PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JULY 28, 2021

COMMISSIONERS IN ATTENDANCE: Chair John Phillips, John Kenworthy, Sarah Hall, Laura Suesser, Bill Johnson, Christin Van Dine

EX OFFICIO: Alexandra Ananth, Senior City Planner; Rebecca Ward, Senior City Planner; Spencer Cawley, City Planner, Gretchen Milliken, Planning Director; Browne Sebright, Planner II; Heinrich Deters, Trails & Open Space Program Manager; Mark Harrington, City Attorney

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1. ROLL CALL

Chair Phillips called the meeting to order at 5:30 p.m.

The following written determination was read:

> The Chair issued a written determination that because of the public health emergency, conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may attend in person. This determination is based on the ongoing risks and infection rates statewide and in Summit County. For these reasons, this meeting will be an electronic meeting without an anchor location. Planning Commission members will connect electronically.
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> Public comments will be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

2. MINUTES APPROVAL

There were no minutes to be approved.

3. PUBLIC COMMUNICATIONS

No hands were raised on Zoom and no eComments were submitted.

4. CONTINUATIONS

Planning Director, Gretchen Milliken, shared the staff and board communication updates with the Planning Commission. She noted that there had been discussions during a Work Session several meetings ago related to hybrid Planning Commission Meetings versus virtual Planning Commission Meetings. At that time, the Planning Commission wanted to meet in person in the future, pending the success of the City Council hybrid meetings.

Director Milliken reported that the City Council had been meeting in person in a hybrid format. If a City Council Member is unable to attend a meeting in person, they can attend virtually. The subject was being revisited with the Planning Commission because there had been some concerns raised about in-person meetings. Director Milliken explained that the Planning Commission often has greater public attendance than some other Boards and Commissions. The following questions were posed to Commissioners:

- Does the Planning Commission want to set a goal date to work towards as it relates to in-person meetings?
- Does the Planning Commission want this issue to be discussed at a later date?
- Does the Planning Commission want to continue meeting virtually for some time moving forward?

Chair Phillips asked if there would need to be a quorum at the anchor location if the Planning Commission moves to the hybrid format. City Attorney, Mark Harrington, explained that if the Chair determines that the anchor location does not pose safety or health risks, there will need to be a quorum at the anchor location. However, meetings could continue virtually and some Commissioners could meet in person. While there was nothing preventing a hybrid variation, it might cause some confusion, especially as it relates to the public portions of the Planning Commission Meetings.

Commissioner Kenworthy noted that this was a transitional time, and the Centers for Disease Control and Prevention ("CDC") guidelines suggest that masks be worn in certain areas of the County. Additionally, Park City is a tourist center. He felt it would be wise to continue virtual meetings for a little longer and then move into a hybrid format.

Commissioner Suesser agreed. She commented that there had been an increase in COVID-19 cases and felt that the Planning Commission should at most have a hybrid format. She had no issue with some of the Commissioners attending meetings in the Council Chambers, as long as a quorum is not required. If that is confusing to the public, Commissioner Suesser believed that Planning Commission Meetings should remain virtual until a date certain.

Commissioner Van Dine was in favor of moving to a hybrid format. She wondered if it would be possible to have applicants and Commissioners be present in public and for the public comment portions of the meetings to remain virtual. Commissioner Hall agreed with the other Commissioners. She asked Director Milliken if it would be possible to meet in a larger location. Director Milliken explained that the Planning Commission does not need to meet at City Hall. It simply needs to meet in an anchor location. That could be an option for staff to look into if the Commissioners feel strongly about returning to in-person meetings. Commissioner Van Dine suggested that the Library could be a possible location. Attorney Harrington noted that there would need to be a re-notice if another location is used.

Commissioner Johnson felt that the hybrid format was a good idea. Chair Phillips commented that with the recent increase in COVID-19 cases and the rollback of some CDC guidelines, it would be better to remain virtual for the time being. He felt that before the recent spikes and the new variant, the Planning Commission was headed back to in-person meetings, but it would be complicated to do a hybrid format at the current time. Chair Phillips noted that the Planning Commission was functioning well virtually and he did not believe it made sense to put anyone at risk. He suggested that when the case numbers start to decline, that the issue be revisited.

Attorney Harrington commented that staff could come back with a draft resolution that expressly enables a version of the hybrid meeting format. He noted that many of the Commissioners had different ideas about which type of hybrid format should take place in the future. The draft resolution would provide clarity, allow staff time to prepare, and inform residents of possible next steps. Chair Phillips liked the idea. He referenced an earlier suggestion to hold Planning Commission Meetings at the Library. He assumed there would be certain complexities associated with that.

Commissioner Suesser made note of a question raised by Commissioner Van Dine related to a hybrid meeting without the public present. She wondered if that would be permitted. Attorney Harrington explained that it would be possible to set an occupancy limit that is available on a first-come first-serve basis. However, he felt that may be a problematic format. He believed holding a Work Session related to draft terms would be beneficial because the pros and cons of the different hybrid options could be shared with the Planning Commission. Attorney Harrington commented that there were a lot of different options under the current rules. If a pros and cons list was created, the Planning Commission could determine the next steps. Chair Phillips noted that those discussions could take place once the COVID-19 case numbers start to decrease. He asked Director Milliken to keep an eye on the case counts.

Chair Phillips asked if there were any disclosures from Commissioners. Commissioner Hall noted that she had a disclosure for Item 5D. She retained Marshal King from Alliance Engineering, Inc. for a personal matter several years ago. Additionally, she saw Hannah Tyler was a participant but was not an applicant or representative. Ms. Tyler also handled a personal matter for her in the past. Neither would impact her decision.

Commissioner Suesser disclosed that she met with Steven Issowits, Rich Wagner, and Commissioner Kenworthy on May 5, 2021, and received a high-level overview of the Deer Valley Resort plans for Snow Park. She also heard history regarding how those plans had evolved over the years. The application was not complete at that time, and she did not believe that meeting would compromise her objectivity.

Commissioner Kenworthy disclosed that over a decade he had been a substantial seasonal housing landlord to Deer Valley Resorts and others. He also participated in the meeting mentioned by Commissioner Suesser and had coffee with the Mayor. None of those disclosures would affect his decision.

Chair Phillips had a disclosure with Item 5C. The applicant was Gary Bush. He used to be neighbors with Mr. Bush, worked as a subcontractor for Mr. Bush, and was employed by Mr. Bush. Chair Phillips stated that would not affect his decision-making. Commissioner Kenworthy added that he chaired the Historic Preservation Board with Mr. Bush as a member. That would not impact his decision.

5. REGULAR AGENDA

A. 1335 Lowell Avenue – Conditional Use Permit – The Applicant Proposes to Install Shielded Rooftop Antennas to Relieve Telecommunications Capacity Coverage in the Recreation Commercial Zoning District. PL-21-04768. (A) Public Hearing; (B) Continuation to a Date Uncertain.

Chair Phillips reported that there was an explanation in the staff report that addressed the desire to continue Item 5A to a date uncertain.

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

City Planner, Spencer Cawley reported that the applicant is Smartlink Group on behalf of AT&T Mobility. Commissioner Suesser asked why the application was contained to a specific address. Planner Cawley explained that the address is where the roof-mounted antenna will be placed. Planner Cawley confirmed that the application was continued from one month earlier. The applicant did not have new plans ready to move forward. Planner Cawley distributed comments from the June 23, 2021, Planning Commission Meeting related to future development.

MOTION: Commissioner Suesser moved to continue the application for 1335 Lowell Avenue – Conditional Use Permit, to a date uncertain. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

B. 7 Perseverance Court – Plat Amendment – The Applicant Proposes Amending the Area of Disturbance for Lot 8 of the Evergreen Subdivision. PL-21-04845. (A) Public Hearing; (B) Continuation to August 25, 2021.

Chair Phillips noted that staff requested that the above item be continued until the August 25, 2021, Planning Commission Meeting.

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

MOTION: Commissioner Suesser moved to continue the application for 7 Perseverance Court – Plat Amendment, to the August 25, 2021, Planning Commission Meeting. Commissioner Van Dine seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

C. 1003 Norfolk Avenue – Plat Amendment – Remove the Lot Boundary Line Common to Lot 1 and Lot 2 of Block 16 in Snyder's Addition to Park City, and Create a New Lot of Record, 1003 Norfolk Avenue Subdivision, Park City, Utah, in the Historic Residential Zoning District. PL-21-04822. (A) Public Hearing; (B) Possible

Recommendation for City Council's Consideration on September 2, 2021.

Senior City Planner, Alexandra Ananth reported that Martina Nelson from Park City Surveying and the applicant, Mr. Bush, were present to answer questions. The application was for a Plat Amendment at 1003 Norfolk Avenue. The lot is located in the HR-1 Zoning District in Old Town and the applicant proposed to remove the lot boundary line between the adjacent Lot 1 and Lot 2 of Block 16 in Snyder's Addition to Park City and create a Lot of Record for the combined lot.

The Lots were improved with a home that was built in 1904, a designated Landmark Historic Structure on the Historic Sites Inventory, which was constructed across the internal
lot line. The applicant proposed that the internal lot line be removed to create a new lot of record. Portions of the existing home and garage encroached into the City's right-of-way and the Planning Department recommended a condition of approval that the applicant enters into Encroachment Agreements for the existing historic home and garage prior to recording the Plat Amendment. The applicant agreed to that condition.

Planner Ananth presented an aerial view map and the Record of Survey. Chair Phillips wondered if the garage was also considered historic. Planner Ananth confirmed that it is. She reported that staff found good cause for the Plat Amendment as it will remove an internal lot line to the Landmark Historic Structure and create a new lot for the existing historic structure and use. The applicant would address existing encroachments with the City Engineer prior to recording the Plat Amendment. Staff recommended that the Planning Commission hold a public hearing and consider forwarding a positive recommendation for City Council consideration on September 2, 2021.

Commissioner Suesser wondered why the Planning Department would encourage the applicant to enter into an Encroachment Agreement rather than remove the encroachment from the lot. Planner Ananth explained that the house and garage were considered historic and it was unlikely that any demolition would be allowed. As a result, it would be better to have an Encroachment Agreement while the homes exists on the lot. Should the site be redeveloped, it would be redeveloped to current setback requirements.

Chair Phillips asked if the encroachments were later additions to the historic structure. Planner Ananth did not believe they were. Commissioner Suesser wondered if the application had gone through the Historic District Design Review ("HDDR") process.

Planner Ananth explained that it had not because there were no proposed changes to the structure. It was simply a Plat Amendment to remove the internal lot line.

Chair Suesser asked about the extent of the encroachments. Ms. Nelson asked that the Record of Survey be shared with the Planning Commission again. She reported that the left side of the garage has an encroachment of 1.5 feet into the right-of-way and the right side of the garage has an encroachment of two feet. Ms. Nelson noted that there were additional encroachments of 0.4 feet (5-inches) on both corners of the wall overhangs as well as additional encroachments of 0.9 feet (10-inches) and one foot.

Discussions were had about the concrete retaining wall. Mr. Bush believed the concrete retaining wall remained to retain the front yard. Commissioner Suesser noted that there is a rock wall north of the garage. She wondered if it was a continuation of the concrete retaining wall. Mr. Bush clarified that it was separate and from the abutting property. Chair Phillips did not imagine the concrete retaining wall was historic but assumed that it was functioning for the existing property. He noted that it may be possible to add a condition to state that if a significant addition or remodel of the home takes place, the concrete retaining wall must come into compliance. Planner Ananth confirmed that such a condition would be possible. If during the HDDR process, it was determined that certain features were not historic to the home, they could be brought into compliance as well.

Commissioner Suesser asked if the renovation plans had been reviewed. Mr. Bush reported that he went through the HDDR process and believed the plans had been approved. Commissioner Suesser wondered why the Planning Commission was not looking at the plans to see how the proposed renovations would impact encroachments. Mr. Bush commented that during an HDDR review, one of the main priorities was to maintain the façade. The bump-outs on the south side were historic.

Chair Phillips was in favor of granting exceptions for historic sites but still had concerns about the concrete retaining wall. Mr. Bush explained that the City Engineer would sign the Plat Amendment and go through it with his own checklist. The concrete retaining wall is historic and the City Engineer generally leaves those as long as they do not encroach into the City's street right-of-way. Chair Phillips believed that was correct as he was familiar with the process as it relates to historic walls.

Commissioner Kenworthy was comfortable with the Plat Amendment as it was a designated Landmark Historic Structure. Commissioners Hall and Van Dine agreed. Commissioner Suesser noted that the home will be redeveloped and she did not agree that the encroachments were necessarily needed to retain the historical integrity. Mr. Bush reminded Commissioner Suesser that the Plat Amendment needs to be signed by the City Engineer. He would require an Encroachment Agreement for everything that encroaches into the City's right-of-way. Planner Ananth confirmed that the City Engineer will grant the encroachment. The condition as currently worded was that the encroachments must be received prior to recording the Plat Amendment for the Landmark Historic Structure. Additional language could be added to state as follows:

- If any of the encroachments are deemed not historic, they shall be removed upon redevelopment of the lot.

Chair Phillips was in favor of the suggested language. Ms. Nelson conducted the survey for Mr. Bush and reported that with historic homes, the procedure in Old Town was to accurately locate the home on a survey map. A contractor would then jack up the house and put it on the crisscrossed railroad ties. After the foundation is improved, the historic house must be placed back where it was. The home could not be moved over one-half of a foot to eliminate encroachments. Commissioner Suesser commented that there would be significant renovations done to the home. It was not just foundation work.

Chair Phillips noted that Ms. Nelson was correct in that the historic home cannot be moved laterally. It must go straight up and straight back down. Commissioner Kenworthy reported that the reason was that the exact location of the home told a story. Every aspect of the historic nature of the dwelling and the setting should remain the same. Chair Phillips believed that the addition of the proposed language by Planner Ananth would resolve his concerns related to the application.

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

MOTION: Commissioner Kenworthy moved to forward a positive recommendation to the City Council for consideration on September 2, 2021, for the 1003 Norfolk Avenue – Plat Amendment, subject to the following:

Findings of Fact:

1. The property is located at 1003 Norfolk Avenue in the Historic Residential (HR-1) District.

2. The property consists of two lots, Lot 1 and Lot 2, SA-164.

3. The lot is improved with a house built circa 1904 which is considered a Landmark Historic Structure constructed across the internal lot line.

4. The combined lot will meet all Lot and Site Requirements and the density of the site is not changing.

5. Any redevelopment will be subject to the City's HDDR process.

6. Staff finds Good Cause for this Plat Amendment as it will remove an internal lot line to the Landmark Historic Structure, and it will create a new lot of record for the existing historic structure and use.

7. The findings in the analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this Plat Amendment as the Amendment will preserve the present land Use and character of the Historic residential area will remove an internal lot line to the Landmark historic structure and will create a new lot of record.

2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Subdivisions, including LMC § 15-7.

3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

5. No Public Streets, Right-of-Way, or easements have been vacated or amended.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the Plat.

2. The applicant will record the Plat Amendment at the 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 will be void, unless a request for an extension is submitted in writing and approved by the City Council.

3. The applicant shall enter into encroachment agreements for the existing historic house and garage prior to recording the plat amendment.

4. A Plat Note shall indicate that the Plat is subject to Ordinance 2021-XX.

Commissioner Hall seconded the motion.

VOTE: Commissioner Kenworthy-Aye; Commissioner Suesser-Nay; Commissioner Johnson-Aye; Commissioner Van Dine-Aye; Commissioner Hall-Aye. The motion passed 4-to-1.

D. 2587 Fairway Village Drive – Plat Amendment – Request to Construct an Addition to the Living Space Between the Existing Dwelling and the Garage Designated as Private Ownership, and to Add Five Feet to the Existing Deck at the Rear of the Property Designated a Limited Common Ownership, Fairway Village No. 1 First Amended Amending Lot 28, Park City, Utah, in the Residential Development Zoning District. PL-21-04835. (A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on September 2, 2021.

Planner Ananth reported the application was for a Plat Amendment for Fairway Village, a 28-unit townhouse-oriented Planned Unit Development ("PUD") that was recorded in 1979. The applicant, Dennis Cathey, was identified as the owner of Unit 28 and was requesting to construct an addition to the living space between the existing dwelling and the garage, which would be designated as private ownership. Additionally, the applicant was requesting to add five feet to the existing deck at the rear of the property.

Both additions met all setback requirements. The Fairway Village Homeowners Association approved the proposed changes to the plat. Planner Ananth noted that eight of the 16 similar units had completed similar additions over the years. Staff recommended that the Planning Commission conduct a public hearing and forward a positive recommendation for City Council consideration on September 2, 2021. Chair Phillips wondered what made the application a Plat Amendment as the footprint was not being increased. Planner Ananth explained that it was tied to the footprint of the building.

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

MOTION: Commissioner Hall moved to forward a positive recommendation for City Council consideration on September 2, 2021, for 2587 Fairway Village Drive – Plat Amendment, subject to the following:

Findings of Fact:

1. The property is located at 2587 Fairway Village Drive, a PUD in the Residential Development (RD) Zoning District.

2. The Fairway Village No. 1 Plat was approved by City Council on December 12, 1979, for 28 units, and recorded on December 17, 1979.

3. The proposed amendment is for an addition to the living space between the existing dwelling and the garage (below the existing bridged walkway), which would be designated as private ownership, and to add five feet to the existing deck at the rear of the property designated as limited common ownership. The addition will add approximately 435 square feet.

4. The Fairway Village Homeowners Association approved the proposed changes to the plat in a letter dated April 20, 2021.

5. The addition does not change the number of residential units, Density, or require additional parking.

6. The addition and expanded deck meet all setback requirements.

7. Staff finds Good Cause for this Plat Amendment as the Amendment expands the private space of Unit 28 with living and deck area and meets all LMC Requirements.

8. No Public Streets, Right-of-Way, or easement has been vacated or amended. 9. The findings in the analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this Plat Amendment as the Amendment expands the private space of Unit 28 with a living and deck area.

2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Subdivisions, including LMC § 15-7.

3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

5. No Public Streets, Right-of-Way, or easements have been vacated or amended.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the Plat.

2. The applicant will record the Plat Amendment at the 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 will be void, unless a request for an extension is submitted in writing and approved by the City Council.

3. A Plat Note shall indicate that all Conditions of Approval of the Fairway Village No. 1, a PUD, shall continue to apply.

4. A Plat Note shall indicate that the Plat is subject to Ordinance 2021-XX

Commissioner Van Dine seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

E. 3805 Fox Tail Trail – Plat Amendment – The Applicant Proposes Creating One Lot from Parcel PCA-S-98-SEC-11 for a Single-Family Dwelling in the Estate Zoning District and One Parcel in the Recreation Open Space Zoning District. PL-21-04826. (A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on September 2, 2021.

City Planner, Browne Sebright reported that the application was for a Plat Amendment on property located at 3805 Fox Tail Trail. The proposed Fox Tail Subdivision will create an 8.84-acre lot in the Estate Zoning District for a single-family dwelling, with a portion of the Ridge Line Area zoned Recreation Open Space, and create a 23.89-acre parcel, to be dedicated to Park City Municipal Corporation to retain as Recreation Open

Space, pursuant to a Conservation easement. Planner Sebright explained that this was the first of two agenda items for the property. The following agenda item would discuss the reallocation of the zoning districts on the property in order to protect a ridge line.

The property was an unimproved lot located at the end of Fox Tail Trail off of Solamere Drive. It is 32.73 acres in size and geographically distinct. Planner Sebright reported that it contains several knolls and gullies that drain to the northeast. The property was currently split-zoned, with approximately 3.2 acres in the Estate Zoning District and the remainder of the property zoned Recreation Open Space.

Planner Sebright reported that there were two features on the property that made development with that originally proposed configuration difficult. There was a 50-foot-wide utility right-of-way easement that carried the PacifiCorp power lines and an access road through the property. Additionally, there was a protected ridge line on the property. Per the Land Management Code, no development was allowed within 150 feet of a protected ridge line. The remaining portions of the lot within the Estate Zone were part of a natural valley. Development in this area would be difficult because of the required 30-foot front and side setbacks and the required cuts and fills to enable a development pad.

With those conditions identified, the applicant amended the original submittal with a new proposal to create an 8.84-acre lot from an existing parcel and to create a 32.8-acre parcel in the Recreation Open Space Zoning District. The new configuration would allow for a development pad that was outside the protected Ridge Line Area and the utility Right-of-Way easement. The development pad would not be in an existing natural drainage area.

Planner Sebright reported that the lot was originally envisioned as part of the Hidden Meadows Subdivision. The subdivision established a 16,000 square-foot maximum site disturbance area and a 10,000 square-foot maximum floor area. Staff recommended that the maximum site disturbance and maximum floor area for the subdivision be incorporated into the proposed Fox Tail Subdivision. Planner Sebright noted that staff reviewed the proposed subdivision and found that it complies with the following, as outlined and conditioned in the staff report:

- Estate and Recreation Open Space Zoning Districts;
- Sensitive Lands Overlay;
- Zoning District Lot and Site Requirements;
- General Subdivision Requirements;
- General Lot Design Requirements.

Another important feature of the property related to the trails that ran from a trailhead at the end of Fox Tail Trail. Trails wrapped around and crossed over the knoll, connecting to the Fox Tail, Skid Row, and Lost Prospector Trails. In the original proposal, the applicant had proposed recording a 10-foot trail easement for the Fox Tail Trail and the trail that connected Hidden Meadows to Park City Heights. With the revised application, which included the proposed relocation of the development pad, the applicant had agreed to finance, relocate and record trail easements for the Fox Tail Cut and trailhead to Park City Heights, in accordance with the Trails Master Plan. As a result, staff modified Condition of Approval #13 to reflect that the applicant would be responsible for the financing and relocation of trails that were within the proposed private lot.

Per the Land Management Code, the Planning Commission may recommend maximum dwelling or unit square footages for subdivisions. While the requested subdivision was not subject to a Maximum Floor Area under the requirements of the Estate Zoning District, the approved plat for the adjacent Hidden Meadows Subdivision included the Maximum Floor Area and Maximum Site Disturbance for each lot in the subdivision. Since the Fox Tail lot was originally included in the Hidden Meadows Subdivision, the Maximum Floor Area and Maximum Site Disturbances were established for the lot and formed the basis for the staff recommendation. Staff recommended Condition of Approval #8 to align the Maximum Site Disturbance and Maximum Floor Area of the lot and with those established at the Hidden Meadows Subdivision.

Other Conditions of Approval that addressed the previously mentioned points included:

- Condition of Approval #8:
  - Protects significant vegetation.
- Condition of Approval #9:
  - To show the Ridge Line Area and the 150-foot buffer on the final plat.

The project had been taken to the Development Review Committee (“DRC”) and based on the input of the Snyderville Basin Water Reclamation District; staff recommended adding the following two additional Conditions of Approval:

- Condition of Approval #21:
  - To show and label the 20-foot private sewer easement on the neighboring property.
- Condition of Approval #22:
  - To indicate that a privately owned and operated waste water ejector pump would also be required.

Staff found good cause for the Fox Tail Subdivision given that it protected the ridge line, complied with the requirements of the Estate and Recreation Open Space Zoning Districts, the requirements of the Sensitive Lands overlay, and the Trails Master Plan. Planner Sebright reported that staff received multiple inquiries from neighbors with questions about the project. One written statement was submitted as the Planning Commission Meeting started. A neighbor raised concerns regarding the relocation of the Fox Tail Cut near their property. Based on this concern, the Planning Commission may want to consider the following additional Condition of Approval:

- The trail relocation will comply with Estate Zoning District setbacks and shall be set back a minimum of 30 feet.

Staff recommended that the Commission forward a positive recommendation for City Council consideration on September 2, 2021, subject to the amendment of Condition of Approval #13, the addition of Conditions of Approval #21 and #22, and the possible addition of a Condition of Approval related to trail relocation.

Chair Phillips had questions related to the trail relocation. He asked about the proposed language shared by Planner Sebright for a Condition of Approval. Planner Sebright clarified that the proposed language was something that he had quickly put together but it was something the Planning Commission could consider further.

Chair Phillips asked if there was language included in the conditions that would ensure that the trail relocation takes place. Planner Sebright reported that the applicant's representative, Douglas Ogilvy, was present and would be able to better address that question. Mr. Ogilvy noted that it could be included as a condition of the recordation of the plat. Chair Phillips confirmed that Mr. Ogilvy approved of tying the trail relocation to the recordation of the plat.

Commissioner Suesser asked for more information related to the trail relocation. Planner Sebright noted that the relocation of the Fox Tail Cut Trail, based on the proposed development site and driveway, would require the head of the trail to be relocated slightly to the west. A Condition of Approval that could be considered would be to have that trail adhere to the Estate Zone setback requirements, which would be 30 feet from the side yard lot line. Further discussions were had about the location.

Chair Phillips wondered if the proposed Condition of Approval would work with the proposed location of the driveway. Mr. Ogilvy wanted the driveway to start as close to the west property line as possible so the existing topography could be followed rather than needing to bring in fill. He felt that the 30-foot setback would be possible for the majority of the area, but he would like to keep the trail closer to the property line for the first 40 feet or so. For instance, there could be a condition that required the west trail to be 30 feet or more from the west property line, to the extent reasonably possible. It could be subject to staff approval and they could differ to staff on the final alignment.

Chair Phillips asked if there was actual language related to the 30-foot setback in the Code. Planner Sebright clarified that it came from the Land Management Code. The side setback was stipulated in the Estate Zoning District chapter. Mr. Ogilvy pointed out that the 30-foot setback was normally just for structures. Planner Sebright confirmed this. The suggestion was simply a response to the neighbor's concern that had been submitted prior to the Planning Commission Meeting.

Mr. Ogilvy mentioned the proposed Condition of Approval #8, which related to the 16,000 square-foot limit of disturbance. There had been discussions about the driveway being excluded from the limitation. Chair Phillips asked if the 16,000 square foot maximum site disturbance came directly from the language on the existing neighboring lots. Planner Sebright explained that when the Hidden Meadows Subdivision was first subdivided, the original intent was to include the lot as part of the subdivision. That did not happen for several reasons, but the proposed maximum floor area and maximum site disturbance were left in, which was what staff based the suggestion on.

Commissioner Kenworthy asked Trails & Open Space Program Manager, Heinrich Deters about the conflict with the driveway and the setback. Chair Phillips recapped the presentation information for Program Manager Deters. He explained that the conflict that the Planning Commission was having was that the driveway coming into the cul-de-sac would not allow for the 30-foot setback to the corner of the property. Program Manager Deters noted that the trail access to the Solamere community had been there for a while. He suggested starting with a goal to preserve access to the south and north. Chair Phillips believed they were discussing a connection to the west.

Mr. Ogilvy explained that there were 42 feet of frontage parallel with Fox Tail Trail before it curved the other way. They were planning to build a 20-foot wide driveway and would be left with 22 feet in which to insert a trail. The 30-foot setback requirement would push the driveway into an area where much more fill was required. He preferred to have the trail run parallel with the property line for the first 60-feet or so and then veer to the east to enable the driveway to be built where it made the most sense with the natural topography.

Chair Phillips opened the public hearing.

Coyt Johnston commented that he and his wife own property located at 3790 Fox Tail Trail. He believed they were the closest property owners to the proposed development. Mr. Johnston was opposed to the proposal. He requested maps that would highlight the proposed changes but did not receive them. As a result, he was unsure about the actual size and shape of the proposed development.

Mr. Johnston believed there would be a structure with a footprint of either 10,000 or 16,000 square feet. That was twice the size of most structures in the area and in that part of Park City. Mr. Johnston noted that the residence would be constructed outside of any Homeowners Association ("HOA") limitations. The HOA in which his property is located prohibits weekly rentals. He believed the proposed residence would be exempt from those types of prohibited uses and the property would significantly change the nature and character of the neighborhood.

Concerns were expressed related to the trails. For instance, Mr. Johnston did not like the fact that the representative stated that the money being spent on the trails would benefit the community. In reality, the development will disrupt the trails. Any money spent would be to correct that disruption. He explained that there were four trails that started at the cul-de-sac, including Lost Prospector, two access points to Fox Tail Trail, and another trail often referred to as the Rising Star Trail. He informed the Commission that those trails get a lot of use. The planned development would disrupt that use.

Mr. Johnston was also concerned about water flow. He explained that this is a downhill run and there is major water runoff all the way down Fox Tail Trail into the cul-de-sac. There is either a collection pond or creek underneath the right-of-way that is a major water source for wildlife. That would be eliminated by the proposed development. He was opposed to the development and asked the Commission to consider his comments. If the development was approved, he suggested that the residence be limited in size and conditioned on a Restrictive Covenant prohibiting cut-through access.

Bill Ligety and Cindy Sharp were identified as the owners of Hidden Meadows Lot #25, directly to the west of the property. Mr. Ligety reported that they requested additional information from Planner Sebright, who shared approximately 100 pages of data. However, they had been unable to view the maps at a scale where it was possible to distinguish details. They would love to be able to fully understand what was being proposed as it would have a significant impact on their property.

Mr. Ligety discussed the trail relocation. He noted that they did not purchase their property with the idea that there would be a trail closer to their property line than it currently is. He did not favor moving it closer. They were big proponents of trails but understood the impacts. Mr. Ligety had seen some real problems with trailheads elsewhere in Park City. Additionally, he did not like the idea that the proposal would accommodate a much larger house than expected. Others in the neighborhood had to live with a maximum site disturbance limit, which included driveways. If the applicant needs a 700-foot driveway, that was fine, but he felt it was inappropriate that the driveway be in addition to the 16,000 square feet of maximum site disturbance.

Mr. Ligety also noted that they had not seen anything to indicate whether the property would be subject to the Covenants, Conditions & Restrictions ("CC&Rs") of the Hidden Meadows Subdivision. He was opposed to the application and felt it was important that neighbors were supplied with enough information to understand the proposal fully. Ms. Sharp stressed her concerns related to the trail relocation.

Joan Card gave her address as 3764 Fox Tail Trail, which was Lot #28 of Hidden Meadows. She noted that she is the next-door neighbor to Mr. Johnston and would like to adopt his comments as her own. She also echoed many of the comments from Mr. Ligety. Ms. Card requested that the Planning Commission table the item to allow more time for staff, the applicant, and the immediate neighbors to fully understand what is being proposed. She explained that her home on Fox Tail Trail was purchased as a primary home in 2010 and had been a primary home for much of the time since. The trails are used daily. Ms. Card believed that what was proposed will have a major impact on daily life.

Ms. Card noted that she used to be a City employee and it was her job to understand the mine company. She was familiar with the Plat Map for the street. The area that was known as Lot #26 was like the other lots on the street. She did not know why that lot was never developed but what was proposed seemed to take advantage of the fact that the Plat Map was not recorded and the HOA had not previously taken action.

Ms. Card commented that the proposal will significantly impact the viewshed and character of the street. She appreciated the work staff had done thus far but felt that more work needed to be done. The neighbors that were immediately impacted should be consulted and have a role. Ms. Card asked that the Planning Commission not approve the proposal now.

Matt and Brady Leventhal were identified as the owners of 3781 Fox Tail Trail or Lot #24. Mr. Leventhal echoed other comments shared by neighbors. He noted that one of the biggest areas of concern would be the exclusion of the driveway from the maximum site disturbance. He felt it would be out of context to have such a large residence not set back far enough from the street because the driveway area was excluded. Mr. Leventhal also felt that the trail system was critical. He wanted to make sure that trails were left in appropriate locations and that there continues to be plenty of access.

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

Commissioner Suesser asked about references to Lot #26. She believed the property was located outside of the Hidden Meadows Subdivision. Planner Sebright noted that Lot #26 was not recorded and the property was not referred to as Lot #26 on any official documents. Chair Phillips believed more detailed information was needed, especially as it relates to trails and the trail relocation. It would also be useful to have additional information about the driveway and the maximum site disturbance.

Planner Sebright noted that the 10,000 square-foot maximum floor area was a maximum and not necessarily what was being proposed. It was consistent with other large lots in the Hidden Meadows Subdivision. As currently drafted, the Condition of Approval related to Maximum Site Disturbance applied to both the home site and the driveway. Planner Sebright made note of the feedback related to the relocation of trails. The Planning Department could do more work with Mr. Ogilvy and the neighbors to determine finer details as they relate to the exact orientation and location of the trails relative to the proposed driveway. Planner Sebright felt that tabling the item to the August 25, 2021, Planning Commission Meeting would provide additional time to work through those details.

Commissioner Suesser noted that there had been a comment about utility lines interfering with either the driveway or the trail. Planner Sebright explained that the utility easement for the power line did not affect the driveways or the trails. Trails and driveways were allowed to cross through the right-of-way easement, per the notes of that easement. The utility lines would impact the development site of the home and where the location was relative to the easement.

Commissioner Suesser believed that since some of the neighbors had issues and received all of the information, it would be prudent to continue the item to the August 25, 2021, Planning Commission Meeting. Commissioners Van Dine, Hall, and Kenworthy agreed. Commissioner Kenworthy asked if the applicant could provide maps at the next meeting that show the location of the existing trail system, where the proposed trail system will be, and the proposed location of the driveway. Mr. Ogilvy displayed a higher resolution version of the map. He reported that when the Hidden Meadows Subdivision was first contemplated, there would have been a home 30 feet east of Lot #25. Instead, they were proposing to move the residence 700 feet east of that property line.

Mr. Ogilvy explained that if the home had been built on Lot #26 as originally contemplated, the Fox Tail Cut Trail would not exist because it went through the middle of what was originally contemplated as the home site. The Sensitive Lands Ordinance was adopted in 2007 and made the originally contemplated Lot #26 not viable. While working with staff, there had been a proposal to move the home 700 feet east of the boundary so it was well removed from any of the adjacent neighbors. Chair Phillips felt that the information was useful but may create more questions. He suggested that there be clear exhibits to share when the item comes back to the Planning Commission on August 25, 2021.

MOTION: Commissioner Suesser moved to continue the 3805 Fox Tail Trail – Plat Amendment to the August 25, 2021, Planning Commission Meeting. Commissioner Hall seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

F. 3805 Fox Tail Trail – Rezone – The Applicant Proposes Relocating the Estate and Recreation Open Space Zoning for Parcel PCA-S-98-SEC-11 to Create an 8.84-Acre Area in the Estate Zoning District for the Construction of a Single-Family Dwelling Outside of the Ridge Line Area and a 23.89-Acre Area in the Recreation Open Space Area to be Dedicated to Park City Pursuant to a Conservation Easement. PL-21-04865. (A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on September 2, 2021.

Chair Phillips noted that the 3805 Fox Tail Trail – Rezone was connected to the previous agenda item. Planner Sebright explained that much of the information had been presented already but there were additional items and Conditions of Approval to discuss. The proposed Fox Tail Subdivision will create an 8.84-acre lot in the Estate Zoning District for a single-family dwelling with a portion of the Ridge Line Area zoned Recreation Open Space and create a 23.89-acre parcel to be dedicated to Park City Municipal Corporation to retain as Recreation Open Space, pursuant to a Conservation Easement.

The features of the site, given the ridges and valleys as well as the protected Ridge Line Area, made development difficult. To protect the Ridge Line Area, the applicant proposed the reallocation of the zoning boundary. Planner Sebright reported that it would rezone approximately 1.5 acres from Estate to Recreation Open Space and approximately 3.1 acres from Recreation Open Space to Estate. The proposed rezone intended to accommodate that Ridge Line Area for a development site east of the utility right-of-way easement. The maximum site disturbance and maximum floor area was based on what was described in the Hidden Meadows Subdivision.

Planner Sebright shared the current configuration of the zoning boundary for the property as well as the proposed configuration. Staff reviewed the proposed rezone and found that it complies with the Annexation Resolution 2-94, Estate and Recreation Open Space Zoning District, and the Sensitive Lands Overlay, as conditioned and outlined in the staff report. Staff recommended three Conditions of Approval for the rezone:

- The Planning Department, City Attorney's Office and GIS Specialist will review and approve the final form and content of the amended Zoning Map for compliance with State Law, the Land Management Code and the Conditions of Approval, prior to the Mayor's execution of the amended Official Zoning Map;
- The Applicant shall dedicate 23.89 acres to Park City Municipal Corporation, subject to a conservation easement on the acreage prior to recordation of the proposed Fox Tail Subdivision;
- Prior to submitting a Building Permit application to construct a single-family dwelling within the Estate Zoning District area, the applicant must submit the materials outlined in Land Management Code Section 15-2.10-6, Sensitive Lands Review, subject to Planning Director approval.

There had been public input earlier in the Planning Commission Meeting. Based on the conversations that took place, staff recommended that the item be continued to the August 25, 2021, Planning Commission Meeting.

Chair Phillips opened the public hearing.

Mr. Johnston noted that he was more than happy to have the matter continued while staff and the Planning Commission continue to study the matter.

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

MOTION: Commissioner Suesser moved to continue the 3805 Fox Tail Trail – Rezone to the August 25, 2021, Planning Commission Meeting. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

Chair Phillips noticed that there was a chat feature available that allowed members of the public to leave comments throughout the virtual meeting. He found this to be distracting and wondered when the feature first appeared. Chair Phillips asked if there was a way to turn the chat feature off. He felt that comments would be more productive during the public hearing portions of the meeting. Director Milliken did not believe the chat function could be turned off but staff could look into the issue.

G. 199 Daly Avenue – Steep Slope Conditional Use Permit – The Applicant Proposes Constructing an Accessory Garage into the Rear Steep Slope of a Significant Historic Site in the Historic Residential-1 Zoning District. (A) Public Hearing; (B) Action.

Senior Planner, Rebecca Ward reported that the above item involves a Steep Slope Conditional Use Permit for 199 Daly Avenue. It was a proposal for a detached garage built into the steep slope, which is greater than 30% at the rear of a Significant Historic Site. The proposed garage required Planning Commission review due to the size of the lot. Planner Ward explained that the lot is over 5,000 square feet in size. On July 15, 2021, the Planning Department approved the HDDR and found that the proposal complies with the design guidelines, pending the Planning Commission approval of the Steep Slope Permit.

Planner Ward shared a site plan of the Significant Historic Structure and the proposed addition of the detached garage. Under the Zoning District, the detached garage requires a one-foot setback from the rear property line and a three-foot setback between the garage and the adjacent property. Rendered images were shown to illustrate the change in grade. The garage would be built into the slope on the property.

The proposal complied with the Zoning District requirements and the Steep Slope Conditional Use Permit requirements outlined in the staff report. There were additional Conditions of Approval recommended by the Engineering and Building Departments. Additionally, the applicant and the adjacent property owner agreed to additional Conditions of Approval. The Engineering Department required the following:

- The applicant shall submit a plan demonstrating how they will provide the temporary shoring needed during construction prior to submitting a building permit, subject to City Engineer approval;
- The applicant shall submit a geotechnical report and design of the temporary shoring and final slope stability prior to submitting a building permit, subject to City Engineer approval; and
- The applicant shall provide soil stabilization details documenting how the disturbed area will be restored and stabilized prior to submitting a building permit, subject to City Engineer approval.

The Building Department also required the following:

- The applicant shall complete an Access Agreement allowing property access to adjoining properties to complete the construction proposed to be within five feet or less from the lot line or proposed steep slope prior to submitting a building permit.

Planner Ward reported that an Access Agreement is a requirement for all projects that include construction within five feet of the property line. The applicant and the adjacent property owners agreed to the following additional Conditions of Approval:

- The driveway shall be heated;
- The fence along the common 199 Daly Avenue and 203 Daly Avenue lot line shall be retained or replaced;
- The roof deck above the detached garage shall include a solid wall along the common 199 Daly Avenue and 203 Daly Avenue lot line; and
- The driveway shall be constructed in a way that preserves the cottonwood tree located along the southern 199 Daly Avenue lot line.

Due to the additional Conditions of Approval, staff recommended that the following condition be added:

- The applicant shall submit a complete set of revised plans, including the HDDR Conditions of Approval and the Steep Slope Conditions of Approval, prior to submitting a Building Permit application.

Staff recommended that the Planning Commission conduct a public hearing and consider approval of the Steep Slope Conditional Use Permit with the additional Conditions of Approval outlined. Planner Ward identified the Project Architect as Steven Swanson who was available to answer questions.

Chair Phillips asked for a plan view of the detached garage. Planner Ward shared additional images with the Planning Commission. Commissioner Suesser noted that a detached garage was being referred to but it seemed that there was living space included in the new construction as well. Planner Ward clarified that there was an existing addition that was to be renovated. What was proposed as part of the Steep Slope Conditional Use Permit was just the detached garage. However, it had a proposed deck above the garage. One of the Conditions of Approval prohibited any residential use because the detached garage was an accessory building.

Chair Phillips noted that the deck was his biggest concern. He also wanted to better understand the proposed privacy wall. Planner Ward shared an additional set of drawings that were submitted for the HDDR. The drawings showed the garage with the rooftop deck addition. Chair Phillips believed the rooftop deck would somewhat be an extension of the home. He would prefer to see a green roof there that the hillside could blend into.

Commissioner Suesser felt that more detailed images were needed to get a better sense of how the detached garage and rooftop deck would be situated and to understand the relationship to the neighboring properties. She asked about the proposed privacy wall. Planner Ward clarified that the privacy wall was for the benefit of the adjacent homeowner. The applicant worked with the adjacent property owners to determine additional Conditions of Approval. Commissioner Hall wondered if all of the adjacent property owners were in agreement with the proposal. That was the understanding of Planner Ward.

Commissioner Suesser asked for more information about an addition renovation. Planner Ward explained that there was an addition added to the Significant Historic Structure in the early 2000s. The applicant planned to renovate that addition. The addition was separate from the detached garage, which was being discussed during the current Planning Commission Meeting. Commission Suesser believed the images included in the packet were not clear and felt there needed to be more exhibits to better understand the proposal.

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

Chair Phillips was looking for additional clarity on the rooftop deck and privacy wall. Additionally, it was important for the Planning Commission to better understand the relationship to the abutting property. Planner Ward commented that she could reach out to the applicant and ask for clarifying exhibits. The item could be continued until the August 25, 2021, Planning Commission Meeting.

Commissioner Hall did not feel she needed additional information. The packet was thorough and there had been no negative public comments. She felt that the Planning Commission should forward a positive recommendation but would defer to the rest of the Commission. Commissioner Van Dine agreed with Commissioner Hall. Commissioner Kenworthy believed they should err on the side of caution and choose to continue the item.

MOTION: Commissioner Kenworthy moved to continue the 199 Daly Avenue – Steep Slope Conditional Use Permit, to the August 25, 2021, Planning Commission Meeting. Commissioner Johnson seconded the motion.

VOTE: Commissioner Kenworthy-Aye; Commissioner Suesser-Aye; Commissioner Johnson-Aye; Commissioner Van Dine-Aye; Commissioner Hall-Aye. The motion passed unanimously.

6. WORK SESSION

A. Deer Valley Snow Park Proposal – Project Overview and Presentation with Planning Commission Questions and Discussion. PL-21-04811. (A) Work Session – No Action is Expected.

Chair Phillips reported that the above item involved a Work Session related to the Deer Valley Snow Park Proposal. The agenda specified that questions and public input may be taken at the end of the meeting, time permitting. Chair Phillips commented that this was an informative Work Session that would include a broad overview of the proposal. As a result, he was inclined to not allow public comments during the current Work Session. Planner Ananth noted that the Work Session was a high-level project orientation for the Planning Commission. There would be multiple public hearings in the future and plenty of opportunities for public comment at a later date.

Planner Ananth reported that Deer Valley Resort filed a Conditional Use Permit for the expansion and redevelopment of the Snow Park Base Area. Phase One included the Site Plan, South Parcel Parking Structure, as well as a proposed Transit and Mobility Hub. Phase Two included the South Parcel Residential and Commercial Development. The applicant was contemplating 135.96 Unit Equivalents, which would total approximately 459,200 square feet of development. Phase Three would allocate the remaining density, which was approximately 73.79 Unit Equivalents. It would include the North Parcel Parking Structure with Residential and Commercial Development.

The existing conditions were outlined and a map was shared with the Planning Commission. Planner Ananth explained that the site was governed by a Special Exception Permit that was originally issued in 1977 and had been amended multiple times. Currently, the Deer Valley Twelfth Amended and Restated Large Scale MPD Permit dated November 30, 2016 was what governed the site as well as the following:

- Park City's Land Management Code;
- Park City's current Affordable Housing Resolution 25-2020;

- Park City's 2014 General Plan, including the Lower Deer Valley Neighborhood; and
- Park City's adopted Transportation Plans, as prioritized by the Park City Vision 2020 and the five Strategic Pillars, including Transportation Innovation.

The Deer Valley Twelfth Amended and Restated Large Scale MPD Permit authorized the densities and the allowed building height for the development parcels, including the Snow Park Village Parcel. The density was already noted in the existing MPD and the applicant was not proposing any changes from the allowed density. The parcel was 14.93 acres and was zoned RD-MPD. It was authorized for 209.75 Unit Equivalents as well as approximately 21,000 square feet of additional general commercial and support space.

The MPD also noted that building heights of 28-45 feet from natural grade were allowed on the site. No formal site plan had been established for the Snow Park Village development site to date. Planner Ananth reported that Deer Valley Resort had a pending subdivision application to formalize the site into three lots. Additionally, they filed an MPD amendment to create a Thirteenth Amendment, which included some text changes, but that request had been withdrawn a month earlier.

Planner Ananth outlined the General Plan for the Lower Deer Valley Neighborhood. It noted that the neighborhood was a resort neighborhood and catered to second homes and nightly rentals. Areas of critical importance for the future design of the base area included:

- Preserving the arrival experience;
- Managing traffic flow in and out of Deer Valley Drive as well as prioritizing alternative modes of transportation;
- Architectural compatibility;
- Preserving view corridors; and
- Improvements to circulation and connectivity in order to create additional amenities that are walkable.

Other issues that were critical to the continued success of Deer Valley included:

- Improved traffic flow and emergency egress to US-40, including priority given to alternative modes of transportation;
- Housing opportunities; and
- Hiking and biking trail connections and reducing Vehicle Miles Traveled.

Planner Ananth reported that one of the most significant things that the applicant was proposing was a change to the overall traffic circulation. The applicant proposed that Deer Valley Drive West would serve as the primary transit route to the resort and provide general access to Royal Street as well as the developments in the immediate neighborhood. Deer Valley Drive East would serve as the primary access for resort guests that were taking their own vehicles to the resort.

Chair Phillips asked about the traffic going up Royal Street. He wondered what would be anticipated under the proposed circulation plan. Planner Ananth explained that the traffic that would go up to Royal Street would remain on Deer Valley Drive West. The circulation plan would make Deer Valley Drive East the primary access to the parking structure and would prioritize transit as the most direct route on Deer Valley Drive West. Commissioner Suesser wanted to know if the circulation plan would be accomplished and enforced with appropriate signage. Planner Ananth confirmed this.

A proposed view of the parking structure was shared. It contained 1,360 stalls and four stories that were partially built into the grade. Primary access for vehicles would be from Deer Valley Drive East. It was assumed that a paid parking system would be implemented for the project. Deer Valley Resort was seeking an exception for a reduction in the number of required off-street vehicle parking stalls of approximately 20% for all three phases of the project. Commissioner Van Dine asked how many current parking spots Deer Valley Resort had. It was noted that the current number of parking spots was 1,340.

The proposed Transit and Mobility Hub would be integrated into the parking structure and was located in the northeast corner and would be accessed off of Doe Pass Road. The applicant had not included any detailed information related to the Transit and Mobility Hub but there were separate Ride Share zones for drop-offs along Doe Pass Road as well as a pick-up zone that would be located in front of the Snow Park Lodge. Hotel drop-off was proposed on Deer Valley Drive South and Deer Valley Drive East, with elevators and escalators connecting visitors from the parking garage and mobility hub to the resort. Additionally, the applicant would relocate some of the base lifts to bring them into the new development and they had identified a future gondola area on top of the parking deck.

Planner Ananth reported that three questions were received via email. Those questions were sent to the Planning Commission as well as the applicant. If not addressed during the Work Session, they would be addressed during the public hearing process as the project moved forward.

Mr. Issowits identified himself as the Vice-President of Real Estate and Resort Planning for Deer Valley Resort. He had been working on the Snow Park Base Area on and off since approximately 2006. Many others had worked on the project previously. Mr. Issowits introduced the Deer Valley Resort team, which included:

- Deer Valley Resort President: Jeremy Levitt;
- Vice-President of Development: Rich Wagner;
- IBI Group: Peter Pillman and David Nicholas;
- CUTBOW Principal Consultant: Hannah Tyler;
- Fehr & Peers: Jon Nepstad; and
- Alliance Engineering: Michael Demkowicz.

Mr. Wagner clarified some items from the staff report. For instance, the MPD amendment filed to create a Thirteenth Amendment. That had been submitted on December 1, 2020, and was rescinded on June 3, 2021. Mr. Wagner explained that in December of 2020, Deer Valley Resort was starting the process of design. Before the design process went too far, they wanted to clarify height, commercial calculation, and affordable housing. There was a potential Land Management Code amendment that would change how commercial density would be calculated. Mr. Wagner reported that they were trying to get verbiage into an MPD amendment that would add additional clarity and prevent issues related to commercial density from taking place later on.

Mr. Wagner explained that administrative approval was received for the height clarification. There had been discussions related to affordable housing and the commercial calculation. However, the Land Management Code amendment had been pushed back so it was determined that it would be best to leave the MPD amendment and focus on the Conditional Use Permit. If there were additional discussions about a Land Management Code amendment in future, a possible MPD amendment could be discussed further.

An additional item of clarification in the staff report related to the following statement:

- The applicant is also proposing the City vacate a significant portion of Deer Valley Drive West Right-Of-Way for the project, and the applicant would dedicate a new 60-foot Right-Of-Way to the City for Doe Pass Road.

Mr. Wagner explained that they would ask the City to vacate but would replace with an almost like-for-like for dedication. They were not taking without giving back. Commissioner Suesser wondered what the reason was for the like-for-like dedication. Mr. Wagner clarified that it had to do with the manipulation of the site. The plaza area was wide open and had a lot of sun exposure. The goal was to maintain that sun exposure on the plaza deck. From a traffic flow standpoint, it would also make the traffic flow around Deer Valley Drive East better and improve the Trailside area. Additional details would be shared in the latter portion of the presentation.

Another clarification related to the staff report note about a rezone in 1991, where an area in the north parcel of the parking lot was rezoned. Mr. Wagner noted that the Conditional Use Permit was for everything related to the south parking garage. The rezone in 1991 did not affect the Conditional Use Permit and should not be considered. Mr. Wagner discussed circulation. He reported that they were tasked by the City and the Park City Vision 2020 goals with improving the level of service as it relates to traffic around the property and by creating a transit priority route. Mr. Wagner explained that this was only a proposal and Deer Valley Resort was open to alternative options and solutions. However, he felt that they had proposed a strong solution that would increase the level of service significantly and create a great arrival experience for guests.

Mr. Wagner commented that Planner Ananth had done an excellent job presenting the broad project information. He noted that the current Conditional Use Permit was for the south parking garage only. It involved a Transit and Mobility Hub, road improvements, and utility relocations. In the second and third phases of the project, there would be a partnership with a third-party developer. Mr. Wagner stressed that Deer Valley was a resort operator and not a developer. The proposal in front of the Planning Commission was a resort-based and amenity-based ski area plan. Deer Valley would work with whatever third-party developer was chosen to ensure that the resort vision came to fruition.

Mr. Issowits further discussed the potential Land Management Code Amendment. It was on the Planning Commission agenda in February 2020. It triggered conversations at Deer Valley, because the MPD referred back to the Land Management Code. Commissioner Suesser suggested that Planner Ananth add information in the next staff report about the Land Management Code amendment that had been discussed but had not gone through. She felt it would be useful to describe what happened, why the amendment had not gone through, and how it would have applied to the project.

Mr. Wagner explained that the MPD Conditional Use Permit requested no variances. He presented an MPD and Conditional Use Permit checklist that included the following:

- Adhere to allocated MPD Unit Equivalent Density;
- Adhere to 45-foot Maximum Building Height;

- Adhere to the allocated Commercial Density;
- Adhere to Boundary Setbacks;
- Prioritize Transit First;
- 60% Open Space Requirement;
- Pedestrian Focused Plan;
- Provide AUEs per the MPD;
- Attain a Sustainable Design Certification;
- Improve Current Traffic Level of Service;
- Utility Capacity Coordination; and
- Resort and Amenity Based Plan.

He noted that all of the items on the checklist were included as part of the Conceptual Plan. There had also been some community outreach over the last several months. They reached out to approximately 150 individuals, organizations and businesses to date. This outreach was ongoing and Mr. Wagner noted that there were meetings set up in August as well. Some of the notable presentations and interviews had included the following:

- Lower Deer Valley Coalition;
- Trails End HOA;
- Black Diamond HOA;
- Pinnacle HOA;
- Community Groups (RROA and THINC);
- Hospitality (Montage and St. Regis);
- KFCW Radio Interview; and
- PCTV Interview.

Mr. Wagner commented that the feedback had been positive so far. There were similar questions and comments related to the Park City 2020 Vision goals and whether Deer Valley Resort would prioritize transit. Mr. Wagner noted that Mr. Pillman and Mr. Nicholas from IBI Group would present next. Mr. Pillman introduced himself and explained that he had spent most of his career working on resort planning and resort towns around the globe. It was a privilege to be able to work on a resort where he lived. He and Mr. Nicholas were both long-term Park City residents.

Mr. Pillman reported that the Snow Park at Deer Valley Resort vision was:

- To create a world class base area and arrival experience for Deer Valley Resort.

The Envisioning Goals for the project were shared, which compared the Deer Valley Envisioned Pillars to the Park City Vision 2020 Strategic Pillars. The Deer Valley Envisioned Pillars were as follows:

- Make Snow Park a Focal Hub;
- Bright, Modern Food and Beverages;
- Next Generation Service and Accessibility;
- All Season Activation; and
- Rethink the Lifts and Mobility Options.

The Park City Vision 2020 Strategic Pillars were as follows:

- Environmental Leadership;
- Transportation Innovation;
- Sustainable Tourism;
- Arts, Culture and Local Economy; and
- Affordability and Equity.

Mr. Pillman felt that the Deer Valley Envisioned Pillars aligned well with the Park City Vision 2020 Strategic Pillars. Several Guiding Principles were shared with the Commission:

- Create a Destination Like No Other:
    - Enhance the Guest Experience;
    - Celebrate Year-Round Activities and Amenities; and
    - Create a Compact and Walkable Plan Focused on the Pedestrian.
- Create a First and Lasting Impression:
    - Improve Arrival and Departure Experience; and
    - Highlight Diversity and Integrated Multi-Modal Transportation Options.
- Create an Enjoyable Guest Experience:
    - Modify and Reposition the Lifts; and
    - Convert Lift to Gondola to Improve the Mountain Transportation Network.
- Be Good Neighbors:
    - Consideration of Viewshed, Building Sizes and Locations; and
    - Allow Visitors to Move Through the Site With Ease.

Mr. Pillman shared several Design Drivers with the Planning Commission:

- Reimagined Arrival Sequence;
- Integrated Transportation and Mobility Network;

- Ski Lift Reconfiguration to Unlock Potential for Ski-In Village;
- Neighbor-Friendly Building Arrangement; and
- Complimentary Network of Amenities, Activities and Ski Offerings.

The existing conditions map was shared. Mr. Pillman reported that the majority of the traffic currently went on Deer Valley Road West. The road split due to the grades and people drove to the ski drop-off zone. Some visitors dropped off there and parked their cars, while others carried on, parked and walked back up the hill. Mr. Pillman explained that there was a built-in conflict between pedestrians and vehicles because once a visitor was out of their car, they had to cross roads on foot to reach the base area. As a result, IBI Group looked at how to create a plan that would eliminate that conflict and prioritize transit.

The idea was that through the reconfiguration of the intersection, the natural traffic flow would be along Deer Valley Road East and there would be a right turn onto Deer Valley Road West. Deer Valley Road West would be a transit priority route. It would not be transit only but would be designed in a way that the natural traffic flow would go east and the transit vehicles would utilize the west. Mr. Pillman noted that this would prevent traffic congestion from taking place and also make transit more desirable.

The drop-off area was discussed. Mr. Pillman explained that visitors were fond of the drop-off area and by cutting the road network as proposed, that would be interrupted. As a result, the drop-off area would be replaced with a drop-off area of equal size. Mr. Pillman noted that the benefit of the traffic pattern on Deer Valley Road East was that all the traffic coming into the resort would approach the resort and parking garage with right turns into the garages. Vehicles would not need to turn left, cross traffic and create additional backups. This design would allow Deer Valley Resort to manage the traffic flow using signage and wayfinding.

Mr. Wagner discussed the intersection at Deer Valley Road North and Deer Valley Road South. Based on a Traffic Impact Study, the intersection AM Peak Hours functioned at a D and the PM Peak Hours functioned at an E. The City wanted that level to be a C or better. Based on the proposed changes, the AM/PM Peak Hours would move to a Level of Service A. The proposed changes included a traffic light that would be green 95% of the time with RFID signaling for buses. Mr. Wagner noted that a roundabout had been studied but it would not improve the Level of Service as much.

Commissioner Suesser wondered whether the traffic light was needed if it would be green 95% of the time. Mr. Wagner explained that the light was for the RFID signaling and to prioritize transit. Without the light, the buses would start to back up. He reported that they had studied three different sections: Deer Valley Road North and Deer Valley Road South, the roundabout off of Deer Valley Drive and the intersection at Deer Valley Drive and Bonanza Drive. Commissioner Suesser wanted to know whether vehicles stopped at the light when buses had priority could still turn right on red. Mr. Wagner confirmed this. Commissioner Suesser asked whether the bus lane would also be for shuttles and ride share. Mr. Wagner explained that the bus route could include shuttles and ride shares and there would also be a ride share queueing zone, with 100 feet of queuing.

Mr. Pillman shared a map that illustrated the proposed parking garage entries. They were located where the existing grades met the garages. He explained that they were trying to be efficient with the parking structure and were trying to avoid internal ramping and connections by using existing grade as the entry points for the garage. The goal was to create a nice parking experience for visitors, so the plan included wider spaces and parking technology that simplified the process of finding an available spot. Mr. Pillman discussed the separation of pedestrian flow and vehicle flow.

Commissioner Kenworthy wondered whether the parking lots were individual or connected. Mr. Pillman clarified that they were planned to be individual levels without any connection. The parking would follow the levels of the grade. With the parking management system, vehicles would not go into parking levels where they would be unable to find a parking spot.

Information was shared related to staggering the ski lifts. Mr. Pillman explained that it would help with queuing and would create a better ski experience overall. He noted that there was a line on one of the maps shown earlier that identified a potential future aerial transit line. There was some interest in having a tram come in from Old Town. There would be an opportunity to land the tram in the plaza deck adjacent or near the gondola that went up the mountain. He believed that would be an important transit connection. Discussions were had about the Silver Lake Express Gondola and connectivity.

Mr. Pillman mentioned connectivity to the trail network on the site. There would be connections to the off-site trails and the area would work as an enhanced trailhead with lots of parking, amenities, restaurants and washrooms. The area would become a destination and support multi-seasonal use. Commissioner Van Dine asked if there were plans to improve the trail connection down to Poison Creek or to incorporate a bicycle lane. Mr. Issowits explained that Deer Valley would need to work with the City to determine road widths and bicycle lanes. He noted that the City had been moving in the direction of shared lanes so there would need to be a conversation about how any potential bicycle lanes or shared lanes would be placed.

Mr. Pillman discussed the mobility hub. He explained that enough space had been designed for six bus bays but that would need to be developed further with the City and the transit agencies to ensure everything was in alignment. Commissioner Suesser wondered whether the buses would go out on Deer Valley Drive or if they would turn around in the hub and go back on Doe Pass Road. Mr. Pillman noted that it would depend on where the bus was heading. A lot would turn around and go back out the transit priority road and then through the prioritized intersection. However, there were some bus routes along the other part of Deer Valley Drive towards the Fire Station. They did not want to take away any transit so there would be some buses that would continue to circulate on that route as well.

Commissioner Suesser expressed concerns about the hotel drop-off near the general public drop-off zone. She believed the hotel would draw a lot of additional traffic and shuttles. She felt that more detail was needed to show what the garages and hotel drop-off would look like. Mr. Pillman agreed that additional details were needed. He explained that what they envisioned would need to be developed further, but the idea was to pull the traffic off the road, create a drop-off area and also have some of the garage for hotel use in order to keep the traffic inside the garage and off of the road.

Commissioner Kenworthy asked how much of an overhang the mobility hub had. Mr. Pillman reported that it was envisioned to be a protected bus drop-off area. There would be an overhang over all of the bus lanes and the curb area to provide shelter and cover.

Mr. Wagner overviewed the estimated timeline. The Phase One construction start time was planned to be April 5, 2022. In order for that to happen, a Building Permit would need to be submitted in January 2022 and a Conditional Use Permit would need to be approved in December 2021 in order to submit permits. Mr. Wagner shared a summary of the presentation, which was as follows:

- Deer Valley has developed a resort-based plan:
    - An investment in the future of Deer Valley.
- Deer Valley has developed a plan with the MPD approvals already in place;
- Deer Valley has developed a plan consistent with the Park City Vision 2020 Plan: and
- Land planning focused on guest arrival experiences and improving current peak traffic conditions:
    - Proposed transit and road circulation;
    - No more on-street parking; and
    - Move more arrivals to transit.

- Protect and improve the resort experience:
    - Improve arrival experience, guest experience and provide a fun and relaxing hangout for the guests and the community.

Mr. Wagner commented that they would continue with outreach. He reminded Commissioners that they had already reached out to 150 individuals, organizations and businesses to date. There were more meetings scheduled for the month of August and meetings would continue through the remainder of the year. Commissioner Kenworthy wondered what the number one concern had been from the public so far. Mr. Nepstad from Fehr & Peers believed it had to do with circulation.

Mr. Wagner noted that circulation and traffic concerns would be mitigated with internal capture and other methods. Mr. Nepstad commented that the land uses were consistent with the resort development and the resort experience. For example, the restaurants and shops were designed to be part of the skier experience and as a result, the resort would have a high degree of internal capture.

Commissioner Suesser had concerns about approving the amount of parking south of Doe Pass Road without knowing about the details about the hotels and condos. She felt the Planning Commission needed an overview before they could approve the details related to Phase One. Mr. Wagner understood but was concerned that the discussions could get sidetracked. Commissioner Suesser believed the information was inter-related. Mr. Issowits explained that those types of details would be clarified as the process continued.

Chair Phillips noted that staff had additional information to present at the next meeting. He did not believe the Planning Commission should go too far into the discussions without having the complete picture. He read the last sentence of the staff report:

- Staff and the applicant are still discussing whether an amendment to the MPD needs to proceed/run concurrently with the Conditional Use Permit review.

Planner Ananth explained that those discussions were still taking place. The initial read from staff was that there was a significant change to the traffic circulation and there was a large request for parking waivers. That was something they would typically want to see as an MPD amendment. That was still being discussed with the applicant and would likely be discussed in more detail at the next Planning Commission Meeting.

Mr. Issowits noted that this was a complicated project and there was a lot going on. He appreciated all of the efforts from Planning Staff so far. Deer Valley wanted to understand the Planning Commission process more clearly, in terms of the rules and next steps. Planner Ananth commented that staff could work with Deer Valley over the next few weeks.

Commissioner Hall wondered if there would be Planning Commission Meetings specific to the Deer Valley application rather than at the end of the Regular Agenda. Planner Ananth noted that it was difficult because of the full schedule the Planning Commission had. Staff was looking at options but had not decided on a final format yet.

Commissioner Hall asked if it would be possible to start Planning Commission Meetings earlier so the process could be as effective as possible. Planner Ananth explained that one of the reasons the meetings took place later was so the public was available. Commissioner Hall asked whether other Commissioners were interested in meeting earlier. Chair Phillips was open to the discussion. Commissioner Van Dine commented that she would not be able to meet much earlier. Anything before 4:00 p.m. or 4:30 p.m. would not be possible. Commissioner Suesser was open to meeting earlier but was concerned about the public. However, a start time of 4:30 p.m. could work. Commissioner Johnson was open to earlier meetings. Director Milliken stressed the importance of making sure the meetings were accessible to the public. Evening meetings were often easier for people to attend.

Commissioner Suesser further discussed the Deer Valley project. She stressed the importance of looking at how the public actually used the resort base and capturing that in the development. Mr. Pillman explained that they had started to look at the resort base throughout the day and during different seasons. That was something they would continue to do. Those results would be shared with the Planning Commission.

Commissioner Hall wondered whether any other technical reports were being considered besides the Transportation Analysis included in the staff report. Planner Ananth noted that she would send information to the DRC to make sure there were no issues or concerns that would warrant additional studies. Chair Phillips noted that he had picked up some packets from the Planning Department that had been provided by Deer Valley. He wanted to make sure that the information was accessible to the public as well. Planner Ananth reported that a website would be ready for the project within the next week.

Commissioner Suesser asked if there would be an Emergency Evacuation Plan. She was concerned about adding additional people to the base. Planner Ananth noted that there were a number of alternative routes that the applicant could do analysis on. Commissioner Suesser also wondered whether a Traffic Analysis had been done for the proposal. Mr. Wagner confirmed that the Traffic Impact Study had been completed.

Planner Ananth noted that there had been a question about the number of parking spaces that would be available throughout construction. Mr. Wagner explained that if construction started in April 2022, there would be roughly 800 to 1,200 spots available by November 2022. By the ski season in 2023, there would be 1,360 spots available and the south parking garage would likely be completed. Mr. Issowits explained that one of the main goals for Deer Valley Resort was to prioritize transit.

Chair Phillips assumed that staff would continue to work with the applicant and there would be another presentation at the Planning Commission Meeting on August 25, 2021. There would be opportunities for the public to speak during future meetings. Commissioner Kenworthy thanked staff for all of their hard work.

7. ADJOURN

MOTION: Commissioner Kenworthy moved to adjourn. Commissioner Johnson seconded.

VOTE: The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 9:53 p.m.

Approved by Planning Commission: ______________________________