

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JUNE 10, 2020

COMMISSIONERS IN ATTENDANCE:

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

EX OFFICIO: Planning Director Bruce Erickson; Rebecca Ward, Planner; Alexandra Ananth; Planner; Laura Kuhrmeyer, Planner; Caitlyn Barhorst, Planner; Liz Jackson, Planner; Mark Harrington, City Attorney

The Planning Commission meeting was conducted virtually via Zoom.
The public was able to submit eComments during the meeting.

ROLL CALL

Chair Phillips called the meeting to order at 5:40 p.m. and noted that all Commissioners were present except Commissioner Sletten, who was excused. Commissioner Kenworthy joined the meeting late due to problems logging in.

APPROVAL OF MINUTES

May 27, 2020

MOTION: Commissioner Thimm moved to APPROVE the Minutes of May 27, 2020 as written. Commissioner Van Dine seconded the motion.

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

PUBLIC COMMUNICATIONS

No comments were submitted on items not on the agenda.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson reported on technology changes since the last meeting.

Director Erickson understood there were 25+ people showing who were not panelists, and he assumed most would be providing public input. He stated that anyone who wanted to make public comment on an agenda item this evening needed to register for eComments

on the Listen Live portal on the City Council website. If anyone wanted to comment on several items, they should log onto the Zoom Webinar and raise their hand during the public hearing for that item and they will be let into the meeting to make their comments.

Jessica Nelson noted that all of the Zoom participation information was listed on the Listen Live page where all the public meetings are listed.

John Kenworthy disclosed that prior to the last meeting he had visited the site at 802 Empire Avenue and spoke with the applicant, Tom Peek. Nothing substantive was discussed and he had not spoken with Mr. Peek since that time. He had made this disclosure at the last meeting and he would not be recusing himself from this item.

WORK SESSION

- 5A. The Commission will Consider Opportunities to Require Electric Vehicle Charging Station Infrastructure for New Development and Redevelopment. The Sustainability Department Will Provide an Overview of Strategies Under Development for Deep Decarbonization of the Built Environment, including a Stretch Code to Incentivize Developers to Achieve Net-Zero Development and a Building Energy Disclosure Code to Promote Transparency of Energy Use. (Application GI-20-00429)

Planner Rebecca Ward reported that this item was the first of two community planning strategies outlined in the General Plan that were scheduled for work session this evening. She noted that Luke Cartin, the Sustainability Manager and Celia Peterson, Sustainability Project Manager, would be discussing some of the projects in process to encourage energy efficiency and construction.

Planner Ward stated that for the EV charging stations, Exhibit A, included in the Staff report, outlines the plans to expand networks on a Regional, State, County, and Local level. She reported that grants are in place to support the installation of these EV charging stations. The City is in the process of installing 100 of these charging stations for public use.

Planner Ward remarked that currently the LMC is silent on these charging stations. The purpose of this work session was to get input from the Planning Commission on different directions to address these charging stations in the Land Management Code. She stated that the most basic amendments would be to add definitions to clarify the charging stations to add a section in the Code that shows they are allowed accessory uses, as well as creating uniform standards for design, installation, maintenance, and signage. Planner Ward stated that another option would be to go a step further and

explore the possibility of requiring a certain percentage of infrastructure to be installed at the time of development or new development to support future installation of EV charging stations. A third option would be to go a step further and require that EV charging stations be installed at the time of development.

Planner Ward stating that in establishing basic uniform standards for these stations, it is important to include them in the Code to ensure that parking space compliance and size is maintained with the installation of these charging stations. It is also important to establish consistent signage and information for the public in using the EV stations.

Planner Ward remarked that model codes from other communities include accessibility standards about where the connectors are located. If they were to go to the second step and require a certain percentage for infrastructure to be installed to support future EV charging station installations, many communities require around 10% of the total parking spaces. This would save time and money in the long run because they would not need to retrofit parking lots. Planner Ward stated that even doing a small percentage of infrastructure upfront may support expanding that over the long run.

Planner Ward commented on the third option of requiring EV charging stations to be installed at the time of development. For this option, the Staff would need to do more research and community outreach; and figure out how this could work best in the community. There have been challenges in other communities where the requirements are too restrictive in terms of where the stations must be located; and therefore, the stations are not used as often as they might be in other locations.

Planner Ward requested feedback on what direction the Planning Commission would like the Staff to take with these potential amendments.

Chair Phillips clarified that the Planning Commission would be discussing to what degree they would try to create these EV stations and reach a conclusion on how much they want to provide. In doing so, they also need to try to mitigate any problems with how the EV stations are placed.

Planner Ward explained that the Planning Commission could make the decision to do the first option and just add the definitions and clarify in the Code that EV stations are allowed. If they wanted to explore options 2 or 3, the Staff would continue to do more research and come back for another work session.

Chair Phillips thought this was a top priority goal for the City. His preference would be to continue to pursue all the options and he believed creating a definition was a good place to start. Chair Phillips preferred to be aggressive and suggested that the Staff

move forward on public outreach so they can figure out the best way to do this. He pointed out the numbers for the next ten to 20 years on what is expected for electric vehicles. He believed EV stations were more likely to be used if they were already in place because it would attract that type of behavior. He thought Park City should be ahead of the curve and lead rather than be behind the curve.

Commissioner Hall concurred. She would like another work session to address options 2 and 3.

Commissioner Thimm liked the idea of being aggressive. He asked if the 10% value was 10% of the stalls contemplated for off-street parking in a project. Planner Ward replied that different communities have different ways of measuring the requirement. However, most calculate that 10% of the total parking spaces need to have the infrastructure to support 10% of all parking spaces for future installation of charging stations.

Commissioner Thimm stated that in reading through the Staff report, he did not see a requirement for a PV array that supports these stalls. Planner Ward replied that it was not mentioned in the Staff report and she offered to look into it. Commissioner Thimm clarified that the 10% was arrived at by looking at the model from other cities. Planner Ward answered yes. It appeared to be a baseline to start.

Chair Phillips thought 10% was a good starting point. The Staff report talks about different uses, and he asked if the uses are determined by where the stalls are placed versus the number of stalls supplied for a particular use. Planner Ward thought there was some flexibility. She clarified that this amendment would be specific for the Level 2 charging stations, which are the stations the City is currently installing. A Level 2 takes a few hours to fully charge versus the fast charging stations, and that would be a separate discussion.

Chair Phillips understood that sometimes cars are lined up to use the fast charge stations. Planner Ward replied that fast charging stations tend to be along Interstate Highways and at a gas station. However, as the price comes down in the future, they may be supported in a parking lot for local use.

Commissioner Kenworthy joined the meeting.

Commissioner Kenworthy stated that he had been listening to the discussion and he agreed with Commissioner Hall. He was comfortable with Option 1 at this point, but he would like another work session to discuss Options 2 and 3.

Commissioner Hall noted that the Staff report talks about EV charging stations being an allowed accessory or a conditional use. She thought a conditional use would be another barrier and wanted to know when that would be justified. Planner Ward stated that all Level 2 charging stations would be an allowed use. A Level 3 could be a conditional use, or they could address some of the issues through the Code if additional requirements are necessary to mitigate the impacts of a Level 3 charging station so it would be allowed rather than conditional. Planner Ward emphasized that Level 2 charging stations would be allowed in all zones as an accessory to any parking. Commissioner Hall advocated for charging stations to be an allowed accessory use without requiring a conditional use permit. It would be helpful if they could work through the Code to streamline the process.

Commissioner Van Dine concurred with Commissioner Hall.

Director Erickson stated that another approach could be to make it a requirement of any use permit, and not a separate permit. Instead of going through an extra process, EV stations would be reviewed as part of the project the same as landscape plans or utilities plans and make them part of every development. The Planning Commission would need to decide how many and what type; either Level 2 or Level 3.

Commissioner Hall wanted to know when the Commissioners would see the charging station infrastructure. Planner Ward thought it could come back to the Planning Commission for a work session in July.

Luke Cartin, Environmental Sustainability Manager, stated that his department helps the City pursue its goals. They work with everything from charging infrastructure to tree planting. They also do everything from passing legislation to meeting with major cities on the electrification of the Park City transit system.

Mr. Cartin reported that Park City Municipal has two goals based on two time periods; to be net zero carbon and 100% renewable electricity. The timeline is 2022 for City operations and 2030 community wide. Mr. Cartin thought 100% renewable electricity was straight forward, which is typically the traditional wind turbines, solar panels, and battery storage. He remarked that the net zero carbon is everything outside of the world of electricity, as well as electricity. It includes diesel gasoline, cook fuels, and landfill. They actually comply with an international standard through the carbon disclosure project to measure and quantify these things.

Mr. Cartin pointed out that telling people how many tons of carbon does not equate. To put it in financial terms on the 2030 timeline, within City boundaries, there is a \$24-25 million per year electricity spend by all residents, businesses, irrigation, and everything

else within the City boundary. The net zero carbon includes everything within the City boundary, but also to get people, goods, and services in and out of the community. It can include airlines fuels, and also over the road fuels such as gasoline and diesel, which all have economic impact. Mr. Cartin stated that when they calculate the range for a specific item, such as gasoline, they can back into the economic impact of the carbon footprint. He noted that the cost is \$245 million per year. Mr. Cartin stated that when people express concern over how to pay for renewable energy, it is important to understand that the City is already spending a quarter of a million dollars on fossil fuels currently, and those dollars are going to less democratic places in the world like Venezuela, Russia, and the Middle East.

Mr. Cartin stated that the net zero carbon by 2030 community wide is North America's most ambitious goal for any city. Park City is in a State where the official state rock is coal. Mr. Cartin stated that they need to figure out the best way to achieve the goal, but they are making great headway.

Mr. Cartin stated that the overall strategies fall into four major "buckets". The first is Energy Efficiency, which is the top piece to achieve. For example, it is more efficient for electric vehicles to be on the road because they are more efficient with the energy. The second is Electrification. He noted that a tailpipe is a mini smokestack. If they can electrify, it will get to a cleaner piece. Mr. Cartin stated that even with Rocky Mountain Power's mix of 60-70% coal, these are still cleaner burning than most of the efficient cars on the road. He pointed out that backing up electrification with 100% renewable electricity is when they really start getting to a high impact. Mr. Cartin stated that in 2019 Park City, Salt Lake City, and Summit County partnered together with Rocky Mountain Power and passed legislation called HB411, which created a pathway for communities to be 100% renewable by 2030. When that bill was passed, they left an on-ramp for other communities to join. Currently, there are 23 Utah communities or 40% of Rocky Mountain Power's electrical load that are on this pathway to go 100% renewable by 2030. Mr. Cartin stated that the last strategy is regenerative. He pointed out that even with all the changes fossil fuels will still be burned. They will need to find ways to sequester carbon in the soil through innovative practices. He noted that Park City was also creating the way on this strategy as well.

Mr. Cartin stated that Park City is also working with other communities around the West, particularly mountain communities, on these four overarching concepts. More than 30 mountain communities were hosted in Park City last October, and as a result, they were starting to see great alignment. He commented on other communities that have adopted Park City's goals.

Mr. Cartin noted that the Brew Pub lot, City Park, and China Bridge have Level 2 chargers. If the Planning Commission wanted to see a Level 3 fast charger, they could find some at the Library at Kimball Junction.

Commissioner Thimm referred to comments regarding 100% renewable electric by 2030. He asked about the strategies for that and whether there are PV arrays out in the desert or in Park City. Mr. Cartin replied that it was an "all of the above strategy". They definitely want to focus on the efficiency side. It is the least exciting, but the less power they need to purchase the better. The rooftop side is called distributed because it uses the smaller wires and distribution systems around the community. The other is the utility or commercial scale, and it will be a balance of both. Mr. Cartin provided examples. As they go forward, they want to balance bring renewables online, and with the help of the 23 communities, help push some of these within the boundaries of Utah. Mr. Cartin remarked that the cheapest form of electricity in every state in the nation are renewables. Mr. Cartin commented on the six-state grid and noted that Utah and Wyoming are set up well to take on a lot of these renewables. They will also be pushing efficiency, battery storage and grid technologies to balance it all out.

Celia Peterson, Environmental Sustainability Project Manager, stated that since they were talking about decarbonization of the building sector, she thought the obvious place to start was to take a quick look at what emissions the buildings in Park City contribute to. She stated that in most cities, the built sector contributes approximately 40% of the carbon footprint, but Park City has an especially high built environment carbon footprint. It is an issue the team has really been focused on. Ms. Peterson noted that Luke Cartin has been working very hard to convert it to carbon free electricity to power the buildings. However, they also need to consider heating fuels. This is where energy efficiency and other types of substitution come into play.

Ms. Peterson commented on the research that has been done. She presented a graph showing how the built environment can be impacted with different policies and procedures. She thought Energy Code was the best financially, however, in Utah there is no ability to manipulate energy codes. Ms. Peterson pointed to different things they have been working on to move the needle on emissions coming from the built environment. She was willing to come back and talk about these specifically, if that was what the Commissioners wanted, but she preferred to focus on moving forward rather than what has already been done.

Ms. Peterson stated that they have done a lot of research and looked at what other cities have done, but at the same time considering what would work best for the Park City context in terms of buildings, their contribution to the carbon footprint, and the fact that Park City has ambitious climate goals.

Ms. Peterson presented the basic process. The first was Disclosure and Benchmarking, which looks at ordinances for disclosing energy usage. The second is an Energy Stretch Code. The City cannot require more stringent energy codes than what is set at the State level; however, the City can set a stretch code that is voluntary and incentivized to pull the market up to build more efficient and net zero energy buildings. Ms. Peterson stated that they were also looking at different ways to develop programs to support both of these processes to disclose and to set a goal in terms of what they would like to see happen with new buildings and major renovations. Another incentive is to have a program that helps achieve a net zero energy building.

Ms. Peterson provided additional information on how they intend to approach commercial versus residential, and what would be required versus not required. They would start with a voluntary pilot program. She noted that Park City is in line to be the pilot for a home energy label program that was recently passed at the State level. What is not required is actual energy efficiency improvements. They cannot force people to make energy efficiency improvements, but they can incentivize. She showed a list of possible incentives. Ms. Peterson stated that typically there are two pathways for stretch codes. One is prescriptive, which is more of a checklist of things that are done as the buildings are being designed and constructed. She remarked that Park City has a net zero energy performance standard for all new buildings that the City either builds or supports. They decided to set that standard as a performance based standard because it produces the real outcomes. Net zero energy buildings are required to have net zero energy on an annual basis, and they can ensure that the buildings are performing the way they were designed. That is not the case with prescriptive pathways.

Ms. Peterson stated that the stretch code is a voluntary appendix to the mandatory minimum energy code. The primary point is to achieve greater levels of energy efficiency. It also sets the benchmark of what they want building energy performance to look like in Park City.

Ms. Peterson stated that the intended outcomes from this work is no net increase in emissions coming from new buildings. It is a lofty goal, but they were trying to infuse net zero energy building, as well as water-wise landscaping for new buildings and major renovations. Ms. Peterson presented a list of different incentives that could potentially be offered. Based on the outreach done so far, people have indicated that a streamlined process and having a designated point of contact at City Hall would be the most useful.

Ms. Peterson presented a list of requirements that would go into the stretch code. The design would need to be for net zero energy or passive house certification, plus renewables. It reflects the performance standard that the City sets for its own buildings to keep everything as aligned as possible. Another similarity is to have someone responsible in the process for keeping track of the energy usage in the design process. In addition, when the certification comes into play, after one-year performance data, that commissioning agent or agent modeler would be there as well.

Ms. Peterson stated that one concern is abuse of the system. If they offer incentives, someone could go through the entire process and get the benefits, and then not build a net zero energy home. They were working on a process to help quell any abuse of the system.

Ms. Peterson stated that the incentives that have risen to the top are having a streamlined permitting process for net zero energy building and having designated point of contact. Another incentive would be to refund all Building and Planning permitting fees. The collected fees would go into a bond. After one-year post occupancy, if net zero energy performance has been met the fees will be refunded. If not, those fees would be invested in improving the energy performance of the building.

Ms. Peterson stated that the items and strategies presented this evening have been combined into a program that was just kicking off. It is a partnership between Park City and Utah Clean Energy. Utah Clean Energy has a lot of expertise in terms of energy efficiency for buildings and beneficial electrification of what the looks like. They have a lot of great connections in Utah. Ms. Peterson reported that the Park City Community Foundation has decided to help support this program with their climate fund. She noted that they also submitted and won support from the Funders Network and the Urban Sustainability Director's Network.

Ms. Peterson stated that they have covered the low hanging fruit in terms of moving the needle on reducing the carbon emissions coming from the built environment. This is the heavy lift and they have a great team on Board. She noted that there will be a very involved engagement process. They like to involve stakeholders and the end users of these policy changes. An advisory committee was being launched on Monday with people from the construction industry, the real estate industry, developers, etc. Included in that process, they were paying special attention to social equity, which involves participation with the Community Foundation and Utah Clean Energy to ensure that social equity is infused in the whole planning process. Ms. Peterson stated that this was still a work in progress and what they shared this evening are the preliminary discussions they have had internally. The real work is about to start and they want to make sure it is something that works for Park City and the people it will impact, and also

is a leading action that can be shared and scaled up so other communities who are trying to take action on climate change can also benefit.

Chair Phillips understood the presentation this evening was an overview, and he asked if they anticipated needing any action from the Planning Commission in the near future to help move this along. Mr. Cartin stated that as they begin kicking off the community advisory group, if the Commissioners are interested in a specific area or would like to check in on the process, he encouraged them to reach out.

Commissioner Kenworthy stated that he was very proud that Park City was at the forefront of all this.

5.B. The Commission will Consider Land Management Code Amendments to Align with Amendments to Municipal Code of Park City Title 4A, Special Events.
(Application PL-20-04531)

Planner Ward noted that Jonathan Weidenhamer, Economic Development Manager, and Jenny Diersen, Special Events Manager, were also on the line.

Planner Ward reported that this item was a Code cleanup. Since 2016 there have been several amendments to Title 4A, the Special Event Code. The LMC for Special Events has not been updated since 2012. The Staff was proposing three cleanup changes, but they should not impact the way the way that special events are currently permitted or regulated.

Planner Ward stated that as the LMC currently reads, it could be interpreted to require both a Special Event Permit from the Economic Development Department, and a Special Events Conditional Use or an Administrative Conditional Use Permit from the Planning Department. Planner Ward explained that the Planning Commission and the Planning Staff will continue to permit outdoor events. Recurring events with a permit that runs with the land will continue to permit temporary change of occupancy and temporary structures, tents, and vendors that are not associated with a special event.

Planner Ward stated that in a future work session there may be opportunities to further clarify the Code for when the Planning Commission grants a conditional use permit or an administrative permit for recurring events.

Planner Ward outlined the three amendments being proposed this evening. One would be to remove the term "Special Event" from the Land Management Code. The second would be to clean up the zoning district use sections. The third would be to make

technical changes in the sign code and the LMC so the current terms used to describe the events are reflected in the LMC.

Planner Ward stated that currently, the requirements for the special event conditional use permit or administrative permit contradicts with the requirement that applicants need to meet for a special event permit. Removing the term "special event" will clean it up and clarify. Planner Ward remarked that the standards in the LMC will remain in the Code, and they apply to the administrative permits or conditional use permits for the temporary change of occupancy, and for outdoor events and permits of that nature.

Planner Ward stated that the second change would be to update the use sections in the zoning districts. She presented a table showing the current LMC, showing special events as conditional or administrative conditional use permits.

Planner Ward commented on the third change. She noted that the term "Master Festival" was removed from the Code and the Staff would update the Sign Code and the LMC, as well as updating internal citations. There would also be technical cleanups for both the Sign Code and the LMC.

Planner Ward clarified that the proposed amendments would not impact the way events are currently permitted. The Planning Director will still review all Special Event Permits. She noted that in Title 4A, one of the criteria that special events must be consistent with the General Plan, the General Plan goals, and that the event is not proposed to avoid more restrictive zoning regulations.

Jonathan Weidenhamer, Economic Development Manager, stated that he was present to offer support and to answer questions. Ms. Diersen was available to answer technical questions.

Commissioner Thimm stated that he is always pleased when the LMC is cleaned up and made more usable and enforceable. He appreciated the effort.

Chair Phillips agreed. He thought the amendments were needed.

Director Erickson stated that what the Commissioners were seeing was three years worthy of work between Jenny Diersen, Rebecca Ward, and Jonathan Weidenhamer to clean up the distinction between long-term land use decisions and special events. It was a long negotiating process and he appreciated the help from Economic Development and Special Events. Director Erickson also commended Planner Ward for doing a great job.

Planner Ward stated that these amendments would come back to the Planning Commission in July if there are no changes to the redlines in the Staff report.

5.C. Park City Mountain Resort Base Parking Lots – Work Session – Discussion of Request to Amend the 1998 Park City Mountain Resort Development Agreement to Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, with a New Master Plan, known as the Park City Base Area Lot Redevelopment Master Plan Study. (Application PL-20-04475)

Planner Ananth stated that the scope of review for this project was the main focus this evening. As laid out in the May 27, 2020 Staff report and discussed at the last work session, the Staff has conducted an extensive review and analysis of the PEG Development application, as well as the 1998 Development Agreement. The Staff believes that the proposed project meets the definition of substantive modification. Planner Ananth explained that this was important because it justifies a review of the entire Master Plan and Development Agreement by the Planning Commission. She believed the Planning Department and the applicant were generally in agreement, and that in general the project will be reviewed under the current LMC. However, there may be some areas that PEG will try to keep the review limited to just their proposed base development plan, and not include resort operations.

Planner Ananth stated that whether PEG Development submits a new application or if they agree to call it an amendment, both were less important than actually agreeing on a scope of review for this project. Planner Ananth reported that the Planning Department met with PEG Development and proposed a scope of review under the MPD modifications. She noted that the Staff and applicant had not come to an agreement at this point, but she thought they were close.

Planner Ananth outlined the stipulated areas of review as follows:

Density. Planner Ananth stated that both the Staff and the applicant agree that density is vested from the 1998 Development Agreement, and it was reiterated in the 2019 amendment to the Development Agreement. Planner Ananth thought the density issue was clear and it would not be reopened.

Setbacks and Building Height. Planner Ananth remarked that as noted in the May Staff report, the applicant was calling for changes to the location, setbacks, height, and massing of the proposed buildings versus the 1998 concept master plan. The applicant had newly applied for exceptions to the setbacks and building height. Therefore, the setbacks and building height would be approved or denied by the Planning Commission based on the current Park City Land Management Code. Planner Ananth believed the

Staff and the applicant were in agreement with the scope of review for setbacks and building height.

Housing and Parking. Planner Ananth stated that affordable housing obligations and parking requirements for the resort operation, as well as new development, will be approved or denied by the Planning Commission based on a blend of fulfilling prior obligations as laid out in the 2015 amendments to the Development Agreement and the MPD, as well as current requirements.

Planner Ananth stated that housing and parking requirements are probably the area with the most disagreement around the scope of the Planning Commission's review. She thought PEG Development would like the Planning Commission's review to be focused solely on the proposed development of the base area. Planner Ananth noted that the housing obligation in the Development Agreement were focused on the requirements for the proposed base area development, and not the resort operations. However, she recognized that the Planning Commission may feel differently and might want to look at that anew.

Planner Ananth stated that parking is another example of why the Staff thinks that the plan is a significant change from the 1998 plan. The current application calls for a significant of above grade parking, which is not included in the square footage calculations, in comparison to the 1998 Development Agreement. Also, in general, the number of proposed parking spaces are different. In 1998 the approval notes that 1200 skier parking stalls exist, and those 1200 surface stalls will be replaced by 1800 underground stalls. Planner Ananth emphasized that this was not what PEG Development was proposing today. She asked if this was something the Planning Commission wanted to look at anew, or whether they would hold them to the 1998 Development Agreement.

Planner Ananth remarked that those were the substantive issues they need agreement on. Looking at parking under the current Code with today's lenses, it was unclear where they would end up with parking. She was not sure whether they would suggest more parking or less parking.

Chair Phillips asked if Planner Ananth was looking for direction on the parking issue this evening. Planner Ananth replied that she would like to hear the Planning Commission's preference as much as possible tonight to help the Staff and applicant come to an agreement regarding the stipulated scope of review.

Director Erickson did not think the Staff needed to know the details from the last meeting. Planner Ananth was looking for input because she wanted to make sure all

the elements to be reviewed were included in the schedule she had prepared through October. Planner Ananth remarked that she was looking for clarity for the Planning Department, the applicant, and the Staff on whether they would be looking at these issues under the current LMC or going back to the 1998 Development Agreement.

Planner Ananth thought the Staff and applicant were in general agreement that the areas of traffic and transportation improvements would be reviewed based on the current Code, and designed to accommodate the Resort's operations, as well as the new incremental development at the base by PEG Development.

Planner Ananth stated that overall, the Planning Department's opinion is that this is a really transformative project for Park City. The Planning Commission's review needs to be very comprehensive and aligned with the community's goals to improve upon existing operations, such as providing housing for employees, creating a real transit center, improvements to existing traffic and parking issues and flow, considerations for sustainability, etc. Planner Ananth did not believe they should limit their review to just the base project.

Director Erickson clarified that Planner Ananth was recommending that they use the current LMC for almost everything, except where there may be some vested requirements inside the development agreement. The simple question for the Planning Commission is whether they should use the current LMC under which the application was made. That decision will give Planner Ananth direction on how to proceed.

Planner Ananth commented on four outstanding obligations listed in the Staff report that the applicant still needed to provide in order for the Planning Department to consider the PEG application to be complete. The deadline for submittal is June 12th so the Planning Department can conduct their review and move forward this summer and to schedule a site visit for July 8th.

Planner Ananth assured the public that all public comments sent to the City are reviewed by the Planning Department and forwarded to the Planning Commission. She was compiling a document of all the questions by topic, and those topics will be addressed as the project is reviewed in public hearings.

Planner Ananth reported that in addition to the public comments that were attached to the Staff report, she had received seven emails since last Friday with additional comments.

Planner Ananth stated that a tentative schedule for review was included in the Staff report. She recognized that the schedule was optimistic, but the intent is to move

forward with a monthly meeting on this project on the regularly scheduled Planning Commission meeting on the fourth Wednesday of each month. The schedule is organized by topic. The site plan review would occur on July 22nd. Transportation, transit, connectivity, and parking would be reviewed in August. Utilities, sustainability will be addressed in September. They would discuss any plan revisions in October, as well as other topics that were not addressed. Planner Ananth anticipated the need for another meeting in November on this project. She was still trying to figure out where affordable housing would fit into the schedule.

Robert Schmidt, representing PEG Development, stated that Planner Ananth's presentation was very accurate in reporting the status of their discussions and the characterization of the scope of review.

Mr. Schmidt focused specifically on the affordable housing obligations and the parking, which were the two issues they were the furthest apart on coming to agreement. In terms of the affordable housing obligation, PEG Development was proposing that the obligation be reviewed, approved, or denied based on the specific base area proposal. Mr. Schmidt referred to the 2015 Amendment to the Development Agreement and some of the findings of fact and conditions of approval contained within that Agreement. He noted that Finding of Fact #113 states that the employee housing is triggered only by the receipt and approval of conditional use permits for small scale MPDs of the base area Parcels A through E. Finding of Fact #115 states that the employee requirement was proportionally based on approved small scale MPDs conditional use permits for each parcel. He pointed out that Finding of Fact #116 specifically goes through a pro-rata calculation to determine the amount of beds that should have been built on Parcel A. The calculation clearly demonstrates that the housing requirement was based on development of the base area specifically.

Mr. Schmidt noted that in her presentation, Planner Ananth stated her concurrence that the 1998 Agreement was specifically focused on the base area improvements and the housing associated with those improvements. Mr. Schmidt remarked that the history of these agreements is important, and that they adhere to the agreements that were made in the past and focus on the base area for the specific improvements for affordable housing. Mr. Schmidt stated that the original agreement was for 80 beds. The current affordable housing guidelines are much more involved in terms of the calculation. He agreed that it was important to review the affordable housing for the proposed development based on the current affordable housing guidelines. He noted that PEG Development also agrees to provide the 23 beds that were not built in Parcel A. Mr. Schmidt believed this was a vast improvement over the original Development Agreement of 80 beds.

Mr. Schmidt referred to a provision in the 2015 Amendment that says if the 80 beds are built, the affordable housing requirement for the MPD is fulfilled. He clarified that PEG Development is not proposing to build 80 beds just anywhere, even though it would be a better financial opportunity. Instead, they have taken a specific approach to conform with and provide for affordable housing at the base in conformance with the current affordable housing guidelines. Mr. Schmidt believed it was a huge step in the right direction and a vast improvement over the existing requirements of the Development Agreement.

Regarding parking, Mr. Schmidt stated that their proposal is that the parking requirements at the base will be reviewed based on the application submitted with the calculations they propose. Mr. Schmidt remarked that parking is an area that intersects with mountain operations. Because the parking at the base supports the mountain operations, the calculations within the PEG Development application accounts for CCC and for lodging outside of the base area. They feel that the parking requirements and the calculations at the base should be looked at under the current status of the mountain operations and the CCC. Mr. Schmidt thought this was a specific area where they should be looking at the parking requirements holistically.

Mr. Schmidt reiterated that PEG Development generally concurs with the Staff on the other points.

Mr. Schmidt commented on the outstanding items that still needed to be provided. He was aware of those items and they were working on completion. Planner Ananth had stated a deadline of June 12th to provide the outstanding items in order to move forward; however, he did not have that understanding from reading the Staff report. He understood that the site visit would be scheduled for July 8th, provided they could agree on the scope of review by June 12th. Mr. Schmidt stated that it was a point of clarification that needed to be worked out.

Commissioner Kenworthy noted that Planner Ananth requested input from the Planning Commission regarding the amount of parking spaces. In order to analyze that, he needed to have the answers and understanding of the General Plan principles of the public/private partnership for these transportation goals. Commissioner Kenworthy noted that he briefly mentioned this issue at the last meeting. He clarified that in order to feel comfortable with x-amount of parking, those principles need to be defined. He asked how Mr. Schmidt intended to do that.

Mr. Schmidt stated that within their application, they provided an analysis, calculations, and supporting documentation, and he would like to review those in more detail with the Planning Commission and the Staff. Mr. Schmidt believed they had addressed

Commissioner Kenworthy's concern in their application. He welcomed a review based on those computations. Mr. Schmidt stated that the challenge faced in only looking back to the parking calculations from 1998 is that those calculations were based on 353 remaining unit equivalents and a different site plan. In addition, as he pointed out at the last meeting, it was also based on the premise that the operator at that time wanted to elevate their CCC to 125% of CCC based on providing more parking. Mr. Schmidt noted that his presentation at the last meeting showed how times have changed. Today there are different modes of arriving at the Resort, including Uber and Lyft. There is also additional bed supply by way of Airbnb and others that bring more skiers to the base than what was anticipated in 1998. Mr. Schmidt noted that they were not showing that the CCC would be exceeded by the same percentage that was proposed in 1998. He thought it left a cushion to accommodate future growth and alternate modes of transportation. If they provide significant excess parking it would send the message that they could not accommodate any more modes of transportation to arrive at the resort. Mr. Schmidt reiterated that the detailed analysis was in their application and he welcomed a review based on the information provided.

Commissioner Kenworthy referred Mr. Schmidt to the Area Plan Principle 2 in the 2014 General Plan. He understood the point that if they provide excess parking, they would not be able to provide mass transit solutions. Commissioner Kenworthy stated that in looking at the 2014 General Plan, the City has been calling for mass transit options so they do not have to overbuild parking.

Chair Phillips stated that the last time this MPD was before the Planning Commission many years ago, he recalled during those discussions that there was some type of partnership agreement between the City and the applicant at the time. He could not recall whether it was for a parking structure or a transit center, but he thought the discussions center around a large transit center. Planner Ananth believed there was a Memorandum of Understanding regarding that issue, but she did not know enough to talk about it. Director Erickson stated that there was an agreement at the time, but it was now obsolete. He outlined what the agreement entailed and noted that it was not a function of this application. Director Erickson reported that the Planning Department was having conversations about encouraging transit with PEG Development and the Transit Department.

Commissioner Thimm asked if a true parking study was done as part of this application, taking into account the way that people travel today. He was not talking about a ratio of stalls to number of units or keys in a hotel; but rather a true parking analysis that takes into account shared parking, peak parking periods, and what has changed in terms of people using public transportation, Uber, etc. He asked if that parking analysis had been done, and if not, whether the Planning Commission had the purview to request it.

Mr. Schmidt replied that a parking analysis and a parking study conducted by Hales Engineering was included in the application. Planner Ananth clarified that the Hales Engineering parking analysis was not included in the Staff report. It was in a large book the applicant had submitted. It was online and there is a parking section in the book. Commissioner Thimm asked if the conclusions of the parking study support the 1200 stalls proposed versus the 1800 stalls mentioned in the 1998 approval.

Mr. Schmidt stated that as demonstrated in his presentation at the last meeting, it should not be looked at through the same lens with the same metrics and the same approach as 1998. In his last presentation he provided a side by side comparison to show how it was calculated and created in 1998, compared to how PEG Development calculated it. The comparison also showed the differences and the ending result. He thought it was important to have a thorough and deep understanding of that.

Mr. Schmidt stated that the question for the Planning Commission this evening is whether the parking should be reviewed and evaluated as it relates to both the base and operations. In his opinion, they have an intersection between the base and the mountain as it relates to parking. PEG Development provided calculations around that and they believe parking can be reviewed and discussed as it relates to the base and mountain operations.

Commissioner Thimm asked Planner Ananth if a third-party review of a traffic analysis includes the parking analysis. Planner Ananth replied that it will have a parking analysis component.

Commissioner Thimm thought the schedule Planner Ananth had prepared to discuss specific topics should be as aggressive as possible. He asked if the timing coincides with input from the third-party. Planner Ananth answered yes. She intended to put transit, parking, traffic, and connectivity first, but based on the third-party reviewer's schedule, she had to schedule it in August.

Commissioner Thimm commented on affordable housing and whether they look at it in terms of the mountain base plus mountain operations. He asked if that was quantified in terms of number of beds associated with those two separate categories or lenses they would look at this through. Planner Ananth states that for the proposed new development, it would be looked at based on square footage of the new development. Mountain operations is based more on number of employees. It would be a blend if they took that approach instead of just looking at the base element.

Chair Phillips opened the public hearing.

All public comments received before and during the meeting were included in the record.

Jessica Nelson stated that anyone viewing the meeting on Zoom who wished to make comments should use the "raise your hand" feature on Zoom and she would let them in to speak.

Planner Ananth was prepared to read the public comments that came in today through the eComments portal.

Planner Ananth reported that she had received an email from Debra Hickey. Ms. Hickey also sent in an eComment asking that her entire email be read during this meeting.

In response to her request, Planner Ananth read the email into the record. In summary, Ms. Hickey has owned a condo at the Silver King for 28 years and has watched the town grow and change. She recently participated in the Park City 2020 Vision Survey. Ms. Hickey outlined a number of issues that concern her in the development of the base area with the old 1997 Master Plan for Development. She would like to understand what areas of the old plan do not meet the standards of the 2020 Park City Planning Guides. She would like to see the new Park City Vision Plan and how the desires of the residents impact this large development project. Ms. Hickey thought traffic issues should be resolved before a new large resort is built. Density and its effects to the resort area should be addressed in regard to pollution, noise, fume, lights, night sky, etc. Ms. Hickey stated that the addition of more traffic to the area is undesirable because the width of Empire and Lowell are not ready to accommodate the masses, even with one-way directional. Sidewalks cannot accommodate families carrying ski equipment to the slopes. Ms. Hickey did not believe anyone had addressed making more access with this project. She believed there would be less access. She pointed out that many families enjoy the off-season access to the trails and base area. Parking should be free for Park City residents, she and suggested passing out bumper stickers for local access. Ms. Hickey noted that the 1997 Master Development Plan mentioned 1800 underground parking spots for exclusive resort usage and a limit on ski passes based on available parking. She asked if this still pertained to the future development. Ms. Hickey noted that PEG Development was requesting an exception of building heights up to 7 stories, which will dwarf the surrounding residents. She remarked that the original plan on page 113 1.3 - General Image and Character, states "these guidelines wish to encourage architecture that is compatible in character with the existing PCMR facilities and the PC community". The architecture should look like it belongs to Park City, Utah and no place else. Ms. Hickey remarked that allowing 7

stories of height will change the feel of Old Town and the base area neighborhood. Ms. Hickey noted that the original plan on page 114 discusses sidewalks should be no less than 15-feet wide to accommodate pedestrian traffic for safety and comfort. Ms. Hickey disagreed with placing employee housing at the base area. This land and its value that all residents have paid premium dollars to access should not be given to employees. She stated that PEG Development could purchase another parcel in a less expensive area code to build employee housing, and the employees can take public transit to work. Ms. Hickey noted that the bus drop-off area was not written in PEG's proposal as it was discussed in the 1997 plan. She wanted to know how they will have more public transit available to deal with new resort residents and daily visitors. She urged them to make all buses electric and asked if another route could be shared in Old Town. Ms. Hickey noted that the 1997 plan called for a condition of approval based on a pedestrian bridge over Lowell. If foot traffic will stop uphill vehicle traffic at every crossing, cars and buses will be backed up to Highway 80. Ms. Hickey remarked that a new parking structure must provide a safe access for families to cross to the ski plaza. Shadow Ridge and Silver King need access, too. She asked them to consider all the local neighbors when a structure is built. With the new pandemic challenges and the present USA and world economies uncertain of a rebound, she suggested that the Park City Planning Commission delay such a massive new undertaking for fear that the project cannot be fully funded to completion in the five-year timeline, and will leave the neighborhood in shambles.

Planner Ananth read an email from Debra Rentfro. Ms. Rentfro stated that she owns a home on Empire Avenue and the pedestrian and traffic patterns put forth by PEG are not an improvement for the immediate community nor those driving in. She stated that safety for pedestrians is already compromised and the plan does nothing to improve the safety. She thought the one-way traffic pattern would be very difficult for those living on Lowell or Empire, and will require every vehicle to pass the resort, whether or not they are going to the resort.

Planner Ananth read a comment from Belinda Simile. Ms. Simile stated that she owns condos in the Silver Mill House Building at the Resort Plaza; and she is president of the Marsac Mill Manor and Silver Mill House Condominium Association. She noted that she had sent an email Planner Ananth earlier today with comments related to the PEG development at the PCMR base. After reviewing the proposed development plan and listening to a pre-application developer led presentation to some members of our HOA, and listening to the Planning Commission meeting last month, she had several concerns. Pedestrian interface with traffic on Lowell will only get more problematic. An elevated pedestrian bridge from the parking garage was provided for in the original plan and should again be included in this plan. In addition to functionally offering relief from potential traffic/pedestrian conflict, it should be designed to be an attractive signature

iconic piece of the development, and a gateway to the existing base areas. Ms. Simile wanted to know the anticipated selling price points for each type and size of condo in various buildings. She stated that area owners would like to see representation of how buildings will appear from various locations and elevations outside of and from within various floors of their buildings. Ms. Simile thought more transparency and information was needed on how the relationship and commitments between Vail and PEG will be structured and memorialized with regards to the parking garage, sidewalks, and access, including any ski lift or surface lift configurations or reconfigurations. Ms. Simile remarked that much care needs to be taken so they do not end up with two disconnected and independent bases. Ms. Simile stated that parking for oversize vehicles that will not fit in the existing parking garages at the Lowell and the Lodge is currently provided by the surface lots. This loss of parking needs to be addressed in the plan, as well as sufficient parking for employees for the various retail and restaurants, both existing and planned. Replacement of the existing 1200 parking spaces does nothing to address the additional uses needs. Regarding architecture, exterior designs approved in the 1998 plan illustrated very attractive ski mountain elevations with clusters of smaller buildings broken up with various architectural features. She commented on the significant change in the appearance and mass of the structures proposed. She is very concerned with the actual designs proposed. This is a highly visible project and it is paramount that the City holds developers to a high standard. Ms. Simile did not think the proposed plans were consistent with Park City's historic mining past and ski town heritage. It does not fit the character of the surrounding developments. Ms. Simile believed the proposal has many significant substantive changes from the 1998 plan. She agreed with the Planning Department that this application is most appropriate as a new MPD and should not be handled as an amendment to the DA. She appreciated the City and Planning Commission's diligence, and the developer's willingness to work with the community. With good faith efforts on all parts, including valuable input from the community, many believe a quality development that meets the needs of the community can be developed on this site.

Planner Ananth read a comment from Clayton Steward. Mr. Steward concurred with the Planning Department's recommendation that the Planning Commission determine that the submitted application is substantively different than the 1997 large scale master plan, and it requires a new MPD; not an amendment to the existing MPD, for all the reasons stated in Exhibit A, Zoning Review Memorandum, dated May 27th. Mr. Steward stated that the requested building heights are absurd at 75-85 feet above grade in an RC zone that allows 35 feet. A reduction in setbacks is not justified since the proposed building forms are far less articulated than the building forms specified in the DA. Ms. Steward stated that the DA does not permit the transfer of density from one parcel to another. Significant variations from the DA approved volumetrics are being requested, and he did not think a single cubic foot of additional mass volume should be permitted

on any building on any parcel of the revised plan for any reason, including above-grade parking. Mr. Steward did not understand why a tentative public hearing schedule had been outlined for an incomplete application.

In addition to those eComments, Planner Ananth had also received comments from Sherry Harding, Tom Jacobsen, Sid Embry, Angelica Charlette, and Rich Wyman. In the interest of time, she would forward the comments to the Planning Commission and attach them to the July Staff report.

Nancy Lazenby had raised her hand on Zoom and was able to make comment.

Ms. Lazenby thanked the Planning Department and the Planning Commission for allowing public comments on Zoom. She thought the comments Planner Ananth had read highlighted some very key points. One of the key points she found concerning was the issue of pedestrian safety. Ms. Lazenby wanted to know where that issue falls in the schedule of topics to be addressed. She noted that the 1998 plan had elevated walkways which is a substantially safer option for people crossing Lowell. With additional traffic being proposed, having people cross on crosswalks is flirting with disaster.

Planner Ananth replied that pedestrian connectivity would be addressed on August 26th. The topics include transit, traffic, parking, circulation, and connectivity. Pedestrian interaction is part of the connectivity discussion.

Ms. Lazenby suggested that Planner Ananth specifically add pedestrian safety to the list of topics so people know that it will be discussed in more detail. It is a safety issue that could have serious consequences for the community. Ms. Lazenby thought there were significant changes from the 1998 plan as others had highlighted in their comments. She agreed with all the other issues that were addressed.

Jim Doilney had raised his hand on Zoom and was able to make comment.

Mr. Doilney stated that he and Rob Slettom, representing the Silver Mill House and Marsac Mill Manor Condominium Association, would be meeting onsite with Planner Ananth on Monday at 10:00 a.m. Mr. Doilney believed that conceptually the project could achieve a pedestrian access. They have also discussed the possibility of the Planning Commission considering raising the building up. He understood there were objections to a taller building; however, for every foot the building is lifted is one less foot every pedestrian skier would have to walk to get to the lifts. He and Mr. Slettom will be discussing these items with Planner Ananth. Mr. Doilney appreciated the opportunity to speak.

No other comments were submitted.

Chair Phillips closed the public hearing.

Mr. Schmidt pointed out that PEG Development concurs with the Staff report that agreeing on a scope of review is the most important issue. He felt they had submitted the appropriate application and provided reasons and the basis for doing so. Mr. Schmidt appreciated the opportunity to talk about the scope of review.

Mr. Schmidt had re-read the Staff report and understood that the four items listed are to be submitted by June 12th. He noted that they were currently working on all the items. The top two items regarding the amount of parking located above grade, and the vertical and horizontal articulation are not quick and easy solutions and they were still analyzing those. Mr. Schmidt requested that the Staff extend the deadline for those two items. The other two items should be submitted by the June 12th deadline.

Chair Phillips agreed that the scope of review was the most important issue. He asked if Planner Ananth was comfortable extending the deadline on the first two issues as Mr. Schmidt requested, if it is submitted in a timely manner. Planner Ananth stated that she would work with PEG on a deadline that works for everyone. However, it cannot be extended too long because she needs time to review the submittal and prepare a thorough Staff report for the July meeting.

Chair Phillips requested a hard copy of the application that Planner Ananth held up earlier. He thought it would be helpful to have the large copy to make notes and see it all in one place. Mr. Schmidt offered to provide copies for each of the Commissioners. Planner Ananth requested two additional copies for other City departments who have requested hard copies.

Planner Ananth felt confident that the Planning Department and the applicant would be able to reach an agreed upon scope of review by June 12th. If the Commissioners had strong opinions regarding the scope of review, this would be a good time to express their opinions.

Chair Phillips was pleased with the direction and what was outlined in the Staff report. He generally agreed with everything he was seeing so far.

Commissioner Van Dine appreciated all the work that was done between this meeting and the last meeting. She thought Planner Ananth's presentation on the scope of review was very good and it hits all the major issues, particularly with the proposed

agendas going forward. Commissioner Van Dine agreed with the Staff that a new MPD is needed. Amendments would not allow for the necessary scope of review.

Director Erickson stated that certain items in the Development Agreement would not change with regard to PCMR's mountain operations. Everything inside of the replaced site plan and other alternatives for transportation, circulation, connectivity, and other issues are open for full review. Commissioner Van Dine liked how much they would hold this application to the current LMC going forward. Director Erickson noted that all the topics on Planner Ananth's schedule were open for a complete review.

Commissioner Thimm asked if Planner Ananth or Director Erickson had specific questions for the Planning Commission with regard to the scope of review items. He wanted to know if there were any areas where they were looking for direction from the Planning Commission. Planner Ananth answered no. She was just interested in hearing their opinion on holding this application to the current LMC. The question is whether they might review the project differently if Vail was the applicant. She wanted to be clear on whether or not they were reviewing the project differently because the resort operator is not the developer in this case.

Commissioner Thimm asked if she was looking for input through the lens of just the base mountain or also the mountain operations. Planner Ananth stated that she would like feedback on that issue. Commissioner Thimm thought they should look at mountain operations in addition to base mountain. He noted that his comments were the same as the last meeting and he had very little to add. The main issues are building area, setbacks, height and massing, pedestrian connectivity and transportation, parking analysis. Commissioner Thimm asked where building area fit into the schedule. He remarked that the definition of building area and how it is distributed throughout the project is important. Planner Ananth replied that it would be addressed at the Architecture and Site Planning meeting on July 22nd.

Commissioner Thimm referred to past Planning Commission meetings with regard to historic structure identification and preservation. He asked if any of those past discussions and any of the requirements placed on the development bear discussion by this Planning Commission for this application. Planner Ananth stated that the Zoning Review Memorandum outlines the pertinent prior agreements that will be relevant for review by this Planning Commission. Commissioner Thimm asked if that fits into the schedule as well. Planner Ananth answered yes, as it relates by topic. Commissioner Thimm stated that there was a lot of conversation before this point and he did not want it left out. Commissioner Thimm thanked Planner Ananth and the applicant for a thorough presentation again this week.

Commissioner Kenworthy did not know how they could look at this development without looking at the base and mountain operations together. He believed that was the intent in the Development Agreement and he was unsure how they could separate the two.

Chair Phillips agreed, and noted that Planner Ananth had included that in the Staff report.

Commissioner Suesser wanted a better understanding of the upgrades at the base lifts and the base facilities that Vail was contemplating. She wanted to know if there were other options for employee housing being explored besides at the base, and whether there are other good options. With regard to one-way streets, Commissioner Suesser asked if they had considered making that seasonal, and if it includes potentially making Crescent Avenue or 8th Avenue one-way. Commissioner Suesser stated that she was strongly leaning towards a new MPD.

Commissioner Suesser requested a report from the City Engineer detailing utilities that run through Lowell Avenue that would prohibit any type of underpass.

Commissioner Thimm noted that the Master Plan before them contemplates acquisition of municipal property. He asked if that acquisition was in process. Since it is a major portion of the transportation analysis, he wanted to know if there was any idea as to whether it would actually happen.

Planner Ananth stated that the third-party reviewer will be looking carefully at the size of the proposed roundabout to evaluate how much they actually do help traffic. It was not in process yet, and she did not believe the City was looking at it very favorably. Planner Ananth stated that it was still being reviewed and the objective is to look at the project on balance. If it makes transit more feasible there may be ways in which the City will consider it. At this point, no method for acquisition has been discussed.

Commissioner Thimm questioned whether there was a need to address this plan from the standpoint of the property possibly not being able to be acquired. Planner Ananth replied that they would delve into that in more detail during the July and August meetings.

Commissioner Hall echoed the comments from her fellow Commissioners. She emphasized the need for a comprehensive review that would include looking at the base operations. She was leaning towards a new MPD. Commissioner Hall appreciated the time Planner Ananth spent outlining a schedule, but she thought it was very optimistic because most of those items will need at least two meetings to discuss each category.

Chair Phillips agreed with Commissioner Hall regarding the schedule. He noted that Planner Ananth had acknowledged that the schedule was aggressive, and he was sure it would change at each meeting. Planner Ananth stated that she would update the schedule as needed and post it on the City's website so the public will know which topics will be discussed at a particular meeting.

Mr. Schmidt requested that Robert McConnell, PEG's legal counsel, to join the conversation and share his thoughts in terms of the form of application and how they interpret the LMC.

Robert McConnell stated that PEG Development made an application and they believe the application is consistent with the requirements of the Code. He pointed out that while they were open to a discussion of their application in the context of the resort operations, they were not looking for this to be undertaken in a vacuum and solely focused on the base area proposal. However, that is their application and they would expect the City to act upon that application. Mr. McConnell stated that even if this is substantive change and requires a review of the LMC, he did not believe it requires a new application for an MPD. He remarked that all of the same planning elements and scope of review will be present in this very detailed schedule of the application review and will likely take more time than the schedule outlines. Mr. McConnell clarified that they were not looking to alter the existing contractual relationship between Vail and the City with respect to the resort operations. They were looking to take by assignment, responsibilities pertaining to the construction of the resort base, including requirements related to the base related affordable housing, parking, traffic, and vehicular/pedestrian circulation patterns. While they recognize that the application will be evaluated in terms of current conditions, including resort operations, they do not believe that saddling PEG's application with responsibilities pertaining to the Resort's current operation or the Resort's future applications is consistent with the Code or Utah Law. Mr. McConnell noted that there were also very practical limitations in terms of Vail and their participation in this overall project with respect to that kind of requirement. He believes the existing Development Agreement governs those operations and any future applications the Resort brings forward to the City.

Mr. McConnell stated that PEG and the City have talked about scope of review and there is largely a consensus view on what will be reviewed. However, based on his reading of the Code, the notion of a new MPD is not consistent with the requirements of the Code.

Planner Ananth thought they were very close, and she believed they could come to some agreement. She clarified that the Staff was not looking for a new application

submittal. It was semantics at this point. Planner Ananth thought it came down to the scope of review and reviewing this project under current Code. This is a huge project that will have impact on the City for decades, and they want to make sure they get it right. There may be overlap with operations that she thought could be addressed in a new development agreement.

Commissioner Hall asked if Mr. McConnell could be more specific on why he believes the application is not consistent with the new MPD. Mr. McConnell replied that he was specifically referring to requirements in Section 15-6-4(i) of the Code, MPD Modifications. This section addresses changes in a Master Planned Development and states that a change in concept, density, unit type, or configuration of any portion or phase of the MPD will justify review of the entire master plan and development agreement. He clarified that they were not protesting against a review and they have been trying to reach agreement with the Staff on what the scope of review will entail. Mr. McConnell stated that the language does not say "require an entirely new MPD". It only contemplates a review of the entire master plan and development agreement.

Planner Ananth stated that if they can come to some agreement with PEG Development in the next week, she would announce at the June 24th meeting that they had come to resolution on the scope of review and will be moving forward with reviewing this project. A site visit would be scheduled for July 8th.

NOTE: Commissioner Van Dine received a text from Commissioner Hall stating that she had lost internet connection and would not be participating in the rest of the meeting.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

6.A. 1293 Lowell Avenue – Condominium Plat Amendment

The applicant had withdrawn this application.

6.B. 1064 Park Avenue – Condominium Plat – Proposal to create a two (2) Unit Condominium Plat from the Duplex that is Under Construction on this Lot.

Planner Laura Kuhrmeyer noted that the Planning Commission reviewed this application at a previous meeting. At that time, there was some discussion about parking related to concerns over the accessory structure in the rear of the property and whether it could be used for nightly rentals.

Planner Kuhrmeyer stated that the Planning Commission directed the Planning Commission to draft an additional condition of approval and email it to the Commissioners prior to it going to the City Council. She explained that after some research the Staff decided to bring it back to the Planning Commission for discussion. However, after doing further research they determined that it did not need to come back to the Planning Commission and they could move it forward to the City Council.

Planner Kuhrmeyer clarified that this was an update and no action was required by the Planning Commission. She stated that because the accessory structure does not have a bedroom or a kitchen, and it has not been approved for a residential use such as an accessory apartment or secondary living quarters, it cannot be used as a nightly rental without additional approvals and permits from the Planning Department. Planner Kuhrmeyer stated that if the Planning Department received a request for the accessory structure the Staff would be particularly careful about an approval, particularly since the Planning Commission pointed out their concerns about parking.

Chair Phillips asked if any requests for changes to the accessory structure would come before the Planning Commission. Planner Kuhrmeyer replied that accessory apartments in the zone allowed uses; therefore, it would be an administrative review and approve within the Planning Department. However, accessory apartments require additional parking spots per bedroom and additional parking would need to be provided.

Director Erickson noted that all the Planning Commission's recommendations were in the City Council's Staff report and the Council will have the opportunity to review their commentary and provide additional direction to the Staff if they feel it is necessary.

Chair Phillips opened the public hearing.

No eComments were submitted and no one raised their hand on Zoom.

Chair Phillips closed the public hearing.

Commissioner Suesser reminded the Planning Staff about the public accessway she had mentioned the last time this project came before the Planning Commission. She clarified that there is an access point to the Poison Creek Trail, and she wanted to make sure that accessway is preserved.

Director Erickson confirmed that the Planning Department had a note on that accessway.

Chair Phillips reiterated that no action was required.

6.C. 1162 Woodside Avenue – Plat Amendment – The Applicant Proposes to Combine Lot 17 and the North ½ of Lot 18 of Block 5 of Snyder's Addition into One (1) Lot of Record. (Application PL-20-04522)

Planner Caitlyn Barhorst reviewed the application for a proposed plat amendment located at 1162 Woodside Avenue. The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council for their meeting on June 18th.

Planner Barhorst presented a slide and indicated the interior lot line that would be removed. Chair Phillips clarified that the interior lot line runs underneath the existing historic structure.

Planner Caitlyn noted that the applicant was working through the HDDR process to construct a new basement underneath the historic structure and an addition. The conditional use permit for the setback exception was scheduled to come before the Planning Commission on June 24th.

Commissioner Suesser clarified that this plat amendment request was only to remove the old stray lot line. Planner Barhorst answered yes. She noted that the property consists of all of Lot 17 and a portion of Lot 18 of the Park City Survey. The interior lot line would be removed.

Chair Phillips wanted to know how wide this would make the narrower side of the lot. Planner Barhorst replied that it would be 37-1/2' by 75'. Chair Phillips clarified that it was a standard lot.

Chair Phillips opened the public hearing.

No eComments were submitted and no one raised their hand on Zoom.

Chair Phillips closed the public hearing.

MOTION: Commissioner Kenworthy moved to forward a POSITIVE recommendation to the City Council for the 1162 Woodside plat amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1162 Woodside Avenue

Background:

1. On May 8, 2020, the Planning Department received a complete Plat Amendment application.
 2. The applicant is proposing to combine Lot 17 and the North ½ of Lot 18 of Block 5 of Snyder's Addition into one (1) Lot of Record.
 3. The property is located at 1162 Woodside Avenue.
 4. The property is designated as Landmark on the Park City Historic Sites Inventory.
- Zoning District:
5. The property is located in the Historic Residential (HR-1) Zoning District.

Public Notice Requirements:

6. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on May 27, 2020. Staff mailed courtesy notice to property owners within 300 feet on May 27, 2020. The Park Record published notice on May 27, 2020.

Lot and Site Requirements

7. The proposed Lot complies with the HR-1 Zoning District Requirements outlined in LMC § 15-2.2:
 - a. Minimum Lot Area is 1,875 square feet. The proposed Lot contains 2,813 square feet.
 - b. Minimum Lot Width is 25 feet. The proposed Lot Width is 37.5 feet.
 - c. The Lot Depth is 75 feet.
 - d. The Maximum Building Footprint is 1,201 square feet. Any development will comply.
 - e. The Minimum Front Setback is 10 feet. Any development will comply.
 - f. The Minimum Rear Setback is 10 feet. Any development will comply.
 - g. The Minimum Side Setback is 3 feet. Any development will comply.
 - h. The Minimum Corner Lot Side Setback is 5 feet. Any development will comply.
 - i. The Maximum Building Height is 27 feet. Any development will comply.
8. The proposed Lot complies with the HR-1 Zoning District Requirements. The proposed plat amendment will resolve the existing legal non-compliance because the Historic Structure currently straddles the common lot line between Lot 17 and the northern ½ of Lot 18. Per LMC § 15-2.2-4 Existing Historic Structures: Historic Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures.

Subdivision Requirements:

9. The proposal complies with LMC § 15-7.1-6.
10. The proposal complies with LMC § 15-7.3-1(A-E) Conformance to Applicable Rules and Regulations.
11. The proposal complies with LMC § 15-7.3-2(A-N) General Subdivision Requirements.
12. The proposal complies with LMC § 15-7.3-3(A-K) General Lot Design Requirements.
13. 15-7.3-4 (A-I) Road Requirements and Design. The proposal does not create any new Roads nor alter any existing Roads.
14. 15-7.3-5 (A-C) Drainage and Storm Sewers. The proposal does not create any new Drainage and/or Storm Sewer nor alter any existing Drainage and/or Storm Sewer.
15. 15-7.3-6 (A-B) Water Facilities. The proposal does not extend nor create a new water-supply system.
16. 15-7.3-7 (A-B) Sewer Facilities. The proposal does not create any new sanitary sewer facilities.
17. 15-7.3-8 (A) Sidewalks, Hiking Trails, Bike Paths, and Horse Trails. The proposal does not create nor alter any Sidewalks, Hiking Trails, Bike Paths, or Horse Trails.
18. 15-7.3-9 (A-B) Utilities. Any future construction on this site proposed will connect into existing utilities in Woodside Avenue. The Development Review Committee reviewed the proposal and did not identify any utility connection issues.
19. 15-7.3-10 (A-B) Public Uses. Not required. The proposal does not consist of a Major or Minor Subdivision.
20. The proposal complies with 15-7.3-11 (A) Preservation of Natural Features and Amenities
21. 15-7.3-12 (A-B) Nonresidential Subdivisions does not apply.
22. The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.
23. Staff did not receive any public input at the time this report was published.

Conclusions of Law – 1162 Woodside

1. The 1162 Woodside Plat Amendment complies with the Land Management Code requirements pursuant to LMC § 15-2.2-3 Historic Residential (HR-1) District.
2. The 1162 Woodside Plat Amendment complies with the Land Management Code requirements pursuant to LMC § 15-7.1-3(B) Plat Amendment.
3. The 1162 Woodside Plat Amendment complies with the Land Management Code requirements pursuant to LMC § 15-7.1-6 Final Subdivision Plat.
4. The 1162 Woodside Plat Amendment complies with the Land Management Code requirements pursuant to LMC § 15-7.3 Requirements for Improvements, Reservations, and Design.

Conditions of Approval – 1162 Woodside

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
4. The applicant shall record an encroachment agreement for the existing historic structure located within 12th street right-of-way.
5. The encroachment of the neighboring property at 1158 Woodside Avenue shall be resolved with an encroachment agreement between the two properties prior to recordation of this plat.
6. A ten foot (10') public snow storage easement on both 12th Street and Woodside Avenue shall be noted on the Plat.
7. The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
8. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

- 6.D. **Municipal and Land Management Code Amendments – Amendments regarding Wildland Urban Interface in Municipal Code Title 11 Sections 11-21-1 The 2006 Utah Wildland-Urban Interface Code, 11-21-2 Land Subject to Utah Wildland-Urban Interface Code, 11-21-3, Violations; Title 14 Section 14-1-5 Regulations for Planting Trees and Landscaping in the City's Right-of-Way; and Land Management Code Title 15 Sections 15-2.21-3 Sensitive Lands Overlay Zone, 15-5-1 Architectural Review Policy and Purpose, 15-5-5 Architectural Design Guidelines, 15-6-6 Master Planned Development Required Findings and Conclusions of Law, 15-8-2 Annexation General Requirements, 15-15-1 Definitions, and 15-15-2 List of Defined Terms.**
(Application PL-20-04486)

Planner Liz Jackson noted that the Chief Building Official, Dave Thacker, was also on the line.

Planner Jackson stated that the Staff was bringing forward proposed Municipal and Land Management Code Amendments regarding the Wildland Urban Interface Code. She and Mr. Thacker had prepared a presentation. Planner Jackson stated that they would go through the topics, but Dave Thacker would begin by speaking to the history of the Wildland Code within Park City.

Dave Thacker, the Chief Building Official, thanked the Planning Commission for the time this evening to review the Wildland Urban Interface Code and the associated Code Amendments. He commended Planner Jackson for the work she did to make these proposed amendments possible. She was a great partner to work with. Mr. Thacker also commended Mike Owens and Brent Lucas with the Park City Fire Department. Both were instrumental in helping them reach this point.

Mr. Thacker provided a brief history of the Wildland Interface Code. He noted that in 2016 it came forward as a Code amendment, and after going through the appropriate and necessary channels it was adopted in its entirety. At that time adoption in its entirety meant that every part of the Code was required to be retroactive. Any structure in the City was required to meet all of the Wildland Urban Interface Code as it was written, and that created a challenge for the Historic District as well as some of the more established properties. Mr. Thacker stated that it was enacted for a couple of months before it was rescinded, and the Staff was requested to come back with more information. Mr. Thacker noted that it was before his time with the City and there have been other Staff changes as well.

Mr. Thacker stated that there has been a lot of opportunity to evaluate where they are. An important point to get right was how the City can coordinate better with the Fire District and Summit County to ensure they were looking at this the same. They were able to get a good handle on Best Practices for the County and the City, understanding that there are differences but also very many similarities in how they go about enforcement of this Code.

Planner Jackson walked through some of the updates and proposed changes.

Planner Jackson presented a slide showing images of the 1898 Park City Fire that devastated Main Street, Swede Alley, and the core of Park City with businesses and homes being burned. She thought it was a good reminder of how important it is to prepare for a wildfire. It includes putting in place codes to aid the community and City staff.

Planner Jackson stated that wildfire is a looming concern for the Staff and for the community members, not only as they see other communities dealing with large scale wildfires, but also as temperatures and water levels continue to change. Planner Jackson presented two maps zoomed in on the Historic District and nearby neighborhoods. She presented an image from the Utah Wildfire Risk Assessment portal. The left side was the risk map showing from green, which is low risk, up to extreme risk in red. The right side showed the effect a wildfire could have. The extreme effect was shown in red, based on where fire suppression would be difficult. She pointed out that a wildfire would be a huge issue for Park City itself, and particularly to the Historic District if one were to occur.

Planner Jackson stated that for the presentation this evening, the Wildland Urban Interface topics include amendments related to administration, enforcement, inspections; definitions; home hardening; vegetation management; maintenance and acceptance of existing plants; an update to the plant list and landscaping plans; and applicability to the Sensitive Lands Overlay, master planned developments, and annexations.

Regarding Administration, Planner Jackson stated that the objective is to include clarity between building code and fire code, and when the Wildland Urban Interface Code applies to certain properties, and when modifications may be granted by the City.

Regarding Enforcement and Inspections, Planner Jackson noted that because of the unique circumstances in Park City, authority is given to the Fire Code Official to determine circumstances that require modifications or exemptions to the Code, as well as authority to the Planning Director in certain instances. Planner Jackson stated that the Code Enforcement would be complaint based for existing developed sites. Education will be heavily emphasized, and they will promote that Wildland Urban Interface is a good idea. However, at this point it would be difficult to regulate retroactively on the already existing developed sites. Planner Jackson remarked that new developments will need to comply, which include the Sensitive Lands Overlay, master planned developments, and annexations. Planner Jackson stated that they were planning to work with resort open space areas in the future. This would apply to Park City at large, but they need to research further how resorts and open space come into play.

Regarding definitions, Planner Jackson stated that the intent is to add the proposed definitions into the Municipal and Land Management Code to provide clarity and add industry standards.

Planner Jackson stated that home hardening will be a major topic. Industry-wide it has proven to be one of the biggest factors in terms of wildfire mitigation and structure ignition. Planner Jackson remarked that specific practices are being put into the Code to reduce structure threat.

Planner Jackson commented on vegetation management. She stated that the Code calls out ignition zones, different modification, vegetation and fuel modification techniques, and ways to reduce wildfire in terms of vegetation.

Planner Jackson remarked that they have called out in the Code who is responsible for maintaining a property's vegetation and structures. She pointed out that there will be some regulation on the part of the City, but it will also be a hand in hand effort with property owners to be able to maintain and prepare their properties. Planner Jackson noted that the Code outlines what should be maintained on the property, as well as giving guidance on existing platted limits of disturbances on different properties. The Code will emphasize that LODs will need to be maintained, but there are instances where in certain plats or subdivision maintenance will be necessary outside of those limits of disturbance.

Planner Jackson stated that the plant list that exists in the Municipal Code was updated. The plant list can be a reference for community members and Staff as to what can be utilized in a fire-wise plan. They would also add references in the LMC to the standards of the Municipal Code, Section 11-21. Planner Jackson emphasized that significant vegetation would still be a priority; however, there are instances where the Planning Director and Fire Code Official can determine whether vegetation can be maintained or removed.

Planner Jackson commented on the importance of the Sensitive Lands Overlay and noted that they made sure to put in place regulations for the SLOs, MPDs, and Annexations.

Planner Jackson provided clarity on where the Wildland Urban Interface Code would apply in Park City. The Historic District areas will generally be exempt, but the City will emphasize education. They can also look at individual sites if people want to make them Wildland Urban Interface Code compliant. Planner Jackson stated that existing developed properties are generally exempt, but again they would emphasize education. She reiterated that those properties would not be regulated retroactively. They would be regulated by complaint-based enforcement. She gave examples of new development and large remodels that would generally need to comply with the WUI Code.

Planner Jackson remarked that proposed subdivision, MPDs, and annexation would also need to comply with the WUI Code. She stated that existing subdivisions with platted limits of disturbance can be evaluated by the Fire Code Official and Planning Director on a case by case basis.

Planner Jackson reported on the Outreach that was done, which included social media and website posts. The Fire Marshall did HOA one on one meetings and assessing properties. The City partnered a lot with the Park City Fire District. They hosted HOA meetings and community member meetings and included the City so they could get feedback. Mailers were sent out to P.O. boxes within Park City. They also recently did an HOA and community members Zoom discussion, which gave people who might not be able to participate otherwise the opportunity to be part of the conversation.

Planner Jackson noted that Exhibit C was an Outreach plan moving forward. They will continue to partner heavily with PCFD on informing community members about property assessments, which is an option that PCFD currently offers to help property owners.

Planner Jackson commented on a Community Wildfire Protection Plan. PCFD had a template, which is a document for communities to specify what they were doing and what they have done in order to have wildfire protection in place, and what they will do if a wildfire occurs. The question is whether Park City should require these as this point or if they should wait and see how the program works moving forward. At this point they could just emphasize the importance of having a wildfire protection in place. Planner Jackson requested that the Planning Commission provide input on this issue. She reiterated that at this point the City put an emphasis on education and provides access to resources and saying that some of these things should be done.

Director Erickson asked if the Community Wildfire Protection Plan was not included in the Code. Planner Jackson replied that it was not in the Code. It would just be something they emphasize and suggest. Director Erickson understood that it would be a customization for Park City going forward. Planner Jackson answered yes. Director Erickson noted that it would be customized to consider Park City's vegetation and plant list.

Planner Jackson stated that at this point she had not received public comment. The Staff requested that the Planning Commission review the proposed amendments to the Municipal Code and Land Management Code sections regarding the Wildland Urban Interface, conduct a public hearing, and consider forwarding a positive recommendation for the City Council to consider at their meeting on July 9, 2020.

Commissioner Suesser asked Planner Jackson to clarify her comment regarding city-owned open space. She was particularly thinking of Treasure Hill because of its close proximity to Old Town. She wanted to know the City's responsibility for that parcel in terms of making sure there are no dangerous conditions.

Planner Jackson stated that part of the open space discussion has been trying to figure out how to prioritize those properties, and how specifically this will apply to those properties. She pointed out that they were in the beginning stages of those discussions and figuring out the process. The current goal is to get standards in place more for the homeowners and the community at large, but open space still needs to be discussed. Planner Jackson was interested in hearing any suggestions from the Commissioners.

Commissioner Suesser understood that some of the money raised in the bond was set aside for maintenance of the Treasure Hill property. She asked if that was true for Bonanza Flats as well. Director Erickson did not know the answer to her question. Planner Jackson offered to look into it.

Planner Van Dine stated that since enforcement is through complaint based, she wanted to know how the complaints are filed. Mr. Thacker replied that the complaints would come in various ways, similar to the existing Code Enforcement process. An online form can be filled out or people can call his office. Sometimes complaints are forwarded from another department. Whichever way it comes in, the complaint would be addressed. The proper enforcement agency would go out and meet with the complainant to discover the concern, and then work through education avenues to help people understand the violations and help them work towards some type of compliance.

Commissioner Van Dine asked if a system would be in place to keep track of the complaints over time. Mr. Thacker stated that they currently have a code enforcement data base through the Eden program. They would create a CE case that would be able to track it. They would not only track and gather information, but they would also be able to schedule follow-ups to ensure the situation is resolved.

Chair Phillips asked if the Commissioners had questions or comments regarding the Community Wildlife Protection Plan. Mr. Thacker reported that many HOAs have already started the process. He thought it was beneficial for some HOAs to do their own community policing of the Wildland Interface Code. Some HOAs are actively working on it, and other have discussed interest in obtaining additional information. They were working with the HOAs in an attempt to get them on board. Mr. Thacker was interested in hearing the Commissioner's comment, but he wanted them to understand that some jurisdictions were already taking care of it.

Chair Phillips stated that the Planning Commission is like the HOA for Park City. If the Planning Commission were to implement the CWPP, it might help those HOAs and the community as a whole to follow the same plan. Chair Phillips thought it was a good idea for the Planning Commission to take the lead on it.

Commissioner Kenworthy was pleased to see this moving forward. He noted that Park City has had some close calls, and this was very helpful. He thought it was another good item to clean up and address.

Chair Phillips was interested in getting a follow-up on Commissioner Suesser's question regarding Bonanza Flats. He assumed increased traffic and people would add to the fire danger. He would like to know what could be done in that area. Commissioner Suesser clarified that she also wanted a follow-up on Treasure Hill.

Director Erickson stated that Bonanza Flats is covered by a conservation agreement, but he believed there were also provisions for forest health in the model. He noted that Heinrich Deter, the Trails and Open Space Manager, spends a significant amount of money each year doing fire management on open space in the Aerie and other locations. He and Mr. Deters have had conversations about Treasure, the two Resorts, Empire Pass, and Guardsman Road. Director Erickson stated that it involved more than just cutting dead trees.

Mr. Thacker stated that they were also looking at this as a phase approach. They definitely want to encompass the whole community and make everything safe, which is the goal of this Code and the program over time. However, Phase 1 is to start with residential properties, some home hardening, and looking at everyone's personal property, and then expand from there. Mr. Thacker stated that they need to work with Mr. Deters and his team and look at other opportunities as well. They will be taking a bigger swath at those open space areas in the future, but for now this is Phase 1 to begin that process.

Chair Phillips asked if residential properties that abut open space are treated any differently. He asked if any emphasis is put into those neighborhoods that are right against heavily forested open spaces. Mr. Thacker stated that the same question was raised during one of their meetings and the Park City Fire Marshall, Mike Owens, brought up a good point related to firebrands and how they travel. He noted that Firebrands can travel up to a couple of miles in a perfect condition, and they can land on a rooftop or in a yard. If the yard and the rooftop are not properly maintained, they can find a place to ignite. Mr. Thacker pointed out that to say a home that backs up against an open space reserve with vegetation is more at risk than a home that is a mile away is not found to be true based on that information. He stated that the Code is

effective for all areas. It is just a matter of location and how they apply the Code. Mr. Thacker stated that home hardening is the most important piece they were trying to emphasize as this point.

Chair Phillips opened the public hearing.

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

Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for their consideration on July 9, 2020 of the Municipal and Land Management Code Amendments regarding Wildland Urban Interface in Municipal Code Title 11 Sections 11-21-1 The 2006 Utah Wildland-Urban Interface Code, 11-21-2 Land Subject to Utah Wildland-Urban Interface Code, 11-21-3, Violations; Title 14 Section 14-1-5 Regulations for Planting Trees and Landscaping in the City's Right-of-Way; and Land Management Code Title 15 Sections 15-2.21-3 Sensitive Lands Overlay Zone, 15-5-1 Architectural Review Policy and Purpose, 15-5-5 Architectural Design Guidelines, 15-6-6 Master Planned Development Required Findings and Conclusions of Law, 15-8-2 Annexation General Requirements, 15-15-1 Definitions, and 15-15-2 List of Defined Terms as outlined in the Staff report. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

6.E Consideration to Ratify the Amended and Restated Development Agreement for the Intermountain Healthcare Master Planned Development and to Amend Master Planned Development Condition of Approval 11 to Require an Amended Housing Mitigation Plan prior to Certificate of Occupancy.

Planner Rebecca Ward noted that this item was the Intermountain Healthcare Master Planned Development amended Development Agreement. Morgan Bush and Lori Weston, representing IHC, were also on the line.

Planner Ward reported that the Development Agreement was amended to memorialize the approval by the Planning Commission on October 9, 2019. The approval included a 20,000 square foot Ambulatory Surgery Center on Lot 6; and 28,000 square feet of support medical offices on the hospital lot, Lot 1.

Planner Ward stated that as required under the LMC, this approval needs to be memorialized in a Development Agreement. The Code requires that at least 10 items are addressed in the Development Agreement. The Staff has been working with the applicant to address those items in the attached draft agreement, and also in the attachments to the agreement that will be recorded with the County.

Planner Ward noted that there were two conditions of approval with the October 9, 2019 approval. One condition required the applicant to amend the water services agreement to evaluate the peak water demand for the increased density. The City Council approved this amended agreement last month on May 14th. Planner Ward stated that Attachment #7 was the draft the City Council approved. When the amendment is executed, the final document will be attached and recorded with the amended Development Agreement.

Planner Ward noted that Jason Glidden from the affordable housing team was also on the line. Planner Ward stated that the density the Planning Commission initially approved in October, the build out was anticipated to occur many years down the road. However, the applicant may bring a conditional use permit forward sooner than anticipated. As part of this change in the timeline, the Staff and the applicant worked together to propose an amendment to Condition of Approval #11 that would allow the applicant to submit a proposed housing mitigation plan prior to submitting the conditional use permit application so the Planning Commission could review the mitigation plan at the same time they review the conditional use permit application. Planner Ward clarified that it would be for that portion of the density that the applicant was moving forward on.

The Staff felt this amendment would ensure that the housing mitigation plan follows along with the development and give the Planning Commission the opportunity to review it before approving the conditional use permit.

Chair Phillips opened the public hearing.

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

Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to RATIFY the amended Development Agreement for the Intermountain Healthcare Master Planned Development; and Amend the Master Planned Development Condition of Approval #11 regarding the housing mitigation plan. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

6.F. 1274 Park Avenue – Condominium Plat Amendment – The Applicant Proposes Amending the Alpine Retreat @ Park City Condominium Plat to Add a Single Car Garage, Accessed from Sullivan Road, with an Upper Level Bedroom for the Significant Historic Single-Family Dwelling.
(Application PL-19-04386)

Planner Ward reviewed the application for a plat amendment for the Alpine Retreat @ Park City Condominiums. The Alpine Retreat is located between Park Avenue and Sullivan Road. Six units are part of the project.

Planner Ward stated that the application to amend the plat impacts Unit 1. Units 1 and 2 are both Significant historic homes on the Historic Sites Inventory and front Park Avenue. The other four units are along Sullivan Road. The applicant's proposal for Unit 1 is to create a garage addition with an upstairs bedroom. The addition complies with the Code required rear and side setbacks for the new addition, and it meets the height requirements.

Planner Ward noted that this proposal would also add an additional tandem parking space to the property. She stated that because of the two historic homes on site, only eight parking spaces are required. Tandem parking is allowed in the zone. Planner Ward pointed out that currently there were 11 total parking spaces. However, adding the garage will create a tandem parking space along the driveway. This additional parking space will bring the project into compliance with the Code parking requirement without the historic structure exemptions.

Planner Ward stated that the location is an outlier because it is on Sullivan Road, which is not platted as a right-of-way, but it is City property that allows vehicle access. She pointed out that any application that triggers a change to access over Sullivan Road requires a conditional use permit, which was included as a condition of approval for this plat amendment. Planner Ward noted that the LMC limits curb cuts for driveways to 27'. When this project was approved in 2001, it was approved with a 30' curb cut. Since this was an outlier, the Code allows the City Engineer to change the curb cuts. The City Engineer had reviewed this project and approved maintaining the 30' curb cut.

Planner Ward summarized some of the recommended conditions of approval. With the creation of the garage and the driveway, all 12 required parking spaces will be provided on site. However, if the addition above the garage is converted to a lockout, it would

trigger an additional parking space. One of the conditions of approval would require a plat note that the addition above the garage cannot be used as a lockout unit. Planner Ward remarked that the garage and the upper level addition would be subject to the HDDR and Architectural Review. A 1999 facade easement was recorded against the property to protect the front and side facades. A condition of approval ensures that the addition will not impact the existing facade easement. Another condition requires a conditional use permit to alter Sullivan Road. A condition of approval also restricts the curb cut to no wider than 30'.

The Staff recommended that the Planning Commission conduct a public hearing and consider approving this application.

Commissioner Suesser asked if Planner Ward had pictures of the site. Planner Ward provided a photo and noted that 1274 Park Avenue is located in front of the Skate Park. She indicated the Alpine Retreat @ the Park and the front facade of the home at 1274 Park Avenue. She pointed to open space and the second historic home. Planner Ward indicated the location of the proposed garage.

Chair Phillips asked if the facade easement was put in place to protect the historic homes. Planner Ward answered yes. She explained that the homeowners received a grant through the historic district program, and part of that is to maintain the integrity of the home. Planner Ward clarified that there is a facade easement on both historic homes within the condo project.

Commissioner Suesser asked if the gray house was part of the Alpine Retreat. Planner Ward answered yes. She pointed to space that is currently common area and noted that it would be retained as common area. Planner Ward indicated the parking for 1274 noting that the parking space would be extended. The landscaping and sidewalk would be maintained. The applicant plans to build a garage that connects to 1274 with an upstairs bedroom. The parking space will be moved from the driveway into the garage, and a tandem parking space will be created on the site behind it.

Chair Phillips opened the public hearing.

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

Chair Phillips closed the public hearing.

Commissioner Kenworthy was concerned about the tree that was talked about in the public comment emails. Planner Ward explained that the applicant originally proposed this plan to the HOA in 2017 and it was approved. However, ownership changed within

the HOA and the applicant worked out a new plan with the HOA to preserve some of the landscaping. They also shortened the length of the addition, but it would still impact the tree. Commissioner Kenworthy clarified that the tree would need to be removed. Planner Ward answered yes.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for their consideration on July 9, 2020 for the condominium plat amendment located at the Alpine Retreat, in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft ordinance. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1274 Park Avenue

1. On April 26, 2001, the City Council passed Ordinance No. 01-12, approving the Alpine Retreat @ Park City, a condominium plat with six units, including two Significant Historic Structures, 1266 and 1274 Park Avenue (Summit County Recorder Entry 591068).
2. 1274 Park Avenue, a 1,791-square-foot Significant Historic Structure, is Unit 1 of the Alpine Retreat @ Park City Condominium Project.
3. On August 22, 2017, the Alpine Retreat Homeowners Association approved expansion of 1274 Park Avenue (Unit 1) to include 636 square feet of common area for a future garage, driveway, and private hot tub area.
4. The Applicant submitted a complete Condominium Plat Amendment application to the Planning Department on December 4, 2019.
5. The plat amendment was originally scheduled for the Commission's review on January 16, 2020. However, the matter was continued to a date uncertain to address Homeowner Association concerns.
6. On March 6, 2020, the Alpine Retreat Homeowners Association approved a modification to the expansion of 1274 Park Avenue, Unit 1, including a ground floor 336-square-foot garage and 150-square-foot entry foyer/mudroom/laundry area, and 521 square feet of upper level space that includes a wet bar, sitting area, bathroom, closet, and sleeping area.
7. The Alpine Retreat @ Park City Condominium Plat memorializes private, common, and limited common area for six Units.
8. 1274 Park Avenue is located in the Historic Residential – Medium Density Zoning District.
9. The purpose of the HRM District is outlined in Land Management Code § 15-2.4-1.
10. The proposed plat amendment complies with HRM Setback requirements.

11. The Front Setback in the HRM District is 15 feet. The Front Setback for the existing Significant Historic Structure is approximately 18 feet and includes a deck that encroaches into the Setback. While a deck is allowed as an exception in the Front Setback if it projects no more than 3 feet into the Setback, it must not be more than 10 feet wide. The existing historic deck is approximately 31 feet wide, spanning the width of the front Façade. However, Historic Structures that do not comply with Setbacks are valid Non-Complying Structures. All additions to the Historic Structure must meet Setback requirements. There are no additions proposed in the Front Setback.
12. The Rear Setback in the HRM District is 10 feet. The proposed addition exceeds this requirement with a Rear Setback of 44 feet.
13. The Side Setback in the HRM District is 5 feet. The proposed addition meets Side Setback requirements and is 5 feet at the narrowest and 8 feet at the widest.
14. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.
15. The proposed plat amendment complies with Building Height Restrictions.
16. Maximum Building Height in the HRM District is 27 feet from Existing Grade. The proposed addition is 25 feet 6 inches from Existing Grade.
17. Single-Family Dwellings require two Off-Street parking spaces. There are six Single Family Dwellings in the condominium, requiring a total of 12 Parking Spaces. Two of the Single-Family Dwellings are Historic Structures. A Historic Structure that does not comply with Off-Street parking is a valid Non-Complying Structure, unless an addition to the Historic Structure creates a Lockout Unit or Accessory Apartment. As a result, only 8 total Parking Spaces are required for the condominium.
8. The condominium currently provides a total of 9 Parking Spaces, with 2 tandem Parking Spaces—which are allowed in the HRM—for a total of 11.
19. The current Parking Space for 1274 Park Avenue is along the existing driveway for Units 5 and 6. The proposal relocates the Parking Space to the garage and creates a new Tandem Parking Space on the 1274 Park Avenue driveway.
20. Approval of this project will bring the condominium into compliance with Off-street Parking requirements with a total of 12 on-site Parking Spaces without any exceptions for the two Historic Structures.
21. Condition of Approval 4 prohibits the addition to 1274 from creating a Lockout Unit or Accessory Apartment because such Lockout Unit or Accessory Apartment would require an additional Parking Space.
22. The proposed plat amendment complies with Off-Street Parking requirements so long as the studio unit constructed above the garage is not used as a Lockout Unit or Accessory Apartment.
23. Common driveways are allowed to provide Access to Parking in the rear of the

Main Building if both Properties are deed restricted to allow for the perpetual Use of the shared drive. The proposed shared driveway for Unit 1 and Units 5 and 6 is currently platted as common area. The plat amendment will retain the common area driveway.

24. Driveways for shared Single-Family Dwellings must have a minimum width of 10 feet. The proposed driveway is 12 feet in width.

25. Driveway curb-cut for shared Single-Family Dwellings must not exceed 27 feet in width. The 2001 plat approval exceeded this width and was approved at 30 feet. The City Engineer has discretion for curb-cut widths and approved retention of the 30-foot curb cut.

26. Single car garages must have a minimum interior dimension of 11 feet in width and 20 feet in depth for a Single-Family Dwelling. The proposed garage is 11 feet wide and 28 feet deep.

27. The driveway for Units 1, 5, and 6 is accessed via Sullivan Road. Altering access from Sullivan Road triggers LMC § 15-2.4-9 and a Conditional Use Permit is required to ensure compliance with the LMC prior to applying for a Building Permit.

28. 1274 Park Avenue is a Significant Historic Structure in the Historic District.

29. The Applicant is required to complete a Historic District Design Review prior to applying for a Building Permit.

30. Additions to the Significant Historic Structure shall comply with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.

31. On June 24, 1999, the owners of 1274 Park Avenue entered into the Grant of Preservation Easement: 1274 Park Avenue with Park City Municipal. The easement was recorded on August 16, 1999 (Summit County Recorder Entry 546937).

32. The easement outlines requirements to maintain the front and side Façades of 1274 Park Avenue and any future construction to 1274 Park Avenue must preserve and restore the front and side Façades of 1274 Park Avenue as outlined in the easement.

Conclusions of Law – 1274 Park Avenue

1. There is good cause for the Alpine Retreat @ Park City Condominium Plat Amendment because the plat amendment will increase on-site parking by one Parking Space, bringing the total Parking Spaces for the property to the 12 required by code without exceptions for the two Historic Structures. Also, altering access via Sullivan Road will require a Conditional Use Permit to ensure there are no unmitigated impacts to neighboring properties or to City property.

2. The proposed plat amendment complies with the LMC, including § 15-4-12, § 15-

7.1-3(C), § 15-12-15(B)(9), and Chapters 15-2.4 and 15-3, and applicable State law regarding Condominium Plats.

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

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

Conditions of Approval – 1274 Park Avenue

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State Law, the Land Management Code, and the Conditions of Approval prior to recordation of the plat.

2. The Applicant shall record the Plat with the County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval of the plat is void, unless a request for an extension is made in writing prior to the expiration date and the City Council grants an extension.

3. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.

4. A Plat Note shall state that the addition to 1274 Park Avenue shall not be used as a Lockout Unit or Accessory Apartment.

5. The Sullivan Road curb cut shall be no wider than 30 feet.

6. LMC § 15-2.4-9 requires a Conditional Use Permit to alter access on Sullivan Road and must be obtained prior to applying for a Building Permit.

7. 1274 Park Avenue is a Significant Historic Structure in the Historic District and is subject to a Historic District Design Review and Architectural Review prior to applying for a Building Permit.

8. Any future development shall comply with the Grant of Preservation Easement: 1274 Park Avenue, recorded on August 16, 1999 (Summit County Recorder Entry 546937).

6.G. 802 Empire Avenue – Subdivision – The Applicant is Requesting to Combine Multiple Parcels into a New Two (2) Lot Subdivision.
(Application PL-18-03949)

6.H. 802 Empire Avenue – Conditional Use Permit – The Applicant is Requesting to Construct a Shared Driveway Over the Platted Unbuilt City Right-of-Way.
(Application PL-19-04113)

These items were discussed simultaneously. Each item had its own public hearing and action.

Planner Alexandra Ananth noted that the applicant, Tom Peek, with Old Town Lands LLC, the project architect, and Martina Nelson from Park City Surveying, were also participating online.

Planner Ananth reported that the Planning Commission reviewed this application on May 13 and continued the item to this meeting. The application is to create a proposed two-lot subdivision from seven vacant smaller parcels. The applicant was simultaneously seeking a CUP to locate a shared driveway over a platted unbuilt right-of-way. The lots are currently vacant of any structures.

Planner Ananth stated that at the last meeting, the Planning Commission asked for an updated driveway exhibit with a turning template showing how cars would exit the site, and the amount of encroachment required on the adjacent parcel to the south, which is owned by the City. Planner Ananth explained that the reason for the encroach is to avoid having cars back out onto Empire Avenue, which is a condition of this proposal.

Planner Ananth noted that the parking area has encroached onto the adjacent site for decades. This proposal reduces the amount of encroachment, and it does not negatively impact the abutters' non-exclusive driveway easement. Planner Ananth stated that Condition of Approval #7 notes that an encroachment agreement will be required.

Planner Ananth stated that no retaining walls are required for the proposed driveway because it is relatively level on this portion of platted unbuilt Empire. The Engineering Department reviewed the plan and confirmed that this plan, as well as the turning template, is acceptable.

Planner Ananth noted that a visual was requested showing what the potential house might look like, and whether or not height exemptions would be required. The applicant submitted a drawing for each site showing the 27' height limit, which is 27' above the existing grade. Planner Ananth remarked that the drawings are very conceptual, but they appear to show that a house with a garage on the top floor and living space below with access from Empire Avenue would be able to meet the height requirement of 17' in the Historic Residential District, and that no exemptions should be required for these houses. Planner Ananth clarified that the drawings were only for illustration purposes and that the houses have not yet been designed. The final design would be determined through the HDDR process.

Planner Ananth stated that another question raised at the last meeting was whether this subdivision would preclude any type of future pedestrian pathway connecting Empire Avenue to Crescent Tram. She reported that the proposed subdivision does not appear to preclude a future pedestrian connection on the City's property.

From public comment received today, Planner Ananth understood that both the applicant and the applicant's abutter to the south had agreed on a similar location to what was shown in green on the slide, where a potential pedestrian pathway could parallel the section line on the map and run just south of the Old Town Lands proposed two-lot subdivision, all on City property. Planner Ananth pointed out that this was only a conceptual location. She noted that the abutter to the south has a non-exclusive easement over a portion of the City's property.

Commissioner Suesser referred to Planner Ananth's comment that the encroachment has existed for decades. She asked if Planner Ananth was referring to the City right-of-way. Planner Ananth clarified that there is a parking space that now encroaches over platted unbuilt Empire Avenue and encroaches into the City's Treasure parcel to the south. There is also a gravel parking area that encroaches into the Treasure property. Planner Ananth presented a slide and noted that the area in pink below 802 Empire was the proposed encroachment. She then pointed to the existing encroachment. She believed the proposed encroachment was less than the existing encroachment that has existed on the site for many years.

Commissioner Kenworthy asked if he understood correctly that the neighbors and Mr. Peek had come to an agreement. Planner Ananth replied that the neighbor sent a letter to the Planning Commission earlier in the day indicating their agreement on the proposed location. She understood that the applicant had also submitted public comment.

Planner Ananth read the public comment from the abutting neighbor. It was written by Nick Frost, representing Rick Kinsley, who lives at 808 Empire Avenue. Mr. Frost noted that he had provided a public comment letter earlier in the day regarding the public stairs. He was sending this letter to clarify that Mr. Kinsley recognizes and understands that the Planning Commission does not have the ability to designate and authorize a final location of the public stairs. However, he felt it was entirely within the purview of the Planning Commission to recognize and discuss the issue, as well as to provide a recommendation to the City Council that the location of the public stairway be discussed in more depth at the City Council level. Mr. Frost noted from his earlier letter that neighbors have met together in good faith and are attempting to work with the City with the objective of resolving the issue and avoiding future problems down the road. It

is Mr. Kinsley's hope that Planning Commission will recognize the significance of these events and take time to ensure that any approval provided by the Planning Commission will include a recommendation or suggestion that the City Council continue to review the location of a stairway in connection with the approved plat.

Chair Phillips agreed with following Mr. Frost's suggestions. Planner Ananth reiterated that the stairway has not been designed yet, but conceptually the City is on board with the idea subject to design and funding in the future.

Chair Phillips thought the height exhibit was a good illustration that the homes could be built on the site without needing a height exception.

Commissioner Kenworthy asked if the applicant, Tom Peek, was willing to agree to no height exemptions. Mr. Peek stated that he and the architect, Jon DeGray, determined how the homes would fit on the property and he was comfortable agreeing to no height exception.

Commissioner Thimm asked if the applicant was willing to agree to a condition of approval stating that there will be no height exemption requested for this property. Mr. Peek answered yes. Planner Ananth stated that she would amend the conditions of approval to add a condition stating that there will be no height exemption.

Chair Phillips stated that he was comfortable with what was being proposed for the driveway. He thought it was better than what exist there now. It allows for the necessary turning radius to avoid public safety issues from backing out of the garages onto the road. Chair Phillips was satisfied with what was proposed for the driveway.

Commissioner Thimm asked if the pink area on the exhibit would be a paved driveway. Planner Ananth replied that it will be paved where the driveway is proposed to encroach. The existing gravel parking area will be removed, and that is required in an existing condition of approval.

Commissioner Suesser asked if a steep slope application would be necessary for this site. Planner Ananth replied that a steep slope application is expected. Depending on the threshold of the proposed building, it could be an administrative review and approval, or it may need to come to the Planning Commission. That had not yet been determined.

Chair Phillips opened the public hearing.

No eComments were received other than the comment from Mr. Frost that Planner Ananth had already read into the record. No hands were raised on Zoom. Chair Phillips closed the public hearing.

City Attorney Harrington stated that he was prepared to respond to the first letter from Mr. Frost that came in earlier in the day; however, given the recharacterization in Mr. Frost's follow up letter from the neighbor, he did not need it read into the record, but wanted it noted that it was part of the record.

Chair Phillips thought the Planning Commission had reviewed this application thoroughly and fairly, and he supported forwarding a recommendation to the City Council.

Commissioner Suesser asked if there was a condition of approval stating that there will be no parking in the unbuilt right-of-way. Planner Ananth answered yes. A condition of approval states no parking and no obstructions in the unbuilt right-of-way. Commissioner Suesser asked about a gate. She noted that there is a gate on the driveway next door which is also on City property.

Mr. Peek was willing to specify in a condition of approval that will be no gate.

At the request of Commissioner Kenworthy, Planner Ananth read the conditions of approval outlined in the Staff report. She added Condition #14 stating that there will be no height exemption for the future houses on these two lots. She also added Condition #15 specifying that there will be no gate.

Commissioner Kenworthy asked about signage, such as "no parking" or "trail access" if the stairs are built. City Attorney Harrington believed those types of issues could be worked out with the encroachment agreement as opposed to the subdivision ordinance.

Commissioner Suesser asked if the driveway would be heated over the City right-of-way. She did not believe there was snow storage on the site and pushing snow onto Empire Avenue would create a dangerous condition. Mr. Peek noted that the drawing identified three locations for snow storage on site. However, he clarified that the plan would be to heat the driveway. Planner Ananth pointed out the snow storage locations.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for their consideration on July 9, 2020 for the 2-lot subdivision at 802 Empire Avenue, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance and as amended to add Conditions #14 and #15 per the discussion this evening. The Planning Commission also recommends further

consideration of the potential stairway location by the City Council. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Planner Ananth reviewed the CUP application and presented a slide showing the area of the CUP, which was outlined in pink. She indicated the platted unbuilt right-of-way of Empire Avenue, as well as the encroachment into the Treasure parcel to the south. Another slide showed the encroachment relative to the driveway easement of the abutting property to the south.

The Staff recommended that the Planning Commission conduct a public hearing and consider approving the CUP based on the findings of fact, conclusions of law, and conditions of approval as provided in the Staff report.

Chair Phillips opened the public hearing.

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

Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to APPROVE the conditional use permit for construction of a shared private driveway over a platted unbuilt City street at 802 Empire Avenue, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the Staff report. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 802 Empire Avenue - Subdivision

1. The subject property is located at 802 Empire Avenue.
2. The subject property is located within the Historic Residential (HR-1) Zoning District.
3. On December 17, 2019, the Subdivision Plat application was deemed complete.
4. The two-lot (2) Subdivision is made up of seven (7) parcels including portions of Lot 19, all of Lot 20, and all of Lot 21, none of which are large enough to be developed on their own.
5. All seven (7) parcels are vacant of structures.
6. The applicant has worked with the City to complete and record Quit Claim Deeds and resolve a number of surveying errors.

7. The lots are considered “through-lots” with Frontage on both Crescent Tram and Empire Avenue.
8. Due to the Unusual Lot Configuration the Planning Director determined that Frontage can be measured on Crescent Tram in order to meet the Minimum Lot Width even though vehicular access will be restricted to Empire Avenue.
9. Both new lots meet the minimum Lot and Site Requirements for Single Family Dwellings.
10. Due to existing steep grades, limited sight lines, proximity of existing curb cuts on Crescent Tram and its narrow street width, the applicant has been encouraged by the City to access the lots from Empire Avenue and has submitted a simultaneous request for a Conditional Use Permit (CUP) to locate a shared driveway over the City’s Platted Unbuilt Right-of-Way in order to provide vehicular access to the two lots from Empire Avenue and not Crescent Tram.
11. Existing gravel areas on both the north and south side of the shared concrete driveway are noted to be removed.
12. The proposal allows for adequate snow storage.
13. The intersection of the shared driveway and Empire Avenue is roughly perpendicular which is an improvement compared to the existing conditions.
14. The proposed driveway width of 15 feet complies with the minimum requirement specified in LMC Section 15-3-3 (H).
15. The proposed driveway is spaced approximately 33 feet from the nearest existing driveway and approximately 122 feet from the intersection of Empire and Crescent Tram.
16. The maximum slope of the driveway is shown to be 12%.
17. Based on the facts listed above and the challenges of access from Crescent Tram, the Engineering Division approves a slope greater than 2% within the transition area noted in LMC Section 15-3-3, General Parking Area and Driveway Standards.
18. It is expected that the applicant will also need to seek a Steep Slope Administrative CUP and submit Historic District Design Review applications for the proposed houses as development progresses.
19. The Subdivision does not preclude the creation of a future pedestrian connection on PCMC Parcel PC-364-A-X, immediately south of the subject property, connecting Empire Avenue to the Crescent Tram pedestrian pathway.

Conclusions of Law – 802 Empire Avenue – Subdivision

1. There is Good Cause for the Subdivision which created two developable lots in keeping with development patterns in the surrounding neighborhood.
2. The Subdivision is consistent with the 2014 Park City General Plan and the Park City Land Management Code including Sections 15-7.1-3(C) and 15-12-15(B)(4) and

(9) and applicable State Law regarding Subdivision Plats.

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

4. Approval of the Subdivision does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval – 802 Empire – Subdivision

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the Subdivision Plat for compliance with State Law, the Land Management Code, and the Conditions of Approval, prior to recordation of the Plat.

2. The applicant will record the Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the Plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. A Plat Note shall indicate that both lots shall have vehicular access from Empire Avenue only.

4. The City Engineer shall review and approve all grading, utility installation and public improvements prior to building permit issuance.

5. The grade of the proposed shared drive shall not exceed 10% within the platted unbuilt right of way.

6. Backing out of the shared drive shall be forbidden. A swept path analysis showing a vehicle turn-around from both lots shall be provided to the City Engineer for review prior to building permit issuance.

7. If necessary, a separate encroachment agreement for the portion of shared drive encroaching on PCMC Parcel PC-364-A-X will be required prior to building permit issuance.

8. No parking or obstacles shall be permitted within the portion of shared driveway located within the platted unbuilt right of way.

9. Neither the shared driveway nor the future houses shall prohibit pedestrian access of a future 8th Street public pathway, located just south of the 802 Empire Avenue Subdivision, connecting Empire Avenue to the Crescent Tram pedestrian pathway.

10. The applicant or his assignees will not oppose, and will work with the City, if it is determined that a staircase or other form of public access connecting Crescent Tram to Empire Avenue, adjacent to the subject property, is determined to be appropriate at some point in the future. The applicant agrees to include an offer of dedication for the connection if requested by the City Engineer on the applicable future application.

11. No building permit may be issued until City Council approval of an Encroachment Agreement for the driveway located within the Public Right-of-Way.

12. If at some point in the future Empire Avenue is re-aligned, the applicant will be responsible for the removal of all portions of the driveway within the ROW at their

sole expense and in an expeditious manner (within 90 days of written notice).

13. Prior to the issuance of a building permit, a Construction Mitigation Plan that includes consideration of how construction related parking will be managed shall be submitted to the Building, Engineering and Planning Departments for review and approval.

14. A Plat Note shall indicate that no height exemptions from the Land Management Code shall be permitted for any buildings within the 2-Lot Subdivision.

15. A Plat Note shall indicate that no vehicular access gates shall be permitted within the 2-Lot Subdivision.

Findings of Fact – 802 Empire - CUP

1. The subject property is located at 802 Empire Avenue in the Historic Residential (HR-1) Zoning District.

2. The site is currently vacant of structures and the applicant has submitted a simultaneous Subdivision Plat to create two developable lots.

3. The applicant is requesting to construct a shared private driveway within the Platted Unbuilt City Right of Way of Empire Avenue.

4. Although these lots are considered “through-lots” the applicant has been encouraged by the City to limit vehicular access to Empire Avenue only due to the road geometrics, sight lines and grade of Crescent Tram.

5. A Historic District Design Review (HDDR) application is required for any development on the proposed Lots.

6. A Steep Slopes Administrative CUP will also be required prior to development.

7. Per LMC 15-3-5, the proposal is subject to the standards for private driveways within platted, unbuilt city streets.

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

9. The proposal complies with LMC 15-3-5(A) as the proposed driveway will not exceed ten percent (10%) Slope within the platted unbuilt right of way.

10. The proposal complies with LMC 15-3-5(B) as the proposal allows for adequate snow storage on both sides of the driveway.

11. The proposal complies with LMC 15-3-5(C) as the applicant is proposing to construct the driveway out of concrete.

12. The proposal complies with LMC 15-3-5(D) as the driveway does not pre-empt any existing physical parking and the platted Street has not been improved to provide Public parking. The parking for the proposed two lots will be on site and no parking will be allowed in the proposed shared driveway.

13. The proposal complies with LMC 15-3-5(E) as the applicant designed the driveway proposal after discussion with the City Engineer who has reviewed and approved the proposed plan. No retaining walls are proposed.

14. The proposal complies with LMC 15-3-5(F) as the applicant has been approved for a Conditional Use Permit.
15. The proposal complies with LMC 15-3-5(G) as the applicant will record an encroachment agreement for the driveway prior to issuance of a Building Permit for the proposed driveway.
16. The proposal complies with LMC 15-3-5(H) as plans will be reviewed by the City Engineer prior to issuance of a building permit.
17. There are no unmitigated impacts to LMC 15-1-10(E)(1) size and location of the site.
18. There are no unmitigated impacts to LMC 15-1-10(E)(2) as Empire Avenue has sufficient capacity to accommodate two additional Single-Family Dwellings.
19. There are no unmitigated impacts to LMC 15-1-10(E)(3) as all utilities can be available to the site.
20. There are no unmitigated impacts to LMC 15-1-10(E)(4) as Empire Avenue offers sufficient access for emergency vehicles and the proposed driveway does not change this.
21. There are no unmitigated impacts to LMC 15-1-10(E)(5) as per LMC 15-2.2-4, as parking for each lot will be on site and no parking or obstructions will be allowed in the City's platted unbuilt Right-of-Way.
22. There are no unmitigated impacts to LMC 15-1-10(E)(6) internal vehicular and pedestrian circulation system. Vehicular access will be from Empire Avenue and the lots are of sufficient size to allow for sufficient pedestrian circulation. The Submitted turning radius analysis shows that cars can exit the site facing forward.
23. There are no unmitigated impacts to LMC 15-1-10(E)(7) as no fencing screening or landscaping will be allowed in the City's Right-of-Way.
24. There are no unmitigated impacts to LMC 15-1-10(E)(8) as any proposed development will be subject to the City's Historic District Design Guidelines and Review Process.
25. There are no unmitigated impacts to LMC 15-1-10(E)(9) usable Open Space as there are no proposed Buildings within the unbuilt Right of Way and the historical encroachment on the adjacent City parcel will be reduced in size and the area where gravel will be removed will be restored with native grass. Any development on the proposed lots will be subject to the City's Land Management Code and HRRD process.
26. There are no unmitigated impacts to LMC 15-1-10(E)(10) signs and lighting as any development on the proposed lots will be subject to the City's Land Management Code including signs and lighting.
27. There are no unmitigated impacts to LMC 15-1-10(E)(11) as the proposed lot sizes are compatible with the surrounding neighborhood and an HDDR Application will be required to ensure that the physical design and architectural detailing are compatible with the surrounding neighborhood and HR-1 District.
28. There are no unmitigated impacts to LMC 15-1-10(E)(12) as no noise or odors are

expected beyond what is typical and expected for two Single Family Dwellings
29. There are no unmitigated impacts to LMC 15-1-10(E)(13) as no delivery or service vehicles are expected beyond what is typical and expected for two Single Family Dwellings.

30. There are no unmitigated impacts to LMC 15-1-10(E)(14) as it is expected that the proposed lots will be developed with Single Family Dwellings.

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

32. This proposal has been reviewed for consistency with the Goals and Objectives of the Park City General Plan including Objective 15B: Maintain the character, context and scale of local historic districts with compatible infill development. Any proposed development on the Lots will be compatible with the Historic District Design Guidelines and surrounding neighborhood context. These guidelines guide infill development to ensure that development is compatible in the neighborhood context.

33. Existing gravel areas on both the north and south side of the shared concrete driveway are noted to be removed and will be restored with native grass.

34. The intersection of the shared driveway and Empire Avenue is roughly perpendicular to the street which is an improvement compared to existing conditions.

35. The proposed driveway width of 15 feet complies with the minimum requirement specified in LMC Section 15-3-3 (H).

36. The proposed driveway is spaced approximately 33 feet from the nearest existing driveway and approximately 122 feet from the intersection of Empire and Crescent Tram.

37. The maximum slope of the driveway is shown to be 10% within the platted unbuilt right of way and 12% on the applicant's property.

38. Based on the facts listed above and the challenges of access from Crescent Tram, the Engineering Division approves a slope greater than 2% within the transition area noted in LMC Section 15-3-3, General Parking Area and Driveway Standards.

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

40. This project was reviewed simultaneously with the proposed subdivision of 802 Empire Avenue, PL-18-03949, which has its own set of Findings of Fact, Conclusions of Law, and Conditions of Approval.

Conclusions of Law - 802 Empire - CUP

1. The Conditional Use Permit application complies with all requirements of the LMC and satisfies all Conditional Use Permit review criteria as established by the LMC 15-1-10 and LMC 15-3-5.

2. The Conditional Use Permit, as conditioned, will allow for development that is compatible with surrounding structures in use, scale, mass and circulation; and

3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval - 802 Empire - CUP

1. All Standard Project Conditions shall apply.
2. The City Engineer shall review and approve all grading, utility installation and public improvements prior to building permit issuance.
3. The grade of the proposed shared drive shall not exceed 10% within the platted unbuilt right of way.
4. Backing out of the shared drive shall be forbidden. A swept path analysis showing a vehicle turn-around from both lots shall be provided to the City Engineer for review prior to building permit issuance.
5. If necessary, a separate encroachment agreement for the portion of shared drive encroaching on PCMC Parcel PC-364-A-X is required prior to building permit issuance.
6. The applicant shall restore the gravel parking area that is proposed to be removed from Parcel PC-364-A-X, with native grass.
7. No parking or obstructions shall be permitted within the portion of shared driveway located within the platted unbuilt right of way.
8. The shared driveway shall not prohibit pedestrian access of a future 8th Street public stairway, located just south of the 802 Empire Avenue Subdivision, connecting the Crescent Tram pedestrian access to Empire Avenue.
9. No building permit may be issued until City Council approval of an Encroachment Agreement for the driveway located within the Public Right-of-Way.
10. If at some point in the future Empire Avenue is re-aligned, the applicant will be responsible for the removal of all portions of the driveway within the ROW at their sole expense and in an expeditious manner (within 90 days of written notice).
11. Prior to the issuance of a building permit, a Construction Mitigation Plan that includes consideration of how construction related parking will be managed shall be submitted to the Building, Engineering and Planning Departments for review and approval.

The Planning Commission Meeting adjourned at 9:40 p.m.

Approved by Planning Commission: _____

An aerial photograph of a mountain town, likely Park City, Utah, covered in a thick layer of snow. The town's buildings, mostly multi-story structures with dark roofs, are densely packed in the lower half of the frame. The surrounding mountains and slopes are also covered in snow, with some evergreen trees visible. The sky is a pale, overcast blue.

PCMR BASE AREA WORK SESSION

Request to Amend the 1998 Development Agreement

Planning Commission Meeting June 10, 2020



Scope of Review

- Proposed project meets MPD Modifications definition
- Stipulated Scope of Review- **Draft until agreed to**
 - Density is vested from 1998 DA – **not being re-reviewed**
 - Setbacks/Building Height – **Current LMC**
 - Housing and Parking Requirements – **Blend of prior obligations and current LMC**
 - Traffic and Transportation – **Current LMC**



Outstanding

1. The amount of parking SF that is located above grade and that contributes to the mass or Development Floor Area Ratio of the project;
 2. Vertical and horizontal articulation of proposed buildings in compliance with LMC Section [15-5-8, Façade Lengths and Variations](#);
 3. Confirmation of the UE Calculations;
 4. Quantify the amount of Residential Accessory Use, Residential Support Commercial Use, and Resort Accessory Use in the submitted application in comparison of the 1998 DA and current LMC.
- Due by June 12, 2020
 - Site visit tentatively scheduled for July 8, 2020



Public Input

- Will be addressed as project is reviewed topically, beginning in July
- E-comments
- Recent emails



Proposed Schedule

Date	Anticipated Agenda
July 8, 2020	Planning Commission Site Walk
July 22, 2020	Planning Commission Public Hearing Architectural, Site and Landscape Design Exceptions to Height and Setback Requirements Opportunity for public input
July 30, 2020	City Council Public Hearing Affordable Housing Mitigation Plan
August 26, 2020	Planning Commission Public Hearing Transit and Connectivity, Traffic, Parking and Circulation Recap of July 30 City Council Public Hearing on the Housing Mitigation Plan Opportunity for public input
September 23, 2020	Planning Commission Public Hearing Utilities and Project Phasing Plan Sustainability Other topics that come up or remain open Opportunity for public input
October 22, 2020	Public Hearing Final topics/review of any plan revisions Review of Draft Findings of Fact and Conditions of Approval Opportunity for public input Planning Commission Vote
November 2020	HOLD





PLANNING COMMISSION

June 10, 2020

MUNICIPAL CODE AND LAND
MANAGEMENT CODE AMENDMENTS(LMC)
FOR WILDLAND URBAN INTERFACE (WUI)



WUI

1898 Fire in Park City

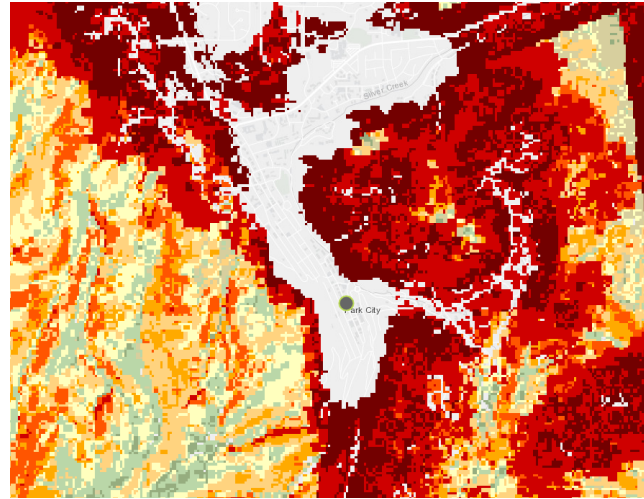
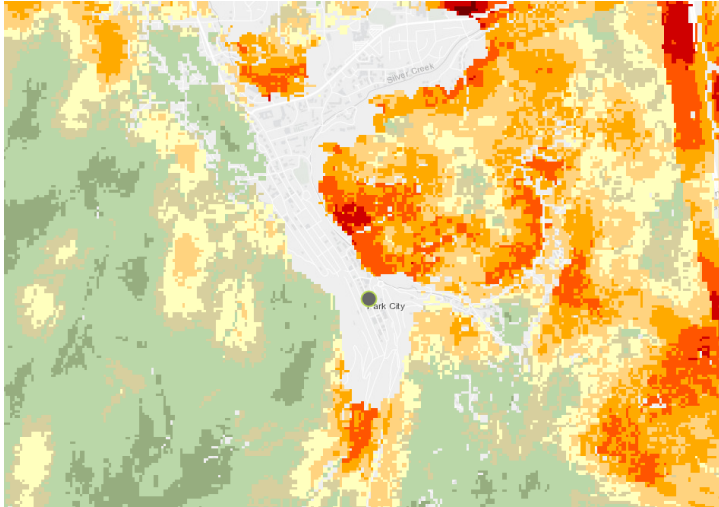


Images courtesy of Park City Museum



WUI

Wildfire Risk Vs. Effect



Images courtesy of Utah Department of Natural Resources Wildfire Risk Assessment Portal Map Viewer



WUI

Amendment Topics

- Administration
- Enforcement and Inspections
- Definitions
- Home Hardening
- Vegetation Management
- Maintenance/Acceptance of Existing Plans
- Plant List and Landscaping Plans
- Applicability to Sensitive Lands Overlay (SLO) Zone, Master Planned Developments (MPD), Annexations



— ADMINISTRATION —

- Clarity between Building Code and Fire Code
- When WUI applies to properties
- When modifications may be granted by the City



Images courtesy of Heather Wasden



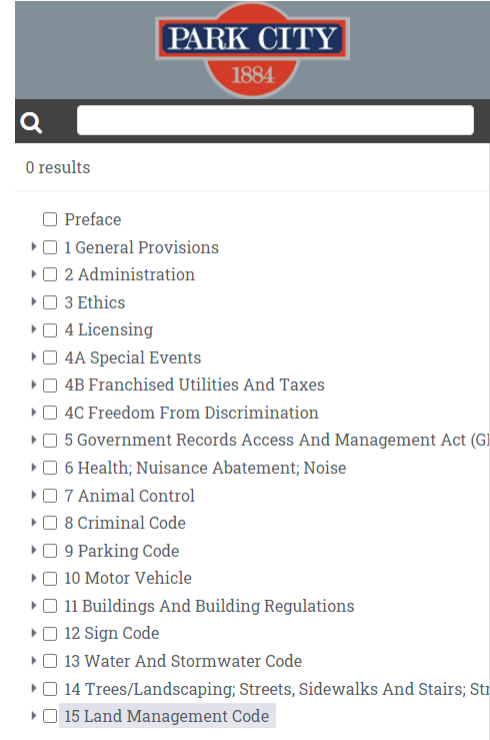
— ENFORCEMENT AND INSPECTIONS —

- Provides authority to the Fire Code Official to determine circumstances that require modification or exemptions to the WUI Code.
- Code Enforcement will be complaint-based for existing, developed Sites. Emphasize education.
- New developments are to comply - SLO, MPD, Annexations
- Work with resorts and open space areas in the future



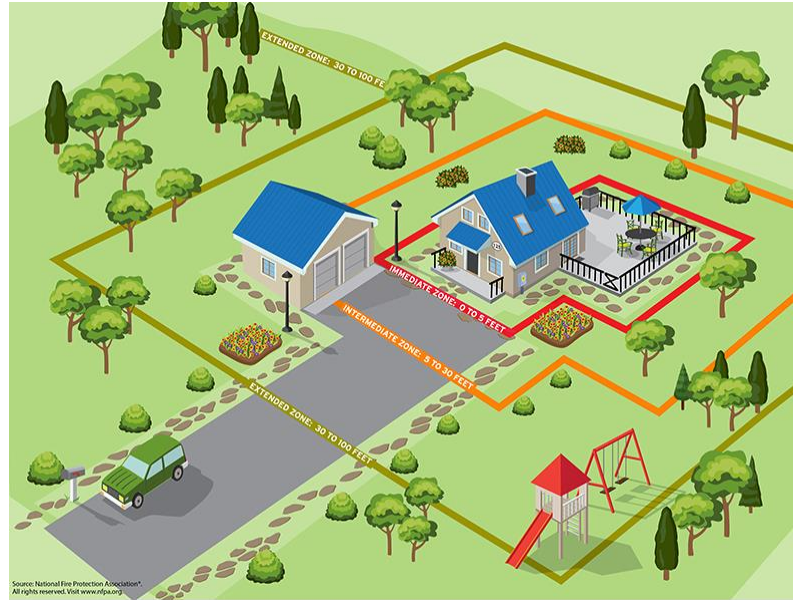
— DEFINITIONS —

Clarity and consistency between the Municipal and Land Management Codes, and industry standards.



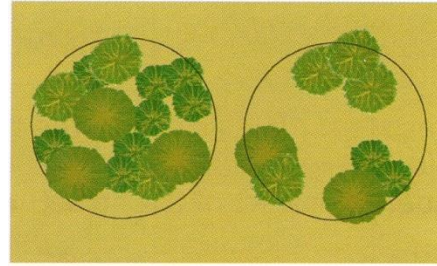
— HOME HARDENING —

Specific practices to reduce the threat of structure ignition during a fire brand or ember storm

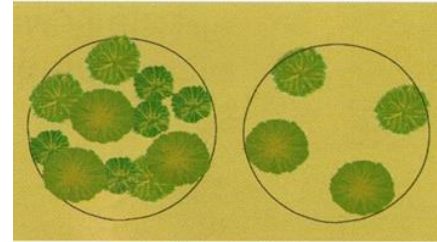


— VEGETATION MANAGEMENT —

Identification of ignition zones, and prescribed vegetation and fuel modification techniques to reduce the threat of wild fire.



Clumping



Thinning

— MAINTENANCE/ ACCEPTANCE OF EXISTING PLANS —

- Who is responsible for maintaining a property's vegetation and Structures.
- What aspects should be maintained.
- Existing, platted Limits of Disturbance will need to be maintained.

- Clean roofs and gutters of dead leaves, debris and pine needles that could catch embers
- Replace or repair any loose or missing shingles or roof tiles to prevent ember penetration
- Reduce embers that could pass through vents in the eaves by installing 1/8 inch metal mesh screening
- Clean debris from exterior attic vents and install 1/8 inch metal mesh screening to reduce embers
- Repair or replace damaged or loose window screens and any broken windows
- Screen or box-in areas below patios and decks with wire mesh to prevent debris and combustible materials from accumulating
- Move any flammable material away from wall exteriors - mulch, flammable plants, leaves and needles, firewood piles - anything that can burn
- Remove anything stored underneath decks or porches

VISIT [FIREWISE.ORG](https://www.firewise.org) FOR MORE DETAILS

Image by NFPA, with funding from USDA Forest Service



PLANT LIST AND LANDSCAPING PLANS

- Update to the plant list that exists in Municipal Code Section 14-1-5 to be a reference for staff and community members as plant materials that may be used in a Firewise landscape plan.

- LMC to reference WUI standards of Municipal Code 11-21.
- Significant Vegetation a priority, but Planning Director and Fire Code Official can determine if vegetation can be maintained or removed.



SENSITIVE LANDS OVERLAY, MASTER PLANNED DEVELOPMENTS, ANNEXATIONS

Put in place regulations for each of these types of developments, regarding WUI standards of Municipal Code Title 11-21 and connecting said standards to the Land Management Code.



Images courtesy of Heather Wasden



— EXAMPLES OF APPLICABILITY TO PROPERTIES —

- Historic District Sites generally exempt
- Existing, developed properties generally exempt - education available and encouraged. City won't regulate backwards.
- Undeveloped Lot proposing Single Family Dwelling and landscaping shall comply.
- Remodels of \$50,000 or more generally shall comply.
- Proposed Subdivisions, Master Planned Developments, Annexations shall comply.
- Subdivisions with platted Limits of Disturbance to be evaluated by Fire Code Official and Planning Director.



— OUTREACH —

- Social media and website posts
- HOA one-on-one meetings and assessments
- PCFD hosted HOA and community member meetings
- Mailers sent to P.O. boxes within Park City
- HOA and community member Zoom discussion
- Partner with PCFD on informing community members about property assessments.
- See Exhibit C for Outreach Plan



— PLANNING COMMISSION CONSIDERATION —

- Community Wildfire Protection Plan (CWPP) and/or 5-10 year management plans
- If the City should require these and how we determine who needs to have them

State of Utah

Community Fire Planning

For the Wildland – Urban Interface

Workbook

Protecting Life, Property, and
Community Values
Through
Community-Based Planning

DATE: June 13, 2013



Department of Natural Resources
Division of Forestry, Fire and State Lands
1594 W North Temple, PO Box 145703, Salt Lake City, UT 84114-5703



THANK YOU

Proposed Code Amendments are to create custom WUI Code that works toward better protecting Park City's unique natural and built environment from a wildfire.

Questions or comments?

Dave Thacker, Chief Building Official – dave.thacker@parkcity.org

Liz Jackson, Planner – liz.jackson@parkcity.org



802 Empire Avenue

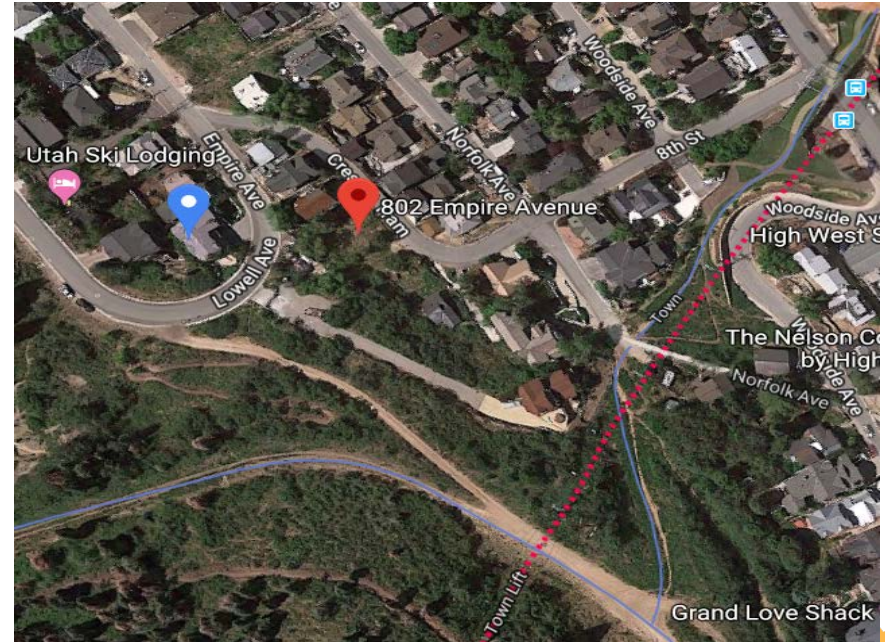
2-Lot Subdivision & CUP

June 10, 2020

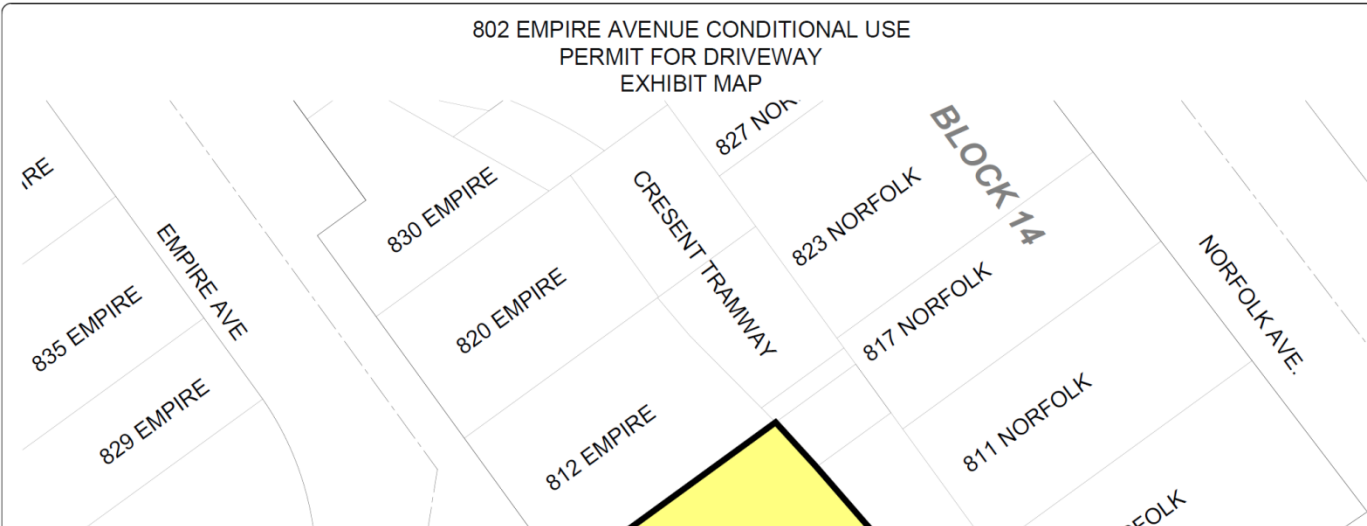


Background

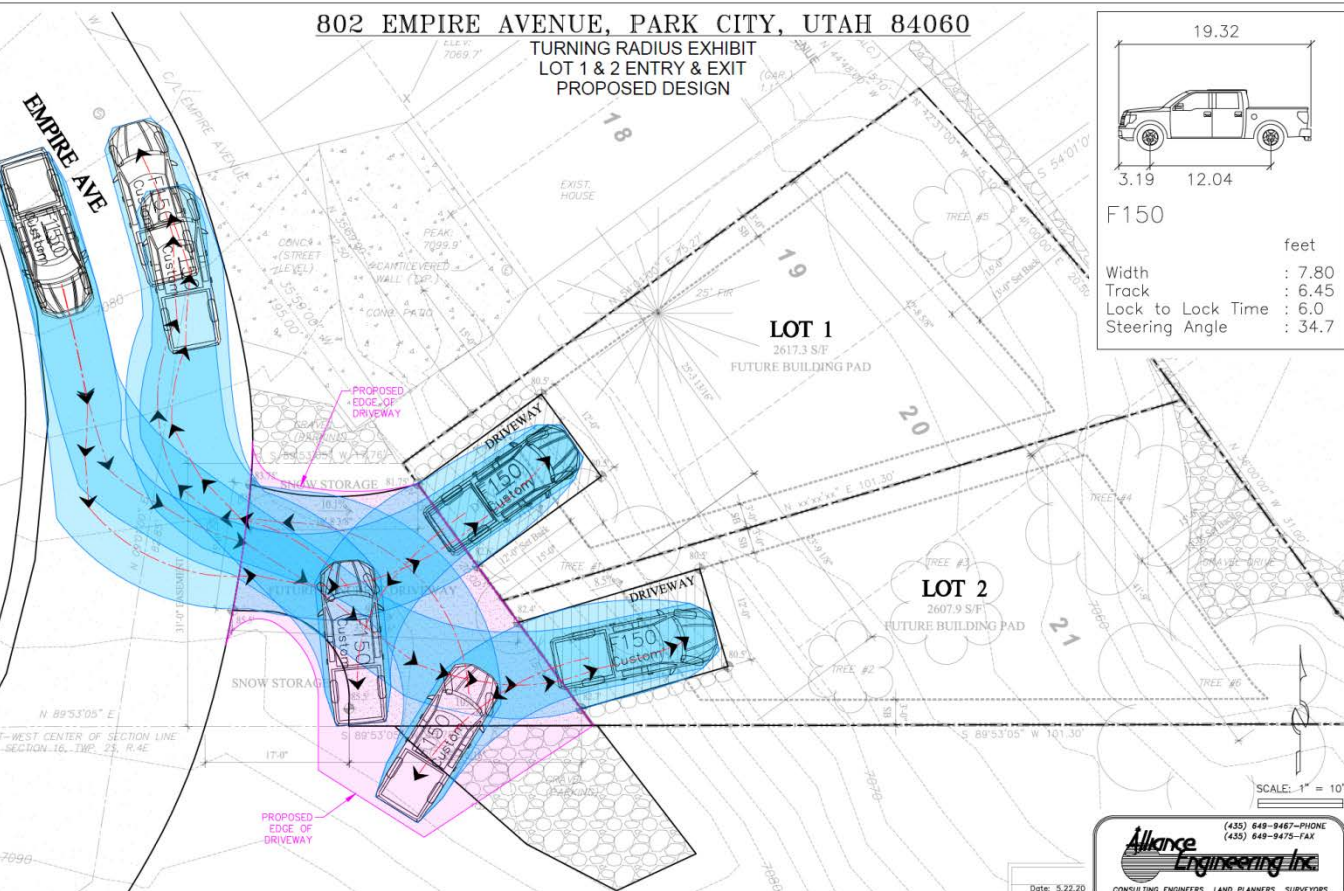
- Combine 7 vacant parcels into a new 2-lot Subdivision
- Simultaneously seeking CUP to locate a shared driveway over platted unbuilt ROW
- Steeply sloped lots slope down from Empire Avenue to Crescent Tram with frontage on both lots
- Lots vacant of any structures
- Last public hearing was 5/13/2020



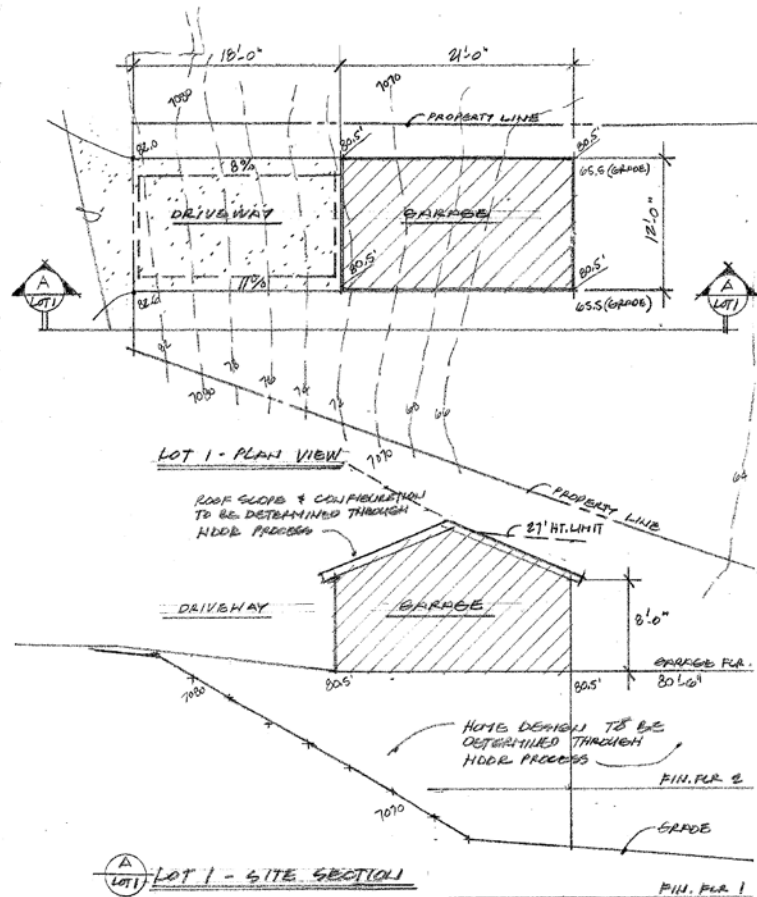
Subdivision and CUP



Updated Driveway Exhibit

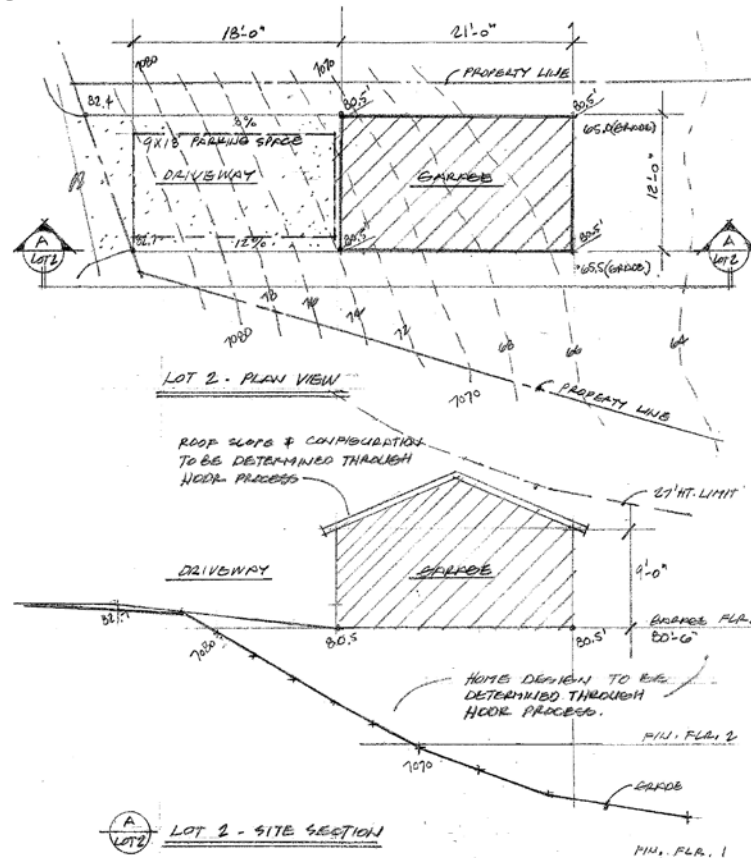


Height



Garage and Driveway Exhibit – Lot 1

802 Empire Avenue, Park City, Utah



Garage and Driveway Exhibit – Lot 2

802 Empire Avenue, Park City, Utah

Potential Staircase

Proposed 2-lot Subdivision does not preclude a future pedestrian connection between Empire Avenue and the Crescent Tram pedestrian Pathway.



Potential 8th Street Stairs
(no current plans) shown in
green on City owned land
connecting Crescent Tram
path to Empire Avenue.

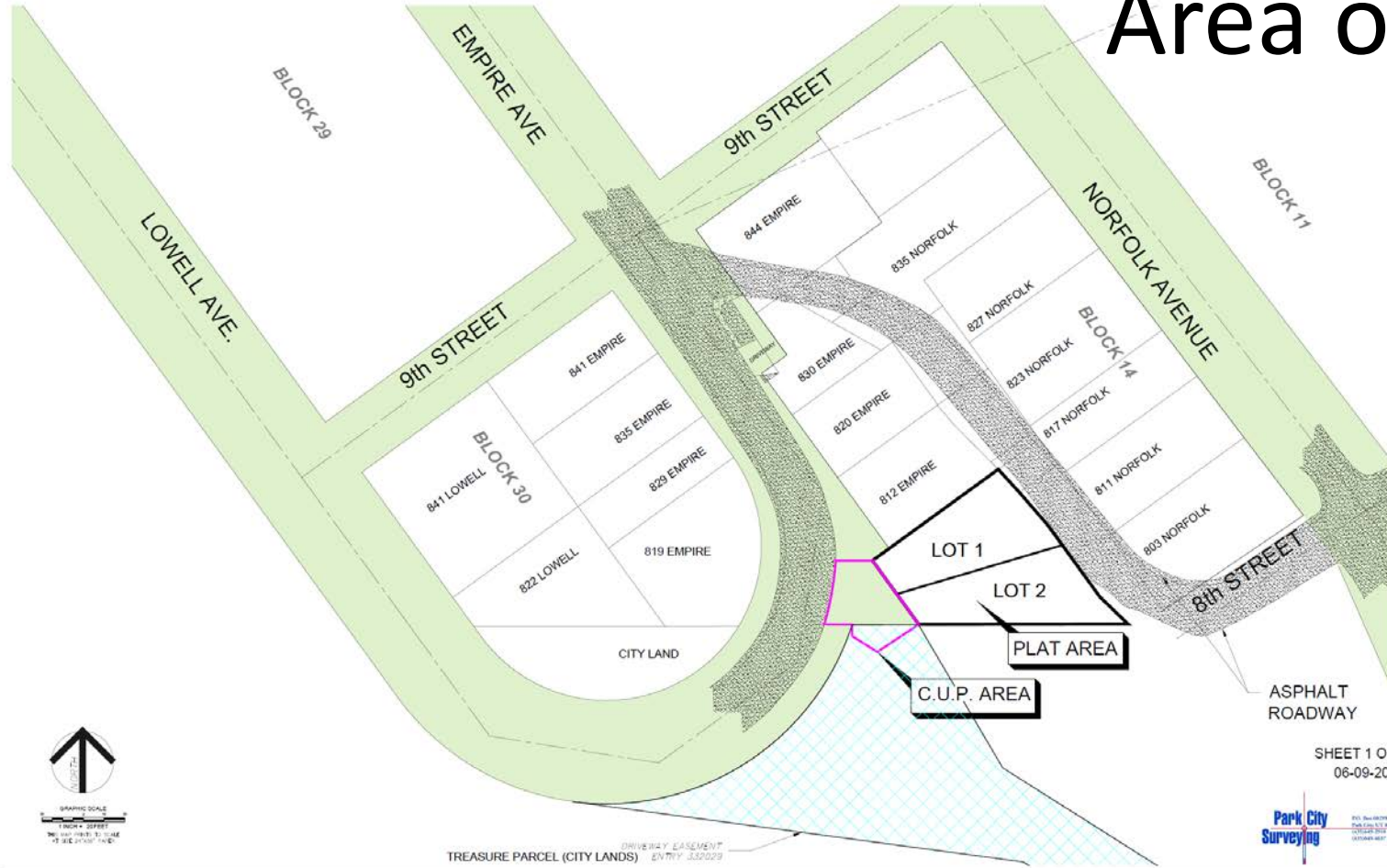


Subdivision Findings and Recommendations

- Staff finds there is good cause for this 2-lot Subdivision. Subdivision will create two legal lots of record and both lots meet the Lot and Site Requirements of the Historic Residential District and development patterns of the surrounding neighborhood. This Subdivision will encourage construction of contextually compatible structures that contribute to the character and scale of the Historic District and maintain the existing residential neighborhood context and will be subject to the City's HDDR process. The Subdivision is consistent with the Park City Land Management Code, does not adversely affect the health, safety and welfare of the citizens of Park City, and meets the purpose of the HR-1 District.
- Staff recommends the Planning Commission review the Subdivision Plat, hold a Public Hearing, and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval subject to the draft Ordinance.

802 EMPIRE AVENUE CONDITIONAL USE PERMIT FOR DRIVEWAY
EXHIBIT MAP

Area of CUP



802 EMPIRE AVENUE CONDITIONAL USE
PERMIT FOR DRIVEWAY
EXHIBIT MAP

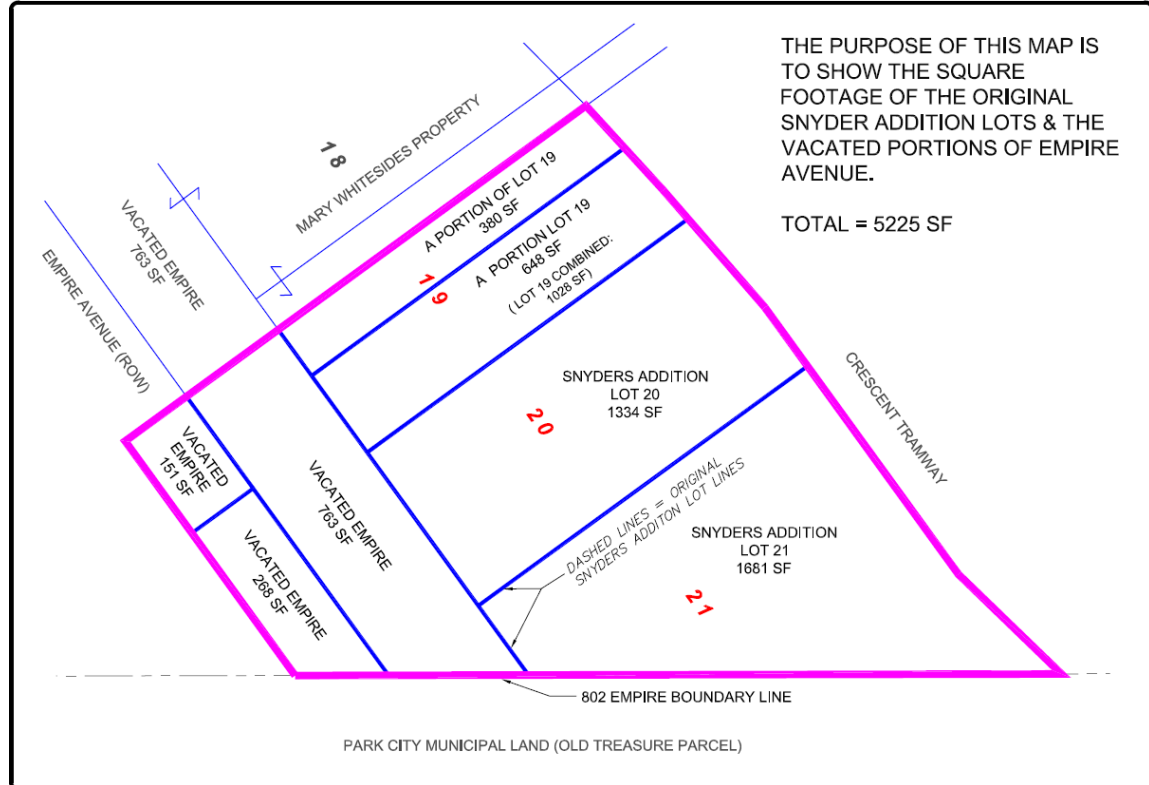


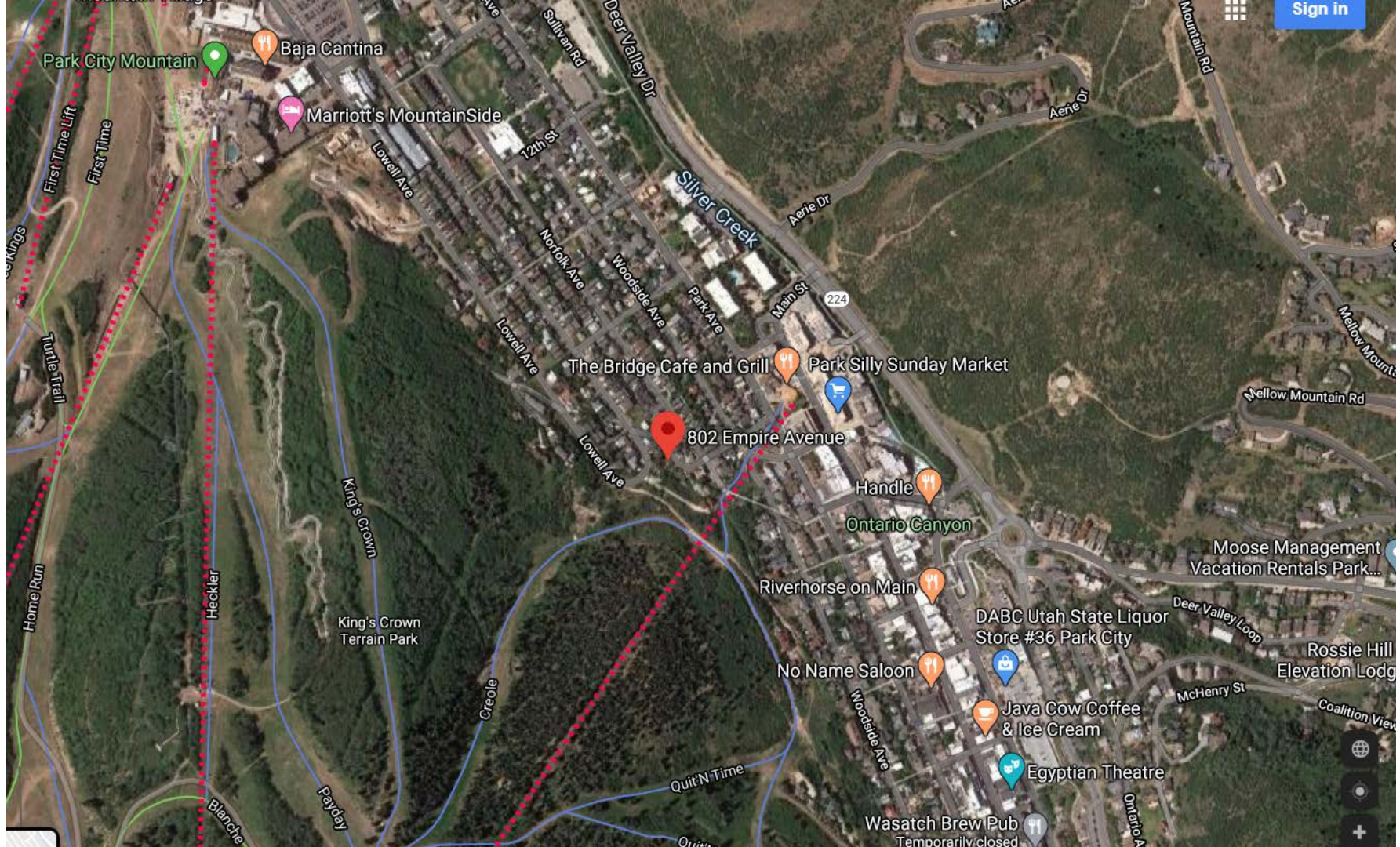
CUP Findings and Recommendations

- Staff finds there is good cause for this CUP for the construction of a shared driveway over platted unbuilt Empire Avenue as conditioned. It will allow for development that is compatible with surrounding structures in use, scale, mass and circulation. The effects of any differences in use have been mitigated through careful planning.
- Staff recommends the Planning Commission review the CUP, hold a Public Hearing, and consider approving the CUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Existing Parcels

Parcel ID	Parcel	Lot Size (SF)
SA-145-A-2	Portion of Lot 19	380.3
	Portion of Lot 19	647.8
SA-145-A	Lot 20	1,334.3
	Lot 21	1,681.1
	Vacated Empire	762.8
SA-145-EA-1	Vacated Empire	151.1
	Vacated Empire	268.4
Total		5,225.8







Crescent Rd

Norfolk Ave

803 Norfolk Avenue Plat Amendment

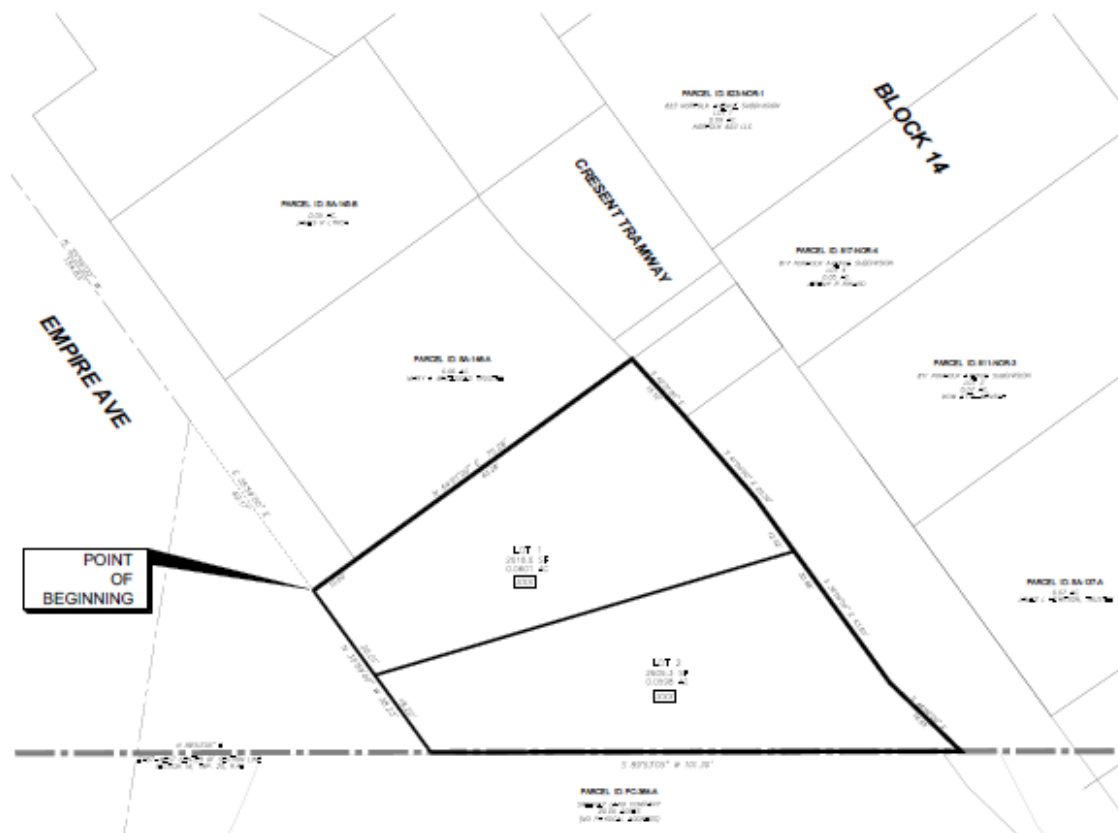
Larremore Lot 2 Sub.

Larremore Plat Amend Sub

Kuhle Sub.

Coalition West S

Proposed Site Plan

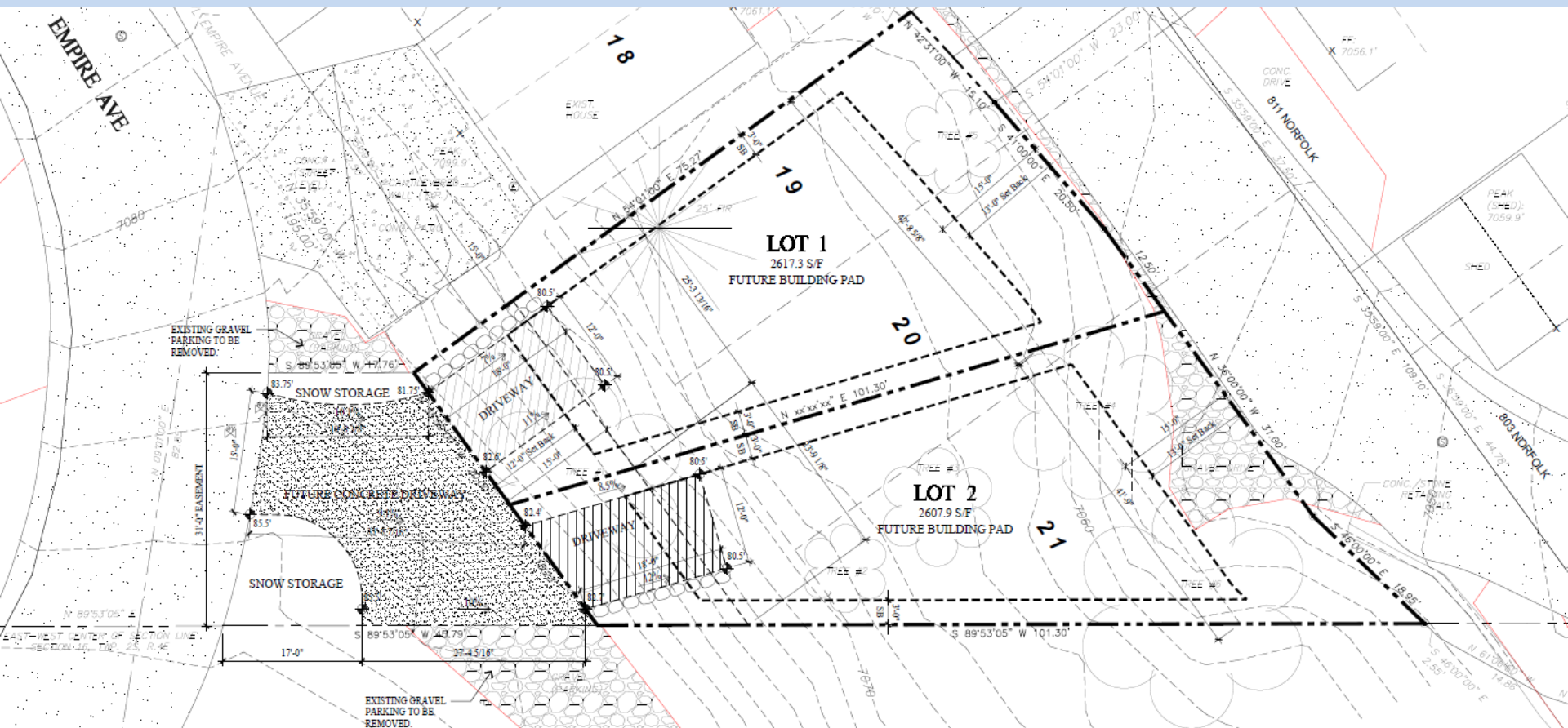


Vegetation

As was noted at the February 12, 2020 hearing, the HDDR application, which will be required for each lot as development progresses, requires a landscape plan which will need to show how loss of existing vegetation will be mitigated.



Based on the difficulties of access off of Crescent Street the Engineering Department is approving a slope greater than 2% within the transition area noted in LMC Section 15-3-3 General Parking Area And Driveway Standards. Findings and Conditions from the Engineering Memorandum have been incorporated in to the Findings (11-16) and Conditions (5-9) section of the Draft Ordinance.



Lot and Site Requirements

Zone Allowance:	HR-1	Lot 1	Proposed Lot 2
Lot Size	1,875 SF	2,617 SF	2,607 SF
Lot Width	25 Feet	48.1 Feet	49.9 Feet
Setbacks Min. Front /Rear Setback Crescent Tram Min. Front Setback Empire Avenue Min. Side Setback	Min. 12 ft./Total 25 ft. Min. 12 ft./Total 25 ft. 3 ft./Total 6 ft.	Must Comply	Must Comply
Building Height	27 ft. from existing grade	Must Comply	Must comply
Allowable Footprint		1,129 SF	1,125 SF

Neighborhood Lot Size Analysis			
Address	Lot Size		
830 Empire	0.03	1,307	
829 Empire	0.04	1,742	
820 Empire	0.05	2,178	
817 Norfolk	0.05	2,178	
812 Empire	0.06	2,614	
827 Norfolk	0.06	2,614	
841 Empire	0.06	2,614	
835 Empire	0.06	2,614	
844 Norfolk	0.07	3,049	
803 Norfolk	0.08	3,485	
822 Lowell	0.08	3,485	
823 Norfolk	0.09	3,920	
819 Empire	0.09	3,920	
835 Norfolk	0.1	4,356	
811 Norfolk	0.11	4,792	
729 Norfolk	0.12	5,227	
841 Lowell	0.13	5,663	
713 Norfolk	0.15	6,534	
732 Crescent Tram	0.15	6,534	
808 Empire	0.16	6,970	
Average Lot Size	0.087	3,790	Median 2,831
802 Empire Existing	0.12	5,227	
		<u>Lot 1</u>	<u>Lot 2</u>
802 Empire Proposed	0.06	2,617	2,607

Neighborhood Context

Potential Staircase

Proposed 2-lot Subdivision does not preclude a future pedestrian connection between Empire Avenue and the Crescent Tram pedestrian Pathway.



Potential 8th Street Stairs
(no current plans) shown in
green on City owned land
connecting Crescent Tram
path to Empire Avenue.



Additional Background

