved by the Park City Fire District prior to the issuance of any building permits for this phase. The fire protection and emergency access plan shall include any required fire sprinkler systems and landscaping restrictions within the Wild land interface zones and shall ensure that Park City's ISO rating is not negatively affected by the development.

31.Residential fire sprinklers are required for all occupied structures as required by the Chief Building Official.

32.Issuance of building permits for Phase 4 are subject to completion and issuance of certificates of occupancy for deed restricted affordable housing as required by the approved Housing Mitigation Plan, as amended.

33.A note shall be included on the final plat stating the following maximum Residential Floor Area (aka house sizes), consistent with the LMC definitions, shall apply:

3,500 square feet (Cottage homes)

4,000 square feet (Homestead homes)

34.A note shall state that this plat is subject to the 2014 Amended Park City Heights MPD Development Agreement and the Water and Maintenance Agreement with Park City Municipal Corporation dated October 3, 2014.

35.No through roads may be provided through the Park City Heights MPD to the Deer Valley MPD subdivisions.

36.All standard project conditions shall apply.

Marsac Mining Claim 61

This item was continued under CONTINUATIONS on the Agenda.

The Planning Commission Meeting adjourned at 9:20 p.m.

Approved by Planning Commission: _____