



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
APRIL 26, 2023**

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

EX OFFICIO: Gretchen Milliken, Planning Director; Rebecca Ward, Assistant Planning Director; Alexandra Ananth, Senior City Planner; Virgil Lund, City Planner; Olivia Cvetko, City Planner; Jaron Ehlers, City Planner; John Robertson, City Engineer; Mark Harrington, City Attorney

1. ROLL CALL

Chair Laura Suesser called the meeting to order at approximately 5:30 p.m. She confirmed the presence of all Commissioners, with the exception of Commissioner Henry Sigg, who was excused.

Chair Suesser reported that immediately prior to the meeting, the Planning Commission conducted a site visit at 2200 Monitor Drive, the Holiday Village Apartments Affordable Master Planned Development and Conditional Use Permit ("CUP").

2. MINUTES APPROVAL

There were no minutes for approval.

3. PUBLIC COMMUNICATIONS

There were no public communications.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Gretchen Milliken reported that Staff did not have any communications for this meeting.

There were no communications or disclosures made by the Commissioners.

5. CONTINUATIONS

- A. Parcel ASR-1 - Meadows Drive Trailhead & Parking Area Conditional Use Permit- The Applicant Proposes to Construct a Hard-Surfaced Parking Area with Greater than 5 Parking Spaces at The Meadows Drive Trailhead. PL-23-05575.**

City Planner, Virgil Lund reported that Staff recommended the Planning Commission conduct a public hearing on this item and continue the public hearing and consideration of the proposed Conditional Use Permit to construct a trailhead parking area at the Meadows Drive Trailhead to May 24, 2023.

Chair Suesser opened the public hearing. There was no public comment. Chair Suesser closed the public hearing.

MOTION: Commissioner Van Dine moved to CONTINUE Parcel ASR-1 – Meadows Drive Trailhead to May 24, 2023. Commissioner Hall seconded the motion.

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

- B. Parcel PCA-103-A-X - McLeod Creek Trailhead & Parking Area Conditional Use Permit - The Applicant Proposes to Construct a Hard-Surfaced Parking Area with Greater than 5 Parking Spaces at The McLeod Creek Trailhead. PL23-05574.**

Planner Lund reported that Staff recommended the Planning Commission open a public hearing on this item and continue the public hearing and consideration of the proposed Conditional Use Permit to build a trailhead parking area at the McLeod Creek Trailhead to May 24, 2023.

Chair Suesser opened the public hearing. There was no public comment. Chair Suesser closed the public hearing.

MOTION: Commissioner Hall moved to CONTINUE Parcel PCA-103-A-X – McLeod Creek Trailhead to May 24, 2023. Commissioner Kenworthy seconded the motion.

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

6. REGULAR AGENDA

- A. 958 Woodside Avenue – Plat Amendment – The Applicant Proposes to Combine Two and One-Half Lots in the Historic Residential (HR-1) Zoning District. PL-23-05561.**

City Planner, Olivia Cvetko, reported that the applicant proposed to combine 2 ½ traditional 25' x 75' lots from the Snyders Addition to create a single lot in the Historic Residential – 1 (“HR-1”) District. There is currently a non-Historic home built on the Lot over existing Lot lines. Graphics were presented depicting the lot as well as a survey showing the lot, deck, and the location of the existing lot lines. She stated that the non-Historic structure was constructed over the lot lines in 1972. The proposed lot will meet the requirements outlined for this zone and would total 4,687 square feet. The proposed lot width will be 62.5 feet. The existing Building

Footprint is 913 square feet. If the lots were combined, the Code would allow a single-family home of up to 1,801 square feet in size.

Planner Cvetko also presented images of the existing streetscape and stated that the surrounding homes provide the context in terms of structure size. An additional graphic showed the proposed lot as well as the surrounding lots where Plat Amendment Subdivisions were approved previously. The lots outlined in green on the graphic were in a similar situation as the present applicant.

Chair Suesser asked about the other half of the 2 ½ lots that sought to be combined. Planner Cvetko reported that the owner to the south owns the other half lot. It was noted that the Kaiser Family owns the northern portion of the half lot and the neighboring property owner owns the south half of the half lot.

On behalf of the applicants, Martina Nelson, PLS from Park City Surveying reported that the Derr Family owns property outlined in green on the graphic and ownership is by deed. The Derr Family owns Lot 22 and half of Lot 21. Ownership was not the result of a Plat Amendment. These are platted lots and parts of lots, so the Derr's home straddles a lot line and is non-compliant. They do not have to do anything until they want to remodel or construct an addition.

Planner Cvetko indicated that Staff found good cause for the Plat Amendment in that it will support development that is consistent in scale, character, and use as the surrounding neighborhood. It will also create consistency in the streetscape and serve as a transition between the single-family homes and the adjacent condominiums. She added that the Plat Amendment will resolve an existing non-conformity as the current structure was built over two lot lines. She noted that the Historic zoning character will be retained and this lot will be subject to Historic Design Guideline review. No public street, right-of-way, or easement will be vacated or amended as part of the Plat.

Staff recommended the Planning Commission hold a public hearing, and consider forwarding a positive recommendation for the City Council's consideration on May 25, 2023, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as set forth in the Draft Ordinance.

Chair Suesser asked Staff to address the non-conforming building height of the current structure. Planner Cvetko explained that the HR-1 District calls out a 27-foot maximum building height and this building was constructed in 1972 with a height of 32 feet. Planner Cvetko highlighted Condition of Approval 5 in the Draft Ordinance which stated that no construction or remodel could increase the non-conformity. If new construction or additions were sought, the owner would have to adhere to the 27-foot building height requirement.

Chair Suesser observed that the structure is not historic and wondered if there was any scenario where the owners could keep the 32-foot building height if they remodel. Director Milliken explained that if the owner does not increase the non-conformity, they could potentially do an interior remodel; however, if there was a request to do anything that would expand the non-conformity, the owner would have to meet the building height restriction and bring it into compliance.

Commissioner Van Dine commented that the owner cannot expand upon the roofline and as long as any remodel is under the roofline, it would be permissible. Director Milliken added that

because the existing home is existing non-conforming, anything that will expand the home in any way, even if they were to add an addition that was underneath, would be considered an expansion of the non-conformity and require the owner to bring it into compliance and lower the roof line to meet the 27-foot requirement.

Chair Suesser wanted it to be clear that if the owner expands the home at all, either in terms of the building footprint or the roofline, the building would have to be brought into conformity. Director Milliken explained that currently, the home is existing non-conforming. If the owners were to expand the existing home, the entire home would need to meet the current Code. Chair Suesser indicated that if the home remains at its current square footage of around 900 square feet, the roofline could remain intact.

In response to an inquiry, Planner Cvetko stated that Condition of Approval 5 provides that if the home is expanded, it will have to comply with the Code at the time the application was submitted or at the time of Building Permit issuance. Commissioner Hall referenced Condition of Approval 8 which addresses this issue as well. Chair Suesser noted that an 1,800-square-foot home is typically on a single historic lot as opposed to 2 ½ lots. Planner Cvetko confirmed that the maximum building footprint for the proposed new lot would be 1,800 square feet. Commissioner Johnson noted that if they left it at 2 ½ lots, the allowed building footprints would total 2,111 square feet; however, by combining the lots, the allowed building footprint would be limited to 1,800 square feet.

Chair Suesser commented that the size of the home that could potentially be constructed on the new lot was out of proportion with the Historic District and would go against what the Code requires in terms of encouraging the combination of lots. She wanted to see a restriction on the size of the home that could be built on the 2 ½ lots so that it would be in scale with the Historic District. She considered the adjoining properties that have fairly large building footprints. Planner Cvetko explained that Condition of Approval 8 specifically calls out that the owner cannot exceed the maximum building footprint of 1,801 square feet.

Commissioner Kenworthy agreed with Chair Suesser that ultimately if there was a 4,500-square-foot home, it would not conform to the neighborhood. He explained that they have been addressing this issue in applications for over one year and it never came up as part of the Land Management Code ("LMC") amendments being reviewed by the Commission. He wanted to get a consensus going forward to include it in the LMC amendments so that they do not have to see many more of these types of applications. He reiterated that he did not find this to conform to the Old Town Neighborhood and Historic District. Commissioner Johnson was open to that suggestion and felt it was worth discussion. Commissioner Hall agreed.

Director Milliken commented that this issue was on the list of LMC amendments and noted that there was quite a bit of analysis required. They brought the issue before the Historic Preservation Board, who provided feedback. They also received good feedback from community members as well. She stressed that the proposed solutions were not easy and could not specify when they would come back before the Planning Commission.

Chair Suesser asked if the maximum building footprint was based on 2 or 2 ½ lots. Planner Cvetko indicated that it is based on lot width, which is 2 ½ lots.

Chair Suesser felt that the Planning Commission could come up with a compromise and restrict the building footprint to a home that will sit on two lots rather than including the extra half lot,

which goes beyond what the Code recommends in terms of lot combinations. She felt that might be a way to keep the house smaller. Planner Cvetko stated that the maximum building footprint for a 50-foot wide lot in this zone is 1,519 square feet.

Commissioner Johnson asked if the applicant would be willing to limit the building footprint to 1,519 square feet. Chair Suesser added that she would also request that the applicant center the building on the 2 ½ lots; otherwise, there might be a lot of pavement added on for a driveway. She would like to see this restriction so they do not get a house that would be outsized for this District.

Surveyor Nelson did not want to speak for the applicant but surmised that the applicant's son, Matt Kaiser, who was present on behalf of the owners, would request what would be allowable under the LMC as it currently exists. If the applicant would not be willing to deal, then the Commission could deny the application and the applicant would then have to wait one year to re-file the application. Surveyor Nelson noted that the applicants were not asking for anything special; rather, they were simply asking for what was allowable under the current LMC. Chair Suesser noted that the Code does not specifically encourage combinations of 2 ½ lots.

Surveyor Nelson was aware of the conversations of the Planning Commission on this issue. As she interpreted the Code, the maximum lot Area of 18,750 square feet could be a combination of up to ten typical Old Town lots. Referencing subsections (C) and (D), the Code might present a conflict in that it encourages size and scale while also encouraging combinations of typical Old Town lots. Chair Suesser interpreted subsection (D) as speaking to 25' x 75' Lots and encouraging combinations of those sized lots rather than anything larger. Surveyor Nelson interpreted the Code as allowing a combination of two Old Town Lots. In this situation, the applicant owns 2 ½ lots and it goes back to the process of deeding property from one landowner to another and being able to sell half of a platted lot. Chair Suesser agreed, which was why she interpreted subsection (D) as stated above and felt that encouraging the combining of two lots conflicts with the provision that encourages keeping the character and scale of the Historic District. Surveyor Nelson understood Chair Suesser's positions.

Surveyor Nelson reiterated her assumption that the applicant would request what is allowed in the current LMC and not be constrained by less than what was allowable in the Code. On behalf of the applicant, Matt Kaiser agreed and specifically referenced the house that was just built next door to this property. He stressed that they planned on building something that would be very appropriate and they would like to be able to use the property.

Surveyor Nelson commented that the house next door is located at 962 Woodside Avenue on the corner of Woodside Avenue and 10th Avenue. Planner Cvetko added that it was the north neighbor, mistakenly labeled 950 Woodside Avenue in the Staff Report. It was noted that 962 Woodside Avenue is on two Lots.

Chair Suesser noted that a larger home was built on 962 Woodside because two lots were combined. Not the applicant wants to combine 2 ½ lots and enlarge the building footprint. She felt this showed how they were moving away from the historic character in the Historic District.

Commissioner Kenworthy noted they had been talking about this for one year and Staff received input from the Historic Preservation Board. The public has a lot of problems where the LMC conflicts with the General Plan. He felt that 90% of the time, the General Plan gets it right but the LMC does not reflect the overarching commitment to Old Town, to Park City's historic

values, and to primary residents. He stressed that the conversation on this issue should not be delayed and asked Staff to commit to bringing this aspect of the Code back to the Commission. Commissioner Kenworthy questioned how many more of these they will have to address that are in direct conflict. He stressed that historic preservation is what makes Park City different than any other city. Commissioner Kenworthy commented that there is a large wealth gap, and they need to clean it up. He was not interested in hearing why this had to be delayed and wanted a set date.

Chair Suesser interpreted LMC Section 15-2.1 to not entitle the applicant to an 1,800-square-foot building footprint and did not feel that the Code encourages combining 2 ½ lots. She felt that restricting the building footprint was not outside the Commission's authority and based on subsections (C) and (D), she felt it would be wise to restrict the Building Footprint to 1,519 square feet.

Commissioner Hall asked Staff to share LMC Section 15-2.2-3, which is the Lot and Site Requirements section. Her plain reading of the LMC was that the Code specifically outlines how lots are to be combined in HR-1 and allow for widths of greater than 100 feet. Commissioner Hall's interpretation was that the LMC allows lot combinations and there was a formula for how it was to be accomplished. She also agreed with Commissioner Kenworthy's comments and felt that they should not have 200-foot-wide single-family residences. While the Code might allow it, the chart needs to be updated to place a cap.

Chair Suesser interpreted the chart as referencing existing lot combinations. Commissioner Hall submitted that it reflected that an owner could have a lot combination with a lot width greater than 100 feet and also provided a formula for calculating the Building Footprint. Chair Suesser commented that the Commission's authority was in allowing the lot combination, which is how they could control the character of the Historic District.

Commissioner Johnson asked to see where the 10-foot Snow Storage Easement would be located as well as the existing off-street parking being used for the residence. He asked if there was an Active Transportation Plan for the sidewalk going down Woodside and if this application would affect it in any way.

Planner Cvetko was unsure if there was a plan for this section of Woodside Avenue. She pointed identified the end of the paved road and noted that there was quite a bit of land between where the paved road ends and the parcels begin. She also identified the location of parking that has been used for this property since the 1970s. Planner Cvetko believed that the proposal would not impact active transportation. She acknowledged that the Snow Storage Easement was not called out on the exhibit. Surveyor Nelson stated that that was an oversight and would include the 10-foot Snow Storage Easement.

Commissioner Frontero struggled with the conflict in the Code and interpreted the Code to not necessarily encourage lot combinations. Even if the Code were interpreted the way it was being interpreted by the applicant, he felt it only applied to 25' x 75' lots and did not encourage combinations of half lots. He felt that the Code technically only allows 25' x 75' lot combinations. He agreed with Chair Suesser and was more willing to allow a combination of the two lots and not allow the half lot to be used for additional building. He would be in favor of the maximum square footage based on the two-lot combination.

Commissioner Van Dine agreed that this issue needs to be the top priority for LMC Amendments. She struggled with the concept that this application is the one to not be processed consistent with those processed previously. While she acknowledged that the Commission did not like the prior applications, she felt that if this were appealed the Code would be interpreted the way the Commission has consistently interpreted it over the years.

Chair Suesser noted that lot combinations of 2 ½ lots are rare. Commissioner Van Dine responded that the Commission has processed several lot combinations and struggled with taking the position that this application was the one that broke the camel's back. Chair Suesser reiterated that the 2 ½ lots make this application unique. Commissioner Van Dine did not disagree but interpreted the Code as encouraging lot combinations to decrease the density in these areas. Instead of two houses with a larger building pad, they would decrease the overall building footprint.

Commissioner Kenworthy stated that as a property rights advocate, he did not see the harm in taking two lots and conforming them to the Old Town scale they were trying to protect. Commissioner Van Dine did not disagree but noted that was not what the applicant requested. Commissioner Kenworthy felt that was an option for the applicants when dealing with awkward sizes. Commissioner Van Dine was in favor of processing the application as submitted. Commissioner Hall agreed and stated that many times she votes for things that comply with Code even though she does not like them. She noted that Commissioner Kenworthy was correct in that they have been saying for the last year that they do not like this Code, yet it has not been changed. When an application complies with the Code, they have to process it. Chair Suesser commented that it depends on how they interpret the Code.

Chair Suesser opened the public hearing.

Angela Moschetta commented that she knows the applicant's sister and stated that Mr. Kaiser's sister would say that her opposition to this application was not personal but consistent with how she keeps showing up to matters like this. She takes issue every time someone proposes a lot combination, Plat Amendment, or zone change especially in Old Town because they never sought to preserve the existing square footage of a home. Even when a house is designated as historic, applications are pursued so that people could build bigger and better and get more equity out of their property. Ms. Moschetta stated that these applications often displace year-round renters or turn properties into nightly rentals. With respect to Commissioner Van Dine's comments regarding consistency in terms of application of the Code, she understood how that could raise an issue. She requested that the Commission look at what is within their control since that would be how they condition this project.

While the applicant's representative stated that the applicant was only seeking what is allowed by the LMC, Ms. Moschetta stated that Utah is a conditional use state and how approvals are conditioned is not always the same. She noted they have seen people offer to build trails or schools, support commercial, or re-route roads. Ms. Moschetta wanted to see someone include meaningful Conditions of Approval that will protect the integrity of Old Town where the Code has failed. In addition to limiting the building footprint and possibly even square footage, they could also condition an approval that would limit nightly rentals. She agreed with the comments of Commissioner Kenworthy and Chair Suesser regarding the LMC Amendments on this issue. Ms. Moschetta questioned how many more times they will have to see things get hung up because of bureaucracy. If they cannot get this done, she wanted to go on the record and make

an appeal for a moratorium. She suggested prioritizing what is needed while putting development on hold since soon there will be no old houses left.

Ms. Moschetta mentioned Chair Suesser's suggestion of placing the house in the middle of the combined lot. She felt there might be unintended consequences when considering the direction they might take the LMC Amendments and the vision they pursue for Old Town. Old Town was intended and remains intended to function as a City Center and she stressed that they have to look in a direction that will be less car-centric. She expressed concern that if the house were placed in the center of the combined lot to prevent a giant parking pad, they would also prevent the ability to do something like the Missing Middle Ordinance in Salt Lake City, or an Accessory Dwelling Unit ("ADU"). If they had a 12-½ foot wide section that could potentially hold a tiny house or something affordable, that would be a great opportunity. Ms. Moschetta stated that as she continues to push for maximum density and multi-family homes that will still be compatible in terms of architecture in Old Town, she felt they needed to remain open to everything.

There was no further public comment. Chair Suesser closed the public hearing.

Surveyor Nelson stated that from a Land Surveyor's point of view, this is a piece of property and they got to where they are in Old Town from people buying pieces and parts of Snyders Addition lots and Park City Subdivision lots that were 25' x 75' in size. They are at a crossroads between having a house on a property that was approved by the Building Department and constraining the property owner. Surveyor Nelson felt this was a question of equity in that the applicant has 2 ½ lots in Old Town, and the LMC states that the applicant can do what they have sought to do. She questioned whether this applicant should not be approved because the City is at a tipping point. Surveyor Nelson reiterated that pieces of land have been purchased, transferred over time, and built upon with approved City Building Permits; now the Planning Commission was in the unenviable position of deciding to go forward with what they would do.

Applicant Kaiser stated that he loves the neighborhood and that it was his intention to make this his full-time home. He understood that they were reducing density by having additional setbacks on all sides. The property across the street is also on 2 ½ lots and was developed on one lot, and then 1 ½ lot. It seemed crowded with high density. He understood that the lot combination request was possible and while he understood the pushback, the intention was to build something that fits in with the neighborhood and to use the home as their primary residence. Applicant Kaiser could not speak to the Code, other than what he was told and understood could be allowed. They hoped to use the land they have owned for many years for themselves and not for development.

Commissioner Johnson understood that if this property gets developed, it will be for the applicant's primary residence. He asked if they could add a Condition of Approval restricting nightly rentals if the property is redeveloped. Chair Suesser felt they could condition the application with that restriction but did not feel that should be in lieu of the oversized lot.

Commissioner Johnson asked the applicant if he would be open to a Condition of Approval restricting Nightly Rentals if the applicant redeveloped the property. He also asked if the applicant would be willing to split the difference between the Building Footprint formula and a Maximum Building Footprint of 1,600 square feet with the development being centered on the lot. Applicant Kaiser did not feel he was in a position to negotiate these issues. He felt he was given good information regarding what would be possible and before he agreed to anything, he

would need to speak to a lawyer and an architect. He appreciated the question but did not understand the ramifications of entering into such an agreement.

Senior City Attorney, Mark Harrington sought to clarify procedural issues and noted that this application was not for a Conditional Use Permit ("CUP"). Rather, it was for a Plat Amendment and the two processes have entirely different standards. The standard for a Plat Amendment is good cause and no harm as well as the zoning requirements, as outlined in the Staff Report. Notwithstanding the intent language or encouragement language, an applicant could apply for something that complied with the zoning district. He noted the debate on the interpretation of some of those sections.

Regardless of where the Commission lands on these issues, City Attorney Harrington stated it would be qualified by the good cause and the no harm standard of the Plat Amendment. The Commission could condition an approval based on findings related to the good cause and no harm standard. He stressed that while the Commission cannot just say they no longer want any lots over 50 feet in the entire zone, the Commission could determine that lots over 50 feet do not meet the standard or a building pad size pursuant to the formula did not meet the standard if it could be shown why.

City Attorney Harrington explained that typically they looked at things of a factual nature, such as incompatibility based on streetscape, zoning area sizes, and any other condition that might cause harm from setbacks or off-street parking. He noted they usually encourage taking a careful look at those factual reasons and not just a change in policy of what is considered too big. He felt this could help the Commission frame its review as it explores applicable Conditions of Approval. He stated they should be grounded in why the Commission might find it to be incompatible by fact. If they do not have those facts or feel that they were not substantially evaluated, the Commission could ask for further evaluation of those items. He noted that one factor might be the number of other lot combinations with half or partial lots in this area.

In terms of issues like nightly rentals, if it were a permitted use in the zone, the Commission would need an affirmative fact basis by which that was being triggered by the standard of review of good cause and no harm. In other words, they would have to delineate why something that is allowed in the zone would be bad for this particular property. City Attorney Harrington advised that as the Commission looked at the Conditions of Approval, they must also look for the basis to tie them back to the record, or alternately they could ask for additional information.

Chair Suesser suggested that there was no good cause to allow a maximum building footprint over 1,519 square feet because the Code specifically encourages combinations of historic lots of 25' x 75' and not half lots. She felt that for this reason, the Plat Amendment proposal failed, and a plausible counter to that would be a smaller footprint appropriate for two combined lots, not 2 ½ lots. Surveyor Nelson requested to take the temperature of the Commission since rather than a denial, the applicant would request a continuance to work with Staff, the City Attorney, and the applicant's team. City Attorney Harrington clarified that there would be no approval or denial; rather, the Commission would provide a recommendation to the City Council. Surveyor Nelson did not want to risk denial and wanted to come to a solution. Chair Suesser felt that more visuals of the streetscape up and down the block would be helpful in evaluating this application.

Commissioner Johnson commented that based on LMC Section 15-2.3(E) and the formula, he felt this application would be in conformance; however, he would move to continue the item so that the Plat Amendment Exhibit correctly showed the snow storage locations. He would also ask the applicant to look at a compromise to the square footage based on other feedback from the Commissioners.

Commissioner Kenworthy would like to see more information on the compatibility and more photographs up and down the street. He lives on upper Woodside and is familiar with the area but would like to see photographs showing the block up and block down on Park Avenue and above Woodside Avenue. He reiterated that they needed to clarify this so they do not have these conflicts within the Code and the goals in the General Plan. Commissioner Kenworthy recommended this item be continued.

Commissioner Hall did not require further information as she was very familiar with the area. She stated there was a huge mass across the street from this property with multiple duplexes that takes up a much larger footprint. She also noted other large Lots in the area. Commissioner Hall stressed that this application complies with the Code and while they have continually stated that the Code should be changed, as it stands this application complied with the existing Code. She added that the proposal will be compatible with the property across the street. While there are other examples of 25-foot wide lots, this property would not be singularly the largest structure. She reiterated that while she would like to cap it, they cannot arbitrarily decide to do so with an applicant who has already submitted an application.

Chair Suesser expressed her belief that her position is not arbitrary and felt she had been consistent in her interpretation of the Code on Lot Combinations. Commissioner Hall noted there was a formula for how to combine Lots up to 100 feet, which she felt was telling the public that they would be allowed to combine Lots pursuant to the formula. Chair Suesser interpreted that section of the Code as applying to lots that have already been combined and not lots that were being combined. She reiterated that she was not being arbitrary.

Commissioner Van Dine agreed with Commissioner Hall's comments. She spent a lot of time before this meeting looking at the home and the surrounding structures and was ready to move forward with the application.

Surveyor Nelson respectfully disagreed with Chair Suesser's interpretation of the Code. While she understood Chair Suesser's interpretation of subsection (D), she pointed out that the Table showed 1½ lot widths. She imagined that one-third of the properties in Old Town are combinations of lots and halves of lots, so to achieve the pure 25-foot combination would be very difficult and leave remnant lots which neither surveyors nor the City wants.

Commissioner Frontero reiterated that he did not interpret the current Code as contemplating half lots. He felt that the Code encouraged single-family development on combinations of 25' x 75' lots. While they could combine the 2 ½ lots, he was opposed to allowing building on the 2 ½ lots.

Commissioner Hall stated that the examples on the width were based on the formula and the Code just referenced the lot area. She felt that the Code envisions all sorts of random lot sizes in Old Town.

Chair Suesser noted that the text in the section specifically referenced encouraging single-family development on combinations of 25' x 75' lots. She felt that clearly discouraged combining random-sized lots. While the Table provided the square footage and dimensions, it did not articulate the intent of the provision.

Commissioner Kenworthy understood both sides of the argument and found the Code to be confusing. He asked Staff how many 10,000-square-foot single-family homes were approved using the same formula. He felt that every application that comes before them will result in the approval of a 10,000-square-foot home, which was unacceptable. He proffered that based on the Table if an owner can find a certain number of lots to combine, the Planning Commission would have to approve 10,000-square-foot houses in Old Town. That was not what anyone wants as they will not take away the magic of Old Town. Chair Suesser added that the entire Code must be applied. Director Milliken asked how Commissioner Kenworthy arrived at the 10,000-square-foot home, to which he replied that would be the result of combining more lots.

Director Milliken explained that the formula was put in place so that the larger the lot, the more proportionally smaller house that could be constructed. Commissioner Kenworthy argued that it would not stop someone from building a 10,000-square-foot home if an owner has enough lots. He considered the additional density argument to be accurate and stated that the entire neighborhood was based on these sizes. They had to be clearer and address it in the LMC.

Commissioner Hall noted that the Code states that there is a maximum square footage of 4,500 square feet; therefore, even with the formula, there was a cap in the preamble of this section. Commissioner Kenworthy asked how many 4,500-square-foot houses they wanted in Old Town. Commissioner Hall had requested this discussion for a long time and it needs to be on their Agenda. She wanted to process this application and put the issue on the next Agenda as a Work Session item to discuss this formula. She stated they have this same conversation every time they process these types of applications.

Chair Suesser felt that Commissioner Hall was only applying the provisions of the chart to this application rather than to all of the sections of the Code, even those that are contradictory. Commissioner Van Dine stated it was an issue of interpretation and felt that the Code allows for the combinations of lots with this chart that supports the different interpretation. She stressed that they need to either continue this item or move forward with a vote since this issue will come back for a more detailed evaluation.

MOTION: Commissioner Johnson moved to CONTINUE 958 Woodside Avenue – Plat Amendment to a date uncertain. Commissioner Kenworthy seconded the motion.

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

Surveyor Nelson reported that they would provide the Commission with better streetscapes. She noted that she would be happy to weigh in on the future discussions surrounding the LMC Amendments as there are not just half lots. The properties include strips of five-foot portions of lots and perhaps a Surveyor's input could help facilitate the discussions.

Commissioner Hall stressed that it is not fair to the public to have what the Commission has deemed to be inconsistent or confusing Code. Director Milliken reported that Staff will prioritize these Amendments. She added that they brought these issues up during a Work Session

before the Historic Preservation Board which was in favor of lot combinations. They felt that the formula and the strict Historic District Design Guidelines would keep the houses to a smaller scale.

Chair Suesser mentioned the homes that went in at the top of A Street this past year and how they were oversized and out of character with the rest of the neighborhood. The homes passed the Historic Design Review process. She expressed concerns with what was getting approved and stated that things were not as consistent with the Historic nature as they used to be.

Commissioner Johnson sought clarification from the other Commissioners that if they were to call out a Condition of Approval for a 10-foot Snow Storage Easement, it should be depicted on the attached image. He was uncomfortable adding it later. It was noted that the Commission provided a recommendation and minor adjustments could be included since there would be Council discussion and another opportunity for a public hearing. Staff would incorporate those changes following the Commission discussion.

Chair Suesser agreed with Commissioner Johnson that the application should include that information.

B. Huntsman Estates – Plat Amendment – The Applicant Proposes to Amend Plat Note 3 to Clarify the Building Envelope and Limits of Disturbance Shown on the Huntsman Estates Plat. PL 23-05540.

Chair Suesser noted this item was continued and removed from this meeting's Agenda.

Director Milliken indicated that the applicant requested the next available date, which would be May 10, 2023. Senior City Planner, Alexandra Ananth confirmed and advised that the Commission should open a public hearing and then continue it to May 10, 2023.

Chair Suesser opened the public hearing.

Angela Moschetta sought confirmation that she would be able to provide public comment at the continued hearing on this item. Chair Suesser confirmed that was the case.

Deb Rentfrow understood that the applicant asked for a continuance after the Staff Report was issued. Therefore, the applicant failed to provide the appropriate notice pursuant to the LMC and the item was to be placed on the next Planning Commission Agenda. In light of the last discussion with regard to LMC Amendments, Ms. Rentfrow hoped there would be time during the next meeting for those discussions as well.

There was no further public comment. Chair Suesser continued the public hearing to May 10, 2023.

MOTION: Commissioner Hall moved to CONTINUE Huntsman Estates - Plat Amendment to May 10, 2023, along with the public hearing. Commissioner Johnson seconded the motion.

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

C. 2200 Monitor Drive (Holiday Village Apartments) and 2776 Kearns Boulevard (Parkside Apartments) – HOPA Affordable Master Planned Development and Conditional Use Permit – The Applicant Proposes Redevelopment of the Holiday Village and Parkside Apartments to Construct 319 Affordable Units in the Residential Development Zoning District and Frontage Protection Zone Overlay. PL-22-05473 and PL-23-05511.

David Levine, Executive Director of Mountainlands Community Housing Trust (“MCHT”) was present with Assistant Planning Director, Rebecca Ward. Director Levine thanked those who attended the site visit and noted that there were a number of good interactions with residents many of whom were long-term residents. He understood that this meeting would be a follow-up to the March 29 meeting and would provide the Commission with more information and updates on the project.

Director Levine highlighted that they proposed a redevelopment to keep the 122 households currently at the project and move them into new, upgraded energy-efficient units on site. He noted that these households were not paying more than 30% of their income towards their rent and that would continue in the new development. He added that they were also looking to add 195 units as additional affordable housing for local workers and community members earning no more than 50% of the Area Median Income (“AMI”). The other ideal feature of the Redevelopment Plan was the variety of housing that would be provided. Applicant Levine stated that this would address the spectrum of housing needs that would include studios to three-bedroom units. He felt this would also go a long way in meeting the needs of the population and the various housing needs.

Assistant Director Ward reported that the project proposes to increase the affordable units on the Holiday Village site, where there were currently 80 units. The applicant proposed 217 units on this site. In terms of the Parkside Apartments, Assistant Director Ward stated there were currently 42 units and the proposal would increase that to 100 units. As part of the project, the applicant proposed to create seven separate lots out of the 7.4-acre site, which will help with phasing of the project through seven potential phases of development. Assistant Director Ward reported that the project proposes a shared underground parking structure with access from Monitor Drive. The proposed phasing would allow for resident relocation.

For the introductory Work Session on March 22, 2023, Assistant Director Ward reported that there was initial Planning Commission input on the site design, parking, and traffic. There were additional requests regarding the current tenants and their transit and parking needs, as well as maximum occupancy. Assistant Director Ward indicated that the Planning Commission visited the site just prior to this meeting, which was open to the public. She stated that the discussion for this meeting will focus on the design changes and a broad overview of the Traffic Impact Study. Since there was a third-party consultant reviewing the applicant’s Traffic Impact Study, more specific details on traffic were scheduled for June 28, 2023. She advised that the City Engineer and a representative from Hales Engineering were present at this meeting to answer initial questions.

Assistant Director Ward added that the Parking Study and Management Plan would be presented at tonight’s meeting. There would be another public hearing on May 24, 2023, that would focus on sustainability, including the Significant Vegetation evaluation. She noted that the applicant was working on an Arborist Report. The May 24 meeting would also include

continued follow-up on the Parking Study and Management Plan discussion. Another public hearing was to take place on June 28, 2023, and focus on traffic and the Affordable Master Planned Development (“AMPD”) and CUP criteria.

Assistant Director Ward reported that since the March 22 meeting, the applicant made a few substantive changes to the Site Plan. She noted that the Site Plan initially presented to the Planning Commission had access points to the underground parking garage from both Monitor Drive and Kearns Boulevard. That has been altered so that there would be one access point to the underground parking garage from Monitor Drive. In addition, the applicant included a proposed vehicle turnaround area along Kearns Boulevard and some street-level parking in that location. She also noted that Buildings G and F were initially proposed to be four floors and the applicant had lengthened the building footprint and reduced the height. Therefore, all of the buildings on site were proposed to be three stories.

Assistant Director Ward stated that the applicant would present the updates to pedestrian and bicycle connectivity internally and also within the neighborhood. She explained that the applicant worked on reconfiguring some of the Building Footprints to help with east/west and north/south connections on the site. The applicant also incorporated some of the input regarding preserving the streetscapes along Monitor Drive and moving some of the mechanical equipment and elevator shafts to the interior of the project.

Assistant Director Ward also reported that the applicant submitted and highlighted some of the walking and biking distances from some of the services, schools, and grocery stores to show what would be in proximity to the site. She noted that the Planning Commission requested clarification on the common space square footages and stated that the Staff Report outlined the total square footages. The applicant proposed a total of 15,220 square feet of enclosed common space.

With regard to the Commission’s request for a comparison of current open space versus what was being proposed, Assistant Director Ward stated that because of the street-level parking, the total landscaped area of the current site was around 130,000 square feet. With the underground parking and even with the increased building footprint, the proposal would still have approximately 116,000 square feet of open space, which would exceed that required by the Code. She recalled the Commission’s request for clarification on the current apartment layouts and how they would change and noted that the layouts were included in the Staff Report.

Assistant Director Ward stated that there was a third-party consultant who would review the applicant’s Traffic Impact Study. The discussion on traffic was scheduled for June 28, 2023. The initial study indicated that there would be some opportunities to employ some Transportation Demand Management strategies that might come into play with the Parking Study and Parking Management discussion as well. She explained that AMPDs were required to meet the parking standards of the Code. For this project, the Code would require 330 parking spaces whereas the applicant proposed 268 parking spaces. She expressed that the Planning Commission could reduce the parking requirement if:

- There was available parking in the right-of-way;
- A Parking Agreement with a property within 1,000 feet of the perimeter;
- If there was transit within ¼ mile of the site;

- If onsite parking was provided for motorcycles or scooters;
- If the bike parking exceeded Code requirements; and
- There was a resident car share.

Assistant Director Ward stated that the applicant's Parking Management Plan outlined proximity to transit, parking for motorcycles and scooters, and bicycle parking that exceeds the new Code requirements for both bike racks and enclosed bike storage within the underground parking structure and interior storage in some units. She added that the applicant outlined the potential for a resident car share.

With regard to the Parking Management Study, the applicant proposed one vehicle per unit, which would result in 317 vehicles. They have requested further information on the potential car share program including any incentives for users of the car share without having a vehicle parked on site, or who have no vehicle and rely on transit. She mentioned Electric Vehicle Charging Stations and noted that the sustainability discussion would take place in May; however, the applicant's proposal would far exceed what is required for charging stations not just by installing conduit, but actually installing the charging stations. She reported that 54 of the 268 parking spaces were proposed to be Electric Vehicle Charging Stations. Staff requested additional information from the applicant on how that would work.

Assistant Director Ward stated that Staff recommended the Planning Commission open a public hearing, continue the public hearing to May 24, 2023, and provide the applicant with input on the Site Design updates, the Parking Management Plan, and anything the Commission would like addressed in the Sustainability discussion scheduled for May. In addition, if the Commission had questions specific to the Traffic Impact Study that it would like to address for the June meeting, she reminded that the City Engineer and a representative from Hales Engineering were present to answer questions.

On behalf of the applicant, Craig Elliott, AIA from Elliot Workgroup, stated that they tried to get everything into this presentation that they were asked to provide and acknowledged that there would be many little things that would be adjusted as they work toward the final submittal. He asked if the Commission had any specific questions they would like to address. They also have additional renderings that show the modifications for the elevators and the break of Building G.

Commissioner Hall asked if the applicant wanted to respond to any of the questions posed at the site visit. Architect Elliott stated that MHCT had been talking with many residents already, but there were a number of residents who attended the site visit that he had not spoken with. He noted that a number of residents who attended did not have vehicles, and they were less concerned about parking and the building as opposed to their access to the bus line. He reported that a number of people asked him about balconies and the desire to have them in the units, which surprised him. He stated there would be balconies in a majority of the units. He also noted there were questions about the types and sizes of the units and whether residents would keep the same unit size. He stated that MCHT was planning on people having the same size units as they have now, but noted that the residents would go through the requirements that would determine what they could rent.

Architect Elliott commented that the people he spoke with were pleased and noted that for many it was their first meaningful exposure to the project. He spoke with four residents who have

lived there for over 20 years and they were positive about the project and the upgrades it would provide.

Chair Suesser noted that she saw a lot of balconies on the Holiday Village units. Architect Elliott recalled that the one-bedroom units did not have balconies, and felt that what looked like balconies might have been stair landings. It was noted that the upstairs units all have balconies.

Commissioner Van Dine felt that having the current data on traffic and parking would be useful. She referenced the comment that many of the residents do not have vehicles and she would like to see the numbers, as well as which of the current residents were using transit, cars, and parking. She noted that during the site visit at 4:30 p.m. the parking lot is empty yet they hear from residents that they sometimes have to fight for parking. She would like to understand how parking is being used now because to some extent they would expect the same types of people would occupy the new units, and perhaps it would be targeted more towards teachers and those who would participate in the local communities. This would provide the Commission with information to work with going forward.

Architect Elliott advised that MCHT obtained some background data and while he did not have the specific numbers with him, he was aware they could be provided. He stated that the big picture number was that approximately 10% of the residents did not sign up for parking and it was believed that a number of people who signed up for parking did not have vehicles. He expressed confidence that more than 10% of the residents do not currently drive. He noted that in the winter months, the parking count is reduced due to snow storage. Additionally, he noted that they were fairly confident that there was other parking going on the lot currently that might be associated with other places. They do not really know how to calculate that, but he surmised that Hales Engineering might be able to determine what that actually looked like.

Commissioner Hall agreed that with the underground parking, more parking would be preserved year-round because they would not have the snow storage issue. She assumed the underground parking would be gated for the residents. Architect Elliott advised there would be a management system put in place. He added that a resident asked if they would have cameras in the garage, and he stated the expectation was that there would be cameras that will help enforce the parking requirements.

Chair Suesser learned from the residents during the site visit that the property instituted a one-vehicle-per-unit policy, and that some people did not have a car while others had more than one car. Continuing with that policy would result in 317 cars for the proposed development.

Architect Elliott explained they proposed 84 studio apartments that are not currently on site. Historically, for the affordable studios he has worked on, they used $\frac{1}{2}$ stall per studio unit, and that has been shown to be relatively successful in conjunction with a Parking Management Plan. The applicant's proposal would put the parking requirement at 275, whereas the applicant proposed 268 parking spaces.

Chair Suesser also suggested that if the adjacent Wells Fargo commercial building had excess parking for the temporary use of the residents during construction, then perhaps MCHT could negotiate more permanent overflow parking in that structure. She felt that would be helpful to the applicant getting to the requested reduced parking. Architect Elliott commented that this would make a lot of sense in a mixed-use application. He was aware that a meeting was

scheduled. Chair Suesser noted that the residents expressed very specific concerns about parking and she felt that would provide a lot of comfort if they knew they could utilize the adjacent commercial parking for overflow or guest parking.

Commissioner Kenworthy stated that he and City Engineer John Robertson had a conversation about the use of the City Report on the Traffic Study Standards so they could have some consistency with intersections and road capacity requested by him and Commissioner Henry Sigg months ago. Commissioner Kenworthy added that it was critical that they get to a standard so that all applications have this standard and they do not see the variations. He wanted the applicant to make sure that their Traffic Study was in sync with the City's report.

With regard to the Site Plan and the AMI, Commissioner Kenworthy liked that it was presented up front. He asked why they reduced the buildings from four stories to three stories. He felt this was such a perfect location for them to provide as many desperately needed units as possible on this site. Architect Elliott responded that there was a balance, and the four-story building with the required step back would take all of the structural loads out of alignment on the upper level. He provided the example of Building F, which was originally proposed to have seven units on the top floor. It would be significantly less expensive to add two units to the ground floor and stack three units. In this configuration, they would lose only one unit, and the impact on the site would be relatively minimal.

If they were to add a fourth story on all buildings, they would need a second story of underground parking, or they would have to build a large parking structure that they would cover with green space, which would be extremely expensive. Architect Elliott explained that the sweet spot was that it was less expensive to split Building G and put everything in three stories than it would be to build it in four stories. He added that there would also be Fire Codes that would go with it as well. For a four-story building, they would require a fire lane adjacent to the building that would allow for a ladder truck to reach the top floor, and they would be limited in terms of what could be located near the fire lane. It would also put more drive surface on the property.

Commissioner Kenworthy noted they would have rooftop areas instead of four floors. Architect Elliott explained that they showed one rooftop area on Building F, but would revise that for the final submittal and put a small enclosure with a kitchen, lounge, and some dining, and also an outdoor terrace. They feel that would be the right location for a rooftop area when they looked at the overall site and how it would work.

Commissioner Kenworthy commented it would be a wonderful amenity. He also complimented the applicant on the proposed courtyards and play yards. He liked and appreciated that the applicant addressed AMIs right off the bat, and noted that on some of the projects they had to fight tooth and nail to the end, while for others they were not even allowed to talk about it. Commissioner Kenworthy applauded the applicant's transparency with the community in this regard and felt the community would fall in love with this project. He mentioned the 54 Electric Vehicle Charging Stations and wondered if that would be sufficient given where the country was headed in terms of electric vehicles. Architect Elliott acknowledged it was an interesting problem, and felt that the commitment to install the 54 Charging Stations up front was significant. Commissioner Kenworthy agreed it was a great start, but noted it would not be there in five years if they hit anywhere near the goals that the country and the State were looking for.

Architect Elliott understood and offered that they needed to work with the power company to ensure that the transformers would be large enough. Commissioner Kenworthy also felt that the proposal was light on bike storage. Architect Elliott noted that was in their submittal, and he stated he had recently spent some time looking at bike storage. He found some bike storage that was double-stacked and easy to operate. He felt they would propose more than what they have shown in the current submittal.

Commissioner Kenworthy next turned to the issue of occupancy. Architect Elliott explained there was Code occupancy and operational occupancy. He felt the applicant was talking about two per bedroom. Commissioner Kenworthy noted they would like to have one per unit and a bonus for that. Architect Elliott reported that technically there would be 468 beds, so occupancy would be calculated by doubling that number. The maximum occupancy would therefore be around 930 to 940 residents.

Commissioner Kenworthy returned to the issue of bicycles and wanted to see a better balance. He noted that Cascadia was coming back before the Commission and he was anxious to see how they suggested transforming it into a car-less community. He felt there was no way that 75 bicycles for 1,000 residents would work for him. He wanted to see how it would work in towns that had become successful in transitioning to a pedestrian way of life. Architect Elliott mentioned that they also proposed storage in the units, and a majority would have the ability to store a bike outside their unit. They were working through the elements, and he offered to count those as well. He stressed that he did not have an issue with increasing bike storage and noted that it was a relatively inexpensive part of a project and was very impactful.

Commissioner Van Dine asked if they could cover the outdoor storage and mentioned the new LMC amendments that pushed for covered outdoor bike parking. Architect Elliott stated they could look at that, and noted there were interesting bike coverings on the market that were relatively inexpensive and easy to install.

With regard to childcare, Commissioner Kenworthy felt they had to be more creative and think outside the box. He suggested the applicant look at possibly combining some of the centers in the project to provide for childcare. With 1,000 residents, there would be single mothers that would need childcare. Commissioner Kenworthy stressed that this would be a very special project for the City, and he hoped the City supported the applicant. He felt there must be some financing and creative ways to create a space for childcare, even if they had to sell off that space and then subsidize the employment in the space so they could offset the astronomical cost of running these daycare facilities. Commissioner Kenworthy said that they would have a village with children and parents who have to be on-site, and this would help out those parents who could devote time to working in the daycare facility. He stated that increasing taxes was not the answer; rather, the answer was to get creative and work together. He felt they could work together to create a solution for the community.

Commissioner Kenworthy did not want to hear about video management of the property for 1,000 and wanted the applicant to advise how many on-site managers they would have for this project. He did not want the police force to serve as the manager of these buildings. City Hall should listen to the opinions of the local police when they have a 500 or 1,000-bed facility and reiterated that it could not be managed by video. He stressed that the management must be on site, with people who could see things and help out. He mentioned some creative solutions, such as free rent to a police officer as long as he parked his car out front. By having on-site management, the project would then not become a burden to the police and first responders.

Architect Elliott stated that from a design perspective, they would have an on-site management office space adjacent to the entrance to Building A, which is the first building going in. His reference to cameras was in response to an elderly woman's concern about safety in the parking garage. Commissioner Kenworthy hoped that on-site management would be available 24 hours per day.

Architect Elliott noted that they did a lot of work for PC Tots, and could lay out the options for what that might look like. He noted there would certainly be space where they could accommodate something like that. Commissioner Kenworthy added they could get the resources from the village to be part of the childcare on-site. Applicant Levine supported the ideas about childcare and felt it was a solid idea for improving the community. He advised that he has looked at different funding sources to make that happen, and he has used those before in other locations.

Commissioner Frontero referenced the discussion on childcare and tied it back to the decision to remove the fourth floor from Buildings G and F. He wondered if the applicant would consider adding the fourth floor for open space that could accommodate something like childcare and other amenities. Architect Elliott could not provide a response and stated they would have to look at that possibility. He felt there was space in the existing buildings to accommodate the other amenities they were discussing. He noted that they had to find the balance between site density, cost, parking, and all of those pieces.

Commissioner Hall added that she has two children and was acutely aware of the lack of childcare in the City. She mentioned the solution at Studio Crossing to allow childcare as an allowed use. She commented that this was a wonderful project, and that she would not want to delay it because of another added community benefit. She would like to pencil in a space and have it as an allowed use so the applicant would not have to come back to obtain a CUP. Architect Elliott stated that would be very helpful.

Commissioner Frontero felt that was a nice incentive to encourage childcare. He raised the possibility of building a fourth floor for amenity space, including childcare, because he was trying to understand the cost distinction between building stackable units versus open space. He noted that the original application called for 319 units, with fourth floors on Buildings G and F. The current submittal split Building G, but he noted that the elimination of the fourth floors only resulted in a net reduction of two units to 317 total. Architect Elliott confirmed and explained that they removed the seven units from the fourth floors and extended the building lengths by one unit. They could add two units on either side of the hallway on each floor, resulting in six units. By extending the length of the building by one unit, they could pick up six units and only lose one of the seven units from the fourth floor.

Commissioner Frontero echoed the comments of the other Commissioners and expressed excitement about this project. He felt it would be a really nice project for the community.

Commissioner Johnson recalled his comment during the last meeting about making an area for the senior disability City bus and asked if the bus would be able to use one of the aboveground spaces or the hammerhead. Architect Elliott stated the bus could use the hammerhead on the Holiday Village side, and use the loop on the Parkside side.

Commissioner Johnson felt this was important, especially as the Commission looked at the requested parking reduction and felt this would be a huge benefit for the residents who would live at this project. He also echoed the comments about expanding the bicycle storage. He asked to see a visual of the Monitor Drive view. The Commission was shown a rendering of the visual.

Chair Suesser was unclear as to whether there were connected paved paths throughout the complex. Architect Elliott stated there would be a continuous paved path throughout the site. He added that they had not yet completed the landscaping design of the pathway that would go east/west, and he saw that as being more robust. He noted the layout and location were close to being in the right place. There would be a north/south path that would run behind Buildings B and E that would go through the entire site. They believed they would need a meandering path between Buildings G, A, C, and D. The expectation was that people would be able to easily move throughout the site and it would be ADA compatible. He added that there would be a lobby in Building B that would go all the way through from the courtyard to Monitor Drive. They were working with the Transit Department in locating a bus shelter on Monitor Drive, and have it located right off the lobby in Building B. He noted that someone in Building A or C could go through the Building B lobby and straight to the bus shelter. In addition, they envisioned the pathway from Building F as going across and out to Monitor Drive. He commented that Staff worked with them to get a better interactive experience for the residents.

Chair Suesser mentioned that she was thinking about kids on bikes as well.

Commissioner Hall asked if the bus stop would only be on one side. Architect Elliott stated that currently, there was an uncovered bus stop in that location. There was also another bus stop on the other side of the street on Monitor Drive, but he did not know how frequently that was serviced.

In response to an inquiry, he felt that they might not have a full cutout in that location due to the width of Monitor Drive. They were trying to pull the sidewalk off of Monitor Drive closer to the building to allow them to put the bus shelter in place. They were still working on this concept and would bring more details back to the Commission.

There was discussion about the renderings of the views presented to the Commission. Commissioner Johnson noted that the elevator shaft was moved to the east side, and the stairwell was moved back. Architect Elliott stated they struggled with moving the elevator, but they were able to put the stair at the entry to reduce the impact. They were still looking to see if they could remove the heights of those stairs but there are Code requirements for roof access.

Commissioner Van Dine commented liked the fact that they pulled back the sidewalk so that the snow would not be plowed onto the sidewalk where all the residents would be coming out.

In response to an inquiry, Architect Elliot stated they were currently showing the width of that sidewalk at approximately six feet. If the Commission wanted to include it as a bike path, they might want to make it closer to eight feet wide, which they would have room to accommodate.

It was noted by Commissioner Van Dine that there is a bike lane the length of Monitor Drive.

With regard to the turnaround on the Kearns Boulevard side, Commissioner Van Dine asked if the applicant gave any thought to adding some short-term 30-minute parking or other types of

surface parking. Architect Elliott stated that currently, they show 12 spaces; however, they could easily put these spaces on the south side in the 100-foot Setback off of the turn. He stated they could also add more surface parking along that section and increase it from 12 to 20 spaces. Commissioner Van Dine felt that would be a helpful option if the Commission struggled with parking for this project.

There was discussion regarding providing the option to expand surface parking should it be desired at a later point, without having to come back and go through a full year of the process. Architect Elliott stated they could show it as a dashed area for potential future parking. Commissioner Johnson liked that idea.

Commissioner Johnson noted that the Hales Study referenced Richardson Flat as a potential option for parking off-site, with a shuttle to the project. Architect Elliott stated they had discussed that as an option. He also noted they discussed putting a transit center on-site, although he understood the project site would likely not be an appropriate place because there were already two well-used bus stops. He commented that off-site parking was not unreasonable. Chair Suesser did not feel that the off-site parking at Richardson Flat was very realistic.

Commissioner Johnson supported the design and understood the need to remove the Significant Vegetation on the north side by the Church because of the utilities. He stated the Significant Vegetation issue was difficult because there were a lot of old pine trees that needed to be removed. He noted that this development would fill a huge need in the community, so he saw the benefit of removals in certain areas. He assumed the Landscape Plan would have a Water-wise replacement, but he would like the applicant to consider a community greenhouse, outdoor garden, and potentially a composting facility for this community. He expressed that while they would be removing Significant Vegetation, they would add a healthier lifestyle for the community.

Architect Elliott offered that there was a spot in front of Building F that could potentially be used that might encroach slightly into the Frontage Protection Zone ("FPZ"). He stated they also looked closer to the High School property to the north, but that would be on the wrong side of the buildings. It was noted that a greenhouse could be put in the FPZ Zone with Planning Commission approval and could be built up to 30 feet to the street right-of-way. Commissioner Johnson felt that a greenhouse might be a good way to mitigate the removal of trees. Commissioner Van Dine commented that the applicant was proposing to replace a lot of the removed trees. It was noted that an arborist report was submitted.

Commissioner Hall echoed many of the comments of the other Commissioners lauding the project. She noted it would be a huge project with a huge community benefit. Not only did she like the intention of the project, but she also stressed that it was very Code compliant in this first iteration, which made it easy for the Commission to process. She noted that the applicant was exceeding the Open Space minimum requirement, and felt that provided an opportunity to carve out some more covered bike storage. She felt that would be an easy trade.

Commissioner Hall liked the Parking Management Plan and felt that the site was so unique in terms of its connection with transit that it would foster an easy lifestyle for the residents. She observed that currently, she did not see cars parked everywhere there, which demonstrated that the residents might be already using transit or some seniors are not driving. She felt they could arrive at a solution to not overpark the site and encourage alternative modes of transportation.

Commissioner Hall wanted to see a wide sidewalk along Monitor Drive. She would also like to see 100% of the parking spaces with the Electrical Vehicle conduit and recalled that although it was expensive to actually place the Electric Vehicle stalls, it was inexpensive to lay the conduit.

With regard to the left turn out and the transit, she was concerned that at the Kearns Boulevard access, there was one lane in and one lane out. She felt that the person exiting could trap right-turning traffic behind them. Architect Elliott stated that the applicant did not control the access on Kearns Boulevard. Because that was part of the neighboring commercial property, this design connected to the place they were allowed to connect. He was not sure how else they could approach this access way, noting that they tried to look at other solutions. Architect Elliott added that one of the reasons they eliminated the parking garage access off of Kearns was to reduce any of the conflicts on the street.

Commissioner Van Dine also wanted to see some sort of community garden. She liked the elimination of the fourth story and the height reduction, even though it would have been allowed per the Code. Commissioner Van Dine expressed gratitude for the applicant undertaking this project and felt this would be a great project.

Chair Suesser asked about what was contemplated for the common space in the buildings in addition to the childcare previously discussed. Applicant Levine noted there would be washers/dryers in every unit. They had not thought through uses like a gym and noted they were thinking more of a program space. He stated that half of the current residents were designated either seniors and/or disabled, so they could look at partnering with community providers to activate those spaces with programs that would target the residents. He confirmed that those spaces would not be available for commercial uses.

Applicant Levine thanked Staff for helping define the project and move it forward. He stated that they learned a lot from the residents and noted that the residents were very interested in improving their lived experience at the site, and that was the goal.

Chair Suesser opened the public hearing.

Dick Grannis thanked the Commission for everything they do for the City. He reported that he lives across the street from the Holiday Apartments and they just learned about the details of this project two days ago. They all support affordable housing and recognize what a tremendous effort the Mountainlands group, the Staff, and the Commission have put into this application. He and his neighbors expressed a number of concerns regarding the cars, parking, and traffic, and what would happen to the character of the neighborhood with this project. He hoped that the feedback would be constructive to the process.

With regard to parking and the number of cars, Mr. Grannis noted the applicant proposed 317 units and 268 parking spaces, which would mean that 49 units would not have a parking space. He felt this would be a lot because many of these units were up to three bedrooms, so there would be more than one car per unit. He felt the number of parking spaces was not enough. He reminded that he has lived across the street from this site for many years and knows the traffic patterns. Mr. Grannis understood that these parcels were zoned Residential Development ("RD"). Assistant Director Ward corrected a typo in the Staff Report and confirmed that these parcels were located in the RD Zone.

Mr. Grannis raised the issue of neighborhood compatibility. He referenced LMC 15-2.13-1 that the purpose and goals of the RD District were to preserve natural open space. Like the neighbors across the street, he wondered what it would look like with a wall of three-story buildings. This project would not preserve the open space. He mentioned that currently, the frontage was very pleasing and inviting and does not look like apartments. More than half of the frontage is currently open space. He mentioned that the proposed frontage would cut the open space down to about a quarter resulting in a major loss of open space from the street.

Mr. Grannis relayed that the neighbors did not see how this would meet the goal of preserving open space because what they would see would be mostly buildings. He commented that it would take many years for the trees that are planted to be large enough to conceal the buildings as shown in the illustrations. Another purpose of the zoning district was to be in harmony with residential neighborhoods. Mr. Grannis stated that they are a residential neighborhood, and the neighbors felt clearly that this would take away a significant aspect of the residential neighborhood that currently exists. He commented that another goal of the zoning district was to minimize impacts of the automobile. He asked at the site visit how many parking spaces there were currently in the lot along Monitor Drive, and no one could provide a definitive answer. He was told 40 spaces and 80 spaces. Mr. Grannis commented that the applicant proposed to put in at least 268 spaces, which would increase the number of cars by something four to six times.

The increased volume of cars going in and out of the driveway on Monitor Drive was scary for the neighbors. He wondered what would happen to those traveling east on Kearns Boulevard wanting to turn left onto Monitor Drive. Mr. Grannis stated that another problem with increasing the number of cars, especially when Kearns Boulevard is jammed due to Sundance or skiing, was that people would travel north on Monitor Drive to Little Kate or Lucky John to get to SR-224. He was part of the Holiday Ranch Homeowners' Association ("HOA"), which consists of 100 homes, most of which are on Little Kate and Lucky John. The HOA was just coming up to speed on this and the residents were already very concerned about the increased traffic, especially along Lucky John. The remedy would be to have some of the vehicles exit on Kearns Boulevard instead of having everything come out onto Monitor Drive.

Mr. Grannis addressed density and stated that the number of people this project would bring took the neighbors aback. Currently, there are 200 to 250 residents and this project will result in up to 1,000 residents. He emphasized that this is a residential neighborhood and he was astonished at the number of people. This project will not harmonize with the neighborhood. He relayed that some of the neighbors commented that the buildings would be so tall that they would create a lot of interior shade during sunset, which would not be ideal for the children. In addition, the current buildings go east/west so that the bedroom windows do not face the street. Under the new proposal, there would be two large buildings facing the street and roughly 50 windows per building. Speaker Grannis expressed there would be 100 windows facing the street that would be lit up at night causing light glare to pedestrians walking along the street and it would be awkward for the residents of the buildings. He added that three-story buildings were daunting, and there would likely be solar panels on top that would add another 8 feet to the height.

Mr. Grannis stated that they have had problems with the existing families and provided the example of a vandalized mailbox. He has had kids set up a hammock in their trees and smoke marijuana and cigarettes. He raised issues of privacy, safety, and security. Someone advised him that the Traffic Study was done on a Saturday morning and he would encourage the Study to be done during the weekdays because the traffic patterns are totally different.

Angela Moschetta was a huge fan of the project and was impressed with some of the creativity that emerged during tonight's discussion. She felt it was great that the applicant was able to make decisions regarding efficiency and reducing height in certain areas by expanding the width and only losing two units. She loved Commissioner Johnson's suggestion of a community garden and greenhouse and appreciated Commissioner Hall's suggestion of making daycare an allowed use now to simplify things later.

Ms. Moschetta expanded on Commissioner Van Dine's comments about the anecdotal claim that people do not use or need cars. She suggested that everyone, including the applicant, really make an effort to shift how they look at these things, specifically car use and car dependency, and how they plan for these things. She mentioned that she had essentially stopped driving in Park City, and she was referred to in *The Park Record* as "Angela Moschetta who walks and takes a bus everywhere." As transit continued to become more robust, she made the decision to give up her car, and she is not the only one.

Ms. Moschetta offered that when they look at affordable housing, the biggest issue is the declining workforce. They cannot keep people employed at the school, and there are not enough daycare providers. She added that they struggle to provide housing for the City's transit operators and the resort and service economy. When they look to prioritize housing for those who work in certain disciplines, they might offer to prioritize affordable housing for those who are willing to give up their car.

With regard to concerns about illegal street parking, Ms. Moschetta did not feel that was too hard to figure out. They could implement parking permits through the City that they could easily verify with the County. Rather than continuing to prioritize people who are dependent on cars, she suggested prioritizing people who do not prioritize vehicles and who were willing to commit to other modes of transportation in exchange for the opportunity to live where they work.

Megan McKenna stated that she is a Housing Advocate for the Housing Resource Center at Mountainlands. She was very supportive of this project and agreed with Ms. Moschetta's comments. She was excited about the potential of this project to really change how they look at moving around the City. She offered to extend the services of the Resource Center to help educate and engage the public and the community, specifically the neighboring community, to help address their concerns. She noted the residents were excited about the redevelopment, and she encouraged the neighbors to get to know their neighbors in this project.

Chair Suesser commented that she would like to see feedback from the current residents on how often they use the bus located right outside the development and why they do not use the bus. This could help with improving the bus routes and schedules from that project.

Commissioner Hall noted that because more than half of the current residents were seniors or disabled, then they were likely using other modes of transportation provided to them without a vehicle. She felt getting all of that information would be helpful as they process the parking.

Commissioner Kenworthy asked if there would be a solar component to these buildings. Architect Elliott stated they expected to use PV panels and the buildings would be single-metered, so they would be able to put it through the whole property to reduce the overall cost and operations. He stated they would include the solar on the next renderings for the Commission to review.

Commissioner Johnson observed that the proposed buildings along Monitor Drive will be 28'6" in height. He suggested it might be good to provide a comparison with the existing buildings to narrate the height difference. He commented that the solar panels would be within the Code maximum of eight feet for mechanical, so the highest it could be would be around 36 feet.

Architect Elliott commented that they were already under the Code height, so the issue was really just making sure there was fire access to the roof. They would show that in coming renderings, and would also show the model of the existing buildings overlaid on the proposed buildings to show the difference in heights.

Commissioner Johnson added that there was a 25-foot setback but the right-of-way goes into the property. From the curb edge, they were close to 55 feet. Architect Elliott stated they would actually be set back from the existing buildings and would make sure that was clear during the next presentation.

Chair Suesser asked if some of the significant vegetation along Monitor Drive could be saved. Architect Elliott responded that some could be saved, and they were trying to figure out which ones could be saved. Some of the ones that would be the easiest to save were in the worst quality position and he understood it was directly related to salt on the roads.

Assistant Director Ward noted that the Parking Management Plan recommended 265 to 271 parking spaces and the applicant was working to get information on transit and the number of tenants who have vehicles. She stated that the Traffic Impact Study was based on the 268 number for cars, so as the applicant continued to evaluate the current conditions on-site, they needed to address whether there could be incentives for not having a car on-site or using transit. She asked if there was a baseline or a range that the Commission would like the Traffic Impact Study to consider and whether there was a consensus on the extent of the reduction the Planning Commission would consider for parking. Commissioner Hall stated that a significant parking reduction could be warranted given the specifics of this project, especially with the many seniors and disabled residents and the data to support those who currently reside there.

Chair Suesser leaned more toward the one car per unit policy because that is what they have in place now, and they hear frequently that only about half of the residents would continue living in the new project. They might have more families and single persons with cars.

Chair Suesser reiterated that she was leaning more toward 317 as the safe zone. She noted a lot of feedback from the affordable housing projects in town that parking was a hurdle and struggle, and created a lot of tension in the community. They were trying to foster a nice community here, and sometimes implementing drastic parking reductions created a lot of tension among neighbors. She understood that the next generation might be inclined to not have cars, and she liked the idea of prioritizing people who would be willing to give up their cars. However, in terms of a safe number, she favored one car per unit.

Commissioner Johnson noted there are major parking problems in affordable housing but he felt the applicant was thinking outside the box, and he liked the idea of an off-site parking option. He noted families would move into the three-bedroom units and would have more than one car, and that would be a struggle. He stressed that people in affordable housing need their cars. He referenced an article about affordable housing at The Canyons where people were parking at Ecker Hill Park-and-Ride and their cars were towed. As far as on-site parking, he supported a

reduction if they have other options. Commissioner Hall noted the applicant negotiated parking during construction, and felt there could be a lot of creative solutions that could be explored.

Commissioner Hall noted that one of the critical priorities was overhauling transit and transportation, which would be in line with trying to implement some of these creative solutions, especially given the wonderful location of this project.

Commissioner Kenworthy stated they have a huge parking problem in the City and they have to solve it. It had to be addressed not only for this project but also for housing throughout the community. They need to have a holistic solution. He would disagree that Richardson Flat was ideal. He suggested they make it a priority and allow these projects to go forward with the comprehensive transit and parking solution. With the redevelopment of this area, they should put this as a priority so that these other projects could go forward and not intrude on the neighborhoods. Saying that they would figure it out later did not work for him or the neighbors. He stressed there was no enforcement, so they need to find a solution.

Assistant Director Ward stated that they were working with 268 for the Traffic Study and they could work with that baseline. They would also continue to work with the applicant to get the Parking Management Plan updated to reflect that the demand of the project would be 268. Commissioners Johnson, Hall, and Van Dine agreed.

Assistant Director Ward noted the applicant did not request the full parking reduction available under the AMPD; rather, the applicant requested a 19% reduction. Given the specifics and what the applicant initially proposed as detailed in the Staff Report, Commissioner Hall believed the applicant could achieve a successful transportation and parking situation with the reduction. She mentioned micro transit and shuttles and noted they gave parking reductions in Upper Deer Valley because they provided on-site shuttles to take people into town. In terms of not only reducing parking and having it be workable for the town, but it would also alleviate some of the issues raised by the neighbors, because if they reduce the number of parking stalls, then they are reducing the number of cars on the road.

Chair Suesser commented that this restriction was being imposed on one community of people, and was not incentivizing others in town to walk, bike, or use transit. She stressed that parking was a huge issue for affordable housing, and was very burdensome on that community. She would prefer to see a one-car-per-unit approach.

Commissioner Hall noted that it was not just what they think would work given this Parking Management Plan, but also what the consultant advised was needed to incentivize AMPDs. They would increase AMPDs if they actually incentivized people consistent with what the consultants advised. She was excited that developers were finally coming to the table.

Chair Suesser suggested discussing the wiggle room with the developer while understanding that it was problematic for these communities to have the reduced number. While they were incentivizing these projects, they still needed to make sure they were meeting the needs of these communities.

Commissioner Johnson stated that if the applicant could speak to prioritizing people without cars he felt they might be able to get there. Chair Suesser did not know how they could manage 59 fewer stalls.

Commissioner Van Dine expressed that if the applicant provided the data to support the reduction, then they could consider it. Commissioner Kenworthy agreed, and looked forward to Cascadia coming back before the Commission to discuss these issues. He looked at what had happened in the past year since they changed the AMPD, and referenced Deer Valley, Studio Crossing and this project, with over 725 units with the AMPD, and 8 or 9 others in discussion. He stressed that they were doing well with housing, but they were not doing well with transportation and parking. Housing, transportation, and parking go hand in hand, and they must solve it on a community level.

MOTION: Commissioner Hall moved to CONTINUE the public hearing and 2200 Monitor Drive to May 24, 2023. Commissioner Van Dine seconded the motion.

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

7. ADJOURN

MOTION: Commissioner Hall moved to adjourn.

The meeting adjourned at approximately 8:45 p.m.

Approved 05.24.2023