

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MAY 10, 2017

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, John Phillips, Doug Thimm

EX OFFICIO:

Planning Director, Bruce Erickson; Francisco Astorga, Planner; Anya Grahm, Planner; Ashley Scarff, Planner; Mark Harrington, City Attorney

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REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioners Joyce, Campbell and Suesser, who were excused.

ADOPTION OF MINUTES

April 26, 2017

MOTION: Commissioner Thimm moved to APPROVE the Minutes of April 26, 2017 as written. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Commissioner Thimm recalled that approval of the Minutes of April 12, 2017 was Continued from the last meeting, because the Planning Commission lacked a quorum of Commissioners present at the April 12th meeting and could not take action. Chair Strachan pointed out that with Commissioner Campbell absent this evening they still lacked a quorum of attendees on April 12th.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson reported that the following evening the City Council would be reviewing Code Enforcement issues and beginning the conversation about prioritization,

funding, and overall operations. Director Erickson would be making a presentation to the City Council.

Commissioner Phillips stated that he would be attending the City Council meeting and he intended to make comments as a private citizen, and not representing the Planning Commission. Chair Strachan asked Commissioner Phillips to provide an update for the Planning Commission at the next meeting.

CONTINUATIONS – public hearing and continue to date specified

1. 4001 Kearns Boulevard – First Amendment to the Park City Film Studios Subdivision, a plat amendment to divide Lot 1 into three platted lots of record. The property consists of approximately 30 acres. (Application PL-15-03005)

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

MOTION: Commissioner Thimm moved to Continue the First Amendment to the Park City Film Studios Subdivision to May 24, 2017. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

2. Request for a four lot subdivision plat, known as Village at Empire Pass North Subdivision, located at the intersection of Village Way and Marsac Avenue east of the Silver Strike chair lift, to create 3 development lots for the Village at Empire Pass Master Planned Development and one lot for ski area related uses. (Application PL-16-03293)

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

MOTION: Commissioner Thimm moved to CONTINUE the four lot subdivision for Village at Empire Pass North to May 24, 2017. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. **340 Main Street – Conditional Use Permit (CUP) application for the establishment of a new Telecommunication Facility on the rooftop of a non-historic building.** (Application PL-16-03264)

Planner Ashley Scarff reviewed the request for a conditional use permit to allow Verizon Wireless to establish a new telecommunication facility with equipment located on the roof and within the top floor of a non-historic commercial building located at 340 Main Street. The rooftop equipment will consist of a small cell with an antenna, which would be enclosed in a fiberglass canister painted to match the building where it is located. The equipment will be located towards the rear of the building on the Swede Alley side, and it will have a 15' setback from the rear roof edge on the Swede Alley side.

Planner Scarff remarked that the antenna in the canister would have a height of approximately 5'9" above the flat roof line at its tallest point. However, a parapet runs the perimeter of the building, and the canister will be 1" below the tallest point of that parapet. Other rooftop equipment will be mounted behind the parapet on the Swede Alley side and entirely hidden from street view. It will also be painted to match the building materials as well.

The Staff found that the project as proposed and conditioned meets all the requirements relative to setbacks, height and design.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Band moved to APPROVE 340 Main Street Conditional Use Permit application for the establishment of a new telecommunication facility on the rooftop of a non-historic building, based on the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 340 Main Street

1. On July 28, 2016, the Planning Department received an application for a Conditional Use Permit (CUP) to allow Verizon Wireless to establish a new Telecommunication Facility on the roof and within the top floor of the non-historic commercial building at

340 Main Street. The application was considered complete on March 2, 2017.

2. The subject property falls within the Historic Commercial Business (HCB) District.

3. The Land Management Code (LMC) states that, within the HCB District, Telecommunication Antennas are a Conditional Use, subject to LMC Section 15-4-14, Supplemental Regulations for Telecommunication Facilities, in addition to the standard Conditional Use review criteria of Section 15-1-10(E).

4. The proposed rooftop equipment will consist of one (1) small cell antenna enclosed within a fiberglass canister that roughly measures 1 foot by 1 foot (approx. 1 square foot in area), which will be painted to blend with the building and its surroundings to mitigate visual impact.

5. The rooftop equipment will fall within a 21 square foot area at the rear of the building, to be leased by Verizon Wireless from the building owner.

6. The antenna and canister will be 5 feet, 9 inches (5'9") in height above the flat roofline, and will protrude upward to be one inch (1") under the tallest plane of the Main Street-facing parapet. The antenna and canister will be set back approximately 15 feet (15') from the edge of the building parapet on the Swede Alley side, as shown on the submitted plans.

7. The remainder of the rooftop equipment will be placed behind the building's parapet, and additional support equipment will also be placed within an existing closet on the top floor of the building.

8. Staff finds that the project, as proposed and conditioned, meets all requirements related to setbacks, height, and design found in LMC Section 15-4-14, Supplemental Regulations for Telecommunications Facilities.

9. The project may also include small signs near the equipment meant to ensure the health and safety of the general public.

10. The City is currently reviewing a right-of-way franchise agreement with a fiber optic provider to provide service to the subject site, as well as other proposed Verizon small cell locations. If all CUP requests for the Verizon small cell antennas are denied, the City would deny franchise rights to the fiber optic provider.

11. The applicant has indicated that all necessary power will come from existing sources on-site.

12. On April 12, 2017, the property was posted and notice was mailed to affected property owners within 300 feet. Legal notice was also published in the Park Record on April 12th.

13. This item was originally scheduled and publicly noticed for the April 26, 2017 Planning Commission meeting, but was continued to the May 10, 2017 meeting.

14. This application has been reviewed under Land Management Code Section 15-1-10 (E).

15. The Findings in the Analysis Section are incorporated herein.

Conclusions of Law – 340 Main Street

1. The application satisfies all Conditional Use Permit review criteria as established by the LMC's Conditional Use Review process (§15-1-10(E), Criteria 1-16);
2. The Use, as conditioned, is compatible with surrounding structures in use, scale, mass, and circulation;
3. The Application complies with all requirements of the LMC; and
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 340 Main Street

1. The scope of this approval includes the installation of one (1) small cell telecommunication antenna on the rooftop of the non-historic commercial structure at 340 Main Street, as well as additional support equipment on the rooftop and within the top floor of the building, as shown on the approved plans.
2. The rooftop equipment shall be entirely contained within the 21 square foot 'Lease Area 1' as shown on the plans. The interior equipment shall be entirely contained within the 16 square foot 'Lease Area 2' as shown on the plans.
3. The antenna and canister shall not project above the building parapet and shall be set back a minimum of 5'9" from all roof edges.
4. The fiberglass antenna canister shall be painted to blend with the building's exterior and surroundings. Final design is subject to approval by Planning Staff during the Building Permit application stage.

5. The remainder of the rooftop equipment shall be entirely hidden from street view behind the building's parapet, and must be painted to blend with the building and its surroundings.
6. All necessary cable chases shall also be painted to blend with the existing building.
7. Signs shall only be installed on site if necessary for the health and safety of the general public. Exact dimensions and placement shall be reviewed and approved by the Planning Department prior to installation.
8. Prior to installing the equipment, the applicant must apply for and procure a Building Permit from the Building Department.
9. The Building Permit application shall include a fiber and power plan, and is subject to review and approval by the Planning Department and City Engineer.

NOTE: The Treasure Hill portion of the Minutes is a verbatim transcript

2. Treasure Hill Conditional Use Permit, Creole Gulch and Town Lift Mid-station Sites – Sweeney Properties Master Plan (Application PL-08-00370)

Chair

Strachan: Francisco, how are we going to work it tonight? I know we've got a bit of an open house format. What does that mean, exactly?

Planner

Astorga: What that means is that we're going to let the applicant give us a presentation on the updated traffic study. And because we received it somewhat late in preparation for this meeting, we were unable to get together with Transportation, Planning, and the City Engineer's Office to come up with appropriate recommendations for the Planning Commission. We're not saying that we're not going to do that. Of course, we'll provide appropriate recommendations to the Planning Commission, obviously, at the next meeting. As we follow the pattern of meeting on the first meeting of every month, it would be June 12th. So that's why we've drafted a very light Staff report where we're just saying, we're just asking the applicant to provide their presentation.

And we did publicly notice this meeting as a public hearing, so I believe we have, we would have to also hold that. That's just the format. The applicant has a power point, and that's all I have.

Chair

Strachan: All right. So just before we get started, that's a good point Francisco brings up that the public should probably take heed of. The Staff hasn't had enough time to thoroughly analyze this. So when you read through the Staff report and you think it might be cursory or doesn't give as much analysis to it as you think or hope, that's because they're not done yet. So, don't get up and say Staff dropped the ball, at least not yet.

Planner

Astorga: We just barely, we just barely started, so---

Chair

Strachan: Great. Thanks. All right. I just was trying to save you from, you know, some shrapnel coming from behind.

Planner

Astorga: we, we appreciate that.

Chair

Strachan: Okay. All right. Okay, so on behalf of the---did you want to give a presentation at all, or you just want to let them shoot for it?

Planner

Astorga: No.

Chair

Strachan: Okay. I don't know what you guys have planned, but we're kind of open to whatever. Of course, time is always of the essence, so to the extent you're getting into an analysis the Staff hasn't had time to really look at, I would probably save your comments for the next meeting. But it's up to you.

Commissioner

Phillips: Can I ask Francisco a question real quick?

Chair

Strachan: Sure.

Commissioner

Phillips: Is, do you feel like you have adequate amount of time to do all of the analysis that you guys need to by that meeting?

Planner

Astorga: I don't, I don't want to commit to anything just yet, and that's why in the Staff report I wrote future dates.

Commissioner

Phillips: Okay.

Planner

Astorga: But we're trying to process this application as fast as possible, while at the same time being thorough. We do have some meetings already lined up with their transportation people, with my transportation people, so I don't, I don't want to truly commit without my other reviewers present here. But we are going to do our best to have a full review by June 12th.

Commissioner

Phillips: Okay, thank you.

Chair

Strachan: Great. Thanks.

Commissioner

Thimm: Is, is there any thought towards having a third party traffic engineer look at the report?

Planner

Astorga: I think we can discuss that today in part, but we're, we're looking into that.

Commissioner

Thimm: Okay.

Planner

Astorga: So, all I need to do is turn that monitor a little bit better for the public and have them come up, if that's okay.

Chair

Strachan: Great.

Pat

Sweeney: So, Pat Sweeney speaking for the applicant, MPE. I just want to briefly introduce Gary Horton. He's a traffic engineer. He's been involved with the Treasure Hill traffic studies related to the CUP dating back to 2003/2004. And what he's going to talk about is, is an addendum, it says Addendum 7, that is based on some updated traffic counts.

Chair

Strachan: And Gary, are you the author of Addendum 7?

Gary

Horton: I am.

Chair

Strachan: Okay. All right.

Gary

Horton: Yes, I am. Okay. As mentioned, this is an update. Basically, what I'm going to walk through tonight is the report that is prepared for Staff, understanding that comments are still forthcoming. I will try to comment specifically where Staff had requested things and we've tried to provide a response to those direct requests.

Quick overview, these are the items I'm going to hit upon, and they run simultaneously with the study. So, if you have not reviewed the study, this might provide you an opportunity to shorten that review period if you have to look at it at another time.

So first thing, traffic volumes. We were requested to gather updated volumes. We selected President's Day week again, because that was the time frame that was picked originally, so that we could compare apples to apples to the previous study, or the original study. This is Addendum 7. It also reflects a typical ski day. In fact, one of the busiest ski days and traditional timeframe throughout Park City and throughout Summit County. So, that is why that time was selected.

In this table you will see the peak hour count. We counted from 7:00 in the mor---, no 8:00 in the morning. No, 7:00 in the morning until 9:30. And in the afternoon we counted from 3:00 to 6:00. What you see is the peak hour of traffic volumes in that one, in one hour in any one of those given intersections. It's not the same at every intersection, some are a little bit

different. But that was the peak hour that was found at each one of those intersections. As you can see from the actual counts counted in 2005, in 2017 there was an increase in traffic at all of the intersections, with the exception of the p.m. Peak at Park Avenue and Deer Valley.

Next, it was asked---this was not in the original study, so in this study it was asked could we look at a future, what the future looks like basically 20 years down the road. There are a few methodologies that can be used to determine that. We checked on a couple of those items. One of them, the Summit County has recently completed a regional traffic model that takes into account all of Summit County, including Park City. As part of that regional traffic model it accounts for future development, it takes into and factors current commuting patterns, transit related items. It is, the best way I've heard it described is a behavior model. And it's the best item we use for future expectations for traffic within the area. It is what has been used on the Wasatch Front and major metropolitan areas for the last 20, 30 years. So when they're planning projects, this is, that's a tool they would use. I showed in here both population in Summit County anticipated, and population in Park City as based on the census data. And what is anticipated based on land use and those things that have been approved within the City.

As you can see, between 2017 and 2037 there's roughly a 25.8% growth anticipated for Park City. That's about 1.1% per year. That's the kind of information that went into trying to determine what the future traffic volumes would look like in 2037. So this graph here is a reflection of that growth.

Another item that was considered in these future traffic volumes is specific to the area, anticipated development via the Bamberger property and also with PCMR. Bamberger was a little better well-known. PCMR, we had to use the development agreement to speculate what those traffic volumes would be. But when we created, when we created those volumes they fell---even with those, it fell within the future volume ranges as you see here. So that would be the future without the project.

Next thing we did was trip generation for Treasure Hill. I'm not going to go through all the details of this, but bottom line, these are the land uses that coincide with the proposed development from the ITE trip generation manual. The last time we talked a little bit about that. Sometimes, as you look at them there are hotel and ITE. You go in there, and they have done studies or counts to find out how many trips are generated out of a typical hotel during the a.m. peak hour and p.m. peak hour. So that's the reflection for

employee housing. We, there is not an employee housing, for example, in the ITE trip generation. The closes you can reflect is an apartment-style complex. So we used an apartment to reflect that. And that's the kind of information that's detailed further in the report. But this is the trip generation. And once again, this is updated from the original study that was done. In the original study there was a third party that completed a review of these trip generation. They concurred with that information the first time. And we used the same relevant factors, ie. apartments for employee housing. So that was, would be trip generation.

The next thing we applied was trip reduction based on the development. There's a few things that applied in here. First, in ITE trip generation, the hotel occupancy rate is estimated at 83%. We did some further searching and found that, pardon me a second, I want to make sure I use the right terminology here, that the peak hotel occupancy rate for 2014 reported by the Park City Chamber of Commerce Convention and Visitor's Bureau Center or Economics Bureau, Economic profile was 65%. So we reduced the number of trips based on specific data to the, to the area.

Chair
Strachan: What year was that?

Gary
Horton: The last time it was produced was 2014. So when---if it's updated then we will obviously reflect that. But that was the last one that was provided.

Internal capture rate reflects---once again I'll---interaction, interaction among the various land uses that reduces the total number of trips that would exit the site, ie. if I live at the, or if I'm at the hotel and I want to go to something on site, I don't have to leave the site and come back. Where the original trip generation is calculated that way, there is a reduction for those things that I would want to use that I stay on site. So I only use what's there. And once again, ITE, it gives you some specific reduction rates. So from commercial to residential there were, it's a 31% reduction. And from retail within retail, because there's more than one type of retail on this site, is a 20% reduction. So that was---the internal capture rate, that was a reduction on that.

The next reduction we applied was the beginner and intermediate ski runs. So when the original study was done, that was not known at that time, so we applied 10% reduction on the fact that not everybody is going to have to now drive down to the base of Park City Mountain Resort to get, to go skiing.

Once again, the trips and all the analysis is done on a typical ski day, so we tried to apply---some people are going---intermediate and beginner skiers will obviously hop on there, and probably even the more advanced skiers.

And then the last reduction was the Cabriolet that is part of this development. It's anticipated to carry roughly 2500 people per hour. It has the ability to carry that. It's going to start before the a.m. peak and it's going to run after the p.m. peak. So those people who are on-site and want to go down to Main Street or other activities, we anticipate they're going to use the Cabriolet, so we applied a 30% trip reduction for the Cabriolet.

Commissioner

Thimm: What percentage?

Gary

Horton: 30%. So, other items that could be applied for trip reduction but were, not, they're called pass-by trips. These are people that are already in the area that could be, instead of driving down through the intersection might use some of the amenities on site. While that, I think, is realistic, we didn't apply it because trying to be conservative and we assumed that wouldn't happen. Not that it couldn't, but that it wouldn't.

The other one that we honestly believe that will happen, is pedestrian and bicyclists. But once again, to speculate what that number would be is fairly difficult. So it would be conservative. We assume there would not be any trip reduction based on pedestrian movement. Will there be? Yes. We anticipate there will be, but we didn't reduce trips for that.

Commissioner

Thimm: Quick question.

Gary

Horton: Please.

Commissioner

Thimm: How do those percentages work? You start at 100% and then do you subtract each one of those percentage of reductions from 100% trip generation?

Gary

Horton: We reduce those trips, let me back up a slide, from the trips that are generated specific to the land use ie. for, let me double-check here, for the---I want to give you, try and give a simple example if I could. So, for the ski reduction, the 10%, it was only applied to the hotel, condominium, and townhomes. It was not---

Commissioner

Thimm: Okay, so it varies.

Gary

Horton: Yeah. It was not assumed for employee housing that it would be reduced, because we assume that employees will be working on a busy, on a typical ski day.

Commissioner

Thimm: Gotcha. Okay.

Gary

Horton: It wasn't applied to commercial because we didn't anticipate people will go to commercial and then say, oh, hey, let's go skiing from there. Could they? Potentially, but, we tried to apply it to those that seemed most applicable.

Commissioner

Thimm: Okay. All right.

Commissioner

Phillips: So, the Cabriolet, you said 30%?

Gary

Horton: Correct.

Commissioner

Phillips: That is 30% of all traffic? You anticipate displacing 30% of the traffic to the site?

Gary

Horton: 30% reduction on a trip generated. So once again, just the trip generated for the project, we reduce 30% assuming that instead of driving down to Main Street or wherever I would be, instead, 30% of them would hop on the Cabriolet to go somewhere.

Commissioner

Band: So we, but that, by that, you mean, that 30%---you anticipate 30% of the people leaving are going to Main Street?

Gary

Horton: During a peak hour.

Commissioner

Band: Okay.

Gary

Horton: Or to the bus system because the bus system comes right to the street. Part of the thought process was, if there is congestion, and I've, and I'm on-site, I know that. If I'm going to leave somewhere in the peak hour and I really have to go, then I'll probably take the Cabriolet. 30%. If I'm just going to a restaurant or something like that, I'll take the Cabriolet. If I really have to go to Smith's, there's still, you know, 70% may still hop in their cars. So it was the assumption during the peak hours that it---instead of hopping in a car, 30% would go via Cabriolet. Is that over the whole period of the day? No, it was just applied for the peak hour. Once again, that's what we evaluate.

Commissioner

Band: Okay. And, and actually I was curious since we're asking questions.

Gary

Horton: Yeah.

Commissioner

Band: How did you figure the internal capture rate without details on the business mix?

Gary

Horton: It---similar, in ITE trip generation manual they don't have when they---when they give that, a lot of times they don't have exact commercial elements of everything. Similar, like from a retail, what they have in ITE is retail or commercial to residential. So if I'm living there, it's shown by their---what the analysis and numbers they've found over the history is that roughly 31% will use the amenities on-site. So instead of driving off-site, they're going to use what's there. And the different commercial components change for different projects. So once again, we understand these are the kind of conversations

that may bring comments back from Staff, and I'm fully aware of that. We have to start somewhere with that application, with the understanding there may be comments and I'm fully aware of that.

Chair

Strachan: And what are, what's the 30% based on? What's, what's your basis for those numbers?

Gary

Horton: 30% is what we used in the original study, on the original study that was concurred with. And a third party engineer reviewed it and they agreed with that number. Some people have told me I think that's low. So, it's, honestly, it's somewhat of a speculative number, but it's the best we can do with---not too many developments of this size or a project of this size have a personal, what I'll call a personal people mover to that many amenities. So the ability to have that, I think, creates a very significant opportunity for people to go to local attractions without having to hop in a vehicle.

Chair

Strachan: So that, that 30% applies to the Cabriolet. There's other percentages in here, like 16% hotel trip generation was reduced by 16%. Where does that 16%, what's that based on?

Gary

Horton: So the number at ITE was actually 31% for residential to commercial. It's actually 31%. There wasn't a hotel but once again, my experience from the traffic engineering, people at the hotel I also anticipate will use the commercial on-site. So instead of, if I'm staying at a hotel, if there's something on-site, ie. a restaurant, I'm assuming that roughly 16% of them would go to that instead of going off-site to a similar restaurant on, on 248 or 224 or down at the junction. So, once again, these are the types of numbers that, based on traffic engineering and experience and knowledge, that are applied, fully understanding there, there may be comments.

Chair

Strachan: I guess what I'm trying to figure out, is where you didn't base the 30---like in the 30% example, you based that on the prior study that was done many years ago. But the new one, 16% or say 20% in the next bullet point on page 91, I mean, why wouldn't it be 17% or 14%. I mean, how do you know that?

Gary

Horton: In the previous study there wasn't what we call mixed land use. ITE hadn't had that kind of information in the current addition. They finally started providing documentation about trip reduction based on mixed land uses.

Chair

Strachan: But then you've picked certain numbers to reduce beyond what ITE has suggested.

Gary

Horton: Correct.

Chair

Strachan: And what did you, what were those picks based on?

Gary

Horton: The ski run was a pick. There is nothing in trip, ITE trip generation for ski runs next to a ski resort. They're just not that detailed. They're specific, site specific. Similarly, the Cabriolet for a, for a mixed use development. Most developments don't have a Cabriolet hooked up to their development.

Chair

Strachan: And remind me what that pick of 30% for the Cabriolet reduction was based on in the original study.

Gary

Horton: It was an estimate.

Chair

Strachan: Based on what?

Gary

Horton: Traffic engineering experience and knowledge, and knowing that if it's there, people are going to use it. We had conversations with Staff at the time to try and find a number. To assume nobody didn't seem right. To assume 70% probably was too much. So we honed in at 30% and it seemed to agree. And that's when they went to a third party study and they agreed as well.

Chair

Strachan: Okay.

Gary

Horton: Somewhat have to take an estimate and without a specific experience. And there's not too many relative developments that have a people mover that move to the same type of amenities. And even if you did studies there, they may say, well, the amenities there are different than this and, and the development here is different than the development being proposed. So.

Chair
Strachan: Okay. Thanks.

Gary
Horton: So with those trip reductions, these are the anticipated traffic volumes, once again, after construction is complete, occupied, and 20 years in the future.

So that was how we gathered all the volumes, traffic volumes for existing, future, and future with Treasure Hill.

The next thing we did was the traffic analysis on the site. The last time I was here it was asked---we, I did kind of, I tried to do an explanation of traffic engineering 101. It was asked, how did we come up with the levels of service and the level of delay. This is the table that is used and it comes out of the 2010 Highway Capacity Manual, and from the Transportation Research Board. As you can see there's different levels of delay, and those are seconds for unsignalized intersections and signalized intersections. Level of service off to the far left of A, and kind of a description of the delay. So when I talk, when I go forward here, that's the reference for the level of service.

So, under existing traffic conditions, the one intersection, so level of service, after Level of Service D, when you get to level of service E or F, is typically when agencies look to make improvements to improve traffic operations at an intersection or roadway. Under the existing traffic analysis, the only intersection that creates concern is in the p.m. peak, and it is the p.m. specifically. But typically, if you make improvements for the p.m., it also improves the a.m. You can't make them, typically, for just one hour or one portion of the day. So, those were the existing. When you look at traffic volumes for the future and run the same analysis, the same intersection, Empire Avenue and Silver King begins to fail, and in parenthesis is the level of ser-, or the seconds of delay.

The other intersection that you'll see highlighted in red that starts to fail is the Lowell Avenue and Silver King. That is a direct result of the Empire/Silver

King delay. And I'll show why that's the case. If you---on this next slide, the Empire Avenue/Silver King intersection, if you install a roundabout or, or you implement a traffic signal, the level of service goes to an A and the delay only goes to 7.7 seconds. Or B in the evening, with 11.9 seconds. With that implementation and nothing new at the Lowell Avenue/Silver King intersection, it goes up to a level of service A or B. It's because Empire Avenue and Silver King with a stopped controlled condition, it backs all the way up to Lowell Avenue and Silver King. So then it prohibits that from operating. So when we do the analysis, it actually takes the surrounding intersections into consideration. So there really are not any improvements required at Lower Avenue and Silver King. Just the improvement at Empire and Silver King solves that.

The reason I put Park Avenue and Deer Valley on there, while they operate at a Level of Service D with some simple re-timing of the signal, some of the movements of the intersection improve. So the overall level of service remain D, but with some minor tweaking of the signal, some, some legs of the intersection won't feel the delay. They will if it's not modified.

So, a future traffic analysis with Treasure Hill, assuming those improvements are made, because once again that traffic analysis is with or without the development before. With the development it's assumed that the City would implement those changes one way or another, just for the traffic operations that are required in the area.

So, some Traffic Demand Management Strategies. It's one of the items that the Staff requested that we hone in on and make sure we clarified with this addendum. We've talked about the Cabriolet. It's a significant traffic demand management strategy. Once again, not, not too many developments build their own people mover to allow people to come and go from the site.

Ski runs and trails, while it's hard to calculate, once again, the two that we talked about previously has a huge amenity, especially considering all the operations are on a peak, on the peak winter days when skiing creates some of the major traffic operation challenges.

Being a mixed use development also minimizes traffic out on the roads because it, it, to the best of ability keeps them on-site and sharing the uses. That's a good thing.

Three other items that were added in this Addendum was incentive for employees that may not be living on the site. They'd like to try to incentivize the employee to use public transportation or the Cabriolet to access the site. That's one of the commitments they'd like to make. Once again, these, these two are not included in the traffic analysis or trip reduction, but still commitments that are willing to be had. The other one is a shuttle system for the airport to help people get to the site, whether it's specific to Treasure Hill or whether it's in combination with a current private service. They'd like to apply a shuttle system and help reduce the number of single occupancy vehicles on the road. And the other traffic demand management strategy is during construction, to the best of ability, have employees that could park off-site and be shuttled or use public transportation to get to the site. There are some people with specific tools that may need to have their vehicle there to access their tools, so there needs to be a little flexibility. But that's one of the strategies that's going to be applied.

So, after that we also did a parking analysis. This was an update on Addendum, and I want to say 3 or 4 or 5, I can't remember at this point. I can go back and tell you. Similar to the traffic analysis, there is a fourth edition of the ITE or Institute of Transportation Engineers parking generation manual, once again applying the same numbers; the hotel, employee housing, condominium, and commercial. We created from that book, or from that manual what would be the anticipated parking generation needs, with no reductions.

Once again, due to the type of development it is, it's anticipated there would be a parking reduction. So, in this parking reduction, different than the traffic analysis, though, I'm going to relay a couple of scenarios that help identify why the parking reduction is not at the same rate. So example, patrons could use the hotel and then access Main Street via the Gondola, and/or employees who live on site walk down to work or down to Main Street. Once again, while a trip could be reduced, that doesn't mean that the parking---their vehicle may be parked there and they may head off-site. So that's why the parking reduction can't always go at the same rate.

The other item to be concerned about is, we wanted to make sure there was sufficient parking for the needs because we do not want parking to be spilled out on to the surface street or out and around. Even though it may be legal, it's not what is planned for the development. They will want to

contain their parking within their site. So for the residential uses, meaning the condominium townhomes and employee housing, the parking was reduced by 10%, once again similar to a number that was put in the previous addendum. And the hotel resort was reduced by 20%. And with those numbers--- and the 20% actually relates directly back to what was applied in the traffic analysis section. So we tried to keep it an apples to apples comparison as, as best we could where it applied.

Commissioner

Phillips: Can I ask a question real quick?

Gary

Horton: Please.

Commissioner

Phillips: So on the commercial, both parking and on the traffic, that's based off of kind of your average for similar projects?

Gary

Horton: Correct. For these types of uses, what we do is we go into like a hotel, we look up the number of units or the number of square footage of the building; sometimes they have both. And it gives you a calculation of here's how many trips or here's how many parking spaces for that size of a hotel.

Commissioner

Phillips: The only, you know, the only reason I'm, I'm, I'm wondering is because the commercial here is not intended to be used as a destination for people that are not on site, so in my mind I'm just thinking that the commercial, there shouldn't be a whole lot of additional parking spaces needed since in theory, everybody going to that commercial should already be on-site in a hotel room. So they shouldn't need, say two parking spots.

Gary

Horton: I actually appreciate the comment, and I apologize, I meant to bring it up earlier. If you look at the amount of commercial that's located here, it is, let me look real quick. It is not the total amount of commercial that is on the, and I may not get this right. Currently, the current application, is that a correct statement?

Pat

Sweeney: Correct.

Gary
Horton: Okay.

Pat
Sweeney: About the same as what we've been talking about in 2009.

Gary
Horton: And---sorry. I'm glad you brought that up. I meant to actually underline this earlier. Part of the reason is, is similar with parking and with traffic analysis, if you look in the ITE Manual it states, "Hotels are places of lodging that provide sleeping accommodations and supporting facilities, such as restaurants, cocktail lounges, meeting and banquet rooms, limited recreation facilities, like a pool, and/or other retail space and service shops. So you'll see in the report, in the appendix is a layout of the commercial. That area that is, was directly connected with the hotel, we reduced that amount of commercial for trip generation, and also for parking generation with the assumption that it is a support use to the hotel. So the 17,470 is, from my review of that would be, that area that doesn't look like hey, I'm staying in hotel room 202, walk downstairs, I'm going to go use this facility. I would have had to walk out on the site and maybe down a level or down a sidewalk. So, that's why there is still trip generation and parking generation for that portion of the commercial to be safe that the appropriate amount of parking is available. But it is not, it does not account for all of the commercial.

Commissioner

Thimm: So when I was, when I was looking at it, that was the one number that kind of stuck out to me, because that works out to be like 8-1/2 stalls per 1,000 square feet of commercial which seems---well, for a restaurant I guess that would be okay, but if there's like other commercial, I, I would think that, it, it seemed to be high for, for that, and not low and not reduced.

Gary
Horton: Understood. And that's straight out of the ITE Parking Generation Manual. I didn't take in the fact that, you know, this is specific to this area or anything like that. It was strictly a national standard that was applied

based on their counts at commercial for, you know, this is their fourth edition. I don't remember how many times they've counted and how many locations, but based on that information.

So in, in summary, I've run through the TDM Strategies and the Summary and Conclusions, and recommend to implement all the TDM Strategies that were talked about and discussed. The improvements that were proposed at the Empire and Silver King Drive intersection, whether Treasure Hill is on board or not, whether that comes on board or not, are required and necessary, and needed at some time between now and in the future that's sometimes failing right now during winter peaks. And while Treasure Hill will add traffic to the roadways, the intersections, and the surrounding corridors with improvements that are proposed with or without Treasure, the traffic operations in the area can continue to operate. That was, in short, the summary of---

Director
Erickson:

Gary, would you clarify for the Planning Commission. I'm looking at your Table 8, future levels of service. And if I'm reading them correctly, I'm seeing, except for Empire and Silver King I'm seeing Levels of Service A and B pretty much consistently throughout that table; C and F at the end of the day. But would you clarify for the Planning Commission that the trip generation that's at peak hour is with all of those reductions that you identified, right?

Gary
Horton:

Table 8 is without Treasure Hill.

Director
Erickson:

Okay.

Gary
Horton:

So this is an analysis whether Treasure Hill is occupied or not.

Director
Erickson:

Okay. So, I'm, I'm sorry, then go to Table 10, then.

Gary
Horton:

Okay.

Director

Erickson: I misread that. Table 10, same question. Are you running the hotel peak hour arrival and departure at that 65% occupancy, or are you running it at the 82 or whatever number you're running it at?

Gary
Horton: This was with the trip reduction.

Director
Erickson: So this is all the trip reductions---

Gary
Horton: Correct.

Director
Erickson: That you're, you're taking from that original trip generation for a hotel at 65% occupancy.

Gary
Horton: Correct.

Director
Erickson: Okay. So we're going from 80, 80 some occupancy down to 65.

Gary
Horton: 65.

Director
Erickson: And then the rest of the trip reductions. And then we get these Levels of Service A and B in the morning, and then you could see what's happening in the afternoon.

So just wanted to clarify that for you while you're becoming traffic engineers.

Gary
Horton: I did my best to simplify as---

Director
Erickson: No, no, no, it's, it's fine. We're, we're bringing folks along here, and so there you go.

Chair

Strachan: And why on Table 10 are there blanks on that overall intersection LOS?

Gary

Horton: Because for unsignalized intersections they only calculate the worst level of service at one leg because it's not an overall equality thing. If I'm on the stop leg I don't have the right-of-way, so that's typically where the delay is accounted for. So if I'm on the through street I may not have to stop. And if I were to give you an average of those two, I may be F here and A here, and I may say the overall intersection is C, so you're okay. So that's why at unsignalized intersections it focuses on just the worst leg of the intersection. So on the right-hand side is overall intersection because those are signals or roundabouts. On the left-hand side are all the unsignalized intersections. So it's specific to a leg.

Director

Erickson: Just to be clear for the Planning Commission, these levels of service are at the intersection, not the roadway traveled surface, right?

Gary

Horton: Correct.

Director

Erickson: So when you're looking at this thing, this is just what's happening at each end of the intersections, not what's happening in the middle of the street.

Gary

Horton: So, yeah. And the reason the intersections are the focus is typically that's where all the delays were found. You might find minor delays along the way, but typically it's at the intersection where we stop, we drive, we stop. So that's why it's focused on that.

Chair

Strachan: So with the reduction in occupancy rate from 82 to 65, is that normal? I mean, what's the basis for doing that?

Gary

Horton: It's typical for a development like this. I've---we've run analysis, if, if it was required and the Staff wanted we can run it before and after. But that's to paint a picture of what reality is upon occupancy and a winter time frame.

People are going to use the ski resort. You know, that was numbers based on the peak occupancy rate, and it's in the appendix of the report. That's actually, the peak in 2014 was 65%. It's actually lower than that in many other, most times of the year, so---

Commissioner

Band: Is that across the Board or in a specific? I mean, where across the Board of the occupancy is it 62 or 85 percent in town on President's Day weekend?

Gary

Horton: That was Summit County. That was the whole Summit County area. That was what they reflect it as.

Commissioner

Band: For the entire Summit County, but are we talking like, you know, what was the occupancy of the Marriott or the, you know, what the actual resort ski in/ski out.

Director

Erickson: So the other, the other clarification we're going to ask Gary to make, is when we're talking about occupancy is that total number of rooms occupied, or is that heads on beds or is that pillows. Because if I understand the Chamber Bureau numbers, they're actually counting heads on beds or pillows. So you could have a four, four bed---an occupied room that sleeps four with only two people in it.

Commissioner

Band: Okay.

Director

Erickson: And that would---right?

Commissioner

Band: And that goes into the---

Director

Erickson: And that would count as 50% occupancy.

Commissioner

Band: That makes more sense. Okay.

Director

Erickson: Right? So when you look at that report that Gary has referenced, look and see how they're calculating the occupancy, and how many heads on beds are really in that model. It also accounts for the condominium projects. So if you have a second homeowner staying in your unit over Christmas, it's not counting generally as a hot bed or a nightly rental bed.

Commissioner

Band: Right.

Director

Erickson: So those tend to skew the numbers a little bit. And I know Gary's accounting for them in there and he's displaying the report for you, so when you read it those are some of the things you're going to be watching for.

Commissioner

Band: Okay.

Director

Erickson: As you try and understand going from what these numbers are telling you to what experiential levels are.

Public: [Inaudible.]

Director

Erickson: Hold on. We're going to get to public comment in just a second. We need to get it on the record and Mary needs to---so hang on. We'll get there. I promise I'll try not to forget. I'm at three mistakes already tonight, so who, who's to say. Okay?

That's all for me, unless you had another question for me, Melissa.

Commissioner

Band: No.

Chair

Strachan: All right. Any other questions.

Commissioner

Band: I do, actually, have another question. I know you didn't factor this, and this might be for your, Pat, but---I know you didn't factor this into the trip reduction, but what are the incentives for employees that are, are, you're thinking of that might actually work. I don't think we've had a huge amount of success in town for incentives for employees and, and not getting in their cars and driving to work. So, just curious about that.

Pat

Sweeney: We're going to both try on that one. Obviously, it's challenging because this is not a country where you can, you know, persecute people if they don't do exactly what you tell them to. It's a free country. I think the most effective incentive is the paycheck. And if you increase that, I think that would be most effective. If, if for certain behavior you reward people. But you, you know, you can't tell people that they're different.

Gary

Horton: Yeah, that was going to be my comment as well. Financial is generally, if it's in their pocketbook they'll generally respond the best.

Commissioner

Phillips: Or if you charge your employees for parking.

Commissioner

Band: Yeah.

Gary

Horton: Or, I said, there's, there's a, you can look at the positive side or the negative side. Either way you want, or, yeah.

Commissioner

Band: I have a few ideas just in case you---

Gary

Horton: Yeah.

Pat

Sweeney: And we're, and we're, we're all ears.

Commissioner

Band: Okay. That was my, that was my question.

Chair

Strachan: All right. Any more questions? All right, without any questions let's open the public comment on Treasure Hill CUP. Anyone from the public wishing to speak on this item please step forward and sign in.

Public Comment

Nikki

DeForge: Just very briefly. Nikki DeForge here for THINC. We do have a number of comments and concerns with the traffic report that we've seen so far, but we do want to wait and see what the Staff report comes up with. And so at the next meeting we'd like to make sure that we have enough time reserved to make our comments at that time.

Chair

Strachan: Thanks. I'm seeing no one else from the public.

Director

Erickson: Did you want to ask your question? [Inaudible.]

Chair

Strachan: Oh, yeah, sorry.

Kyra

Parkhurst: Thank. I forgot about it.

Director

Erickson: Okay. So go ahead and sign in and make sure you have a green light on your microphone, and let Mary know what your name is, and re-state the question.

Kyra

Parkhurst: I just want to know in any of the analysis, you're talking about hotel lodging and that. But so, so much part of our town, especially the Old Town area are second homes that are being rented for rental income or people are now using Airbnb, which Airbnb didn't even exist when this was approved 30 years ago. So, you know, is that, are those numbers included in any of the studies.

Director

Erickson: So we'll go ahead and have a look at the Chamber Bureau numbers that they're providing.

Kyra

Parkhurst: Okay.

Director

Erickson: I suspect that 2014 probably doesn't look at the full impact of Airbnb and VRBO. But the traffic counts that, what were accomplished during peak hour this year, certainly are identifying those trips that are on the street.

Kyra

Parkhurst: Right.

Director

Erickson: So if Airbnb folks are driving around in 2016 and 2017, we're capturing those. How that correlates to the number of rental beds, we're still working on that one.

Kyra

Parkhurst: Yeah. Okay. We'll have more next week after we [inaudible].

Director

Erickson: Okay. It's fun reading.

Chair

Strachan: Anyone else from the public wishing to speak on this item? Seeing no one we'll close the public hearing.

End of public comment

Chair

Strachan: One question I have. At the end you're summary and conclusions on your report on page 30, which is page 108 of the packet, are those bullet points all of the mitigation that you guys intend to implement? Are there any other mitigation, traffic mitigation things you're going to do that aren't bulleted there?

Gary

Horton: I think so are the current plan commitments. I think Pat said they're open ears if there was something suggested. But that was, that's the list that we've been able to come up with.

Chair
Strachan: Okay.

Pat
Sweeney: And to answer that further, Adam, I think that's, those are things that rise to a certain level of substance. I mean, there's obviously in every development intangibles, but we didn't, we didn't want to go there.

Chair
Strachan: You didn't want to go there, why?

Pat
Sweeney: Because it's, it's---

Chair
Strachan: Too speculative?

Pat
Sweeney: It's speculative, yes. I mean, it's trying to predict or tell people what to do. Very hard to do.

Chair
Strachan: Okay. All right. Anything else?

Commissioner
Thimm: Francisco, we kind of talked earlier about the possibility of a third party traffic engineer being brought in. When, when you deal with traffic engineers as, as was mentioned tonight, you know, you deal a lot with their experience and background and that sort of thing. And part of it is, is kind of the educated opinions based upon history and what they've seen and that sort of thing. And I think it would be very wise to very, very strongly consider testing those presumptions with a third party. If a third party is brought in, one of the things that just stuck out in, in the report as I read it was, was the reductions and the basis of the reductions. And I know that there are reasons for reductions, but I would like those to be particularly looked at, I think, if there's a third party traffic engineer. Along with, and I didn't see anything, I might have overlooked it, but I didn't see

anything about, you know, what happens in a really, really heavy day right in the middle of construction. There's construction traffic and trucks and that sort of thing. And I'm wondering if there wants to be some analysis of what is going to happen on a very heavily traveled day when we have construction traffic workers, along with deliveries of materials and that sort of thing to a job site.

Director

Erickson: Commissioner Thimm, I think we will seriously consider a third party engineer, whether we're---it's going to depend a little bit about what comes out of our folks. And then second, if the Planning Commission---if, if we're getting a divergent opinion on one of these issues, then we would probably use third party to give us another set of eyes.

Commissioner

Thimm: Okay.

Director

Erickson: But that's our strategy going forward. We can change.

Chair

Strachan: And one last question. The other, the prior traffic studies, 2003 and 2004 and in 2009 had lots of different analysis points like safety and so forth. You're Addendum 7 doesn't have that. Are we to assume then that the prior reports are still, at least in your opinion, up-to-date and controlling.

Gary

Horton: Yeah, I think those are still valid, but I can, I will definitely verify that before I---this was labeled draft, anticipated there may be comments from Staff. So before that's finalized if there's, I'll re-review those and if there's any concerns I'll address it with this report or addendum.

Chair

Strachan: Yeah, that would be good. I mean, at some point we're just going to have to have a final---

Gary

Horton: Final, final.

Chair

Strachan: Final, final from you where you say that these are the list of mitigations, period. End of story. And, you know, these are the safety things that we've taken into account, period. End of story. We can't have, well, we're still thinking about it---

Gary
Horton: Understood.

Chair
Strachan: And we might come up with something later.

Gary
Horton: I would say they're still valid, but I'd like to review them one more time.

Chair
Strachan: If, if they need, if you need to come up with something later, now is the time, right?

Gary
Horton: Right, right.

Chair
Strachan: Because we're trying to move this along per your request.

Gary
Horton: Safety, safety standards typically don't change over time. If they're said once they're still valid. There may be additional information, but typically what was said generally is still valid there. So it will be more along the lines, while this was said earlier, along with that, this may be considered as well.

Chair
Strachan: All right. Yeah.

Planner
Astorga: If I could comment on that. Even though this study was labeled the 7th, it is not the 7th document. I've got---

Chair
Strachan: Yeah, I couldn't find five, six or four.

Planner

Astorga: But there's, there were---no, they're there, but there are other documents that Gary also produced that weren't given a number. So, would say your recommendation is ideal from the amount of work I have to do in terms of there are a lot of different transportation topics that were discussed at many different meetings, and it is extremely time consuming and difficult coming up with what was the final word on that specific issue than the other, than the other, than the other. So what you're saying makes perfect as far as the work that I need to do. And it would be great to do that. I don't, I don't think he's focusing solely on public safety, but we're looking at sidewalk locations and snow removal and all of the other discussions that have taken place throughout this process.

And while I have all the Staff reports and meeting minutes, it is extremely difficult to see, to try to remember or look at the minutes and see what did they commit to do, what did the City indicate needed to be done. So I think the final document or the, the latest and greatest would be a great addition to this packet, this packet of information. There's more than 15 traffic documents created by PEC, by Alta Engineer, by other consultants that have been brought on. So I think that's a great idea to come up with a, more of an up-to-date report. It doesn't have to be a final. I think that as we go through this process you have the ability to amend it per the specific direction that the Planning Commission may give you as you're trying to seek an approval, but it would be more of an up-to-date type of document. I think that, that's what your, that's what your comment is intended to, to indicate, right?

Chair

Strachan: Yeah. Yeah. Yep. Yeah, for instance, in the, in the June 25th, 2009 6th Addendum to the Treasure Hill Impact Analysis of 2004, PEC, which is you guys, your, your [inaudible]. I want to know whether you dispute anything in that anymore, or whether that thing still stands. And if it needs to change, then you got to let us know, all right? Okay. Anything else? All right. Let's, we're continuing this to what did we say, June 12th.

Mary

May: June 14th. June 12th is a Monday.

Chair

Strachan: Is it the 14th. I don't have a calendar.

Planner

Astorga: Is it? Oh, I have two more days.

Chair

Strachan: Lucky you, Francisco. Two full days of Treasure Hill extra for you.

Planner

Astorga: It's the 14th.

Chair

Strachan: All right. Looking for a motion to continue to June 14th.

MOTION: Commissioner Thimm moved to CONTINUE the Treasure Hill Conditional Use Permit to June 14, 2017. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

3. 243 Daly Ave – a Plat Amendment Requesting to Combine Two Existing Lots located at 243 Daly Avenue into One Lot of Record. (Application PL-17-03469)

Planner Anya Grahn reviewed the application for a plat amendment to combine two existing lots. She noted that they were looking at two tax parcels. The applicant would like to remodel the house and add an addition, which would require a steep slope conditional use permit. However, this request is only to remove the interior lot line between the two parcels.

Planner Grahn remarked that some encroachments on the site, such as a retaining wall, a historic garage and a fence, would be resolved with this subdivision. The City Engineer would also receive the typically required 10' snow storage easement. Planner Grahn noted that this was a Landmark site.

Chair Strachan asked about the HDDR in the process. Planner Grahn replied that the applicant submitted the HDDR and they had received approval from the HPB for the material deconstruction. Planner Grahn stated that she only needed to finalize the HDDR and add a condition of approval requiring that the applicant come back to the Planning Commission with a Steep Slope CUP.

Chair Strachan asked if there would be additional historic review or just the Steep Slope CUP. Planner Grahn replied that there would not be additional historic review. Director Erickson asked about the preservation plan. Planner Grahn replied that the preservation

plan is part of the HDDR. The Staff was reviewing and approving the preservation plan, and a financial guarantee on the house would be recorded prior to construction. The building permit for construction cannot be issued until the Steep Slope CUP is approved. She noted that the Planning Department had not yet received the Steep Slope CUP application.

Chair Strachan clarified that no other process was held up by the Steep Slope CUP. Planner Grahn replied that the building permit would be held up but the historic reviews could proceed.

Chimso Onwuegbu, the project architect, was present to answer questions.

Chair Strachan opened the public hearing.

There were no comments.

MOTION: Commissioner Phillips moved to forward a Positive recommendation to the City Council for the 243 Daly Avenue Subdivision, based on the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 243 Daly Avenue

1. The property is located 243 Daly Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. It is identified by the Summit County Recorder as tax parcels PC-627-A and PC-630-MS. The proposed subdivision creates one (1) lot of record.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Landmark.
5. The Subdivision removes one (1) lot line going through the interior of the property.
6. The proposed Subdivision combines the property into one (1) lot measuring 5,552.93 square feet.
7. A single-family dwelling is an allowed use in the District. A duplex is a conditional

use in the District.

8. The minimum lot area for a single-family dwelling is 1,875 square feet. The proposed lots meet the minimum lot area for single-family dwellings. The minimum lot area for a duplex is 3,750 square feet.

9. The proposed lot width is 27.8 feet along Daly Avenue. The minimum lot width required is twenty-five feet (25'). The proposed lot meets the minimum lot width requirement.

10. The maximum building footprint allowed based on proposed lot size of 5,552.93 square feet is 2,032.26 square feet. The historic house equates to a footprint of approximately 974 square feet.

11. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.

12. The minimum front/rear yard setbacks are fifteen feet (15'), for a total of 30 feet. The historic house has a front yard setback of 35 feet and a rear yard setback of 82 feet.

13. The minimum side yard setbacks are three feet (3'), for a total of six feet (6'). The existing historic house has a side yard setback of five feet (5') along the north property line and two feet (2') along the south property line.

14. The historic shed at 239 Daly Avenue encroaches over the shared property line and into the 243 Daly Avenue property by one foot (1'). The shed has been designated as Significant on the City's Historic Sites Inventory.

15. There is also a non-historic fence along the shared property line and non-historic railroad tie retaining wall that extend between the two properties at 243 and 239 Daly Avenue.

16. The property is located in a FEMA Flood Zone A.

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

Conclusions of Law – 243 Daly Avenue

1. There is good cause for this Subdivision.

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

Conditions of Approval 243 Daly 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 will record the plat at Summit 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 ten feet (10') wide public snow storage easement will be required along the Daly Avenue frontage of the property.
4. The property owner shall resolve the encroachment of the fence and railroad tie retaining walls over the north (side) property line either removing the retaining walls or entering into an encroachment agreement with the neighbor at 239 Daly Avenue.
5. An encroachment agreement for the historic garage at 239 Daly Avenue is recommended.
6. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
7. Ten foot (10') public snow storage easements shall be granted along Daly Avenue.
8. New construction shall comply with Land Management Code Section 15-2.2-3 regarding setbacks, building height, building envelope, building footprint, etc, as well as the Design Guidelines for Historic Districts and Sites.
9. The property is located in a FEMA Flood Zone A. The lowest occupied floor shall be at or above the Base Flood Elevation. An elevation certificate will be required.

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The Park City Planning Commission Meeting adjourned at 6:50 p.m.

Approved by Planning Commission: _____