PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JUNE 12, 2024

COMMISSIONERS IN ATTENDANCE: Chair Sarah Hall, Laura Suesser (via Zoom), Bill Johnson, John Frontero, Henry Sigg, Rick Shand

EX OFFICIO: Rebecca Ward, Planning Director; Jaron Ehlers, Planning Technician

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1. ROLL CALL

Chair Sarah Hall called the meeting to order at approximately 5:30 p.m.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from May 8, 2024.

Corrections were proposed by Commissioner Shand to the May 8, 2024, meeting.

MOTION: Commissioner Shand moved to APPROVE the Meeting Minutes, as amended for May 8, 2024. Commissioner Sigg seconded the motion.

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

B. Consideration to Approve the Planning Commission Meeting Minutes from May 22, 2024.

MOTION: Commissioner Sigg moved to APPROVE the Meeting Minutes for May 22, 2024. Commissioner Shand seconded the motion.

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

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

There were no Staff or Board Communications or Disclosures.

4. PUBLIC COMMUNICATIONS

Those providing public input were asked to state their full names and sign in. Comments were to be limited to three minutes or less and to be directed to the Commission, be civil, and address items before the Commission for review.

Planning Director, Rebecca Ward reported that a Ribbon Cutting for the Water Treatment Plant will take place on June 24. It is open to the public. It was noted that the application was approved some time ago.

Commissioner Johnson gave a slide presentation on a recent tour that he and other City and County Officials participated in Durango and Telluride. Affordable housing was one of the significant topics discussed, which does not apply to Park City since the real estate market is not comparable. In these communities, they are buying and repurposing aging hotels and motels. In one instance, 72 units were converted into 44 studio units and 28 one-bedroom units. In the rear of the property, they increased the number to 28 two-bedroom new construction units and 20 three-bedroom new construction units. All of the units are 60% Average Median Income ("AMI") with several set aside for 30% AMI. There were no market-rate units and no Code exceptions proposed. It was noted that the project was developed by the City. It was thought that the project could be financially feasible if the property were purchased at a discount since it was an old motel.

The takeaway was that homelessness is a critical issue in Durango and is prevalent throughout the area. Homelessness is something the City can be more aware of as they address affordable housing initiatives. A State Road is the main artery through Durango where there are no overlay or frontage protection zones. They are limited in that they have a Complete Streets Initiative as well as a Code to address the issue. Because of new development, they are doing a better job of widening sidewalks but the historical setback is a challenge.

Concern was expressed with trying to preserve green space as it limits the width of the sidewalk. It was suggested that the Commission consider widths when dealing with development in the City. It was not thought to be a good solution for walkability and bikeability. While everyone wants more trees, greenery, and dedicated open space, the hope is that there is a better way to accomplish it.

Where there is high traffic, support was expressed for wider sidewalks, however, there are cross streets that might not be as wide or mixed-use. The thought was that sidewalk width depends on the street, traffic, and pedestrian counts. Commissioner Johnson reported that Durango and Telluride have a great bike and walking trail along the river but much of the housing is on either side of the State Road. As a result, many of the connections are lost. The Planning Department there has limited flexibility because of the State Road.

Commissioner Johnson reported that Durango and Telluride are surrounded by federal land so urban sprawl is limited. In this case, they acquired 1,850 acres of private lands and are creating community-oriented activities such as an amphitheater and world-class mountain bike training and biking. When it was County land, it abutted Bureau of Land Management ("BLM") property. When the annexation took place, they rezoned their vision by zoning the open space and creating rural zoning areas. He considered it a great example.

Historic Preservation issues were discussed. Commissioner Johnson stated that they do a lot of work with respect to their Demolition by Neglect Program. A timeline is imposed within which a Building Permit needs to be issued within five years. Action needs to be taken rather than allowing buildings to fall into disrepair.

Commissioner Johnson reported that they have a very vibrant Main Street and rather than put dining into the street, they moved the sidewalk into the street and left the dining on the stairs. It flows well and allows for bike parking. Photos were described. Rebates were also offered to address traffic issues by providing e-bike rebates for specific income levels.

Commissioner Johnson reported that the group met with officials from the Towns of Telluride and Mountain Village and San Miguel County who are extremely aggressive with their affordable housing. Telluride has a Housing Authority that has done a lot of work. It was reported that a project consisting of Section 8 housing was built that was transferred to City ownership. Deed restrictions require 1,400 hours to be worked annually. They are having difficulty regulating that but are doing a lot of great things for affordable housing. Commissioner Johnson liked that there are 60% in town rental units and 40% that are owned. He suggested that the ratio be 75%/25%. It was noted that the majority of the County is an ownership model.

Commissioner Suesser found the discussion to be very interesting and helpful. She previously thought of Telluride as a town that is similar to Park City, however, she was not so sure anymore. Commissioner Johnson stated that the population of full-time residents is less than 6,000. The Town of Telluride itself is clustered and real estate prices are double those of Park City. He stated that the disparity is quite large. He suspected that was why they were so focused on affordable housing. Many people commute from Montrose, which is nearly three hours away, and from the surrounding counties. There is no major airport. Telluride, however, is making headway in terms of affordable housing.

A question was raised as to whether the affordable housing is mid-rise block housing or more individual. Commissioner Johnson stated that there is a lot of diversity in terms of building types in the area being discussed which is at the end of Town. He explained that affordable housing is a use by right, which was applauded by the majority of the attendees. He received clarification that it is a use-by-right if 100% of the affordable units are affordable and meet the Code. Otherwise, it goes through their Planned Unit Development ("PUD") process. He explained that AMIs fluctuate and that is how they are able to make it pencil.

Photos were shown of a downtown development where an entire intersection was buried to provide underground parking. There is deed-restricted commercial on the first level and market rate on the second and third floors. Across the street, they did the reverse with affordable market rate commercial below. Deed-restricted commercial was described as a space that is dedicated to non-profits such as office space and art studios. Commissioner Johnson liked the idea of providing specific vibrancy in certain areas. He did not consider it to be subsidized retail as it is geared toward non-profit organizations.

A question was raised as to whether Utah allows deed-restricted commercial. Senior City Attorney, Mark Harrington stated that it depends. There are components of that in the Intermountain Health Care ("IHC") Development Agreement. He explained that they may have more latitude to do it in a Development Agreement or Annexation rather than in zoning. They face occasional legislation that attempts to limit the City's involvement in affirmatively deeded restricting properties. He noted that the proposed bills have been oversimplified in the past but currently, the City has some capability to employ that. It could perhaps be put in the zoning.

A question was raised as to whether from a State or City level, there could be a public right-of-way with underground parking. Attorney Harrington reported that assuming the City is going to have some ownership capability, he could not recall the original plans for underground parking on the Bonanza site. There may be setback and property issues that would have to be addressed.

Commissioner Sigg reported that the State has a statute for infrastructure funding for things like parking as a funding source for something that normally would be prohibitively expensive. Commissioner Suesser was also curious about that and stated that the State owns Hwy 228 and Hwy 224 and there are a lot of utilities in those roads. She loved the idea but questioned the feasibility. She hoped to explore it further.

Commissioner Johnson described other affordable housing components employed by Telluride such as a boarding house with 18 single-occupancy units, communal kitchens, and shared co-ed restrooms. It features 23 parking stalls and is located downtown close to the resort and Main Street. It is essentially winter housing for the workforce. There are a handful of tiny homes across the street that were described as overpriced. Telluride also provides housing for Town employees to incentivize them to stay. The AMI fluctuates based on that. Telluride also has Demolition by Neglect in place. Currently, there is a seven-year time limit while community members support three to five years to help combat issues that exist with historic homes falling into disrepair.

A question was raised as to whether the City Code includes similar with regard to Demolition by Neglect. Attorney Harrington explained that there is a combination. There are inclusions in the City's Historic Code and the General Dangerous Building Code. There is no separate ordinance to that effect with affirmative obligations and Demolition by Neglect cannot be utilized as justification for demolition.

Photos of a small home were shown where they went three floors into the ground to secure the foundation as well as a gondola that took about 22 minutes to ride. It is free and runs every day from 6:30 a.m. to midnight. It was thought to be about half the cost operationally of running a bus and less than ¼ the cost of micro transit. The gondola was built and is owned by Mountain Village until 2027, which coincides with the equipment life of the gondola. The Town and the County are trying to figure out how to fund the $100 million renovation. It has been very controversial.

A question was raised as to whether there is affordable housing in Mountain Village. Commissioner Johnson confirmed that there is. They are doing a lot in that respect. He noted that there are no restrictions on nightly rentals. He reported that there is a development near the airport where a developer proposed to build affordable housing. The Housing Department, however, is very aggressive and did not go through the public process or any public hearings and spot-zoned it. They are now faced with several lawsuits. While the residents want affordable housing, the public process is very important to them.

There were no further public comments. The Public Communications Period was closed.

5. REGULAR AGENDA

A. 2413 Gilt Edge Circle – Condominium Plat Amendment – The Applicant Proposes to Amend the Arrowood Condominiums at Deer Valley Unit 3 to Convert 356 Square Feet of Limited Common Area to Private Ownership to Construct a New Bedroom within the Residential Development Zoning District. PL-24-06095.

Planning Technician, Jaron Ehlers was joined remotely by Marshall King and Megan Blosser from Alliance Engineering. The application was for a Condominium Plat Amendment for a three-unit condo development located at 2413 Gilt Edge Circle. A change was made to the proposed Plat since the packet was distributed. It was noted that not all of the common space will be converted to private ownership. The Arrowood Condominiums were approved in 1997 with litigation that led to a Settlement Agreement that required changes to what was approved. In 1999, the City reapproved the modified Condominium Plat that was recorded and the project built. In 2004, the City Council approved a Plat Amendment to Unit 2, which is similar to what is proposed to convert limited common space to private ownership to allow for the construction of an addition under a raised deck. The amendment was never recorded. There was also a change in the square footage from 356 square feet to 351 square feet of limited common area to private ownership to allow for the construction of an addition of one bedroom and one bathroom.

The existing condominium and deck meet the setback requirements but for clarity, staff recommended Condition of Approval Number 3, which specifies that the addition shall comply with the required 15-foot rear setback. There is no increase to the parking requirement, which the condominium already meets. Staff also recommended a fourth Condition of Approval that requires them to record and amend the Codes, Covenants, and Restrictions (“CC&Rs”) and include recordation of the Plat.

Staff found there was good cause since when the City Council approved the original condominium plat in 1999, they found there was good cause for Record of Survey as a significant portion of the property will remain unbuildable. The addition does not exceed the area disturbed by the existing deck and most of the site remains undisturbed.

Staff recommended an amendment to the Draft Final Action Letter to change all mention of the square footage from 356 square feet to 351. Staff recommended the Commission consider granting approval.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Suesser asked given the recited good cause that staff found to approve the request if there is a prohibition on an additional deck on the extension. Mr. King stated that the addition will be under the existing deck and cover the existing footprint. No additional deck is to be added. It was confirmed that the Homeowners Association (“HOA”) has signed off on the request.

Commissioner Frontero asked about the title on the limited common area once they have filed the volumetric of the condominium. Mr. King explained that the limited common area will still be owned by the HOA and is for the use of a particular unit. Attorney Harrington reported that the amendment extends the volume of the unit to include the new area below the deck. There is limited common area there currently as it is under the enclosed deck.

A rendering of the lower level was sought to better visualize the enclosure of the space under the deck. It was thought to be helpful to have a drawing or photograph of how it looks now. Mr. King stated that a photograph was submitted with the application and displayed for the Commission.

Commissioner Shand agreed that it would have been helpful to have a photo. It was confirmed that the deck will continue to be limited common area. Reference was made to page four of the Staff Report that shows the setback as 14' 4" as measured from the corner of the column of the deck. Below it shows that the building is in compliance with the setback of 15' 1" from a different measurement point. Mr. King explained that on the corner where the patio meets the building corner, there is a six-inch stone veneer. In this case, they were able to look under the stone veneer where the concrete foundation corner is visible. Setbacks are measured from the foundation. The measurement method was described. Once the addition is completed, it will be brought into compliance because the addition will not come out as far as the stone column. It was recommended that a rendering of what the project is expected to look like upon completion be provided.

Planner Ehlers reported that they have reviewed what is contained in the plat, which has a cross-section of the unit. The proposed rendering of the proposed build-out has not yet been shown to staff. He explained that that is not a submittal requirement for plat amendments. Ms. Blosser shared a .pdf rendering with the Commission showing the building elevations with the new addition.

Commissioner Frontero recommended that a rendering be required at the time of submittal for anything that impacts the exterior of a structure. He did not consider such a requirement to be a hardship for the applicant.

MOTION: Commissioner Johnson moved to APPROVE the Plat Amendment for Arrowood Condominiums at Deer Valley, Unit 3 subject to the following:

Findings of Fact:

1. 2413 Gilt Edge Drive is Unit 3 of the three-unit Arrowood Condominiums at Deer Valley Condominium.

2. 2413 Gilt Edge Drive is in the Recreation Development (RD) Zoning District.

3. On September 25, 1997, the City Council adopted Ordinance 97-44, approving the Arrowood Condominiums, a three-unit detached Condominium development.

4. On January 28, 1999, the City Council adopted Ordinance 99-2, approving the Arrowood Condominiums, with minor adjustments from a 1997 Settlement Agreement.

5. All three units have been constructed.

6. On August 11, 2004, the Planning Commission held a public hearing on an amendment to Unit 2. That proposal was also to amend the Condominium Plat to convert the area under the deck into living space. The Planning Commission directed Staff to return with a recommendation to forward a recommendation to the City Council.

7. On August 25, 2004, the Planning Commission held a public hearing and forwarded a positive recommendation to the City Council.

8. On August 26, 2004, the City Council adopted Ordinance 04-37, approving the Plat Amendment for Unit 2.

9. That Plat Amendment was never recorded and has since expired.

10. On April 12, 2024, the Applicant submitted a Plat Amendment application to the Planning Department to amend Unit 3.

11. On April 22, 2024, the Planning Department issued the Applicant a complete application notice for the current application.

12. The Arrowood at Deer Valley Homeowners Association approved the proposal.

13. The Applicant proposes to amend the Arrowood Condominiums in Deer Valley Plat for Unit 3 to convert 356 square feet of Limited Common Area to Private Ownership.

14. This proposal increases living space by allowing the enclosure of the area below the existing porch.

15. This proposed addition includes a Bedroom and Bathroom.

16. The porch will be converted to a roof for the addition.

17. Unit 3 currently has a Private Ownership of 2,653.65 square feet.

18. The proposed conversion from Limited Common Area to Private Ownership is consistent, as conditioned, with the requirements of the RD Lot and Site Requirements in LMC § 15-2.13-3.

19. LMC § 15-2.13-3 defines the required setbacks: 20 feet for the Front, 15 feet for the Rear, and 12 feet for the Side.

20. Condition of Approval 3 of Ordinance 99-2 establishes that the Front of the Lot abuts Gilt Edge Circle while the Rear abuts the Solamere Subdivision No. 1.

21. The existing Deck is in compliance with the Setbacks.

22. Due to the proximity of the existing structure to the zone setback, Condition of Approval 3 is necessary to confirm any addition/new construction meets the required zone Setbacks.

23. The proposal is compliant with LMC Chapter 15-2.13 because it is not proposing to alter the Lot Size or Lot Width, nor does the Addition increase the Building Height.

24. LMC § 15-3-6(A) establishes the minimum Parking Requirement for a Condominium Unit over 2,000 Square Feet to be two Spaces.

25. The existing Unit 3 already has a two-car Garage, and the proposed expansion of Private Ownership does not increase the Parking Requirement.

26. There exists Good Cause for the Plat Amendment because it maintains the Good Cause that was identified when the City approved the Plat in 1999, specifically that "[t]here is good cause for the Record of Survey, as a significant portion of the property will remain unbuildable." The addition does not exceed the area disturbed by the existing deck, and most of the site remains undisturbed.

27. The proposed addition does not disturb any Public Street, Right-of-Way, or easement.

28. The Development Review Committee reviewed the proposal on May 21, 2024, and requires Condition of Approval 4.

29. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 29, 2024.

30. Staff mailed a courtesy notice to property owners within 300 feet on May 29, 2024.

31. *The Park Record* published a courtesy notice on May 29, 2024.

Conclusions of Law

1. The proposal to amend Arrowood Condominiums at Deer Valley Condominium Unit 3 complies, as conditioned, with the RD Zoning District Requirements outlined in LMC Chapter 15-2.13.

2. The proposal to amend Arrowood Condominiums at Deer Valley Condominium Unit 3 complies, as conditioned, with the Off-Street Parking Requirements as outlined in LMC Chapter 15-3.

3. The proposed Plat Amendment complies with the LMC requirements pursuant to LMC Chapter 15-7.1 for Plat Amendment procedures because there is Good Cause and no Public Street, Right-of-Way, or easement is vacated or amended.

Conditions of Approval

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

2. The Applicant shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.

3. The addition shall comply with the required 15-foot Rear Setback.

4. Before recordation of the Plat Amendment, the Applicant shall record with the County the Amended Declaration to the Condominium for Arrowood at Deer Valley Condominiums in a form approved by the City Attorney.

Commissioner Sigg seconded the motion. The motion passed with the unanimous consent of the Commission.

The Commission took a short break.

B. Bonanza Park Small Area Plan – The Planning Commission will Review the Draft Plan to the Planning Commission, which Establishes a Vision Statement and Project Goals to Create a Mixed-Use, Local, User-Friendly, Inclusive, Green, and Cultural Neighborhood. PL-24-06026.

Andy Knight and Luis Calvo were present from MKSK Planning\Urban Design\Landscape Architecture to continue the discussion from the last meeting on the Small Area Plan. Mr. Knight explained that the discussion on the 200-acre study plan was in conjunction with the five-acre study. They will also share a preview of the final report that will be prepared as part of the study process. Revisions were made to Mixed-Use and User-Friendly based on conversations that took place at the last meeting.

The three remaining goals were discussed and consisted of the following:

- Inclusive – Expand the Availability of Affordable and Workforce Housing Units. Throughout the process, they have recognized workforce and affordable housing as very high goals from this study area. High marks were received in terms of public engagement from stakeholders. The State defines affordable at 80% of the Area Median Income ("AMI"). Park City has an Inclusionary Housing Ordinance that requires Master Planned Developments to provide 20% of its units as affordable and a percentage of the workforce generated by the project. As recent as 2023, a Housing Needs Assessment was conducted at which time there were around 651 moderate-income units Citywide. At that time, it was 11% of the 15% goal. Based on their discussions with the community, that goal should be higher. That should ramp up by 800 to 1,000 units Citywide. The Bonanza Study Area is an ideal location for workforce and affordable housing. For that reason, it is a goal of the project.

  The recommendations were as follows:

  - Work with the development community to build more affordable workforce housing.

It was recommended that the City explore additional Development Agreement options and incentivize affordable units. They can also encourage the construction of different types of unit sizes.

  - Establish bold affordability metrics to guide decision-making and track short and long-term success.

There should be a baseline that begins with a given year and checks in on the progress of goals.

  - Work with residents and property owners to preserve naturally occurring moderate-income housing already existing in the neighborhood.

Preserve existing housing that is near Bonanza Park. It is referred to as naturally occurring affordable housing.

  - Ensure that new housing in public spaces in Bonanza Park follows universal design principles.

Promote housing for all users. Universal design principles should be employed including accessible entries and non-slip surfaces in floors and bathtubs. A case study that has a good mixture is the Martha Project in Boise, Idaho. The developer utilized quality materials, integrated public art, and contains a mixture of studio, 1, 2, and 3-bedroom units. There is also interior bicycle parking. Open space and common areas were also incorporated where people could gather.

- Green – Create a More Welcoming and Sustainable Community. The three goals were identified as:

    - Create a safe and comfortable 10-minute walk to the park, outdoor community, or trail connection.

An area was identified in the center of the study area that shows a need for an area for a park. This is within a 10-minute walk for many Park City residents. There is a need for parks and open space common areas. They can also create neighborhood and outdoor community space and focus on trail and pedestrian connections.

    - Provide examples of publicly accessible green spaces or outdoor community spaces.

While all open spaces do not have to be of the same type, they can all work collectively to create a sustainable neighborhood. They can include community gardens, urban plazas, and large gathering areas and received positive feedback from the community.

    - Incentivize sustainable development with Park City to meet the net zero goals, reduce vehicle trips, and improve access to transit.

- Cultural – Weave Arts and Culture into the Community Fabric.

The recommendations were as follows:

- Use public art and placemaking elements to inspire, delight, and enliven public spaces and streets in Bonanza Park.

- Ensure that public art is meaningfully incorporated into development proposals and community outdoor spaces.

    - Allow art installations in the Frontage Protection Zone. When approved through the Public Arts Advisory Board, this is a good way to utilize the Frontage Protection Zone and provide opportunities to share culture in the arts in the neighborhood. Public art can also be shared in streetscapes. There are numerous opportunities to integrate public art into streetscape and traffic calming measures.
    - Develop art installations and gateway elements. Work with the Summit County and Park City Arts Council to enliven the Rail Trail.
    - Public Art is a core development principle. They can encourage and require developers of Master Planned developments to incorporate local art.

- Require the community outdoor spaces create as part of new development to include public art and incorporate murals, super graphics, and color to break up building facades.

Commissioner Suesser commented on how the area needs open space or a public park and asked if any thought had been given to reimagining the Olympic Park area making it more vibrant and potentially using it in a new way. Mr. Knight responded that they did not think specifically about the park itself in terms of recommending that it be improved, but it is addressed in some of the elements being discussed such as gateway opportunities and expression of culture. He considered it a good opportunity to create a welcoming experience.

The comment was made that when trying to implement a park onto private property there was some question as to how that can occur with a City-owned park on private property. Mr. Calvo stated that there are a variety of privately owned public spaces that are programmed by a developer or private owner with public access that are not officially a public park. If there was a desire for a portion of a development to be a public park, there would be a Development Agreement or Memorandum of Understanding between the developer and the City for maintenance, cleanup, programming, etc. Generally, however, that remains within the developer's purview and is considered an amenity to the development itself.

Mr. Calvo reviewed Section 4 of the presentation – Bonanza Park in Action. It is the implementation chapter and makes the ideas and concepts a reality. He stated that all communities, regardless of size and resources, must have targets and priorities. The top three priorities in implementing the plan were identified as follows:

- <u>Draft the new Bonanza Park Mixed Use Zoning District ("BPMX")</u>. It includes such things as the density bonus and the addition of community benefits. The next step will be to formalize the concepts that are shared in the document with staff working with the community on that through additional engagement.
- <u>Update the Frontage Protection Zone ("FPZ") to guide future development</u>. It is a response to a potential rezoning. As additional density becomes palpable through a mixed-use zoning district, the FPZ has increased its importance in protecting scenic views along key corridors in Bonanza Park. The update will ensure that new development in Bonanza Park continues to honor some of the scale and character that are expected from gateways into the community. The language should be drafted concurrently with the BPMX zoning and go to the City Council for consideration as a future ordinance. This is a short-term item that can begin right after the adoption of the process.
- <u>Ensure that all streets in Bonanza Park have a baseline of pedestrian connectivity and safety</u>. There are expectations for a walkable community. There are several things in Bonanza Park that are lacking with respect to walkability, connectivity, bike friendliness, and transit readiness. One is the lack of sidewalks. A number of sidewalk gaps have been introduced in the plan that should be addressed.

It was recommended that the Commission work with Mr. Calvo on his pre-implementation goals, specifically FPZ improvement. Interest in connectivity issues was also expressed. Mr. Calvo referred to the matrix in the Implementation Section and stated that for each of the goals there are associated recommendations. A timeline was added based on conversations with City Staff and their assessment of the feasibility of each. He considered many of the goals to be intertwined. He commented that the Code will drive many of the initiatives. He used the matrix as the guide in that effort moving forward. The goals also describe the future of Bonanza as desired by the public. Chair Hall commented that the implementation recommendations include things the City can do and provide a good place to start. It was reported that as drafted, the plan is intended to be a supplement to the General Plan. It brings forward the latest community vision for future development. The Commission can consider it a guiding document until the ideas are codified. A question was raised as to why they should require all six goals to be met by a new application. That was thought to be a high bar although the goal within the area was to achieve all six at a high level.

The categories of Inclusive, Green, and Cultural were discussed. Support was expressed for interweaving culture and art throughout the entire 200-acre area paying particular attention to the trails. It was something that the community wants to continue to see. The three goals were thought to be well presented.

The document has been updated since the last meeting. The edits were presented. Mr. Calvo stated that the first edit applies to the entire Bonanza Park Tomorrow Goals. They were asked to update the imagery to better reflect the character of Park City. Mixed Use Goals 1 and 2 were updated as well as the FPZ on pages 57 and 58 and 61 and 62. For Goal 1, revisions were made to the Community Benefits Section. The graphic was expanded to reflect the examples of community benefits that could be provided as part of the next step of implementation. Each category was expanded to include a more complete definition of what the Community Benefit means in this context. In the multi-modal transit hub, they identified the Park Avenue Transit Stop and Fresh Market as key. They also added the potential for heated or enclosed structures, public restrooms, or other transit amenities that developers could pay as a fee in lieu. The Snow Creek Tunnel and other public improvements were added to the neighborhood that developers could pay into as a community benefit. The undergrounding of utilities was added to the list of potential community benefits that can be considered. They also specified that affordable and workforce housing as a community benefit must be above and beyond what is required by the Code. That is 20% of the affordable units. For it to be considered a community benefit it would need to exceed that local requirement. Edits were also made to the verbiage to indicate that community benefits can be organized in a weighed system and point-based. The points must reflect the relative value of an investment of a community benefit.

Concern was expressed with the point-based concept but it was projected that practicality and implementation may be challenging. A tiering system was suggested as an alternative. The wording was to be changed to specify that a density bonus could be reviewed by the Planning Commission for a recommendation to the City Council for review and approval. Chair Hall commented that it is necessary to address affordability to provide incentives.

It was suggested that a mechanism be in place where they can signal to future developments that they no longer require the three benefits as they have been satisfied. Mr. Calvo agreed and stated that Bonanza Park does not need multiple mobility hubs. The impact of a mobility hub is that it is centralized and it requires placement in the district. The Code could be written to reevaluate community benefits of have discretion in how or if they are applicable to a certain project. It was suggested that there be flexibility in the benefits and potentially reprioritize them so that new applicants can help satisfy the benefits that remain unsatisfied. Mr. Calvo suggested that there be clarity for developers in terms of what can be expected. He suggested that the process be spelled out in the Code of how community benefits can expire or be fulfilled.

Commissioner Suesser suggested that they delete a portion of number two to state, "Community benefits are scored based on their impact." Chair Hall remarked that it seems that if the development meets some or all community benefits it is scored and qualifies. She was not sure that was the progression and it might not qualify. Commissioner Suesser's understanding was that if they have some or all of the community benefits, at a later point they will develop a system that will indicate what they would be entitled to for a density bonus to be determined later.

Chair Hall suggested that number 3 specify that there shall be a determination as to whether a development qualifies for a density bonus rather than it being presumed.

Mr. Calvo presented revisions to the FPZ reflected on page 61. They first added verbiage to specify that the Planning Commission maintains discretion within the FPZ, especially for development after the 30-foot setback to the 100-foot setback. This will be addressed further at a later date. The most significant change to the FPZ was the addition of a building height restriction to the entirety of the FPZ regardless of any density bonus that occurs in the underlying zoning. The building height maximum for the FPZ is 35 feet. They also added that they understand that there are small sites, corner lots, or other issues that arise that could be in conflict. It was recommended that there be a level of discretion for the Commission to consider site-specific factors in applying the FPZ. For instance, a corner lot or a lot where the FPZ occupies a significant majority of the site.

Mr. Calvo reported that they also added updates to page 62 of the plan including the following:

- Encouraged the undergrounding of utilities in the FPZ;
- Added edits and language to clarify the plan's recommendation on the placement of mechanical equipment and elevator shafts;
- Reiterated the recommendation in the Culture Section to allow arts and culture elements in the FPZ.
- Added a cross-section to show what the FPZ updates might look like if they were built out.
- Clarified that green space in the FPZ, which has been described as a linear green, should not be something that is only restricted to the perimeter of the site. If the site is able to accommodate it, it should be a green that is interconnected to the neighborhood to break up super blocks. They are intended to connect to the interior of the site.

A graphic was added to show an example of how the FPZ updates could reimagine some of the public spaces along the key corridors.

It was noted that based on the last meeting, they wanted to reduce the FPZ from 30 to 100 feet. A 30 to 50-foot setback was added with the potential for additional height to be allowed in the area. Public art will be allowed within the 30 feet but it was recommended that there be site-specific criteria as well for things within 50 feet. Mr. Calvo explained that if the FPZ occupies a majority of the site, the Planning Commission can have discretion in how the regulations are applied. A paragraph was added to specify that they are allowing for exceptions of prioritized good design on smaller, challenging sites at the discretion of the Planning Commission.

Commissioner Suesser stated that as groups they talked about how it would be a Conditional Use Permit ("CUP") process and if it is appropriate or if additional criteria would be appropriate. Director Ward explained that with the site-specific design, there was discussion of the Sensitive Land Overlay where vantage points have been designated. When a developer comes forward, they can go to a designated vantage point and consider how to develop their site plan. There can be designated criteria similar to what is in the Steep Slope CUP where, based on site-specific review, there might be some flexibility with Commission discretion to increase setbacks for corner lots or similar. The criteria that are addressed there would come as part of the Code Amendment process. That is expected to come forward as a CUP from the applicant. Mr. Knight offered to clarify that in the text.

The thought was that it would allow the Commission discretion to review an application on a case-by-case basis. The one flaw identified was that public feedback was based on the five-acre parcel and limiting the FPZ. Commissioner Suesser commented that given the congestion and the entry corridor at Kearns Boulevard and Park Avenue near the Yarrow, a greater setback there would be appropriate as opposed to the Arts and Culture corner. Both will be in the same zone.

Director Ward explained that there are currently no vantage points for the neighborhood. There are predictable standards that would be applied to the projects that come in within the FPZ. The vantage points are tied to the SLO. There are some processes that the Commission goes through that have criteria that can help achieve the goals of the FPZ.

Commissioner Suesser mentioned interior green space and the desire to encourage that. She states that green space should be public and not in interior courtyards, for example, and cut off from the public. Public green space will be more sought after in the FPZ. Director Ward suggested the term “public” be added to the draft, which overlaps nicely with what is recommended in the Green Section.

Mr. Calvo recalled a previous discussion of a boutique hotel as a use consideration. They are not to a point that they can have a list of allowable uses but they are alluding to certain things. Their understanding of a boutique hotel was typically 10 to 100 rooms, an independent brand or small chain that offers a niche or unique visitor experience. The term “boutique hotel” is not defined in the Code currently but could be added as part of a Code update. Another option was to add a third category of lodging to be called “boutique hotel”. Examples from other communities were shared. Mount Pleasant, South Carolina, for example, defines “boutique hotels” as containing no more than 50 lodging units and specifies the types of services provided. Sonoma County defines it as up to 50 rooms with or without kitchen facilities. Aspen’s definition is much more restricted to 10 to 14 individual units. If considered as an allowable use implementation would involve defining what that means.

Mr. Calvo stated that most municipalities have just a hotel or lodging category but no limit on the number of rooms. As a resort community, they have very specific needs and demands. The benefit of defining boutique hotels or expanding the hotel categories could be to allow for smaller lodging in Bonanza Park that might not be allowed or supported by the community if it is a larger hotel. As part of the engagement, there was some hesitation to allow larger, new hotels in Bonanza Park. People were much more open to smaller hotels or boutique hotels. The land use regulatory side becomes more complicated when the definition is essentially the same.

The comment was made that the boutique hotel and hotel concept has a lot to do with the business model of the hotel and the ownership parameters. It was recommended that within the newly created Bonanza Park Mixed-Use District, a new hotel category is defined based on the number of rooms being 40 to 50. It should also limit meeting space. Another definition should be based on the ownership structure. All of the rooms available in the definition of boutique hotels should be nightly rentals with single ownership and operated as a traditional hotel. Mr. Knight cautioned that with the creation of a new category they might have to update the definitions of minor and major hotels if the number of rooms or the ownership structure is in conflict. With regard to the district, it was suggested that they consider putting a cap on how many hotels will be allowed. Mr. Calvo noted that with respect to short-term rentals, the intent is to have a more concise strategy for Bonanza Park. The next step in defining that is to clarify that a boutique hotel is not an avenue for short-term rentals.

The comment was made that more detailed discussion is needed on the matter and there is a benefit to having a hotel there. Hotels have a high turnover of people, which creates vitality. 90% of people who stay in hotels go out to eat and long-term tenants in the area eat out 20% of the time. There is a balance that should be reached to create vitality in the area. Chair Hall agreed and stated that her vision for the boutique hotel use in the area is to allow it to the extent they can prohibit nightly rentals of condominium units. If they allow enough of this type of model they can potentially reduce the number of nightly rentals that are permitted in the area. Mr. Calvo was confident that when staff prepares a Staff Report on the matter, the definition of boutique hotel or use is longer.

Mr. Calvo identified changes made to pages 71-77 of the User-Friendly Section. Under UF1 they added language to consider corner lots and setbacks to allow for pedestrian/cyclist movement and circulation. They recommended that the Commission consider seasonal pedestrian/cyclist amenities as well. They also provided a cross-section of what a pedestrian/cyclist/greenway connection can look like as part of the FPZ or signature trail or as part of a new street. A cross-section was also shown of what a new north-south connection could look like as well as a separated landscape pedestrian trail. This is an instance where a tighter right-of-way can be accommodated to add a trail connection. Revisions were also made to the User-Friendly 4 where they expanded the language to provide opportunities for greater parking reductions for all uses and to allow the potential for minimal parking for a use such as a boutique hotel.

The Commission took a five-minute recess.

Chair Hall opened the public hearing.

Mark Fisher thanked the Commission for their dedication and reported that he sold the five acres and the Engine House property to the City. He has a 20+ year background on the property. With regard to connectivity and the design of the tunnels and trails, they spent years coming up with a plan that involved the land between Bonanza Drive and Park Avenue. The intent was to move the substation and allow that footprint to be Bonanza Park. At that time, the intent was to move the substation to where the Deer Valley Laundromat is located on the other side of Bonanza Drive. Now the City Council is contemplating putting it above Zions Bank which he supported. He was told that the power lines will be aligned in such a way that will allow the substation in future years to be moved so that the area where it is currently can be redeveloped. Mr. Fisher encouraged the Commission to leave that possibility open to address connectivity. For example, the rail trail can be extended under Bonanza Drive directly to the substation and from there to Park Avenue and the resorts. He thought it would be a missed opportunity to not consider that as part of the plan. Mr. Fisher commented that everything he is hearing tonight so far is that the Code will largely benefit the five-acre parcel and properties like the Yarrow. The vast majority of the properties will not be demoed in the near future. He encouraged the new Bonanza Park Mixed-Use Zone to adopt a more modern parking standard as is seen in large communities. Mr. Fisher stated that they have been wanting to enclose the Blind Dog deck for at least five years and through different staffing issues with the Planning Department they haven't gotten anywhere. He encouraged the Commission to make additions to the Code that address and improve the operations of existing businesses that have 10 to 15-year leases and won't be torn down.

Tracy Hardin, a Park Meadows resident, stated that she is a user of the Cloud Creek Trail which has become a thoroughfare for e-bikes. When approaching the Olympic Plaza riders struggle to understand where to go and it is very dangerous to navigate and cross there. She stated that a tunnel is part of the long-term plan but suggested that it be prioritized. In addition, considering green space in the Olympic Park area there is a lot of cement so if there is an opportunity there to create green space or a more hospitable gathering space with better shade it would be beneficial. Ms. Hardin next commented on the green space considerations and stated that the renderings shown on the slide were very large gathering spaces. She suggested they instead provide more intimate spaces. With regard to sustainability, currently, it is net zero good transit. There is a tremendous opportunity at this junction in the redevelopment and building in Park City to put more framework around net zero buildings and electrification. She commended the City's sustainability team who is very knowledgeable and willing to set aggressive guidelines for that. They have provided innovative ways for Park City to become a bigger showplace for sustainable building.

Debra Renfro gave her zip code as 84060 and was under the impression that Fehr & Peers was going to have a representative present to talk about the circulation and transportation portions of the study. She referred to page 256 in the packet where Fehr & Peers states that "All plus- project traffic scenarios were based on the preferred Land Use Plan developed for the study area which had two versions; a high-density version and a low-density version. The primary difference between the two versions was the amount of residential units proposed with 4,925 multi-family residential units in the high-density version and 3,844 multi-family residential units in the low-density version. All other land uses (hotel, dorms, art center, professional office, retail, restaurants, and grocery store) were the same for each version. The land use plan is described in more detail elsewhere in this Small Area Plan. " In the May meeting, the Commissioners asked MKSK for a ratio of residential, hotel, office, restaurants, etc. that would yield the most vibrant, successful Bonanza Park District. MKSK stated that they had not determined a ratio for Bonanza Park yet Fehr & Peers states that it has been detailed elsewhere. Ms. Renfro asked what mix Fehr & Peers used for each version and who developed it. What assumptions were made for additional employee generation for low-density versus high-density. This matters from a traffic perspective and potentially impacts the need for more affordable housing. On this matter, Ms. Renfro asked what assumptions Fehr & Peers made regarding traffic for the increase in visitors to the area from outside Bonanza Park.

Ms. Renfro referenced pages 205 and 206 of the packet where there are graphics with inset photos of what the corners look like today. In all three, mountains are visible. The depictions under the proposed FPZ, mountains are no longer seen in two of the three photos. It was her understanding that the main focus of the FPZ is to preserve viewsheds. She asked the Commission to reconsider that. In the Small Area Plan Committee, there was discussion about whether the Commission should consider dedicated bus lanes as an appropriate use within the first 30 feet of the FPZ.

Peter Tomai lives in the 84098 zip code. He commended the City for recognizing the potential presented by Bonanza Park. As Mr. Fisher alluded, there has been a lot of thought and time over many years in determining how best to deal with the area. Previously, Bonanza Park was the industrial and commercial core of Park City. It included lumber yards, gas stations, and other industrial uses. It has since evolved into a niche neighborhood with successful small businesses and creative uses. It, however, suffers from its industrial legacy with acres of asphalt parking, low metal and block buildings, and a complete lack of open space, vegetation, and bike and pedestrian facilities. It was designed for cars. Mr. Tomai was concerned when he heard that it would be many years until the area will be redeveloped. He questioned whether that was the goal. He suggested that they encourage redevelopment in the area to create an opportunity for a complete community where people can live, work, play, thrive, and grow.

Greg Friedman, a Bonanza Park resident, reported that he has lived in the area for many years and he walks the area frequently. With regard to the gaps in walkability, when looking at the graphic presented, he identified places where they could have additional walkability that have not been suggested. He recommended the addition of a walkability sidewalk/trail behind the properties of Homestake and Claim Jumper Properties to connect Kearns Boulevard and Homestake Road to provide connectivity for the people who live in the existing buildings and what will be there in the future. He also suggested that the potential for a sidewalk/trail be added to connect the back of the Engine House property and what is now the Substation property across the existing property to Iron Horse Drive to help provide connectivity. He suggested that rail service be brought back to the center of Park City. He considered it to be very shortsighted to not take into account the fact that rail travel is so efficient. The district mobility hub could include a rail element with the Rail Trail terminating in the Bonanza Park area.

There were no further public comments. The public hearing was closed.

Chair Hall stated that once the matter goes onto the City Council there will be another opportunity for public comment.

Planner Ehlers stated that to this point staff has served as the liaison for the project and it is being fast-tracked to the extent possible. He took exception to the people thinking that they do not have a sense of urgency to take action and that they are trying to inhibit development. He explained that they are trying to do it the right way.

Mr. Knight addressed the next steps which are to incorporate the feedback provided tonight into an updated version of the plan. Mr. Knight was asked why representatives from Fehr & Peers were not present tonight. Mr. Knight stated that Fehr & Peers was not available but they made arrangements for them to attend the next City Council Meeting. Regarding the question of a preferred plan, under the proposed development scenarios, they reacted to a preferred street network plan. Several options were presented and the preferred plan included a mixed-use formula to determine parking and traffic demands.

The comment was made that Fehr & Peers expects every major intersection to operate at a Level of Service "F" in the next 10 years. Mr. Knight stated that there are some existing traffic concerns and additional development will continue to exacerbate those issues.

Director Ward reported that during peak times every major intersection is in this neighborhood. Fehr & Peers coordinated with the Engineering and Transportation Planning Teams to look at the traffic holistically. That includes future developments. This is a neighborhood that can be pedestrian-oriented and transit-friendly through mitigation strategies, site-specific requirements, parking reductions, and transit enhancements. Expert help on those strategies is available through the mobility component, which is part of the Bonanza Park Small Area Plan. As they go through the Code, they have a great foundation to build upon with the Lisa Wise Consulting work on Transportation Demand Management Plans that can be required for individual projects that allow for annual reporting and compliance that build in flexibility over time. Those details can be included in the Code so that mitigation strategies can be site-specific in the context of what is taking place in the neighborhood as a whole. It was contemplated that each project will likely have to provide a Traffic Mitigation Plan and a long-term plan that shows how the impacts of the plan will be managed. A key component is how they develop the 200 acres to make it more pedestrian-friendly and less reliant on cars.

The comment was made that Olympic Park would be more user-friendly if there was a viable way to get there. With regard to traffic demand and failure, there is an acute need for our transportation and traffic initiatives to move forward. Recently, recommendations were made to the City from the Transportation Disrupter Committee and potential initiatives. It was noted that many people will come to the area from throughout the County.

A question was raised as to whether the plan would allow for Bus Rapid Transit, SR-248, or transit improvements. Director Ward stated that throughout the process the coordination of long-term transit improvements has been reviewed and input has been provided from the long-term planning teams. There is nothing in the plan that would prevent those improvements from happening but facilitate and help support those long-term improvements. The point was made that if a developer had a basic plan for the City-wide Transportation Initiative, it would be easier to plan.

With regard to priority, Mr. Calvo assumed there would be some procurement, design time, and lead time needed to fulfill some of the connectivity gaps. Commissioner Suesser referenced the corner of Kearns Boulevard and Park Avenue and asked if the City can determine how much space they should have for pedestrians and cyclists for a well-connected corner and whether it makes sense to construct a tunnel or overpass to take people from that corner across Park Avenue. Director Ward stated that there are several adopted plans in place. This will become a supplement to the General Plan if it moves forward. They also have Park City Forward, which is the transportation plan that sets long-term projects and priorities. She referenced page 72 of the plan, which calls out a potential tunnel or connection from McLeod Creek creating the north-south connection through Shortline Road to Deer Valley Drive and identifying that as a gap. The desire is to build a network along Park Avenue and north-south connections that are currently missing and the east-west Rail Trail connection. In terms of individual improvements for the major intersections and the experience of pedestrians and cyclists crossing, some additional recommendations and strategies would need to be done in partnership with the Utah Department of Transportation ("UDOT"). There was a public comment about looking at the connectivity grid. There are limitations and opportunities and this provides an overview of a network that individual sites can plug into and connect with. As individual sites develop, there are opportunities to improve internally and address how people are coming to the sites overall.

Director Ward explained that the City can improve all of the pedestrian connections along the major intersections in partnership with UDOT. The plan recommends that as the neighborhood develops those things are done over several years. If the recommendation on page 97 is to reduce that to short-term that can be done.

There was a consensus among the Commission to support the six high-level goals and acknowledge that the real work will take years and many meetings to accomplish. Chall Hall stated that in general, the Small Area Plan with the updates discussed tomorrow was something she was satisfied with in terms of forwarding a positive recommendation to the City Council.

Procedural issues were discussed. Director Ward reported that there will be many meetings held to review what has been discussed to make the six goals a reality and what the Code allows for. She explained that in order for the Code to apply, it needs to be updated. When an applicant comes forward, once they submit a complete application they are vested under the Code that is in effect at that time. The Commission has flexibility under the existing Master Plan Development Code. For the amendments coming out of the project to apply, they have to be fully adopted. The City was awarded a grant for consultant services to ensure that they are done and done well in a reasonable amount of time. The internal goal was to move forward with a draft by the end of the year.

It was suggested that it move forward as quickly as possible in order for the stakeholders in the area to begin to move forward and present applications for redevelopment. It was determined to be a good framework for the next step. MKSK was thanked for their good work and for capturing what the community relayed to them. They should meet with the City Council to determine what the community benefits will be for the Code amendment and how they will approach the tabling and the matrix system for the developments that will be seeking a density bonus. Director Ward confirmed that it is proposed to be a supplement to the General Plan and will replace what is currently in the General Plan specific to the Bonanza Park Neighborhood. For the comprehensive updates to the General Plan, the City Council approved the contract with Design Workshop and the project will be getting underway this month.

Director Ward commended MKSK for their great work. Revisions will still be coming forward regarding renderings on pages 64 and 65. The renderings reflect what the Commission reviewed in the last meeting. When the matter goes to the City Council they will be updated to reflect the latest changes to the FPZ.

MOTION: Commissioner Johnson moved to forward a POSITIVE recommendation to the City Council for the Bonanza Park Small Area Plan based on the Draft Ordinance. Commissioner Frontero seconded the motion. The motion passed with the unanimous consent of the Commission.

6. ADJOURNMENT

MOTION: Commissioner Shand moved to adjourn. The motion passed with the unanimous consent of the Commission.

The meeting adjourned at approximately 9:00 PM.