PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JULY 10, 2019

COMMISSIONERS IN ATTENDANCE:

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

EX OFFICIO: Planning Director, Bruce Erickson; Hannah Tyler, Planner; Mark Harrington, City Attorney; Anne Laurent, Community Development Director; Nate Rockwood, Director of Redevelopment and Capital Management; Rebecca Ward, Land Use Policy Analyst; Heinrich Deters, Trails and Open Space Programs Manager.

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ROLL CALL

Chair Phillips arrived later in the meeting. Vice-Chair Suesser assumed the Chair until he arrived.

Vice-Chair Suesser called the meeting to order at 5:40 p.m. and noted that all Commissioners were present except Commissioner Hall, who was excused. Commissioners Phillips and Kenworthy who were expected to arrive later.

ADOPTION OF MINUTES

June 26, 2019

MOTION: Commissioner Van Dine moved to APPROVE the Minutes of June 26, 2019 as written. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously. Commissioner Kenworthy was not present for the vote.

PUBLIC COMMUNICATIONS
There were no comments.

John Kenworthy arrived.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson reported that the Park City Heights Phase 4 Subdivision Plat was previously continued to this meeting. However, it was not scheduled on the Agenda this evening. The Staff will re-notice the item for the meeting on August 14th.

Director Erickson stated that the next meeting was schedule for August 14, 2019. Work sessions will be scheduled on the August 14th agenda. Director Erickson noted that the housing discussion was delayed until the August 14th meeting when Commissioner Hall could be present. The work session on Housing was replaced with the Annexation work session this evening. The Deer Valley parking lot work session was also scheduled for August 14th.

WORK SESSION

Arts and Culture Update

Anne Laurent, the Community Development Director, and Nate Rockwood, Director of Redevelopment and Capital Management, provided the Arts and Culture Update.

Ms. Laurent noted that at this point there were no graphics of the designs to show this evening.

Ms. Laurent reported that earlier this year they started a process working with the Kimball Arts Center and the Sundance Institute, partner developers on this site, and they started having design meetings. She remarked that it has been a long process to get everyone around the table who want to weigh in and represent all the different interests. Ms. Laurent emphasized that it is a collaborative project and meetings have been held monthly since March of this year. As a group, they have been working through all the issues together. Ms. Laurent remarked that the primary focus has been on the MPD submittal, which they hope to have ready to send to the Planning Department in the Fall.

Ms. Laurent commented on two additional applications to be submitted. One is a conditional use permit because the frontage protection zone area requires a conditional use permit along SR248. They also anticipate submitting a plat application because the site currently consists of several parcels and they would like to remove the lines and redistribute the parcels. Mr. Laurent stated that at this time they anticipate the Kimball Arts Center being on their own parcel, the Sundance Institute being on their own parcel, and the remainder of the program would be on the City-owned parcel. The intention is for all three applications to run simultaneously in the Fall. They also plan to do community outreach prior to public hearings. They anticipate including that feedback as part of the application presented to the Planning Commission.

Ms. Laurent stated that currently the City owns the property; however, they are negotiating land purchase agreements. She wanted the Planning Commission to understand all the different pieces and how the City is working with their partners. There is a lot going on and it involves a lot of prep work, but it is moving forward and design progress has been made over the last few months.

Ms. Laurent clarified that the plan is to have at least two, if not three, phases of construction. As they get the MPD and have public hearings and move closer to a determination by the Planning Commission, they will be issuing site utility work packages off-site; and follow up with building work as a separate package. Ms. Laurent stated that if they hear about the City issuing bids or other things, she wanted it clear that the project is phased and they do not anticipate starting construction on the buildings until at least 2021.

Commissioner Phillips arrived.

Commissioner Suesser asked if they were talking about the triangular parcel with the Kimball Arts Center and where the Medical Center was previously located as being exclusively the Arts and Culture District.

Ms. Laurent clarified that they prefer to refer to it as "An Arts and Culture District" rather than it being the only one. She stated that it is approximately a 5-acre parcel that goes from Munchkin Drive on the west side of where the Kimball Arts Center is currently located, along Kearns and all the way to Bonanza. It does not include the Emporium or the Light Industrial Condominium subdivision.

Ms. Laurent stated that currently there are tenants. They do not want to take down the buildings too early because the buildings will continue to have active tenants rather than be left vacant.

Commissioner Suesser asked Ms. Laurent to point out Munchkin Drive. Ms. Laurent reported on another project to bring Munchkin Road all the way through to Homestake. However, they are not pushing that until there is a confirmed schedule for the Recycle Center. Ms. Laurent pointed to a City-owned lot that the City is considering for developing affordable housing.

Ms. Laurent presented slides introducing the Commissioners to the site. She indicated the low portion of the site at the intersections of Kearns and Bonanza. She remarked that half way down Munchkin Road the grade is 20 feet higher. One of the challenges is to create a unified district with public areas and amenities; and at the same time try to figure out how the grade works in terms of subgrade parking and keeping the surface level for pedestrians as much as possible. Ms. Laurent stated that they were trying to use the grade to their advantage by keeping the underground areas in one portion, and to level out the site as much as possible and still maintain access off the surrounding roads.

Ms. Laurent stated that part of the plan is to relocate the overhead electrical going through the site. One option is to relocate it to the western portion of the site. They are also looking at a number of alternatives with Rocky Mountain Power alignments that may work as well. She wanted the Planning Commission to be aware that there is a significant electrical relocation component of this project.

Chair Phillips asked if the power lines would remain overhead or whether there were plans to put them underground. Ms. Laurent replied that it would be a hybrid. The lines would stay overhead until south of Kearns because with everything else underground there was no way to get reasonably get the lines underground on Kearns. There are options for the south side of Kearns and the intent is to underground as much as possible. Ms. Laurent noted that some transmission lines may not go underground and they were looking at all option. Rocky Mountain Power was doing the design work.

Ms. Laurent presented an early diagram that was prepared where they explored some of the programmatic aspects of the Arts and Culture District would be located on the site. They were still trying to tuck parking and transit subgrade on the southern portion of the site. They were trying to keep as much of the central portion available for public amenities and outdoor space; and surround it with art activities and art and culture related activities. Due to the grade changes, they are looking at stepping the plaza levels and stepping the buildings to comply with the Code requirement of 35' in the zone. Ms. Laurent noted that they were also trying to honor the setbacks. She stated that they plan to satisfy the affordable housing obligation on site. She estimated approximately 30-50 affordable housing units; depending on the unit size. They were looking at retail components or galleries related to the artwork that is created in the area. Other aspects include food amenities, related non-profit services, and the programmatic aspects that the Kimball and Sundance bring to the project; and to make them all work on the site harmoniously.

Ms. Laurent and Mr. Rockwell were prepared to answer questions. They planned to come back to the Planning Commission in the next couple of month with actual images.

Commissioner Sletten asked if the affordable piece Ms. Laurent had mentioned was in addition to the other affordable parcel in the area. Ms. Laurent replied that this proposal was a Master Planned Development that has its own housing obligation, and that obligation will be fulfilled on site.

Chair Phillips asked if the City owned any adjacent properties. Ms. Laurent replied that the only City-owned adjacent properties would be the right-of-way from Munchkin and Homestake. They do not own the Munchkin lot. Another parcel is owned by an HOA. The Emporium and the Boneyard are owned by another entity.

Commissioner Suesser asked which parcels the City was looking to purchase. City Attorney Harrington clarified that the City was looking to sell property; not purchase property. They would be selling Parcels to Kimball and Sundance. Ms. Laurent apologized for the mistake. She intended to say sales agreement but instead said purchase agreement.

Chair Phillips asked about the time frame for coming back to the Planning Commission. Ms. Laurent stated that this would go before the City Council first to approve the direction of the proposal. There would be public outreach, followed by a work session with the Planning Commission prior to starting the public hearings. She commented on some of the strategies. They were looking at consolidated parking for the entire site, affordable housing for the entire site, and service deliveries and access. They were also looking at doing a transit hub in this location. It would not be a park and ride, but it would be a place to access a number of different routes to other places in the City.

Commissioner Sletten asked if the Kimball and Sundance were on board with all the plans at this point. Mr. Rockwood stated that it took some time to get everyone coordinated and on the same page. Mr. Rockwood remarked that the goals for the District were always the same for everyone in terms of amenities and the objective of creating community. At first it was difficult getting everyone in the same place in the design process where they could coordinate a site with individual pieces that communicate with each other. He believed they reached that point in the last couple months. Mr. Rockwood stated that it was very frustrating until they recently started having monthly meetings and made progress.

Commissioner Suesser asked if the same architect was designing the Kimball Arts Center and the rest of the development. Mr. Rockwood stated that it was one design team, but there are different components of the overall design team. It is different firms, but the design is being done collaboratively. Different components will be designed by different design teams, and they are coordinating weekly and monthly to make sure they all communicate. Mr. Rockwood stated that it will all come forward together as one joint application.

Commissioner Kenworthy asked who was designing the transit component. Mr. Rockwood replied that the City's architect was designing the transit component. Ms. Laurent explained that the City has a contract with Lake Flado and they are working with a local partner that the City has used in the past. Commissioner Kenworthy asked for more clarification on the transit hub idea since it will not be a park and ride. Ms. Laurent stated that subject to change, the conceptual plan is to access as a right only off of Bonanza, circulating through, then underground, and circulating out as a right only on Kearns. Mr. Rockwood stated that the Main Street Transit Center is not a park and ride and it serves Main Street. It will be a similar concept with the same type of volume serving this site and serving Prospector and the rest of Bonanza, but it will be below grade.

Commissioner Suesser asked if the consolidated parking would all be underground or whether there would be some street parking. Ms. Laurent stated that currently they were looking at consolidating the parking on site. Given the different uses and a heavy transit component, she anticipated a robust discussion on parking calculations. Ms. Laurent stated that surface parking was not part of the plan at this point. All the parking is being satisfied subgrade; however, there is a portion of the site where the structure parking becomes the elevated plaza above.

Commissioner Sletten asked Ms. Laurent to clarify what she meant about having robust parking discussions. She stated that her comment was based on how the Code works and the studies and calculations of all the uses. Currently, the consultants are using a spread sheet to show how the parking was calculated and what is required.

Director Erickson stated that the uses are not measurable in terms of peak opportunities and opportunities to share parking. Consistent with what is done on Main Street, Prospector, and in other shopping centers, he anticipated a blended parking rate. When he and Ms. Laurent have that conversation, they will look at the peaking factors and the opportunities for shared parking to make sure it is the right size. He emphasized that it will be a blending parking rate consistent with the MPD.

Commissioner Thimm asked if the intended parking densities satisfy the new uses, or whether there would be public parking with the transit hub. Ms. Laurent stated that they were not anticipating a park and ride. The parking is strictly for this development. Ms. Laurent clarified that they anticipated parking the public and outdoor spaces as well. Commissioner Thimm understood that parking was only for the uses on the site. Ms. Laurent replied that he was correct.

Ms. Laurent stated that before the City Council approved this concept and the funds needed to purchase the site, one of the goals they heard from the community was not to over park the site and draw people to a park and ride.

Chair Phillips thought the update was helpful in preparing the Commissioners on what to expect when the application comes before them. He was pleased that so much could be accomplished on this site. Chair Phillips looked forward to the next update.

Annexation Policy Plan

Chair Phillips assumed the Chair and apologized for being late.

Director Erickson noted that the Planning Commission was seeing the same information that the City Council had reviewed in terms of how the Council directed the Staff to prepare an Annexation Policy Plan. Director Erickson clarified that this was not an annexation action. It was similar to the General Plan where they talk about areas that might be considered for annexation subject to the other requirements of the LMC.

Director Erickson stated that the proposal that the City Council accepted was not to make any land use decisions in this policy plan. It would bring in, under the current General Plan, open space and minimum density, or open space completely, depending on the parcel. Director Erickson stated that in order to work, the proposal was completely land use neutral at this point. They were not asking for any new land uses until this policy plan is in place. Once in place, the Planning Commission will have the opportunity to update the General Plan and make land use decisions in conjunction with the City Council.

Director Erickson stated that Planner Rebecca Ward would also present the schedule they were trying to accommodate. The Staff could answer questions about this works legally; however, it is a State mandated process and they need to work through it the best way possible.

Rebecca Ward, the Land Use Policy Analyst in the Planning Department stated that the information presented this evening was the presentation given to the City Council on June 27th. Ms. Ward reported that in April the City Council directed the Staff to look at the annexation expansion area, which is the boundary that looks forward 20 years to areas that the City might consider annexing. On June 27th the City Council directed the Staff to expedite the process by looking into some of the City-owned properties, the Round Valley property and Bonanza Flat property. Also included is the Quinn's Junction area east of Highway 40 and south of SR248, which includes Richardson Flat, a United Park City Mines owned property that has a development restriction with Park City as the beneficiary. The restriction preserves those properties for recreation and open space uses. Parcels identified in green were the Park Ranch properties owned by Park City. Parcels in red, yellow, and gray showed privately owned properties within that area.

Ms. Ward stated that this expedited process was initiated because Hideout is proposing to expand their annexation expansion area into Summit County and across the Wasatch County border. It includes the properties shown in the previous slide within the Quinn's Junction area.

Director Erickson remarked that this was a joint effort between Heinrich Deters, the Trail and Open Space Programs Manager; he and Ms. Ward in the Planning Department; and the City Attorney's Office. Director Erickson explained that Hideout is a town incorporated in Wasatch County and they have similar rights as any other municipality to propose an annexation boundary. They have proposed an annexation policy boundary that encompasses large portions of land north of the green area to the Wasatch County/Summit County line. It encompasses the Quinn's junction area, and it encompasses all properties to the south and west of US40. In addition, the Military Installation Development Act property, also called MIDA, recently approved their Phase 3 consideration of development rights. That area, shown in orange, extends almost to the Bonanza Flat property and includes most, if not all, of the potential Deer Valley Development lands and the rest of the Jordanelle.

Director Erickson stated that this was what the 2014 General Plan asks them to do. The General Plan identified two areas for consideration. One is Quinn's Junction, and the other is the area north of Quinn's Junction both east and west of US40; as well as discussions with Wasatch County on the Bonanza Flats area. Director Erickson pointed out that there is no additional direction inside the General Plan.

Director Erickson stated that another element of the General Plan, and the basis for the discussion this evening, is the 2004 Quinn's Junction Joint Planning Principles, which was an agreement between Summit County and Park City on how to develop Quinn's Junction. Another element is the 2013 General Plan. It is consistent and nothing has changed between Summit County's General Plan and Park City's General Plan for open space and minimum density.

Director Erickson presented three Annexation Expansion Areas alternatives that were presented to the City Council, broken down into Expansive, Moderate and Limited. He pointed to the expansive annexation area. The blue area at the top is called Stoneridge, which is a portion of City-owned property north of Round Valley. The purple area was the Quinn's Junction area; everything south of SR248 and east of US40 to the Wasatch County Line. The blue area at the bottom was Bonanza Flats.

The next alternative was the Staff recommended Moderate annexation expansion area, which is the same as what they previously saw; however, Quinn's Junction is reduced to only include properties the City owns or properties controlled by a development agreement, which are the purple and green areas. It does not include Bonanza Flats, but it does include north of Round Valley.

The Limited alternative is to take care of Quinn's Junction and make sure the policy area includes Quinn's Junction because it is an area already planned in the General Plan and it is consistent with the Summit County Planning Principles

Commissioner Thimm wanted to know why the Planning Staff recommended the Moderate alternative. Director Erickson replied that Bonanza Flat is in Wasatch County and they were unaware of coordination discussions with Wasatch County in the City's acquisition for annexation. If a municipality chose to annex into another County, it would require an affirmation of the separate County. Director Erickson explained that in the Moderate proposal they were trying to avoid a long discussion with Wasatch County on Bonanza Flats because they were not aware of the other conversations taking place. At this point, the City is aware that Bonanza Flats has been discussed for Wasatch County and; therefore, the City Council directed the Staff to move forward with including it in the policy plan. However, there is no direction from the City Council as to when they would do that annexation and complete all the tasks necessary.

Commissioner Suesser referred to the Staff report and the Pros and Cons of including or not including Bonanza Flats. She noted that the language talks about determining the school district; but she understood it was preserved open space and no development could occur. Director Erickson replied that they do not understand the tax implications to the Wasatch County School District. If they bring it in as open space, it could affect the school district if they intended to develop it before it was acquired, or there could be property tax implications for surrounding developments. Director Erickson stated that at this point, the City did not understand the ramifications.

Commissioner Suesser asked if there was a timeframe in which the City needs to decide whether or not to annex that property. Director Erickson answered no. It is open-ended. He stated that at this point it was more like a General Plan than Zoning. The idea is for communities across the State to figure out where they want to be 20 years from now and argue about their boundaries; rather than doing it with an individual property owner. This gives the City the opportunity to re-write the General Plan to address land uses as directed by the City Council.

City Attorney Harrington explained that when the Legislature first created these areas, they were more like the Oregon concept of Urban Planning Areas for 20 year plans moving forward. Before anyone could propose developing those areas in their statutory or half-mile radius of boundaries, they needed to go through certain processes with each jurisdiction. Those provisions have gone away and it is nothing more than a planning area. It is the first step, but they cannot consider the area until they do the first step, which allows the City to consider it in the future.

Commissioner Suesser noted that it would not prevent Hideout from annexing the property. Mr. Harrington replied that she was correct. Chair Phillips recalled this process in the past, and he remembered that if development is proposed within the boundary area the City would be notified. Mr. Harrington stated that there was still some interaction with the County, but it is primarily a process. It does not have the same substance it had in the past.

Commissioner Sletten understood that under the process each landowner is required to opt-in. Mr. Harrington replied that there are certain requirements based on a petition, but the petition does not require 100% opt-in. Someone can have a minority interest that is annexed without consent. This was one of the rules that made the Council choose to be proactive and at least have the option to consider it. Mr. Harrington stated that it depends on an area percentage.

Mr. Director stated that the Planning Commission would receive updates going forward. The Staff had approximately 90 days to put the baseline plan together. It will come back to the Planning Commission and a series of hearings are required under the State legislation before the Planning Commission forwards a recommendation to the City Council before adoption.

Planner Ward outlined the Schedule. Discussion on July 16th with the Development Review Committee. Completed draft by August 6th for review by the Planning Commission at their August 28th public meeting; followed by a public hearing on September 11th and a recommendation to City Council for their September 26th meeting. Director Erickson stated that the meeting on July 16th will include all City affected agencies, including Law Enforcement, Water, Transit, Transportation, Planning, to discuss the issues. Separate meetings will be held with the Water Reclamation District, Jordanelle Special Service District, and the School District. They also reached out to Wasatch County and they are continuing conversations with the Town of Hideout. Director Erickson stated that in discussions with the Summit County Development Director, he believed they were in complete agreement on moving forward with the 2004/2014 Quinn's Junction Planning Principles. He noted that the Snyderville Basin Recreation District was also part of the conversation; however, it is an external agency and separate from the Development Review Committee discussion on July 16th.

Director Erickson stated that he and Planner Ward would compile the information into a report to be presented to the Planning Commission. The report will show how they were complying with State law on the issues and the impacts on the different agencies.

Chair Phillips asked if the City Council would have the final action. Director Erickson stated that the City Council would change the LMC to adopt the new policy.

Commissioner Sletten was unclear on the opt-in provision with regards to the City-owned piece at Quinn's Junction. To the extent that Hideout arbitrarily moved more quickly and annexed that piece into Hideout City, he wanted to know if the City had any option to opt-out under that scenario.

City Attorney Harrington clarified that the question was a hypothetical and he was unable to answer it factually. However, there is at least one hypothetical in which Hideout could annex the City property if they had the right percentages of other property in the consent of those property owners. It is based upon a ratio of ownership.

Director Erickson stated that in order for Hideout to come over the boundary into Summit County for a pure annexation, Summit County would need to affirmatively agree to allow that to occur. It would be the same if and when the City Council wants to talk about Bonanza. Wasatch County would need to affirmatively agree to allow the annexation in accordance with State law.

Director Erickson remarked that if the Planning Commission considers this in terms of updating the General Plan in these locations, they should be able to move forward.

Commissioner Suesser referred to the three options of the Expansion APP Amendment, and noted that the language states that the land north of SR248 would be excluded. However, she thought that proposal included Round Valley. Director Erickson noted that the Mayor asked the same question. The answer is lands north of SR248 and east of US40 would be excluded. The Round Valley property, which is west of US40, would be included. Director Erickson recognized that it was unclear the way he had written it.

Commissioner Kenworthy asked if Brighton Estates was included. Director Erickson answered no. Commissioner Kenworthy noted that Brighton Estates would be an island. Director Erickson replied that it would not be an island because they are in Wasatch County and they are being surrounded. MIDA comes up to the eastern boundary of Brighton Estates; however, that is not in Park City's jurisdiction and not in the plan.

Commissioner Suesser thought from a slide that Bonanza Flats and MIDA overlapped. Director Erickson stated that they do not overlap.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

VI.A <u>1330 Empire Avenue, 1302 Norfolk Avenue, 1361 Woodside Avenue, and 1323 Woodside Avenue. Woodside Park Affordable Housing Project Phase I – Master Planned Development Modification – Ratification of Modified Development Agreement.</u>

Planner Tyler reported that this item was the proposed ratification of the Development Agreement, which is the first amended development agreement for Woodside Park Phase I Master Planned Development. The Planning Commission reviewed the amendment on June 12th, which included the removal of Condition of Approval #7. At that time, the Planning Commission voted to approve the amendment.

Planner Tyler clarified that the action requested this evening was for the Planning Commission to ratify the Development Agreement that memorializes their previous action.

Planner Tyler noted that a public hearing was not required and it was not noticed for public hearing. The Staff recommended that the Planning Commission approve the amended Development Agreement.

Chair Phillips stated that he was in that area last evening and it was nice to see it all done. He thought it looked great. Chair Phillips stated that looking down the center pathway it is easy to see how that will eventually connect to the Resort. However, as he was standing on the Park side he thought the path should continue next to the area in front of the Miners Hospital where people enter the Park. He asked if there were plans to continue the pathway and have a pedestrian crosswalk to create the connectivity.

Director Erickson stated that the connectivity goes all the way through Woodside Park Phase II. It was being reviewed with the neighborhood transportation Master Planning Committee for crosswalk locations on Woodside and Empire. Planner Tyler remarked that Transportation Planning was working on a plan to redo Park Avenue it was still in the planning phase. Pedestrian connectivity would be incorporated into that project and bulb outs and crosswalks would be discussed at that time.

MOTION: Commissioner Sletten moved to Ratify the modified Development Agreement with respect to the Woodside Park Affordable Housing Project Phase I, Master Planned Development, located at 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission Meeting adjourned at 6:30 p.m.

Approved by Planning Commission: ______________________________________