PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
August 24, 2022

NOTICE OF HYBRID IN-PERSON AND ELECTRONIC MEETING: The Planning Commission of Park City, Utah will hold its regular meeting with an anchor location for public participation at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 on Wednesday, August 24, 2022. Planning Commission members may participate in person or connect electronically by Zoom or phone. Members of the public may attend in person or participate electronically. Public comments will also be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom through www.parkcity.org/public-meetings. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

SITE VISIT 4:00 PM 1875 Homestake Road - The Planning Commission Will Visit 1875 Homestake Road, an Affordable Master Planned Development.

MEETING CALLED TO ORDER AT 5:30 PM.

1. ROLL CALL

2. MINUTES APPROVAL

2.A Consideration to Approve the Planning Commission Meeting Minutes from July 27, 2022.
July 27, 2022 Minutes - Pending Approval

3. PUBLIC COMMUNICATIONS

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5. CONTINUATIONS

5.A **1800 Park Avenue - Master Planned Development and Affordable Master Planned Development –** The Applicant Proposes to Replace the DoubleTree Hotel With a Mixed-Use Residential Project Including 126 Market Rate Condominiums and 147 Deed Restricted Affordable Rental Units in Two Buildings with Parking Below in the General Commercial Zone. PL-22-05254 & PL-22-05255.
(A) Continuation to September 24, 2022
1800 Park Ave. Continuation Staff Report

5.B **1875 Homestake Road - Affordable Master Planned Development and Conditional Use Permit -** The Applicant Proposes Constructing Approximately 200,436 Square Feet on Lot B of the Yard Subdivision for 123 Units Totaling 103,060 Square Feet (46 One-Bedroom Units, 74 Two-Bedroom Units, and 3 Three-Bedroom Units), 6,461 Square Feet of Amenity Space, and 42,237 Square Feet for 125 Parking Space in the General Commercial Zoning District.

80% of the Units are Proposed to be Affordable; 20% are Proposed to be Market Rate. PL-22-05288; PL-22-05300 (2 mins.)
1875 Homestake Road Continuation Report

6. REGULAR AGENDA

6.A **Moderate Income Housing Plan and Report –** The Planning Commission Will Review the City's Moderate Income Housing Plan Element of the General Plan that Establishes Goals and Strategies to Incentivize Development of Affordable Housing and the Annual Report to the State on the City's Affordable Housing. (20 mins.)
(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on September 1, 2022
MIHP Staff Report
EXHIBIT A: 2022 5-Year MIHP
EXHIBIT B: HB462 MIHP Strategies

6.B **7805 Royal Street – Subdivision Plat** – Park City Fire District Proposes a Subdivision Plat to Create A Single Lot-of-Record From A Metes-And-Bounds Parcel in the Public Use Transition Zoning District. PL-22-05264 (10 Min.)

(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on October 6, 2022.

Park City Fire Station Subdivision Staff Report
Exhibit A: Park City Fire Station Subdivision Draft Ordinance and Proposed Subdivision Plat
Exhibit B: Project Intent
Exhibit C: 2002 Variance PL-02-00151
Exhibit D: 2002 Conditional Use Permit PL-02-00149
Exhibit E: Boundary and Topography Survey

6.C **Land Management Code Amendments** - The Planning Commission Will Review Amendments to Section 15-12-2 *Terms and Eligibility of Members* to Establish Planning Commissioner Qualification Requirements, Including the Requirement that at Least One Planning Commissioner be a Land Use Professional. PL-22-05332. (15 mins.)
(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on September 1, 2022
Planning Commissioner Qualification Staff Report
Exhibit A: Draft Ordinance No. 2022-XX

7. ADJOURN

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

***Parking is available at no charge for Council meeting attendees who park in the China Bridge parking structure.**

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
July 27, 2022

COMMISSIONERS IN ATTENDANCE: Chair John Phillips, John Kenworthy, Sarah Hall, Laura Suesser (attended virtually), Bill Johnson (attended virtually), Christin Van Dine

EX OFFICIO: Gretchen Milliken, Planning Director; Rebecca Ward, Assistant Planning Director; Alexandra Ananth, Senior City Planner; Jason Glidden, Housing Development Manager; Rhoda Stauffer, Affordable Housing Program Manager; Browne Sebright, Housing Program Manager; Spencer Cawley, City Planner; Makena Hawley, City Planner; Mark Harrington, City Attorney

---

1. ROLL CALL

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

The following was read:

> The Planning Commission of Park City, Utah will hold its regular meeting with an anchor location for public participation at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 on Wednesday, July 27, 2022. Planning Commission members may participate in person or connect electronically by Zoom or phone. Members of the public may attend in person or participate electronically.
>
> Public comments will also be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom through www.parkcity.org/public-meetings. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

Chair Phillips confirmed that all Commissioners were present. Commissioners Suesser and Johnson participated virtually.

2. PUBLIC COMMUNICATIONS

Mark Fischer thanked Chair Phillips for his service. He stated that he had noticed that the maintenance gate at the top of Empire into Red Cloud was not being closed at night or on the weekends. He recalled that this was a Condition of Approval for Sommet Blanc. He requested that this be properly enforced. He mentioned that when he asked a police officer about this, he was told that it was outside the Police Department's jurisdiction and would have to be enforced by the private developer.

Former Mayor Dana Williams recalled that nine years ago, Chair Phillips was interviewed for the Planning Commission and he was amazed at Chair Phillips' commitment to the position. Former Mayor Williams also expressed his honor that Chair Phillips took on this job and noted that the decision to hire him was unanimous. Former Mayor Williams felt that the Planning Commission was one of the toughest jobs in the City and stated that Chair Phillips performs his duties with honor and respect for the City. Former Mayor Williams appreciated Chair Phillips' efforts and felt that Park City was better because of his service.

Mayor Nann Worel commented that she served as Chair of the Planning Commission when Chair Phillips was appointed and he hit the ground running. The learning curve to serve on the Planning Commission is steep and Chair Phillips met it. Mayor Worel expressed her privilege to have worked with Chair Phillips for nine years and to watch his children grow up.

On behalf of the City Council, Mayor Worel expressed their gratitude for Chair Phillips' years of service to Park City.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Gretchen Milliken, stated that on August 24, 2022, they will conduct a site visit to the Bonanza Park area. The visit will focus on the Homestake application, as well as several other applications in the area. This will allow the Planning Commission to become familiar with the site. The site visit was likely to begin at 4:00 p.m.

On behalf of herself and the Planning Staff, Director Milliken expressed gratitude to Chair Phillips for his hard work. Staff felt very comfortable with him as Planning Commission Chair and in addition to having a good rapport with everyone, he was fair and levelheaded. It had been a pleasure to work with him and she thanked him for his.

Chair Phillips thanked Director Milliken and stated that he enjoyed working with her and Staff. He expressed excitement for what was to come for Staff and Park City.

Commissioner Hall expressed appreciation to Chair Phillips and agreed with the prior comments. She recognized that it is a difficult job and being Chair is even more difficult. He performed both jobs very well.

Commissioner Kenworthy stressed the importance of having a mentor like Chair Phillips. He thanked Chair Phillips for making sure the Commissioners got paid. Chair Phillips felt that he had been somewhat of a mentor but recognized that mentorship is passed down. He acknowledged Bruce Erickson as his biggest mentor. Chair Phillips felt that the current Commissioners would continue that tradition by welcoming the new Commissioners and helping them along.

Commissioner Van Dine expressed her gratitude to Chair Phillips and stated that he would be missed. She thanked him for his years of service. Chair Phillips stated that the most underestimated aspect of serving on the Planning Commission was the amount of work it takes, and what their families sacrifice to allow them to do this job. He acknowledged that his children supported him and sacrificed through the process. He looked forward to spending Wednesdays with them. He added that all of them have families and people in their lives that have sacrificed, and he acknowledged all of the children, spouses, and others for their support. Chair Phillips took on the position to provide a better community for his children who in turn understood his leadership. He was proud to have been able to be a good example for his children.

Chair Phillips referenced the comment regarding the maintenance gate and recalled that it was a sticking point for him. He asked that Staff follow up on this report and follow through with the Commission's intent to have the gate closed and only accessible to construction vehicles.

4. WORK SESSION

A. 1875 Homestake Road -- Affordable Master Planned Development and Conditional Use Permit -- The Applicant Proposes Constructing 200,432 Square Feet on Lot B of The Yard Subdivision - First Amended for 123 Units Totaling 103,060 Square Feet (46 One-Bedroom Units, 74 Two-Bedroom Units, and 3 Three-Bedroom Units), 6,461 Square Feet of Amenity Space, and 42,237 Square Feet for 125 Underground Parking Spaces in the General Commercial Zoning District. 80% of the Units are Proposed to be Affordable and 20% Market Rate. PL-22-05288.

Chair Phillips expressed excitement at seeing the first application under the Affordable Master Planned Development ("AMPD") Section of the Code.

City Planner, Spencer Cawley, reported that 123 units were proposed for the project, which is located in the Bonanza Park neighborhood. 80% of the units are deed-restricted affordable housing units and 20% are market-rate units. He referenced the Staff Report that broke down which type of units will be affordable and which will be market-rate.

Planner Cawley addressed the proposed schedule moving forward and mentioned the site visit on August 24. The City Engineer would be present to answer questions and discuss future improvements to infrastructure and roads. Afterward, the Work Session would address traffic, sustainability, building heights, and setbacks. A public hearing was scheduled for September 28 along with further discussion regarding the AMPD and Conditional Use Permit ("CUP") criteria. A further public hearing with potential final action would then occur on October 26, 2022. The sub-station would also be discussed at the August 24 meeting.

Planner Cawley reported that the proposal included 6,416 square feet of amenities space proposed for many different uses. The applicant would like to discuss the uses and get feedback from the Commission as to the most appropriate uses for the project. For the next Work Session, the Planning Commission could consider requesting expert testimony regarding the health impacts of electromagnetic fields emanating from the Rocky Mountain Power Sub-Station adjacent to the property. He reported that the applicant has proposed a wall to screen the sub-station from the project and potentially install a mural or other element to make the wall more attractive.

Rory Murphy, on behalf of the applicant J. Fisher Companies, thanked Chair Phillips for his service and the Commission for the opportunity to present this application. He introduced Ryan Davis from J. Fisher Companies and the Project Architect, Chimso Onwuegbu, AIA. Mr. Murphy reported that they have worked closely with Housing Development Manager, Jason Glidden, and Peter Tomai, on behalf of Park City Municipal Corporation, to develop a public/private project that would be appropriate for the City. He hoped to move toward an AMPD that reflects the concerns of the Planning Commission as well as the neighbors.

He acknowledged that this is a sensitive matter for the City, as the City is both the applicant and the regulator. The Planning Commission is the deliberative body, and the applicant recognized and respected that role. He commented that there had been a lot of dialogue with City Staff and the City Council but what is important at this point is the Planning Commission's interpretation of the application and any outstanding concerns.

Mr. Murphy invited feedback from the Commission and stated that as this application proceeded through the Commission hearings they will address the CUP, the visuals, and details. He noted that there is a widely circulated image of the project from Horrocks Engineering. He referenced Amy Roberts' column where she said it looked like a rejected 1970's mental institution. Mr. Murphy assured the Commission that the image was not representative of this project and that it will be attractive. He displayed an image showing the triangular-shaped property located in an area that was an old rail yard. He confirmed that the project will contain a total of 123 units, that no variances were sought as part of the application, and that it is entirely within the AMPD.

Mr. Murphy reported that the site's triangular shape was challenging and they wished to discuss parking considerations with the Commission. He reported that the immediately adjacent businesses and landowners have expressed concerns, which they would address tonight. Additionally, the neighborhood and community expressed concerns that would be covered in detail. Mr. Murphy stated that the City has extensive infrastructure plans, particularly with regard to Homestake and Munchkin Roads that will significantly impact this project.

Mr. Murphy addressed the key affordability factors and stated that the project is walkable to everything in town including schools, the resorts, grocery stores, restaurants, bars, entertainment, and the future Arts and Culture District. He stressed that the project is centered in the middle of the City. The transit surrounding the project is complete and people can go in any direction and access public transportation. The application contained a public transportation element but he reiterated that the project would have excellent transit access.

Mr. Murphy explained that the proposed Housing and Urban Development ("HUD") Control Program requires the project remain affordable housing throughout its duration and will change to market rate units only at some point in the future. The developer was currently considering only long-term rentals. No short-term rentals would be allowed in either the affordable or market-rate units. Mr. Murphy stated that J. Fisher Companies has developed 1,000 affordable units in Utah and has $300 million in affordable projects and $100 million in Low-Income Housing Tax Credits ("LIHTC") equity projects. The current uses for the site include overflow parking for the neighboring residences, the Kimball Arts Center, and adjacent businesses. Three restaurants use the property as overflow parking. The site has also become a random storage area with boats and other items stored there. It is currently an open parking lot where users are neither towed nor ticketed.

Mr. Murphy mentioned that they originally believed that the site was overflow parking for the condominiums across the street; however, the public meetings revealed that the lot is used by many others who are not affiliated with the condominiums and park vehicles there long-term. There was a rigorous selection process for the project after which the City selected J. Fisher Companies as the developer. Mr. Murphy identified the key stakeholders to date, which include the Claimjumper homeowners, the Homestake owners, the adjacent business owners, and adjacent property owners, Mark Fischer, Vail, and Utah Power. He also mentioned Park City

Staff and Planning Commission, Affordable Housing organizations, and community advocacy groups.

Mr. Murphy reported that they held several meetings with the neighbors that were reasonably productive. He acknowledged that there was a lot of emotion; however, the key input and principal issue raised was parking. Other concerns expressed included no nightly rentals and ensuring that the project will be for non-resort-based housing. The units could not be rented out during Sundance or any other time. Mr. Murphy stated that these were important considerations in his two other affordable housing projects in the City. He added that traffic was also a significant concern expressed by the neighbors. He acknowledged that they were counting on the City's improvements to Homestake and Munchkin Roads to mitigate those issues. Traffic was something that needed to be addressed in the area. He stated that currently, walking on the road, particularly at night, is unsafe due to the narrowness of the roadway and significant line-of-sight issues.

The new plan presented by the Park City Engineering Department was to construct an eight-foot walking lane next to the road as well as other improvements. Mr. Murphy represented that the Engineering Department was concerned that widening Homestake Road would increase speeds. He agreed with that concern and felt that the most important consideration was pedestrian access. He also mentioned the desire to maintain the neighborhood feel and acknowledged that this is one of the last working-class neighborhoods in Park City.

The applicant agreed that the project should comply with the Land Management Code ("LMC"). Mr. Murphy stressed that the applicant would not be seeking any variances. He explained that the size of the project was a concern raised by the neighbors. While they settled on 123 units, they requested feedback on whether the Commission would be comfortable with a project of that size. With regard to the length of time for construction, Mr. Murphy stated that their group is comprised of people with considerable experience with larger projects, which would hopefully help move construction along. He reported that there was general support for workforce affordable housing provided it remains affordable. The neighbors also questioned whether the City has enough water for this project and if the City would communicate effectively with the neighbors regarding the project. He stated that the applicant would follow a path of general respect and communication with the neighbors.

Another concern expressed pertained to the Garbage Plan, which he acknowledged would be a challenge for the Architect as they move forward with the design. Mr. Murphy reported that concerns were raised about employee and overflow parking. He noted that the restaurants have valet parking behind their establishments and generally are able to park everyone in the area between Homestake Road and the Boneyard. He emphasized that the restaurants are making a concerted effort to handle their own parking. Other concerns included ensuring City support for the Transit Plan. According to those they spoke to, the vast majority of people who park on Homestake Road do not live at either the Homestake or Claimjumper Condominiums. He commented that anecdotally, they observed that those who park on the street and the overflow lot access the condominiums.

Mr. Murphy stated that the feedback was very supportive of bike and e-bike stations and there was an emphasis on the need for a greater degree of parking enforcement. Snow storage was also of concern as was operational noise. He reported that the Park City Engineering Department was looking at improvements to Homestake Road and a connection to Munchkin Road that essentially runs through the current Recycling Center.

He identified the surrounding properties. Charlie and Mary Windsor's six-acre property is located to the south. The substation and Vail's lot are located to the east and the Recycling Center is to the northeast. The Homestake and Claimjumper condominiums are west of the site while the Yard is to the north. The proposed Arts and Culture District is not directly adjacent to this site but was proximate.

In terms of studies, Mr. Murphy explained that they have undertaken a lot of stakeholder engagement, as well as community and neighborhood engagement. They completed the Phase 1 Geotechnical and Environmental Study and were waiting on the Phase 2 study to specify what is on the site. He also mentioned the ALTA, traffic and parking, cultural resources, massing and yield, historical use, and research and title reports. In addition, they have engaged a number of City departments so far.

Mr. Murphy stated that the Environmental Director and United Park City Mines stated that the general tailings stream that affects lower Prospector bypassed this property on the east. He noted that the primary use of the property was stockyards and railroads. Therefore, livestock would have contaminated material on their hooves and the railroads would occasionally lose materials off the side. The general consensus was that they would need to mitigate 12 to 24 inches of contaminated material. It was important to note that they were aware of no tailings on the site.

With regard to existing parking conditions, Mr. Murphy reported that there are typically 30 to 40 vehicles on-site at all times, many with trailers. On Friday and Saturday evenings, there are up to 60 vehicles. He personally counted 72 vehicles on July 4. The vehicles include a mix of residents, workers, patrons, and others. He referenced the floor plan analysis and explained that their plan included mostly one and two-bedroom units with a few three-bedrooms. He mentioned that they would propose taking advantage of the fourth floor offered by the AMPD. Mr. Murphy invited feedback from the Planning Commission after which they would conduct research and respond at the next meeting.

Mr. Murphy reported that he had conversations before the meeting with the owner of the Boneyard and Mark Fischer, who owns the majority of the property to the north. They expressed concerns about the proposed building blocking the view of the stage of the mountains. They also raised issues with residents parking in adjacent parking lots. Mr. Murphy felt this was a legitimate concern but could not respond at this time.

Chair Phillips invited comments from the Commissioners. Commissioner Hall was excited that this item was on the agenda as they had been talking about it for some time. She also expressed excitement at there being 80% affordable units, since the Code only requires 50% to qualify for the AMPD. She agreed with the uses listed in the Staff Report as well as the commercial uses if they are to become financially viable in the future. She specifically mentioned a coffee shop and other uses proposed. Commissioner Hall acknowledged that she does not have a strong background in EMFs but would rely on what the City has done and what the applicant proposed. She did not feel that an additional expert report would be necessary. She was supportive of a wall with a mural at the substation and asked if the units will be sold or rented. Mr. Murphy confirmed that the units will be rented.

Commissioner Hall asked the applicant about their proposed parameters of "no nightly rentals" and whether it meant 30 days, 60 days, or some other defining term. She would be looking for this as the application moves forward. Mr. Davis reported that they will have a minimum 12-month lease structure with a prohibition against sublets. He added that this was part of the Utah Housing Corporation requirements and will greatly exceed any short-term rental requirements. Commissioner Hall agreed that a parking reduction would comply with the LMC and the walkability of the project will provide the basis for a parking reduction. She expressed excitement about the proposed 12-foot multi-purpose walkway, the eight-foot walkway on the western side, and the bike storage. She was interested in how the parking reductions would work.

Commissioner Hall noted that the proposed open space was at 32%, while the Code allows 20%. In terms of the public comment about the building height, she suggested possibly having some areas of the building at three stories. She was also open to expanding the footprint because of the open space and absence of any setback violations. Commissioner Hall was open to allowing setback reductions or working with the open space percentage in accordance with the LMC. Commissioner Hall mentioned general discussions with Staff regarding the potential for sunset clauses as part of an MPD. She noted that the Commission was seeing MPDs from 30 years ago and offered the hypothetical wherein this application is approved but not built, in which case a sunset clause would not bind a future Commission to this Commission's decisions.

Chair Phillips asked if there was a way to include a sunset clause in an MPD. Senior City Attorney, Mark Harrington, explained that the current Code provides for a period of two years unless the Commission extends it in the form of a Phasing Plan built into the Development Agreement.

Mr. Harrington added that these nuances arose in multi-phased large-scale projects that were mostly complete, yet then the uncompleted phase would not set the sunset date if there was substantial performance. He stressed that this is something the Commission could and should address with each phasing plan. He added that there had been public interest in doing the opposite during times when they were on the potential brink of a recession where there might be requests for increased flexibility in the timeline. Ultimately, it is set at two years unless the Commission approves a Phasing Plan. He acknowledged that it gets more complicated with larger projects.

In response to an inquiry from Chair Phillips on when the two-year period begins, Mr. Harrington stated that it runs from the Commission's approval of the MPD. The applicant must then stay active 180 days at a time through the Building Department.

Commissioner Suesser requested information from Staff regarding the City's plans for the Munchkin Road expansion and the impact it will have on this development. She also wanted to understand any plans or changes to the Recycling Center. She requested that Staff talk with Parking Enforcement to understand who is parking long-term on Homestake Road and request enforcement of parking restrictions along that road so that they can get on top of the issue.

Commissioner Suesser expressed concerns over the ambiguity of the deed restriction being a minimum of 50 years or the length of the ground lease with Park City Municipal. She felt that the length should be determined and would support the length of the ground lease with Park City Municipal. Commissioner Suesser wanted to see what the ground lease would look like, including its length. She was not in favor of reducing the open space and wanted to see more open space in the project than is proposed. She also wanted to understand the net-zero aspects of the project as referenced in the Sustainability Section of the Staff Report. With regard to the proposed uses included in the Staff Report, she felt they were appropriate and supported the uses. She was also in favor of the wall and was curious as to who would pay for it.

With regard to EMFs, she was comfortable with the research done to date and noted that her own research was in line with the conclusions reached by the City and the applicant. She agreed that they would not need additional expert testimony on this topic; however, if the community feedback supported additional testimony on any potential health impacts, she would be open to having someone provide it. Commissioner Suesser observed that the applicant was focused on the existing uses that the Planning Commission might want to retain in terms of parking. She noted this was a big topic, and a difficult one to tackle. She mentioned the reference in the applicant's letter that a Traffic Study would be completed by June 2022 and wondered if that had been completed.

With regard to the environmental issues, she wanted to understand whether the developer would be able to absorb the cost of transporting any contaminated soils offsite, or if that expense would fall to the City. Commissioner Suesser requested confirmation that the sidewalk along the west side of Homestake Road was part of the project. She noted that the sidewalk was not mentioned in the Staff Report but was included in the applicant's letter. She agreed with Commissioner Hall regarding the commercial uses and agreed with including some of those commercial uses, such as a coffee shop, in the development.

The applicant made reference to the substation being wrapped in EMF insulators, and Commissioner Suesser requested a better understanding of this concept. She felt it would be helpful in quelling some of the concerns about EMFs in this area. With respect to the potential of views of the mountain being blocked by the buildings, she was unclear as to what stage Mr. Murphy was referring to. Mr. Murphy confirmed that he was referring to the rooftop stage at the Boneyard.

Commissioner Van Dine agreed that expert testimony on EMFs was unnecessary. She also agreed with the concept of utilizing the first floor for commercial space and mentioned that a further positive step would be to include a daycare. This would hopefully be an area with a number of younger families and a daycare would be an amazing addition. She hoped to see more information regarding City improvements and felt that a connection from this area to an area like Poison Creek needs to be well established and well planned. If part of the plan was to encourage people to use these areas, they need to be made accessible and safe.

Commissioner Van Dine requested further information on how to move people who currently use the site for overflow parking, including arriving at a better understanding of who is parking on that site. She acknowledged Mr. Murphy's efforts to observe the parking but what is missing is who is actually using it. She looked forward to seeing the Traffic Study.

Commissioner Kenworthy felt that the central question surrounding the overflow parking was the impact on the existing uses, including the employee parking for the Historic Park City Alliance ("HPCA"). He noted that during past winters, HPCA used 200+ stalls and shuttled its employees. With regard to the applicant's inquiry as to what the Planning Commission wished to retain or accommodate, Commissioner Kenworthy wanted to see how the other uses would be accommodated.

He observed that 220 spaces would not be retained on that site but he expressed support for the employees. He stressed balance and the importance of balancing the issues. Commissioner Kenworthy emphasized that they cannot lie about the numbers and noted that the 200 spaces were used in the past to shuttle during the winter. The real numbers must be addressed.

Commissioner Kenworthy liked the proposed uses and felt that the neighboring plans and uses will enhance the quality of life for the residents. He asked if moving the Recycling Center was a contingency for the Certificate of Occupancy ("COO") or if it was a separate issue. Mr. Murphy did not believe it was a prerequisite but noted that the move should at least happen concurrently. Commissioner Kenworthy referenced the benefits of the amenities and quality of life and felt it would not be appropriate to have the Recycling Center remain in that location. He stressed that it needs to be addressed in sync with this project. He asked about the occupancy per unit. Mr. Davis responded that occupancy is typically two occupants per bedroom, so for a three-bedroom unit, there could be six occupants. Mr. Davis noted that there could be exceptions for dependents, disabled persons, or in-home caretakers.

Commissioner Kenworthy understood that there would be a maximum occupancy in the building based on the units and would look for that information as it always comes back to the issue of parking. He referenced the current parking number for Old Town employees and observed that they adjusted the AMPDs but need to ensure that there is balance. He reiterated that he wanted to see how everyone will be accommodated.

Commissioner Kenworthy stated that they would have to go through the process as it pertains to soils and environmental issues. He awaited receipt of the Traffic Study. He hoped that the applicant would look at this not just in terms of how many people they can house but how they can provide them a quality of life. Sometimes consideration of quality of life is lost when they just follow a checklist. He wanted to take advantage of the opportunities that this area presents. Mr. Murphy confirmed that the Parking Study was done in mid-June and was submitted to the City. He was unsure why it was not included in the packet but apologized for any miscommunication in that regard.

Commissioner Johnson expressed support for the uses. He would like to see interior bike storage and storage in portable units. He felt that affordable units struggled with this issue and with the growing popularity of e-bikes, bike storage will be important. With regard to the EMF, he understood that an EMF report was being prepared. Mr. Murphy stated that no formal report had been prepared. The applicant took a hard look at this issue and came up with dozens of credible sources. They also located a local expert and were happy to present it to the Commission if this becomes a concern.

Mr. Murphy added that the EMF Study they completed was included in the exhibits and included readings from a third party that showed levels to be dramatically low. They concluded that EMFs were a non-issue based on the study completed. Commissioner Johnson was familiar with this topic and suggested that a formal report be prepared for future reference. He suggested they get the closest EMF transmitting to the closest unit in the building. Ideally, he would like readings for each floor, although he would not necessarily need expert testimony. He clarified that he would respect what had already been presented. He referenced the proposed wall and its height. Mr. Murphy stated that he used 20 feet for the height of the wall but it could be a different height. He noted Staff's suggestion that the wall be engineered. He stressed that the purpose of the wall was to visually block the substation from as much of the building as possible. He acknowledged that the view from the upper floors cannot be blocked.

Commissioner Johnson requested clarification of the location of the proposed wall. Mr. Murphy responded that they had not planned for the wall to continue along the entire stretch to the Windsor property; however, he noted the smaller substation closer to the triangle property that they would want to block. He acknowledged that any wall would depend on what the Planning Commission and Staff would like to see in that location. He confirmed that the applicant does not have any preconceived notions of what the wall should look like.

Commissioner Johnson looked forward to the Traffic Study and commented that he liked the open space as proposed. He asked Director Milliken about the status of the Windsor Wolf application and suggested that it would be advantageous to consider them concurrently. Director Milliken stated that the Windsor Wolf application was not officially withdrawn and would potentially be before the Planning Commission at a future date. Mr. Murphy confirmed his involvement in the Windsor Wolf application. Chair Phillips agreed with Commissioner Johnson that it would be advantageous to consider both applications together.

Commissioner Johnson referenced the intersection of Kearns Boulevard and Homestake Road, and while he understood that it was a Utah Department of Transportation (“UDOT”) road, he wondered how it could be improved. He asked if the City was restricted in improving that intersection. Mr. Murphy noted the difficulty in coordinating with UDOT and would address the matter at the next meeting.

Chair Phillips agreed with the prior comments of the Commissioners. He agreed that having an EMF report in the record and staying ahead of that issue would be better than playing catch-up later on. He requested more information on the dialogue between the applicant and Utah Power. He recalled that this property was part of the upgrade discussions when Utah Power came in years ago. Chair Phillips asked that they keep in mind the potential impacts if the power station was upgraded in the future. Mr. Murphy stated that Utah Power had been largely unresponsive compared to the other agencies they contacted. Chair Phillips reiterated that before he was on the Planning Commission, Utah Power indicated that they needed to upgrade the power station. Utah Power went through the process before stating that they would not need to perform the upgrades. He asked that the applicant consider the expected life of the wall and whether it would need to be upgraded as well.

With respect to the wall, Chair Phillips suggested balancing screening with the visual impacts on the surrounding areas. Chair Phillips made similar comments regarding EMFs and referenced the proposed power station across from Bonanza. In that situation, the power station was being moved into the area and would have impacted new neighbors. He stated that the more information they can get regarding the City’s plans in that area, the better the Commission could be informed. Chair Phillips believed that they had prior experience with MPDs and developers who own neighboring adjacent properties and give some idea as to future plans for those properties. He noted that in this case, the City owns many of the neighboring properties, and he hoped that Staff would inform the Commission what they know of potential future plans to help them understand how this would fit into the future plans for the neighborhood. He agreed with the comments about bike storage, quality of life, and commercial uses.

Chair Phillips commented that wherever the parking conversation ends up, he felt it important to know how it will be regulated and managed. He felt it would be important to have an e-bike station and other elements to mitigate the parking issues and encourage the use of multi-modal transportation. He expressed support for the starting point of the overall application.

Chair Phillips stated that he would allow limited public comment at this meeting. He acknowledged Mr. Fischer and his familiarity with the properties.

Mark Fischer reported that he purchased the property in 2005 and sold it to the City in 2017. With regard to the parking on Homestake Road, he confirmed that the people that live in the apartments use it. He commented that there is a lot of density in the apartments that overflow into the lot. He added that they work well with the neighbors but it would be disingenuous for the apartments to take the position that the vehicles are not from the apartments. Mr. Fischer advised Mr. Murphy that he would support the project and do what he can to help it succeed. When he sold the property to the City, he knew this would occur and wanted it to occur. He sold the property because, at the time, all of the soil had to be removed, not just the soil that was contaminated. This would render an underground parking lot infeasible. He asked if the soil situation had changed and noted that the boring studies they completed in 2006 and 2007 concluded that there was only four to six inches of contaminated soil. Mr. Fischer opined that 12-to-24 inches seemed preposterous to him. He always believed that the clean soil should be allowed to go wherever it was needed to make this project as economical as possible.

Mr. Fischer commented that there would be a tremendous amount of sewage coming out of this project and expressed concerns that backups could impact the property. He stated that Homestake and Munchkin Roads would need to be completed before the building gets a Certificate of Occupancy to avoid problems. He felt strongly that the City should build Homestake Road because it would be the key artery for the upgrades. He felt that to construct and open this building with those roads as they presently are would not work. Mr. Fischer stated that the intent of his comments was to be helpful. He reiterated his support for the project and wanted to see the developer succeed. He expected a 35-foot height and was surprised with the proposed 45-foot building, with five feet for utilities on top of that. He was still absorbing this and referenced the prior discussions about the view from the Boneyard. He stated that instead of looking at the mountains, they would be looking at this building. Mr. Fischer stressed that he would not oppose that height as he understands the need but the fact remains that they were surprised.

With regard to EMF, he stated that in 2012 through 2103 they decided that it was an unknown, and he recommended that the City and developer have each tenant sign a Liability Waiver in their Lease to protect against lawsuits. He asked about the intentions for the area to the south of the extended Munchkin Road. He observed that when Munchkin Road is built, there will be at least a 50-foot strip of land between the roadway and the substation wall. He hoped that it would be parking to address some of the concerns regarding displacement. He stressed the importance of knowing how that strip of land would be used and referenced Commissioner Kenworthy's comments regarding removing the Recycling Center and the impact on the quality of life. Mr. Fischer hoped to see a mural on the north side of the substation facing Kearns Boulevard and wrapped with the proposed mural on the west side. He was willing to consider participating if necessary. He pledged to help as much as possible to make it the best project possible.

Commissioner Kenworthy reported that based on the applicant's presentation, the occupancy of the building will be between 400 and 450 tenants. Mr. Davis indicated that there would be some situations where there would only be one person to a bedroom; therefore, there would not necessarily be maximum occupancy in every unit. Commissioner Kenworthy agreed but stressed that the maximum occupancy will be over 400 individual tenants.

Commissioner Hall revisited her comments regarding open space and stressed that she loves open space; however, if she had to choose the lesser of the two evils in terms of building height, she felt that a wider building or some variation would be preferable to a taller building. She also referenced the beautiful open space nearby that will be accessible to the occupants. Commissioner Van Dine and Chair Phillips agreed.

Commissioner Suesser asked Staff about the height restriction in the zone. It was confirmed that the zone height was 35 feet; however, the AMPDs carry an exception of up to 45 feet that would allow these projects to pencil out. Commissioner Hall noted that even at 45 feet, the project would be in compliance with the LMC.

Mr. Murphy requested clarification on what the Commission would like in terms of an EMF study. Commissioner Johnson stated that in his line of work, they obtain reports for property owners that show the variations and measurements as prepared by a professional consultant. He acknowledged that the findings would likely come in at a fraction of the recommended levels but felt it important to have the study documented by a professional consultant. This would protect the City against any future litigation that might arise. He stated that he could recommend consultants to the applicant but noted that there are many who could do this work. Commissioner Johnson added that he would like to see a 10-to-15-page report showing where the levels are coming in and how they are tapering at heights. The study should show how the transmission lines are radiating and the levels when they hit that property.

Mr. Murphy commented that the applicant completed a study and some of the documents were not included in the packet. While it is a one-page document, they have a Consultant at the site with a reader. He confirmed that they would commission a formal study and provide the requested information.

B. Moderate-Income Housing Plan and Report – The Planning Commission Will Discuss the City's Moderate Income Housing Plan Element of the General Plan that Establishes Goals and Strategies to Incentivize Development of Affordable Housing and the Annual Report to the State on the City's Affordable Housing.

Manager Glidden expressed gratitude to Chair Phillips for his public service and especially for his support for affordable housing over the years. He explained that the Housing Team was looking to present the first draft of the Moderate-Income Housing Plan ("MIHP"). He recalled that they came before the Planning Commission in June to discuss some of the changes at the State level over the past couple of years. He referenced House Bill ("H.B.") 462, which was an update to Senate Bill ("S.B.") 34 passed a few years prior. The most significant change involved moving the due date up from December to October. In addition, the bill refined the strategies the State was asking the municipalities to address.

Manager Glidden explained that Park City had the advantage of having worked on affordable housing for a long time, and therefore was ahead of the curve. The City was already working on many of the strategies suggested by the State and was in a better position than other municipalities that had not yet addressed affordable housing. He stated that one of the requirements included in H.B. 462, was that any town that does not have a fixed gateway transit system such as a fixed rail system or Bus Rapid Transit ("BRT") is required to address three strategies. If a municipality has one of the Fixed Transit Systems, it must address up to five strategies.

He described the outline of the Five-Year Plan and reported that they recently upgraded their Needs Assessment as required by the State and added that they would come before the Planning Commission on an annual basis to update the annual portion of the Five-Year Plan. The Annual Plan would involve looking at which strategies and action items they are looking to complete over the coming year. Manager Glidden mentioned that the Plan must also include some of the demographic details of the City, the Needs Assessment, the projection for needs over the next five years, and the actual strategies. He reported that the State wants to see progress and accountability moving forward.

He added that the State would allocate more funds to the Department of Workforce Services to employ someone to oversee the MIHP. He stated it would help to have direct contact with the State for any questions and this person would keep them advised of any changes in the requirements. He stated that the State was hoping to have all of the requirements they wanted to see in the Plan by July 1, yet they only received an email this morning with the new, additional requirements. He commented that most of the newly requested information relates to demographics, so it would not change the proposed strategies or action items that they are looking to accomplish over the next year. The Housing Team sought input from the Planning Commission regarding the proposed action items for the next year. They would be back before the Commission in August to seek a recommendation to the City Council.

In response to an inquiry regarding the demographic information sought, Affordable Housing Project Manager, Rhoda Stauffer, reported that the State created some very specific categories of demographics to be included in the Plan as background for the goals. For the August meeting, the Commission would see a different demographic description based on what the State required.

Commissioner Kenworthy asked how Park City's demographics reported to the State will impact funding. Manager Stauffer explained that the funding is affected by the City's strategies and how they were progressing. Manager Glidden stressed that the State was looking for progress and by understanding the current demographics of the City in terms of things such as Average Median Income ("AMI"), they could then track progress.

Manager Stauffer pointed out that sometimes there would be different numbers associated with total population and total units; she explained that this occurs because there are various sources from which these numbers could be drawn. She reported that the Housing Team has looked at the assessor's data, so they have actual data of permanent, year-round residents as opposed to data from the American Community Survey by the Census Bureau that would project a different number. She reported that Park City's permanent population is approximately 8,500, and there are 9,000 to 10,000 individual units. She added that permanent residents occupied 3,193 units and noted that this was one demographic with which she was most comfortable. There were approximately 5,800 vacation and vacant properties.

Manager Stauffer added that 30 to 35 percent of units are permanent residents and 65 to 75 percent of units are vacation properties. They found that over 12,000 people commute into Park City for work. Of those commuters, 8,800 come from outside the County. She explained that past goals had been to house 15%. Currently, the City only houses 14%. She next addressed the inventory and reported that the City currently has 651 affordable units. This included both affordable and attainable housing. Of the total units, 212 were owner-occupied, with 43 being attainable and the remainder being affordable. Currently, there are 439 rental units, which are all in the affordable category.

Manager Stauffer reported that income ranges for attainable housing are 80 to 150 percent of AMI, which goes up to $181,000. For the affordable units, they have everything from 35 – 80% AMI, which translates to $42,000 to $97,000. She reiterated that 14% of the workforce currently lives within City limits. She reported that the affordable needs based on the Affordable Needs Assessment from February showed a need for 800 to 1,000 additional units over the next five years to move them back into the level of 15% of the workforce living in town. They were at that level approximately five to six years ago but have fallen below that number. She also pointed out that there are 590 cost-burden households in the rental category and 377 cost-burden households in the ownership category. The primary needs are for households earning 63% of AMI and below, which translates into $76,000 for a family of three.

Manager Stauffer explained that the overarching goals for the MIHP will not change. Goal I was to continue to facilitate the production of a mix of new housing units to meet the needs of local workforce and maintain vibrancy and increase diversity of the community. The objectives for this goal would be to work with public/private partnerships and to ensure that the new units being built through development agreements were rental, for-sale, and seasonal units. Additional objectives included increasing the diversity of housing stock, including various unit sizes and types; reducing or eliminating municipal fees for affordable housing development; creating housing opportunities for the aging, differently abled, and neuro-diverse populations; and preserving existing moderate-income units.

She reported that Goal II was to make zoning changes and amend the LMC as an incentive for affordable housing development. The objectives under this goal included changing the zoning on some City-owned parcels where feasible to help with density and height issues. Another objective was to decrease parking requirements for affordable housing projects near public transportation. She acknowledged the difficulty of this objective and referenced the discussion about Homestake earlier in this meeting; however, she stressed that they must find ways to reduce parking requirements.

The third objective was to increase height and density allowances for affordable housing developments. They have been working on this through the AMPD and would continue to explore ways to accomplish this.

Manager Stauffer explained that Goal III was to enhance housing assistance programs for City employees. She stated that they proposed buying additional units to expand the City's rental assistance program into long-term options for City employees. Another objective under Goal III was to study the viability of the current housing allowance program and make changes as necessary. She stated that the housing allowance program for City employees who live within school district boundaries had not changed for 30 years. She stressed that it was time to look at the viability of those elements. The final objective under Goal III was to increase the mortgage assistance program to meet current market conditions.

She identified Goal IV as exploring new tools to retain permanent residents and preserve community vibrancy. They proposed to do this through the completion and assessment of the pilot Live Local Program and adjust or expand that program to increase the number of permanent residents living in Park City. In addition, they proposed exploring new programs such as a buy-back program for existing housing stock, which they would deed restrict for permanent residency only.

Manager Glidden explained that all of the proposed strategies listed by the State were listed in the Staff Report. He clarified that they would address six of those strategies as part of the annual plan. He stated that the City is only required to implement three of the State's strategies and expressed excitement that they would be exceeding the State's requirements.

Manager Glidden proposed setting forth the action items listed in the MIHP for Commission review and comment. He reported that one of the strategies for Goal I was to look at the property located at 516 Marsac Avenue and develop a plan for how they could rehabilitate and preserve that property, and possibly increase the number of affordable units at that location.
He explained that the Projected Completion Date was arriving at a plan for how they could accomplish the particular goal. He reported that they have held high-level discussions with City Council and were planning to return to present more options.

With respect to the State's recommended strategy to reduce or waive municipal fees, he remarked that the City has a great opportunity with the public/private partnership on the Homestake project to accomplish this. They will evaluate how they can reduce or waive fees related to the project. He also identified the strategy involving the use of funds from the Lower Park Redevelopment Agency ("RDA") and affordable housing bond financing to begin the development of the Homestake lot. Because this project is a public/private partnership, the City would incur some costs, however, they would come out of the City's Housing Fund that was created through the RDA.

The final strategy under Goal I was the evaluation of incorporating senior housing and services into a development of a multi-use and multi-generational project located at 1361 Woodside Avenue. He noted that this is in early discussions but would involve looking at the current senior center and potential options to create a multi-generational, multi-income, and multi-use development on the site.

Manager Glidden next addressed the strategies for Goal II and highlighted the State strategy of rezoning for density necessary to facilitate the production of moderate-income housing. He reported that they were looking at the possibility of a public/private partnership located at 7700 Marsac Avenue, which is the Mine Bench property. He noted that it is currently zoned Recreation Open Space and would require a rezone to allow for an affordable housing development in that location.

With regard to Goal III, he addressed mortgage assistance or employee assistance for municipal employees and reported that they are currently evaluating the existing policies. The City has a program that has been in existence for 30 years and the Housing Assistance Program for City employees has not increased despite the increase in housing prices. They have only had short-term rentals for employees and more transitional housing for recruitment purposes. They want to look at what other resort communities have done to provide long-term housing for employees. They want to create security and help with both the recruitment and retention of employees by helping to increase housing stock for City employees.

Manager Glidden revisited the Live Local Park City Program and Lite Deed Restriction Program. He commented that it is about to kick off and they were in the process of accepting applications.

They hoped to have the pilot program up and running by the fall. He observed that it would probably be a fairly quick process. Once the pilot program is complete, they can evaluate the results.

Manager Glidden reminded the Commission that the Housing Team was looking for feedback on the draft Plan. They would return in late August with an updated Plan incorporating not only updated State requirements but also Commission feedback.

Commissioner Kenworthy understood that the State determined that the City does not have BRT or fixed-rail system, and accordingly, the City only has to address three strategies. He asked why the Plan included six strategies and wondered if they were planning the BRT coming together in the near future.

Manager Glidden stated that they would love to see the BRT come together. This Plan was preparing them to be ready for that type of jump. He confirmed that once it is established, the State will require the City to address five strategies. He stressed that Park City is ahead of the curve and its past plans have been shared with other communities as a model. He noted that the City is already undertaking many things that correlate with many of the State's strategies. Commissioner Kenworthy liked that the City was being proactive.

Manager Stauffer added that according to the State if Park City goes above and beyond it would get priority for transportation funding.

Commissioner Kenworthy addressed the zone changes. He agreed with the zoning changes presented but wondered why the annexation property was not included. Manager Glidden explained that they were waiting to go through the annexation process. Now that it is complete, the Housing Team has started to look at that property as a possible area to rezone for a project. Manager Stauffer noted that this draft Plan is for the coming year and they will need future goals for future years as well. She assured the Commission that they will look at the annexation property.

In response to an inquiry, Manager Glidden stated that the Lite Deed Restriction program is not yet open, so they have not seen any applications. Before it opens, they would need to establish an Advisory Committee, which would be by mayoral appointment with City Council advisement.

Housing Program Manager, Browne Sebright, explained that the application period for the Advisory Committee will close on August 5 and they expect appointments to the Committee by the first week of September.

Chair Phillips applauded the efforts of the Housing Team. He recognized that they were looking at the Plan and not just to solve problems during this meeting. He did not have much to add in terms of feedback and felt that the Plan showed that the Housing Team is on top of the issues.

Manager Glidden asked Chair Phillips if there was anything that he would like to see that was not included in the Plan. Chair Phillips mentioned that he had always believed that anything the City could do regarding Accessory Dwelling Units ("ADU") and helping to provide them on a small scale would be helpful. He disclosed that he is working with someone in the City on an application that might include an ADU and noted the limitations, especially with detached ADUs. While no decision had been made on the type of application to submit, he reported that it was interesting to learn that this applicant could not have a detached ADU but could have an attached ADU.

Chair Phillips also suggested continued evaluation of the AMPD. He referenced the Film Studio that wanted to develop through the AMPD before determining that it would not work for them. He would like to know if there was something that would have helped them over the finish line.

Chair Phillips urged the Housing Team to get more aggressive and felt the City needed to keep pushing on affordable housing, especially given the current economic conditions. Although he recognized what the City was doing, looking at the numbers they were losing ground. He hoped that the AMPD would accelerate the goals.

Manager Stauffer mentioned that at the August 10th meeting, the Planning Commission will analyze priorities for LMC changes, which will enable it to rank priority for some of those future changes. Chair Phillips added that they could look at different zones and the allowed uses to facilitate more units.

Commissioner Hall echoed Chair Phillips' comments and suggested they focus on LMC amendments. She stated that ADUs were high on her list. She would like to see ADUs included in the plan and noted that ADUs involve private monies. She also suggested the possibility of decreasing the number of minimum units for MPDs to something in the range of three to trigger affordable options for smaller footprints. She also mentioned the potential to increase the requirement for affordable projects for different thresholds. She agreed with Chair Phillips' call to be more aggressive and the two mechanisms for affordable housing from the LMC perspective would be ADUs and the MPDs. Commissioner Hall also referenced parking and how it could be handled with these projects.

Commissioner Suesser mentioned parking and felt it was always the crux of affordable housing projects. She reported that she has friends who live in affordable housing and the general feedback is that the limited parking in those developments creates a lot of tension within the community because people are always fighting over parking spots. She understood that keeping parking requirements to a minimum was an important incentive for developers but she felt that the City also needs to consider the type of community being created if parking is reduced. Commissioner Suesser expressed concern over this issue and wondered if there were other ways to address this issue. She commented that there might be ways to subsidize some of the costs of the parking for the developers to incentivize them to build a project without the concerns surrounding the parking requirement.

Commissioner Suesser felt that the Housing Team was not getting the type of feedback she just referenced, as the primary discussion seems to be how to incentivize developers by reducing or eliminating parking. She stressed that they have not talked about the impact of that on the residents of those communities. She noted that there is nothing in the strategies regarding incentivizing resorts to provide more units for their employees. She felt there should be a strategy involving the resort operators and finding ways to incentivize them to provide more housing.

Commissioner Kenworthy commented that he also knows people who live in affordable housing and in addition to the parking provided by the developer, they had been able to get parking on the street from City Hall. This year, the street parking was denied, which created a lot of problems for the building similar to those raised by Commissioner Suesser. He stressed that this goes back to the issue of quality of life for these underserved people that the City desperately wants in the community for diversity. Commissioner Kenworthy referenced the earlier presentation that showed a maximum of 425 tenants in a building with 130 parking spots, without mitigating other issues. He observed that there must be a City-coordinated solution so that the developers do not even have to put 135 spots for 400 people. He hoped that the Housing Team was working with Transportation and Parking because that is the answer. This would give everyone a better quality of life.

Manager Glidden echoed that this is a coordinated effort and the parking issue goes beyond housing and ties into the transportation planning and providing transportation options. He added that gas prices have helped spur that conversation and alter some behaviors, but he acknowledged that it needed to be systematically and holistically addressed. He reported that his team was in communication and working with the Planning Department and Transportation Planning to identify more appropriate places to develop density based on future transportation plans. They do not want to develop housing in places that do not have transit.

Commissioner Van Dine was aware of several people who live in non-affordable communities who also were denied their City parking permits in Old Town. She offered that the parking issue was not just related to affordable housing; it is an issue for everyone regardless of the cost of someone's house. Parking is a Park City problem and she hoped that they could have a holistic active transportation plan. She did not feel that they should merely shift the burden to one group of people. Commissioner Kenworthy agreed but noted that certainly, they feel that way at times.

Commissioner Johnson agreed with the previous comments and struggled with Goal II because of the 80% AMI. He would like to have more teeth to bring that down in the future to something below 60 percent. Many would not be able to afford the mortgage on 80% AMI, so anything that could be done to lower the AMI would be important to him.

Commissioner Kenworthy agreed wholeheartedly with Commissioner Johnson's comments. He noted that in two years, a 60% AMI would be $120,000. Commissioner Johnson stated that he lives in an affordable unit and understood personally how difficult it is to qualify for mortgages for affordable housing. He felt it would only become more challenging in the future.

Manager Glidden understood the concerns regarding the AMI and added that AMI is based on the people that live in Park City and does not address those who work in the City. He referenced discussions with the City Council about addressing workforce wage, but AMI is the standard used for Federal funding. He stated that Park City is a high AMI area, and through policies, they need to determine the appropriate AMI for the community. It might be that the appropriate AMI is 60%, but they would continue to have those conversations.

Chair Phillips liked that they were paying attention to the working-class wage.

C. 732 Crescent Tram Plat Amendment – The Applicant Proposes to Combine Parcels to Create a Three (3) Lot Subdivision in the Historic Residential (HR-1) Zoning District.

Senior City Planner, Alexandra Ananth, reported that the above application involves property that is comprised of five separate parcels, all of which total 11,457 square feet. The applicant proposed to combine the parcels and subdivide them into three separately developable lots with one common driveway with access off of Crescent Road. She noted that the Crescent Tram pathway runs through this property and that the public pathway must be preserved with a 15-foot easement in favor of the City.

Planner Ananth referenced the Staff Report, and the explanation of the purpose of the Historic Residential-1 ("HR-1") District and highlighted that it was, in part, to "preserve the present land uses and character of the historic residential areas of Park City." She presented a graphic that provided an overview of the property and surrounding neighborhood. She highlighted Crescent Tram, which she described as an extension of 8th Street that connects up to Empire Avenue, which then turns into Lowell Avenue. She noted that the lots surrounding this property were small and most of them are 25' x 75' standard Old Town lots.

Planner Ananth highlighted a graphic that showed the parcels that make up this property and noted that only one or two of them were large enough to support a single-family home, which is the reason that these parcels needed to be combined and then re-subdivided. She added that some of the lots on this parcel are below the required size.

In response to a question from Chair Phillips, Planner Ananth stated that the City owns the land between the 802 Empire Avenue Subdivision and the proposed parcel. She explained that if they were to extend the Crescent Tram Pathway with a set of stairs, it would likely be placed on that land owned by the City. She confirmed that a Condition of Approval for the 802 Empire Avenue Subdivision was that there be room for the pathway. It appeared that there was frontage and plenty of room on that parcel.

She presented the survey that outlined the shared driveway that would access Lot 1, which is currently improved with a historic house. She explained that historically, this property had a second house on it, which was adjacent to the Cooley Lot; however, that home burned down a few years ago and was not re-built.

Planner Ananth presented a map that showed potential footprints of what could be built on the proposed lots. She noted that with the shared driveway, each lot would lose some space. She added that these lots would likely be required to go through a Steep Slopes CUP either through the Planning Commission or administratively depending on the lot size. The lots would also require Historic District Design Reviews ("HDDR"). Planner Ananth stressed that what was before the Planning Commission now was only the subdivision into three lots; what would actually be put on those lots would be considered in the future.

She presented a graphic depicting the Steep Slopes analysis and commented that much of the proposed lots were highlighted in purple, which was greater than a 40% slope and considered a Very Steep Slope. A significant amount of excavation would be needed to develop these lots, as well as potentially some retaining walls or utilization of the home as the retaining structure.

Planner Ananth presented the proposed lot sizes for each lot and noted that Lot 1 would be the largest lot; Lots 2 and 3 would be fairly consistent with the median average lot size in the neighborhood. She stated that the issues before the Planning Commission included how to preserve the historic character and integrity of this residential area with two lots versus three lots. The Planning Department had floated the idea of recommending two lots on the property instead of three. In addition, the Planning Commission could indicate Limits of Disturbance and Maximum House Size on the lots.

Planner Ananth reiterated that historically there have been two houses on the site. Staff had concerns with development on the steep slopes because of the amount of excavation that will be required. She noted that there was not a lot of significant vegetation; however, the developer would have to remove some vegetation and there would be a loss of open space.

She added that access to Crescent Road was a concern because Crescent Road, which is a two-way road, is very narrow and steep. The proposed access would be located at the bend in the road. As a result, three houses versus two might be considered, as well as the fact that pedestrian access must be maintained on the lot, potentially creating a conflict between pedestrians and vehicles.

Planner Ananth reported that the proposal complies with the HR-1 Zoning requirements in terms of lot size. The future structures would require a Steep Slopes CUP, as well as an HDDR. She reiterated that the lot sizes were fairly consistent with the neighborhood and would meet the minimum lot size requirement of 1,800 square feet. She reminded the Commission that this is just a Work Session and requested that the Commission address the concerns mentioned and provide feedback to the applicant.

On behalf of the applicant, Martina Nelson from Park City Surveying introduced herself and stated that she is a Licensed Land Surveyor and owner of Park City Surveying. She explained that she would make a presentation on behalf of the applicant and could answer background questions given her deep knowledge of the parcel based on extensive work performed on boundary surveys. She reported that they requested a Work Session to obtain Planning Commission input on this application and noted that the applicant was not asking for any special exceptions. The applicant would like an interpretation of the LMC as it might relate to this project.

Ms. Nelson explained that the applicant's team included herself, the applicant Tony Hynes from Wasatch Holdings, LLC, and his colleague, Heather Feldman, and project architect Bill Van Sickle, AIA. She presented slides for the Commission and referenced a historic photograph from the prior owner of the property. She explained that the home in the background is 175 8th Street and was the home that burned down. The home in the foreground was known as the "Yellow Historic House," or 732 Crescent Road. She pointed out the adjacent Cooley house, as well as the big blue house that fronts the ski run in the images.

Ms. Nelson also presented a map of the parcels as they currently exist, as well as preliminary footprints. She included the existing Yellow Historic House footprint. She clarified that the blue footprints on the graphic were conceptual. Ms. Nelson added that the architect had done some preliminary house plans and noted that the plan was similar to a three-lot subdivision that Tom Peak had envisioned with Jonathan DeGray, AIA before the property was sold to Tony Hynes. She added that they used the LMC to generate the setbacks for these conceptual footprints and the footprints had no regard for the slopes on the property. Ms. Nelson added that in her surveying work she stakes out houses on steep slopes in Old Town and understood the work involved in addressing the Steep Slopes on the lot.

Chair Phillips observed that based on the setbacks, Lot 1 could potentially have a larger footprint. Ms. Nelson referenced another slide that depicted a shared driveway, and the concept of where the public walkway would be located. She referenced 654 Woodside where the Crescent Tram Walkway goes over a private driveway. She explained that the end result would be a finished driveway that is much gentler and smoother than it is now with a walkway going across similar to that at 654 Woodside.

Commissioner Suesser commented that 654 Woodside is a single-family residence, not a driveway that will provide access to three separate lots. She asked for clarification on whether the proposed footprint for Lot 1 included the Yellow Historic House. Ms. Nelson responded that the footprint shown on the graphic was the footprint of the Yellow Historic House, as it exists. She added that there is an old wood porch on the north side of that house. Planner Ananth explained that regardless of whether the porch was historic, the house would have to be retained.

Chair Phillips stated that for future discussions it would be helpful to have a better understanding of the footprint of the historic home. Director Milliken confirmed that the porch is historic as well. She added that there was an addition in the back that was not included in the plans, but the porch was original. Ms. Nelson confirmed that the Yellow House was included in the proposed footprint on the presented slide. She presented renderings prepared by Mr. Van Sickle to provide some idea of the size and shape of the conceptual homes on these lots. She pointed out a slide with the Yellow House showing it lifted with a garage underneath. Planner Ananth reminded the Commission that they were not looking at the houses now, they were just looking at the subdivision. Ms. Nelson acknowledged that the presented renderings were conceptual only and felt they would be helpful for the Commission in evaluating the proposed subdivision. Chair Phillips observed that these renderings helped with understanding potential massing.

Chair Phillips recalled that the Code requirement for the HR-1 Zoning District provided that the final grade was required to be within four feet of the original grade. Ms. Nelson felt this might be accurate and explained that Mr. Van Sickle had gone to great lengths to make sure the house on Lot 1 would be terraced and had four-foot walls to comply with the LMC. Ms. Nelson stressed that the idea for the project was to follow the LMC and not seek any variances but acknowledged that special permits might be required for walls greater than four feet in height. It was noted that the applicant only planned to construct four-foot walls.

Chair Phillips appreciated the applicant's request for Commission input. The biggest issue for him was two homes versus three. The downside to limiting the property to two homes could be that they would end up with two larger homes that might not fit the scale of the neighborhood. On the other hand, having three smaller homes might fit the rhythm of Old Town, but would create additional impacts on Crescent Tram and the entrance.

Commissioner Van Dine was interested in fire access, including the width of the driveway. She felt with the interface of the surrounding environment, fire access was an issue that must be addressed. She had difficulty with the need to dig into the Very Steep Slopes and felt it would be a difficult choice between two large homes versus three smaller homes. She agreed with Chair Phillips that increasing the subdivision to three lots would increase the amount of excavation needed and create a disruption to the environment and the neighbors. She agreed with the Staff Report and specifically referenced the swept path analysis, the easement for the walkway, and the Steep Slope CUPs. She noted that widening the driveway would push the houses further back, which would increase the excavation area.

Commissioner Kenworthy agreed with Commissioner Van Dine's comments. He was very concerned about the steep slopes and noted that 40% was extremely steep and would create a difficult situation for construction, as well as the effects on the neighborhood. He noted that the Very Steep Slopes were greater than 40% and wondered if the slopes went even higher than that. He would want to know the width and slope of the proposed driveway to make sure that every technical aspect and requirement was met.

Commissioner Suesser liked Planner Ananth's suggestion that the Commission consider a two-lot subdivision with a Maximum Building Footprint and defined Limits of Disturbance for those properties. She mentioned the Steep Slopes and amount of excavation, the access for Crescent Tram, and maintaining the historical character of the site as factors for her position. She added that rather than being concerned about having two large homes, the Commission could consider appropriately sized homes for these sites so that they would fit with the neighborhood. Commissioner Suesser also suggested a possible Condition of Approval that would restrict nightly rentals on these properties, given the access onto Crescent Road and 8th Street. She added that she lives in this neighborhood and had been advocating for a stairway connection for years and would want that to be considered as part of the approval.

Chair Phillips assumed that Crescent Road was considered a substandard road. Ms. Nelson advised that they mapped Crescent Road from 8th Avenue to Empire Avenue and confirmed that there were some Steep Slopes on Crescent Road, and some parts of the roadway would be considered substandard. Planner Ananth suggested that Crescent Road was probably more appropriate as a one-way road.

Commissioner Kenworthy asked what the slope was for a "standard" roadway.

Chair Phillips felt that the categorization of the road was important in terms of Commissioner Suesser's comments regarding nightly rentals and tended to agree with her suggestion. He referenced the Sampson Avenue neighborhood. Commissioner Van Dine agreed.

Chair Phillips felt that two lots were likely more suitable, primarily because of the additional impacts of a third home and the substandard road.

Commissioner Hall agreed with Commissioner Suesser's comments. She would favor two lots versus three because of the Very Steep Slopes as well as the fact that historically there have been two homes on that property. She observed that Lot 3 was very small, and with the additional setbacks, having that additional area would require much more excavation. She asked if the pedestrian walkway would be 10 feet or 15 feet. Planner Ananth reported that based on her discussions with the Open Space Manager, there is another portion of the trail dedicated as 15 feet, which would set the standard for what he would like to see for the Crescent Tram Walkway.

With respect to the non-exclusive easement, Commissioner Hall asked if the City was approving all improvements within that easement that would cross the driveway. Ms. Nelson responded that historically, this easement was for a pedestrian walkway. Commissioner Hall understood that a property owner could not put a tree in the middle of the pedestrian walkway and obscure access. Commissioner Hall also asked about signage for the walkway. Ms. Nelson stated that the applicant planned to differentiate the walkway with brick pavers or some historic railroad embedded into the walkway to help people stay on the trail. Planner Ananth commented that in some portions of the trail, the former rail track was embedded into the pathway. Ms. Nelson reported that the owner wanted the appearance of the walkway differentiated so that people could see the historic significance. Planner Ananth added that there is a sign at the beginning of the Crescent Tram Walkway off of Park Avenue.

Commissioner Suesser commented that it is the walkway to nowhere when it ends on 8th Street, which is why the connection is so vital. Chair Phillips agreed that access to the trailhead would be a significant improvement, especially for the residents of that neighborhood, and would honor all of the hard work done in that area. Ms. Nelson expressed the applicant's agreement with these comments and stated there could be a Condition of Approval on the plat. She referenced the 802 Empire Subdivision that had a Condition of Approval in this regard. She assured the Commission that the applicant was in favor of stair access.

Ms. Nelson reported that the comments had been helpful. She observed that if the applicant proposed two lots and used the City's square foot ratio of lot size to building footprint they could be talking about two much larger homes. She questioned whether that would have the same impact as three smaller homes.

Chair Phillips referenced the discussion about limiting the size of the two homes and stated that it would have to be analyzed with the sizes of the adjacent homes. He stated it was difficult to address it further without the analysis. Commissioner Suesser reminded him that they had the analysis.

Ms. Nelson stated that one of the team partners performed this analysis. Ms. Feldman indicated that although the analysis of the difference between a two-lot versus three-lot would be within Mr. Van Sickle's purview, she stated that a .06-acre lot in Old Town was considered large as most of the lots are .04 acre. She added that on the smaller lots, owners have been able to fit anywhere from 2,300 to 2,500 square-foot homes. She pulled information on other homes that show the "small homes" were around 4,000 square feet to 5,000 square feet and above. If there are two lots, she stated that a similar home in that area would therefore be quite large. She commented on the impact of two large homes versus three and stated that any home of the larger size would have a minimum of five bedrooms, so there would still be a number of residents in the home. She felt that the vehicle impact would be less because of the property's location near walking trails and paths.

Commissioner Johnson disagreed with Ms. Feldman's comments and supported the two-lot configuration. While he agreed that there would be more rooms, they were seeing more shared car use. He opined that adding three units would add more traffic and the intersection at 8th Street was too volatile to accommodate that traffic. He would like to see two lots and felt it would be consistent with what was previously built on the property. He referenced the comment in the Staff Report regarding the significant vegetation so that the Commission could analyze the issue of Limits of Disturbance. Planner Ananth stated that they had not yet talked about that specifically but added that there were no significant trees that would likely warrant preservation. She was unsure of the shrub oak that would be protected, but the applicant could put that together for a future meeting.

Mr. Hynes referenced Staff's recommendation of either two lots or three lots with a consideration for a smaller footprint for each home. He noted the prior comments of two lots with a size limitation on two homes and stated that did not reflect the Staff's recommendations. He questioned whether having three lots with limitations on the sizes of the homes would be helpful.

Ms. Nelson asked the Commission how much less would be enough if they did the three-lot scenario and reduced the size of the home footprints. She observed that based on the LMC, she was unsure about how much less of a footprint would be enough since their current proposal was well within the LMC.

Chair Phillips expressed that it was difficult for the Commission to weigh in too much without the full analysis. Planner Ananth recommended that the applicant take the feedback and come back with a proposal for analysis by the Commission.

Chair Phillips did not think that public comment was necessary at this point given that this was not yet a developed plan.

Director Milliken explained that the formula for the building footprint in this area is specifically designed so that if there is a larger lot, it does not necessarily allow the footprint to be proportionally larger. It is designed to keep the houses smaller regardless of lot size.

Commissioner Suesser referenced the Steep Slopes on Lot 3 and noted if they approved the subdivision at three lots, but no Steep Slopes CUP was granted for Lot 3, then the applicant would be restricted to building on Lots 1 and 2, as approved. Ms. Nelson explained that she has worked with Steep Slope lots, and never saw a Plat Amendment that could then not be developed due to Steep Slopes. Mr. Van Sickle added that he had been involved in many homes in Old Town over Steep Slopes and never had an issue obtaining geotechnical reports and civil analysis to support the ability to build over those Steep Slopes using the home as an integrated system to step up with the lot. The idea behind the three lots in this instance was not to disturb the whole site, but to preserve the slopes and build into the hill. He referenced his work at 802 Empire and 88 Keane where they were able to get homes that stepped with the lot.

Commissioner Suesser stated it was helpful to hear the applicant's intention. Mr. Van Sickle added that their concept was to follow the LMC in terms of cuts, and the idea is that there would be four feet between the existing grade and finished grade.

Chair Phillips elected to allow public comment.

John Stafsholt stated that the HR-1 zone requires historical integrity compatible with size, mass, and scale. Historical integrity at this location was two homes. He has lived in this area for 30 years and commented about the proximity of the house that burned down to the Blue Angel Inn, which caused it to catch fire as well. There was no access for the fire department to reach the home. He opined that the lot size request was incompatible with the historic neighborhood and the disturbance that would happen on the Steep Slopes would be huge. He felt that the Limits of Disturbance would be extremely critical and would likely exceed whatever the applicant is proposing. He felt that pilings would be required, as would huge retaining walls. Through previous approvals and plats, stairs would be required through the property, but the proposed design does not include any stairs. He added that the rendering did not show a 15-foot easement as required. With regard to the shared driveway, it was an easement with a right-of-way for the public and therefore should not be a shared driveway.

Mr. Stafsholt stated that the best-case scenario showed an easement with a driveway for three homes that would encroach on the historic right-of-way. The access to the Crescent Tramway is extremely inadequate and the impacts of this project would be excessive. He suggested that any Conditions of Approval should include no nightly rentals and no driveway parking. He reiterated that the design ignored the requirements of previous plats to provide public access. If this is approved, he stated there should be no western access to the driveway above.

Jody Whitesides stated that as a 40+ year resident of Crescent Tram, this will impact Crescent Tram in unimaginable ways. Along with the City and others, the traffic patterns were being studied and explained that for years there had been an effort to either make Crescent Tram a walkway or make the roadway a one-way street from Norfolk to Empire. Mr. Whitesides offered that putting three houses in this location would be insane. If two houses were put on that lot, it would be okay but only if they were the same size as the one that currently exists. On the other hand, if they would be as big as the ones just approved at 802 and 806 that would be a disaster. He noted that the developer for that project had been extremely disregardful of the neighborhood. He stated that this would not be an easy process and would not be good for density.

Deb Rentfrow echoed the comments of the prior speakers. As someone who lives on Empire Avenue, she uses the Crescent Tram up to four to five times per week and it is currently a trail to nowhere. Finishing Crescent Tram and adding stairs would be fantastic, and she did not think that anything more than two homes should be approved and the sizes should be limited. She added that 8th Street was sub-par and at one point was measured to be at less than 10 feet in certain areas; she felt a one-way road would be appropriate. When using that road, the hairpin turn is a blind corner and a shared driveway could lead to the potential for accidents, especially during the winter. Ms. Rentfrow stressed that the Commission should look at this carefully to ensure that the proposal was safe and would fit in with the neighborhood and builds on the Crescent Tram.

There were no further public comments.

5. REGULAR AGENDA

A. 517 Park Avenue - Plat Amendment - The Applicant Proposes Removing the Internal Lot Line Common to Lots 4 and 5 in Block 5, Park City Survey to Create A Single Lot-of-Record.

Planner Cawley reported that the subject property is located off of 5th Street and Park Avenue. He presented an image of the Historic Structure that sits on two of the lots, Lots 4 and 5, known as 517 Park Avenue. To the right of the lots is St. Luke's Episcopal Church, and to the left is a vacant lot. Planner Cawley showed a graphic that highlighted the three lots that are part of this Plat Amendment. The lot shown in red is Lot 5, the purple is Lot 4 and the green is Lot 3. The historic home sits on Lot 4 and the south 19.5 feet of Lot 5. He explained that at one point, Lot 3 contained a single-family dwelling that was demolished sometime between 1929 and 1941 and is the proposed 509 Park Avenue. He reported that the non-historic section of the covered porch and approximately three to six inches of the Historic Structure encroach onto Lot 3.

Planner Cawley highlighted some of the relevant background of this property. On May 13, 1992, the Planning Commission approved a two-lot subdivision and adjusted the lot lines between Lots 5 and 6 to accommodate an existing walkway adjacent to the church. There was a Condition of Approval that stated, "There will be a deed restriction placed on Lot 3, as approved by the City Attorney's office, addressing separate ownership and additional development." He added that on May 14, 1992, the City Council approved this subdivision on consent; however, the plat was not recorded and the approval expired.

Planner Cawley reported that in October 1992, Survey No. S-983 was recorded showing the removal of the northernmost 5.5 feet of Lot 5 from the property survey. On May 3, 1993, the Planning Department advised the previous property owner that the lot subdivision approved in 1992 was about to expire. A handwritten note on that letter stated that the Plat Amendment was approved administratively, but no other information was available as to how that approval came to be. He explained that the proposal before this Commission was to remove the lot line common to Lots 4 and 5, remove the porch encroachment on Lot 3, and construct an addition to the Historic Structure. He advised that the applicant was proceeding through the HDDR process for the addition.

Planner Cawley stated that the proposed Plat Amendment complied with the Historic Residential Zoning District requirements. The Lot 3 survey showed a lot width of 24.99 feet and the LMC provides that the Planning Director can determine that the minimum lot size may be reduced up to 20 square feet if subsequent surveys find that the final lot dimensions were less than the prior survey. In these situations, the footprint would be reduced in accordance with the lot size, and no variations to setbacks would be allowed. He explained that Conditions of Approval 5 and 7 require development on Lot 3 to comply with the LMC and the HDDR process. Condition of Approval 6 would require the recording of an encroachment agreement to address that portion of the Historic Structure that encroaches onto Lot 3.

Planner Cawley stated that Staff found good cause for removing the lot line common to Lots 4 and 5 because the present land use and character of the HR-1 Zoning District would be maintained. In addition, no public street or right-of-way would be vacated or amended, and no easement would be vacated or amended. He added that this Plat Amendment would encourage the preservation of the Historic Structure, ensure that future development would contribute to the historic character and scale of the District, and preserve the integrity, mass, scale, compatibility, and historic fabric of the Historic Core as directed by the General Plan.

He referenced Condition of Approval 8 that the applicant would enter into an encroachment agreement with the City Engineer regarding the portion of the wall that extends into the Park Avenue right-of-way, and to record that agreement prior to plat recordation. Planner Cawley reported that the Development Review Committee reviewed this application on July 19, 2022, and did not identify any issues.

Staff recommended amending the following Findings of Fact:

- The property is located at 517 Park Avenue *and the proposed address for Lot 3 is 509 Park Avenue.*
- Finding of Fact 2 would include that Lot 3 is listed as PC-73-B.
- Finding of Fact 3 would include that the applicant owns Lots 3, 4, and 5, less the northerly 5.5 feet of Lot 5, Block 5 Park City Survey.
- Finding of Fact 25 would read Lot 3 and not Lot 2.
- Finding of Fact 26 would correct the spelling regarding a deck addition.

Staff recommended the Planning Commission review the Bardsley Plat Amendment, hold a public hearing, and consider forwarding a positive recommendation for the City Council's consideration on September 15, 2022, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in the draft Ordinance.

The applicant, Jeffrey Love, stated that Marshall King from Alliance Engineering and his attorney, Brent Bateman, were available to answer any questions.

Commissioner Suesser asked about the 5.5 feet that were excluded from Lot 5 and wondered if it would become part of Lot 6. Mr. Love responded that it would. He explained that the Episcopal Church, which is located on Lot 6, purchased 517 Park Avenue in 1988 and tried for over four years to devise a plan to redevelop the property but could not get anywhere. Ultimately, the Church wanted to demolish the structure at 517 Park Avenue before the City became involved and it was prevented from happening. Mr. Love added that the Church was a reluctant seller, and as part of the sale it was discovered that the Church's walkway on the south side of the structure encroached onto Lot 5. The Church wanted to retain that 5.5 feet. He explained that this became part of the deal to sell the property. The 5.5 feet was the catalyst for the Plat Amendment that was never recorded.

Commissioner Suesser was concerned that some of the Conditions of Approval related to new development on Lot 3, rather than with what was being added on to the Historic Structure on Lots 4 and 5. She did not feel like the Conditions of Approval adequately detailed any conditions regarding the addition to the Historic Structure. Mr. Love explained that with the exception of adding a deck in the back, he was not planning any additions to 517 Park Avenue that would change the existing footprint. He stated that he was working within the existing structure to complete a major interior remodel, but they would not be adding any square footage to the home.

Commissioner Van Dine asked if a subsequent owner could create an addition to the structure given the setbacks. Planner Cawley explained that a subsequent owner would still be required to go through the HDDR process, which would restrict any additions outside of the LMC.

Chair Phillips opened the public hearing. There was no public comment. The public hearing was closed.

MOTION: Commissioner Van Dine moved to forward a positive recommendation for the Bardsley Plat Amendment to the City Council for consideration on September 15, 2022, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended, set forth in the Draft Ordinance as follows:

Findings of Fact

Background:

1. The property is located at 517 Park Avenue, and the proposed address for Lot 3 is 509 Park Avenue.

2. The property is listed with Summit County as Parcel number PC-73 and consists of Lot 3, listed as PC-73-B, Lot 4, and a portion of Lot 5 in Block 5, Park City Survey.

3. The Applicant owns Lot 3, Lot 4, and Lot 5, less the northerly 5.5 feet of Lot 5 in Block 5, Park City Survey.

4. The property is in the Historic Residential (HR-1) Zoning District.

5. The Site contains a T/L cottage constructed circa 1888 and is on Park City's Historic Sites Inventory.

6. The Historic Structure straddles the Lot Line common to Lot 4 and Lot 5.

7. Historically, Lot 3 contained a Single-Family Dwelling, which was demolished between 1929 and 1941.

8. A non-historic section of a covered porch and approximately three to six inches of the Historic Structure encroaches onto Lot 3.

9. A rock wall, running the length of Lots 3, 4, and 5, encroaches into the Park Avenue Right-of-Way.

10. The Episcopal Diocese of Utah owned 517 Park Avenue and proposed demolition of the Historic Structure in 1988.

11. The Historic District Commission awarded the Episcopal Diocese a grant to help restore the Historic Structure, but the grant was never used.

12. The Historic District Commission voted to support the renovation of the Historic Structure on June 19, 1989.

13. On August 6, 1991, the Historic District Commission voted to send the Episcopal Diocese of Utah a letter encouraging three alternatives to demolition: A) Renovation or reconstruction of the Structure; B) Sell the property; or C) Donate the property to the City for renovation of the Structure.

14. On August 12, 1991, the Board of Trustees of the Corporation of the Episcopal Church in Utah adopted a resolution to demolish 517 Park Avenue and submitted an application for demolition on December 11, 1991.

15. On May 13, 1992, the Planning Commission approved a two-Lot Subdivision and the Lot Line between Lots 5 and 6 moved south 5.5 feet to accommodate an existing walkway adjacent to the Episcopal Church on Lot 6 and included a Condition of Approval to place a deed restriction on Lot 3, as approved by the City Attorney's Office, addressing separate ownership and additional development. However, the Plat Amendment was never recorded with Summit County.

16. On May 14, 1992, the City Council reviewed the Subdivision Plat for 517 Park Avenue. The Subdivision was approved on consent with the same Condition of Approval as the Planning Commission. The plat was not recorded, and the approval expired.

17. On June 16, 1992, the property owner of 517 Park Avenue applied for a Historic District Review application to renovate the Historic Structure and construct an attached basement garage. The City financially participated in the project and cosigned on the construction loan, which was paid off and released.

18. The Corporation of the Episcopal Church in Utah conveyed through a Special Warranty Deed to the property owner Lot 3, Lot 4, and Lot 5 with the exception of the northernmost 5.5 feet of Lot 5. The deed was recorded on June 19, 1992.

19. On October 9, 1992, survey No. S-983 was recorded showing the removal of the northernmost 5.5 feet of Lot 5 from the property survey but did not address the removal of the internal lot lines which were still shown on the survey.

20. Survey No. S-983 created a new metes and bounds legal description which included the three lots as if the May 14, 1992, Plat Amendment had been recorded.

21. On May 3, 1993, the Planning Department sent a letter to the property owner advising the approval for the two Lot Subdivision would expire on May 13, 1993. A hand-written note dated May 4, 1993, from a Staff Planner states an Administrative Lot Line Adjustment was completed and there was no need for recordation.

22. The City has been unable to find any further record of the form of administrative approval.

23. On April 12, 2022, the Applicant submitted a Plat Amendment Application. On July 22, 2022, the application was deemed complete.

24. The proposed Plat Amendment removes the Lot line common to Lots 4 and 5 creating one Lot-of-Record containing 3,336 sq. ft.

25. On May 13, 2022, the City's Historic Preservation Consultant determined the porch that encroaches onto Lot 3 is non-historic and was constructed during a renovation in 1992.

26. On July 6, 2022, the Historic Preservation Board approved Material Deconstruction of a portion of the rear façade to accommodate a deck addition to the second story of the Landmark Historic Structure.

27. No easement is vacated or amended as a result of the plat amendment.

28. The LMC regulates Lot and Site Requirements per LMC § 15-2.2-3.

29. A Single-Family Dwelling is an allowed Use in the HR-1 Zoning District and requires a minimum Lot size of 1,875 square feet. The proposed Lot size for Lot 3 is 1,874.25 square feet. The proposed Lot size for Lots 4 and 5 is 3,336 sq. ft.

30. The minimum Lot width in the HR-1 Zoning District is 25 feet. The proposed width of Lot 3 is 24.99 feet. The proposed width of Lots 4 and 5 is 44.48 feet.

31. The required front Setback for Lot depths of 75 feet is ten feet (10’).

32. The required Side Setback is five feet (5’).

33. Pursuant to LMC § 15-2.2-4, Historic Buildings and/or Structures that do not comply with Setbacks are valid Non-Complying Structures. The proposed Plat amendment maintains the existing Setbacks on Lots 4 and 5: 4.5 feet on the north and 0 feet on the south.

34. In the HR-1 Zoning District, the Maximum Building Footprint = (Lot Area/2) x 0.9Lot Area/1875. The Maximum Building Footprint for Lot 3 is 843 square feet. The Maximum Building Footprint for Lots 4 and 5 is 1,383 square feet.

35. Building Height in the HR-1 Zoning District is 27 feet. The Historic Structure is 30 feet and is non-conforming because it is historic.

36. The findings in the Analysis section of the Staff Report are incorporated herein.

Conclusions of Law

1. The Plat Amendment is consistent with the Park City Land Management Code, including LMC Chapter 15-2.2, Historic Residential (HR-1) Zoning District, and LMC § 15-7.1-6, Final Subdivision Plat.

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

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

Conditions of Approval

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

2. The Applicant shall record the plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years’ time, this Plat 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 City Council.

3. The plat shall note that fire sprinklers are required for all new or renovation construction on these Lots, to be approved by the Chief Building Official.

4. A non-exclusive ten-foot (10') public snow storage easement on Park Avenue shall be dedicated on the Plat.

5. Any new development on Lot 3 must comply with the Land Management Code and requires Historic District Design Review.

6. The Applicant shall record an encroachment agreement with Summit County to address the portion of the Historic Structure that encroaches onto Lot 3.

7. New construction on Lot 3 shall meet the zone height of 27 feet.

8. The Applicant shall record an encroachment agreement with Summit County to address the portions of the retaining wall along the front of the property that encroaches into the Park Avenue Right-of-Way.

9. City Engineer review and approve all Lot grading, utility installation, public improvement, and drainage plans for compliance with City standards prior to issuance of any building permits.

Commissioner Hall seconded the motion.

VOTE: Commissioner Kenworthy-Aye; Commissioner Johnson-Aye; Commissioner Van Dine-Aye; Commissioner Hall-Aye; Commissioner Suesser-Nay; Chair Phillips-Aye. The motion passed 5-to-1.

B. 14 Iron Canyon - Plat Amendment - The Applicant Proposes to Adjust the Platted Building Envelope to Build a New Home. PL-22-05232 (A) Public Hearing; (B) Possible Recommendation to City Council on September 1, 2022.

City Planner, Makena Hawley, reported that the above application involves Lot 33 in the Iron Canyon Subdivision. The application is seeking a Plat Amendment for the Iron Canyon Subdivision Plat that was recorded in 1983 wherein all of the building pads were platted at 4,000 square feet. Based on the research from past subdivisions, the basis for the specific locations of the building pads could not be determined, but it was interpreted that the building pads would limit the disturbance of the lot outside of the building pad. The applicant proposed an adjustment to their building pad to accommodate the proposed new residence. This vacant is located at 14 Iron Canyon Court, which is in the Single-Family Zone and the Sensitive Lands Overlay.

Planner Hawley reported that the owners of 14 Iron Canyon had voluntarily allowed access to the Iron Canyon Trail on their property, conditioned on the understanding that when they were ready to build a home the trail access would have to be relocated. The Trails and Open Space Manager was supportive of the building pad adjustment and was looking into different locations for access to the trail. She explained that the proposed building pad would create a longer-shaped pad. Both the original pad and the proposed pad go over eight contour lines, with the original building pad at 7,104 feet, and the proposed building pad being just shy of the USGS elevation of 7,108 feet. Staff found that no significant impact would be created by this change and no additional mitigation would be required. She reported that since 2005, six other lots completed building pad adjustments and they have all maintained a 4,000 square foot building pad. She referenced 29 Iron Horse, and Lots 11, 4, 5, 42, and 43.

Planner Hawley reported that Staff found this proposal complied with the Single-family Zoning District and the general subdivision requirements outlined in LMC Section 15-7.1. With regards to the Sensitive Lands Overlay, she advised that there were no Steep Slopes on the site, the site was not located on a ridge or a view from a vantage point, and had no streams, wetlands, or wildlife habitats.

She stated, however, that there is significant vegetation on this lot. She amended the information in the Staff Report by stating there were two less Gambel Oak and five additional Quaking Aspen that would have to be removed from the building pad adjustment, for a total of three additional trees that would be removed. Staff found that this could be appropriately mitigated and referenced Condition of Approval 6 requiring replacement of significant vegetation in kind.

Planner Hawley added that Staff found good cause for this Plat Amendment in that it would not increase the Area of Disturbance and was consistent with previously approved Plat Amendments. Staff did not receive any public comment and she noted that the community understood that access to the trail would be relocated.

Staff recommended that the Commission conduct a public hearing and forward a positive recommendation to City Council for their consideration on September 1, 2022, subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval set forth in the Draft Ordinance.

Chair Phillips opened the public hearing. There was no public comment. The public hearing was closed.

Commissioner Hall sought clarification about the absence of a Condition of Approval for the Iron Mountain Trail access. Mr. Harrington stated that this allowance of use was completely voluntary by the property owner before there was a platted location, and the City could either use that as a last resort or continue looking for an alternative location. He stressed that it would be unfair to burden this property with further Conditions of Approval because they had nothing to do with the original dedication.

Commissioner Suesser asked if the alternative locations being considered would be in the same vicinity. Mr. Harrington noted that parking had been an ongoing challenge in that cul-de-sac that the City had worked hard to mitigate. They do not want to upset the progress made over the past 15 years, so the Trails and Open Space Manager was looking at all options.

MOTION: Commissioner Hall moved to forward a positive recommendation for the City Council's consideration on September 1, 2022, for Iron Canyon Subdivision Lot 33 Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in the Draft Ordinance as follows:

Findings of Fact

1. The property is located at 14 Iron Canyon Court.

2. The property is within the Single-Family Zoning District.

3. The property consists of Lot 33 of the Iron Canyon Subdivision, approved in 1983.

4. The plat amendment proposes to adjust the Building Pad area shown on the Iron Canyon Subdivision plat.

5. The proposed building pad is proposed to be the same square footage as the platted building pad of 4,000 square feet.

6. The Lot contains 3.13 acres.

7. The following Lots of the Iron Canyon Subdivision have adjusted their building pad as approved by the City Council: Lots 4, 5, 11, 29, 42, and 43.

8. The proposal complies with the Single-Family Zoning District outlined in Land Management Code Chapter 15-2.11.

9. The building pad modification changes the orientation of the building pad to situate going east to west compared to north to south.

10. The proposed plat amendment is consistent with the pattern of development in the neighborhood.

Conclusions of Law

1. There is Good Cause for this Plat Amendment.

2. The Plat Amendment is consistent with the Land Management Code, including LMC Chapter 15-2.11 Single-Family Zoning District and LMC Chapters 15-7 and 15-7.1.

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

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

Conditions of Approval

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

2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one years' time, this approval for the plat will be void, unless a request for an extension is made in

writing prior to the expiration date and an extension is granted by the City Council.

3. The plat shall note that fire sprinklers are required for all new construction on this lot, to be approved by the Chief Building Official.

4. New construction shall comply with Land Management Code Section 15-2.11 regarding setbacks, building height, building envelope, etc.

5. All other conditions of approval and platted requirements for the Iron Canyon Subdivision continue to apply and shall be noted on the plat.

6. Prior to issuance of a building permit, the Applicant shall provide a proposal to replace significant vegetation in kind.

Commissioner Kenworthy seconded the motion.

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

C. Founders Place (Parcel 00-0021-01977 in Wasatch County; 3267 West Deer Hollow Road) -- Development Agreement Ratification -- On January 12, 2022, the Planning Commission Approved a Modification to a Master Planned Development and Conditional Use Permit for Founders Place, a 354-264-Square-Foot Ski-in Ski-out Village in the Deer Crest Area. The Planning Commission Will Review and May Ratify the Development Agreement Outlining the Requirements of the Development. PL-21-05056 and PL-21- 04917.

Assistant Planning Director, Rebecca Ward, reported that the proposed Development Agreement is required for all MPDs. On January 12, 2022, the Planning Commission approved substantive modifications to the Deer Crest MPD and a CUP. This development includes 78 market-rate units, six affordable units, and some accessory support commercial and residential accessory uses on site. The project is located in the Deer Crest area. She explained that because it is within both Park City's boundary and Wasatch County, some of the requirements outlined in the Development Agreement were also outlined in an Interlocal Agreement from 1998 stating how the applicant would pay the Building Permit and Impact Fees between the jurisdictions.

Assistant Director Ward stated that the Founders' Place Development Agreement must address ten criteria, as outlined in the Staff Report. Additionally, there were five elements in the Conditions of Approval that are included in the Development Agreement, including a Transportation Demand Management Plan, Electric Vehicle Charging Station, Sustainability requirements, Affordable Housing and Phasing. She explained that the Transportation Demand Management Plan outlines the Homeowners' Association's obligation to finance and operate a ride-sharing service within the Park City area and to encourage the use of shared ride services from the Salt Lake City airport to the property.

The electric vehicle charging station conduit and installations were outlined in the Phasing Plan as required for each phase. She advised that the applicant proposed the LEED residential

BD+C Multifamily certification, which is outlined in the Development Agreement along with the applicant's commitment to low-flow plumbing fixtures and the prohibition of gas fireplaces and cooking appliances in residential units. The Housing Authority approved the Affordable Housing Mitigation Plan in January 2022, requiring six affordable units on-site. It also included a Community Benefit Fee of 0.50% of the net purchase price of each unit that would go into the City's Affordable Housing Fund.

Assistant Director Ward explained that the Phasing Plan contained the biggest proposed change. The LMC sets an expiration date for MPDs at two years from the date of approval if no construction had started. The original Phasing Plan presented to the Commission in January had the phases ongoing through Spring 2024. She reported that the applicant has proposed to modify the Phasing Plan, which would extend Phase II to three years following the last COO for Phase I. The same change would be made for Phase III, which would have a three-year window after the last COO was issued for Phase II. She reported that the applicant had finalized and recorded all required affordable housing documents, the subdivision and condominium plat, as well as the community benefit covenant. The Building Permit was already submitted for Phase I. Staff recommended the Commission conduct a public hearing and consider ratifying the Development Agreement for Founders' Place.

Commissioner Van Dine asked Assistant Director Ward to address the Phasing Plan. The applicant, Bill Fiveash, stated that the applicant initially suggested seven years for each phase, however, Staff felt this was too long of a period. He stated that the applicant's intentions were to start construction now and work through the project at a pace of one phase each year for the next three years. However, they realize that difficulties arise and markets change, so they suggested the three-year period from the last COO of the preceding phase. Chair Phillips felt this was reasonable and a good compromise.

Commissioner Kenworthy asked about the implications if the developer did not perform within three years. Mr. Fiveash stated that while the Code does not clearly state the penalty for such a situation, he felt it would be that the developer would have to return to the Commission to re-negotiate an extension with a sunset clause of 25 years since that is how the overall agreement is set.

Mr. Harrington indicated that more clarity could be specified in the Phasing Plan if the Commission did not feel the penalty was clear enough. He agreed with Mr. Fiveash's statements that the developer would have to return to affirmatively ask for an extension. He suggested that they could potentially reference the same clause in the plat section, which states how plat extension would be evaluated. Commissioner Hall understood the concept of flexibility but noted that the Planning Commission had been dealing with MPDs that were grandfathered in with no sunset clauses.

Mr. Fiveash commented that he viewed it as a five-year window for him to complete each phase. He noted that they finished the last building at Empire Pass in 2009, did not start another building until 2016, and felt it would have been a shame to be required to go through another public process to keep those buildings going. He agreed that the time windows needed to be shortened to make sure the project was being revisited timely, but not too soon. He felt a fair compromise would be three years and emphasized that this is just a three-phase project and the applicant has an incentive to complete it as timely as possible.

Mr. Fiveash noted that if the developer was burdened with too much inside of the time window, they run the risk of causing further delays.

Commissioner Hall understood that if Phases I and II were completed within 10 years, the developer would maintain its entitlements; however, after 10 years the developer would be required to return. Mr. Fiveash would be in favor of a harsher penalty at the end of the three phases and any extension would require revisiting of substantive changes to the Agreement. He explained that there were certain triggers in the Development Agreement that would require them to come back as a substantive change, which is a high bar; however, if they had a 10-year window that would be fair.

Assistant Director Ward indicated that the amendment would be to Section 3.E. and they would add the ten-year timeline as discussed. Mr. Harrington suggested that they could add language along the lines that failure to adhere to the Phasing Plan by 2032 by virtue of the issuance of a building permit for Phase III would require the developer to return to the Planning Commission.

In response to an inquiry, Mr. Fiveash reported that the affordable units would be retained and rented to the Homeowners' Association's employees.

Chair Phillips opened the public hearing. There was no public comment. The public hearing was closed.

MOTION: Commissioner Van Dine moved to ratify the Development Agreement for Founders' Place, as amended. Commissioner Kenworthy seconded the motion.

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

6. ADJOURN

Commissioner Van Dine asked if it would be possible to re-order the meetings so that the Regular Agenda could proceed before the Work Session. Director Milliken felt this was a great question, especially when they have three items in a Work Session. She stated that they could make that determination for future meetings. She mentioned Work Sessions that have a lot of community engagement would preferably be heard at the beginning of a meeting.

MOTION: Commissioner Van Dine moved to adjourn.

The meeting adjourned at approximately 9:30 p.m.

732 CRESCENT TRAM

SUBDIVISION

PLANNING COMMISSION

JULY 27, 2022

PARK CITY 1884

AGENDA

Planning Department overview

Applicant's presentation

Commission questions and public input

APPLICATION

Property - of 5 separate parcels, 11,457 sf. (0.263-acres) - combine and subdivide into 3 developable lots with one common driveway access off Crescent Road.

Crescent Tram Pathway must be preserved with a 15-ft. easement or trails ROW in favor of City.

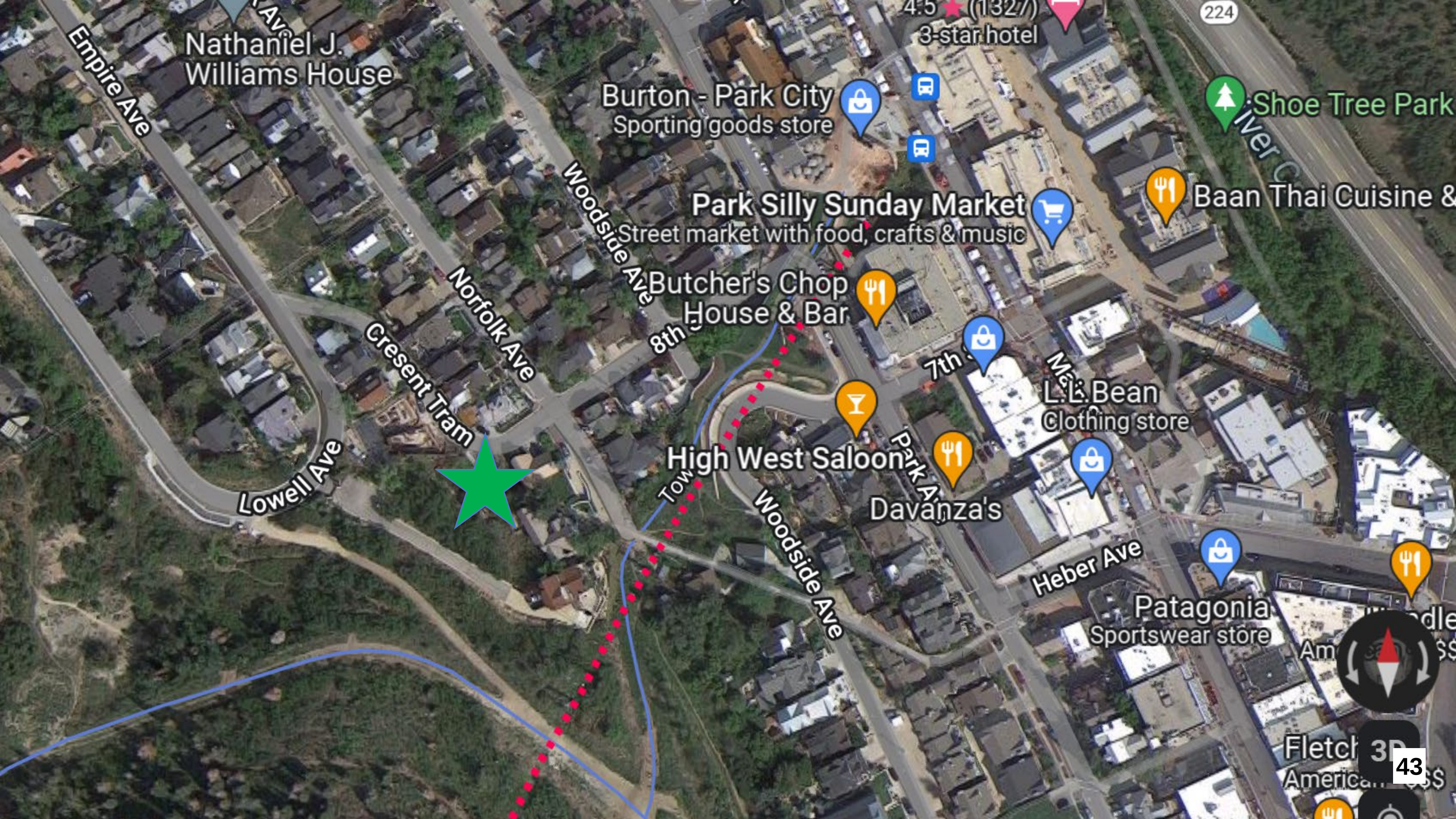
PARK CITY 1884

– TITLE HEADER –

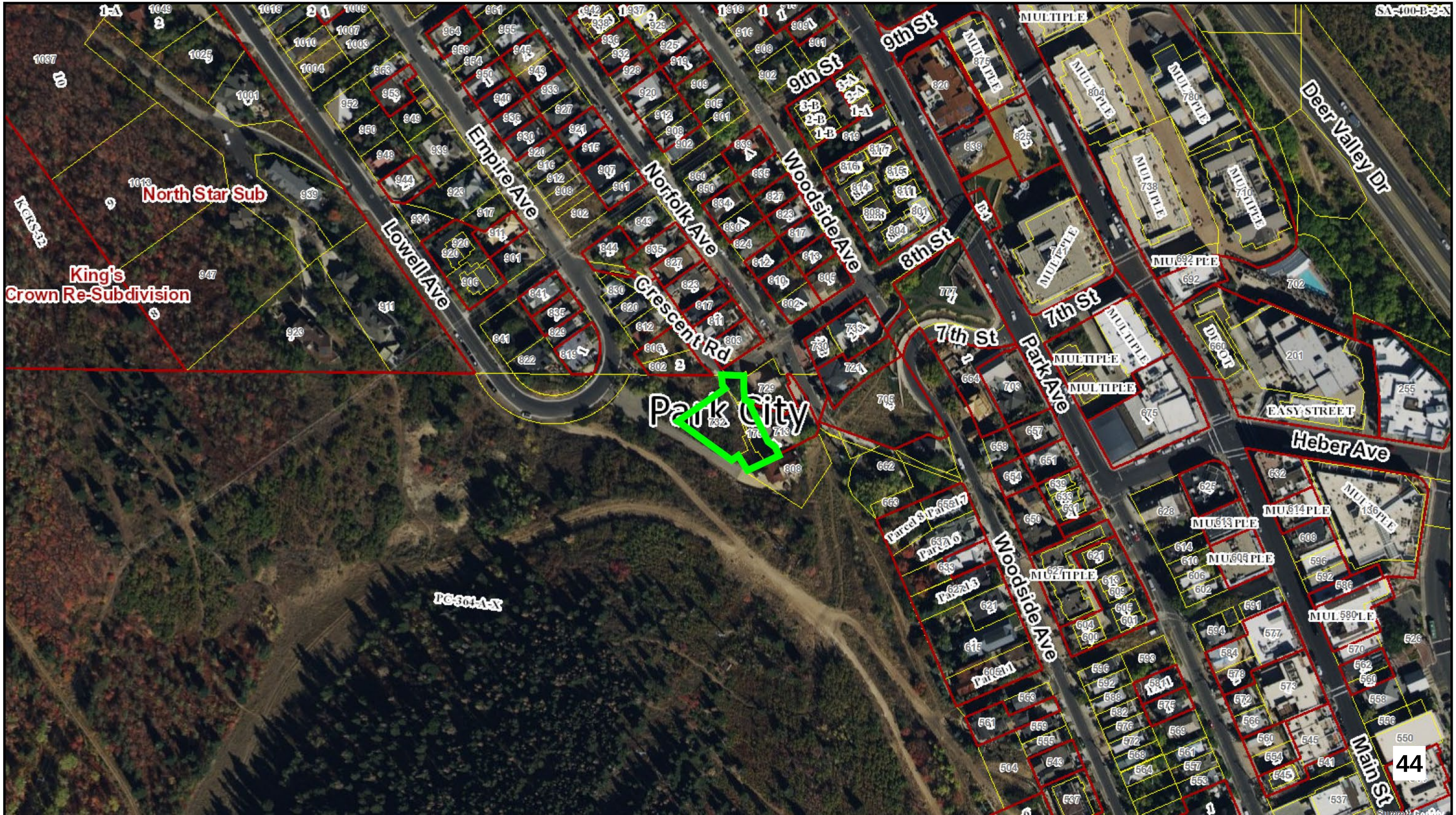
15-2.2-1 Purpose

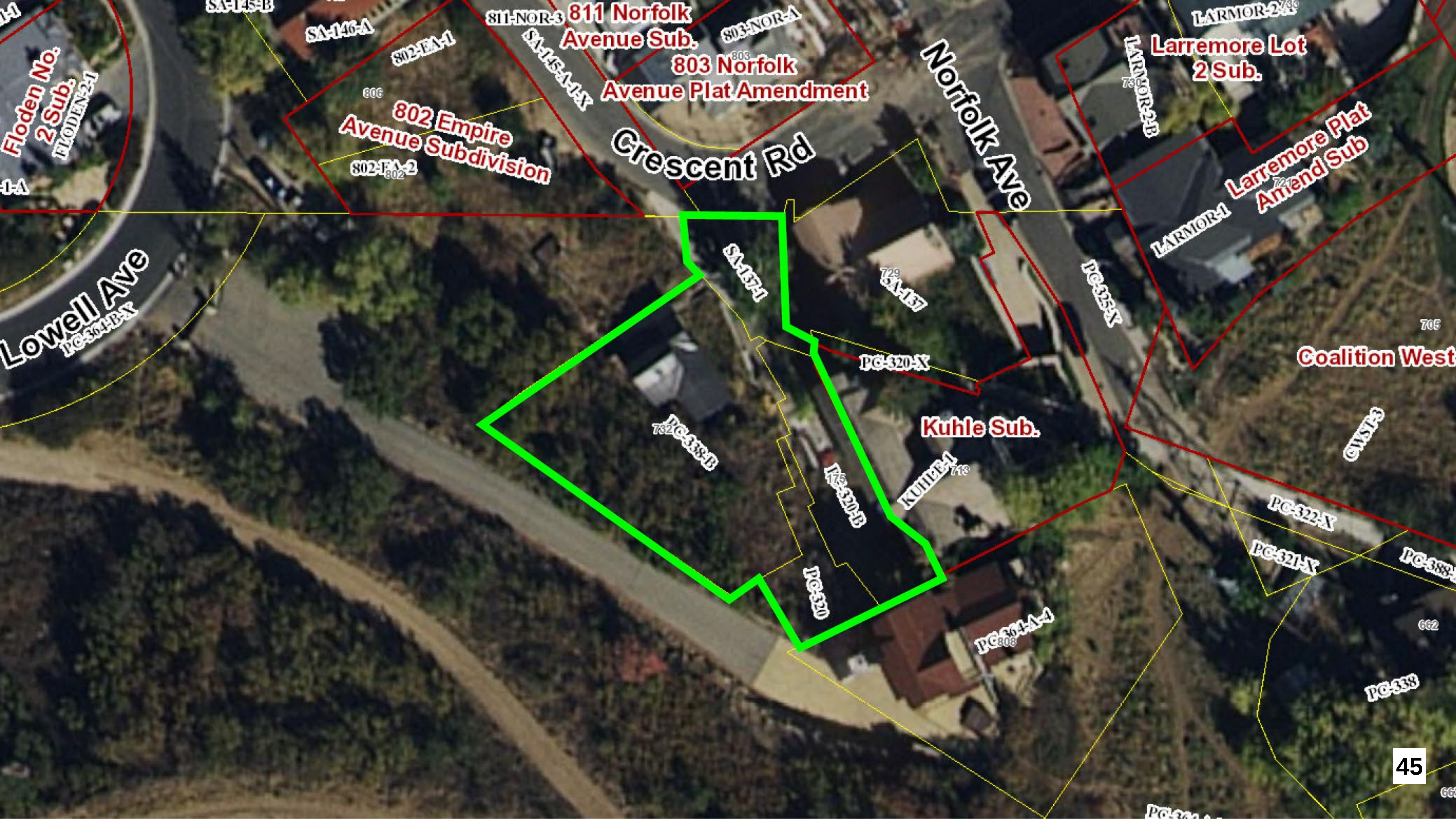
The purpose of the Historic Residential HR-I District is to:

1. Preserve present land Uses and character of the Historic residential Areas of Park City;
2. Encourage the preservation of Historic Buildings and/or Structures;
3. Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods;
4. Encourage single family Development on combinations of 25' x 75' Historic Lots;
5. Define Development parameters that are consistent with the General Plan policies for the Historic core; and
6. Establish Development review criteria for new Development on Steep Slopes which r impacts to mass and scale and the environment.



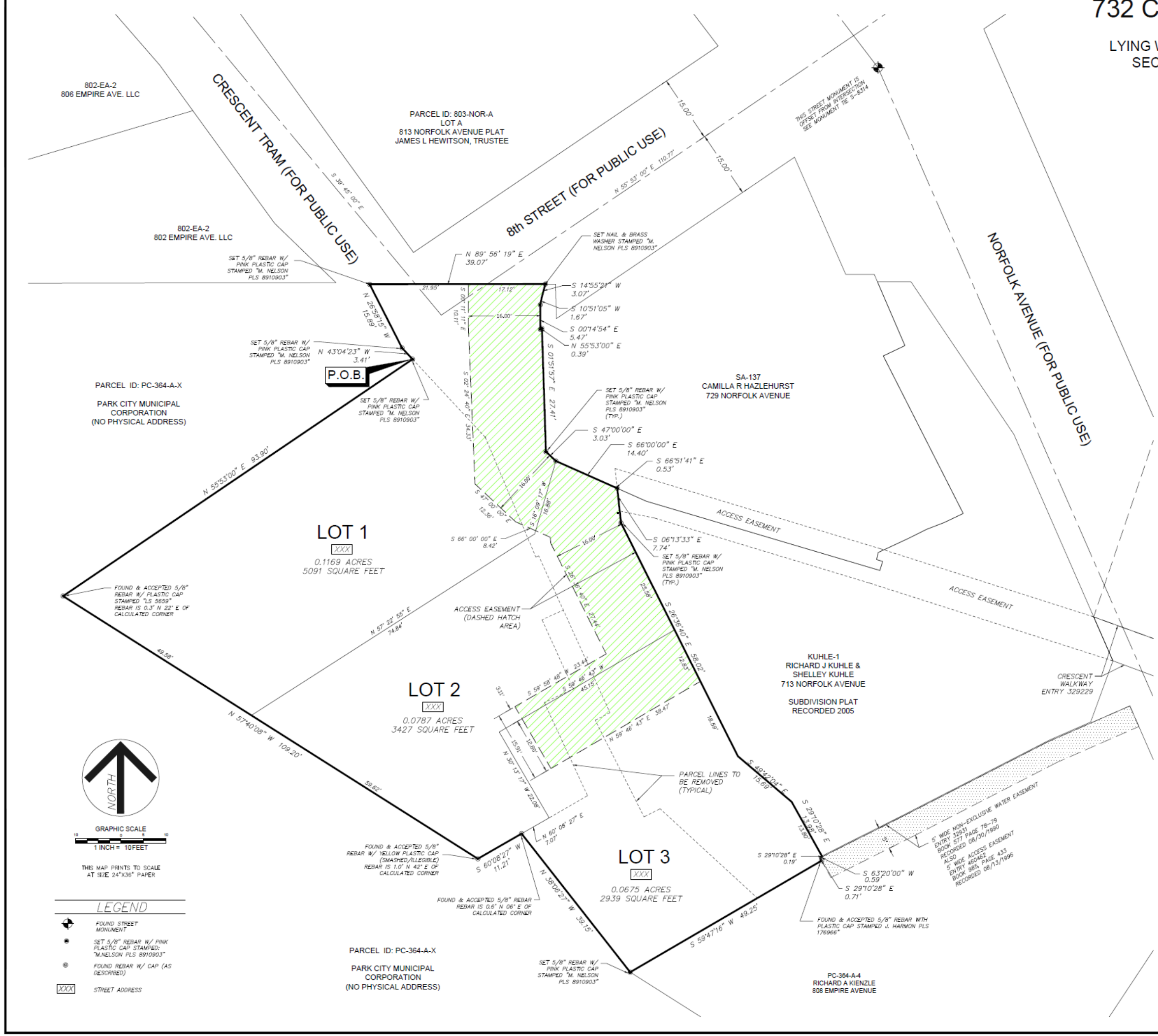
Nathaniel J. Williams House
Empire Ave
Burton - Park City
Sporting goods store
4.5 (1327)
3-star hotel
224
Shoe Tree Park
Baan Thai Cuisine &
Park Silly Sunday Market
Street market with food, crafts & music
Woodside Ave
Norfolk Ave
Butcher's Chop House & Bar
8th
Cresent Tram
7th
L.L.Bean
Clothing store
Lowell Ave
High West Saloon
Park Ave
Davanza's
Woodside Ave
Heber Ave
Patagonia
Sportswear store
3D


Park City
North Star Sub
King's
Crown Re-Subdivision
Lowell Ave
Empire Ave
Norfolk Ave
Crescent Rd
Woodside Ave
Park Ave
Main St
Deer Valley Dr
Heber Ave
9th St
8th St
7th St
EASY STREET
PC-364-A-X
SA-400-B-2-X
MULTIPLE


811 Norfolk Avenue Sub.
803 Norfolk Avenue Plat Amendment
802 Empire Avenue Subdivision
Floden No. 2 Sub.
Larremore Lot 2 Sub.
Larremore Plat Amend Sub
Coalition West
Kuhle Sub.
Crescent Rd
Norfolk Ave
Lowell Ave
SA-145-B
SA-146-A
811-NOR-3
803-NOR-A
802-EA-1
802-EA-2
SA-145-A-1-X
FLODEN-2-1
LARMOR-2
LARMOR-2-B
LARMOR-1
SA-137-1
SA-137
PC-364-B-X
PC-320-X
PC-325-X
PC-338-B
PC-320-B
PC-320
KUHLE-1
CWST-3
PC-322-X
PC-321-X
PC-338
PC-364-A-4

732 CRESCENT TRAM SUBDIVISION

A PARCEL OF LAND
LYING WITHIN THE SOUTHEAST QUARTER QUARTER OF
SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



LEGAL DESCRIPTION

BEGINNING AT A POINT WHICH IS SOUTH 51°10'21" EAST 327.80 FEET, MORE OR LESS, FROM A PARK CITY MONUMENT AT THE INTERSECTION OF EMPIRE AVENUE AND 9TH STREET (BASIS OF BEARINGS BEING NORTH 35°59'00" WEST A DISTANCE OF 860.00 FEET BETWEEN THE STREET MONUMENTS ON EMPIRE AT 9TH STREET AND EMPIRE AT 11TH STREET, "SNYDERS ADDITION TO PARK CITY" SUBDIVISION, RECORDED 02/15/1912), SAID POINT ALSO BEING NORTH 89°56'24" EAST 286.96 FEET; THENCE SOUTH 27°00'12" EAST 15.89 FEET; THENCE SOUTH 42°57'14" EAST 3.40 FEET, MORE OR LESS, FROM THE CENTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND BEING THE TRUE POINT OF BEGINNING;

RUNNING THENCE WITH A LINE COMMON TO PARCEL PC-364-A-X (PARK CITY MUNICIPAL CORPORATION, WIDELY KNOWN HISTORICALLY AS THE "TREASURE PARCEL"), BEING MORE PARTICULARLY DESCRIBED IN DEED ENTRY 1107793, BOOK 2500 PAGE 1614, RECORDED 03/20/2019; THENCE NORTH 43°04'23" WEST A DISTANCE OF 3.41 FEET; THENCE CONTINUING WITH SAID PARK CITY MUNICIPAL CORPORATION PARCEL NORTH 26°58'15" WEST A DISTANCE OF 15.89 FEET; THENCE LEAVING SAID PARK CITY MUNICIPAL CORPORATION PARCEL, NORTH 89°56'19" EAST A DISTANCE OF 39.07 FEET TO A POINT COMMON TO A PARCEL OWNED BY CAMILLA R. HAZLEHURST, DEED ENTRY 1153291, BOOK 2634 PAGE 1368, RECORDED 01/20/2021, SOUTH 14°55'21" WEST A DISTANCE OF 3.07' FEET; THENCE, CONTINUING WITH THE WEST LINE OF SAID HAZLEHURST PARCEL SOUTH 10°51'05" WEST A DISTANCE OF 1.67' FEET; THENCE SOUTH 00°14'54" EAST A DISTANCE OF 5.47 FEET; THENCE NORTH 55°53'00" EAST A DISTANCE OF 0.39 FEET TO THE CORNER OF A PARCEL OWNED BY CAMILLA R. HAZLEHURT, DEED ENTRY 1153289, BOOK 2634 PAGE 1352, AND WITH SAID WEST LINE OF SAID PARCEL SOUTH 01°51'57" EAST A DISTANCE OF 22.57 FEET TO A PARCEL OWNED BY CAMILLA R. HAZLEHURST, DEED ENTRY 1153290, BOOK 2634 PAGE 1360, AND WITH A SOUTHWEST LINE OF SAID PARCEL SOUTH 01°51'57" EAST A DISTANCE OF 4.84 FEET (FOR A TOTAL SEGMENT LENGTH OF 27.41 FEET); THENCE CONTINUING WITH A SOUTH LINE OF SAID PARCEL SOUTH 47°00'00" EAST A DISTANCE OF 3.03 FEET; THENCE SOUTH 66°00'00" EAST A DISTANCE OF 14.40 FEET; THENCE SOUTH 66°51'41" EAST A DISTANCE OF 0.53 FEET TO THE NORTHWEST CORNER OF THE KUHLE SUBDIVISION, PLAT ENTRY 743807, RECORDED 07/21/2005 SOUTH 06°13'33" EAST A DISTANCE OF 7.74 FEET;

THENCE, WITH THE WEST PORTIONS OF SAID KUHLE SUBDIVISION, THE FOLLOWING COURSES AND DISTANCES;

SOUTH 26°36'40" EAST A DISTANCE OF 58.02 FEET;
SOUTH 49°42'04" EAST A DISTANCE OF 15.69 FEET;
SOUTH 29°10'28" EAST A DISTANCE OF 13.80 FEET TO THE SOUTHWEST CORNER OF SAID KULHE SUBDIVISION PLAT;

THENCE SOUTH 29°10'28" EAST A DISTANCE OF 0.19 FEET TO A CORNER COMMON WITH DEED ENTRY 970371, BOOK 2186 PAGE 1086, RECORDED 06/16/2013 (PARCEL ID PC-364-A-4, AKA THE KIENZLE PARCEL); THENCE WITH THE KIENZLE PARCEL THE FOLLOWING COURSES AND DISTANCES:

SOUTH 63°20'00" WEST A DISTANCE OF 0.59 FEET;
SOUTH 29°10'28" EAST A DISTANCE OF 0.71 FEET;
SOUTH 59°47'16" WEST A DISTANCE OF 49.25 FEET TO A POINT THAT IS THE NORTHWEST CORNER OF SAID KIENZLE PARCEL AND ALSO A CORNER OF THE TREASURE PARCEL (DEED ENTRY 1107793, BOOK 2500 PAGE 1614, RECORDED 03/20/2019);

THENCE, WITH THE EASTERLY BOUNDARY OF SAID TREASURE PARCEL THE FOLLOWING COURSES AND DISTANCES:

NORTH 38°06'27" WEST A DISTANCE OF 39.15 FEET;
SOUTH 60°08'27" WEST A DISTANCE OF 11.21 FEET;
NORTH 57°40'08" WEST A DISTANCE OF 109.20 FEET;
NORTH 55°53'00" EAST A DISTANCE OF 93.90 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 0.263 ACRES OR 11,457 SQUARE FEET.

TOGETHER WITH AN ACCESS EASEMENT OF RECORD, ENTRY 1162188, BOOK 2660 PAGE 0711, RECORDED 04/27/2021 AND DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST-WEST QUARTER SECTION LINE OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN SAID POINT BEING NORTH 89°56'24" EAST, 385.96 FEET, MORE OR LESS, FROM THE CENTER OF SECTION 16, ALSO BEING SOUTH 80°04'16" EAST, 413.87 FEET FROM A PARK CITY MONUMENT AT THE INTERSECTION OF LOWELL AVENUE AND SHEPARD STREET AND RUNNING THENCE NORTH 89° 56'24" EAST, 8.97 FEET; THENCE SOUTH 27°00'12" EAST, 12.34 FEET; THENCE SOUTH 48°50'40" EAST, 37.64 FEET; THENCE SOUTH 63°23'49" EAST, 12.59 FEET; THENCE SOUTH 6°13'40" EAST, 9.52 FEET; THENCE NORTH 63°23'49" WEST, 20.61 FEET; THENCE NORTH 65°11'40" WEST, 6.13 FEET; THENCE SOUTH 52°23'20" WEST, 3.22 FEET; THENCE NORTH 22°51'01" WEST, 7.57 FEET; THENCE NORTH 42°57'14" WEST, 27.17 FEET; THENCE NORTH 27°00'12" WEST, 15.89 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE

I, MARTINA NELSON, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 6449384, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THIS PLAT WAS PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF PARK CITY MUNICIPAL CORPORATION. I FURTHER CERTIFY THAT THE PROPERTY BOUNDARIES AS SHOWN ARE CORRECT.

PROFESSIONAL LAND SURVEYOR No. 8910903 MARTINA NELSON 04/05/2022 STATE OF UTAH

NOT FOR RECORDATION

MARTINA NELSON
P.L.S. 8910903

NOTES REGARDING THE OVERALL OLD TOWN SURVEY BEARINGS SYSTEMS:

1. THE TWO ORIGINAL MAJOR SUBDIVISION PLATS IN THE OLD TOWN AREA OF PARK CITY ARE "AMENDED PARK CITY SURVEY" AND "SNYDERS ADDITION TO PARK CITY". AS NOTED ON THE PARK CITY SURVEY MONUMENT CONTROL MAP, RECORDED NOVEMBER 02, 1982, AS ENTRY 197765, IN THE SUMMIT COUNTY RECORDERS OFFICE.
2. A (LONG-STANDING & HISTORICAL) BEARING DISCREPANCY EXISTS ALONG THE EAST-WEST QUARTER SECTION LINE OF SECTION 16, T2S, R4E, SALT LAKE BASE & MERIDIAN. THIS LINE IS COMMON TO THE SOUTHERN BOUNDARY OF SNYDERS ADDITION TO PARK CITY & THE NORTHERN BOUNDARY OF AMENDED PLAT OF PARK CITY.
3. THE BEARING CONSISTENT WITH SNYDERS ADDITION MONUMENTS AND BLOCKS IS N 89°53'05" E.
4. THE BEARING CONSISTENT WITH AMENDED PLAT OF PARK CITY MONUMENTS AND BLOCKS IS N 89°56'30" E.
5. THIS IS A DIFFERENCE OF 00°03'25".
6. THE BEARINGS SHOWN ON THIS SURVEY ARE CONSISTENT WITH "SNYDERS ADDITION TO PARK CITY", AS ALSO SHOWN ON SHEET 2 OF 3 OF SAID BUSH & GUDGELL MONUMENT CONTROL MAP, ENTRY NUMBER 197765.
7. PREVIOUS DEEDS OF RECORD IN THIS PROJECT AREA HOLD THE "SNYDERS ADDITON TO PARK CITY" SUBDIVISION BEARINGS SYSTEM.

SEE "PARK CITY, UTAH MONUMENT CONTROL MAP", PREPARED BY BUSH & GUDGELL, RECORDED 11-02-1982, ENTRY 197765 IN THE SUMMIT COUNTY RECORDER'S OFFICE. BE AWARE THAT THERE ARE TWO SEPARATE BUSH & GUDGELL MONUMENT CONTROL MAPS.
ENTRY 197765, RECORDED 11-02-1982 (A 3 SHEET SURVEY)
AND
ENTRY 199887, RECORDED 12-30-1982 (AMENDMENT OF SHEET 3 OF 3 OF ENTRY 197765)

SEE ALSO "AMENDED PARK CITY SURVEY", RECORDED 11-25-1911.
SEE ALSO "SNYDERS ADDITION TO PARK CITY SURVEY", RECORDED 02-15-1912.

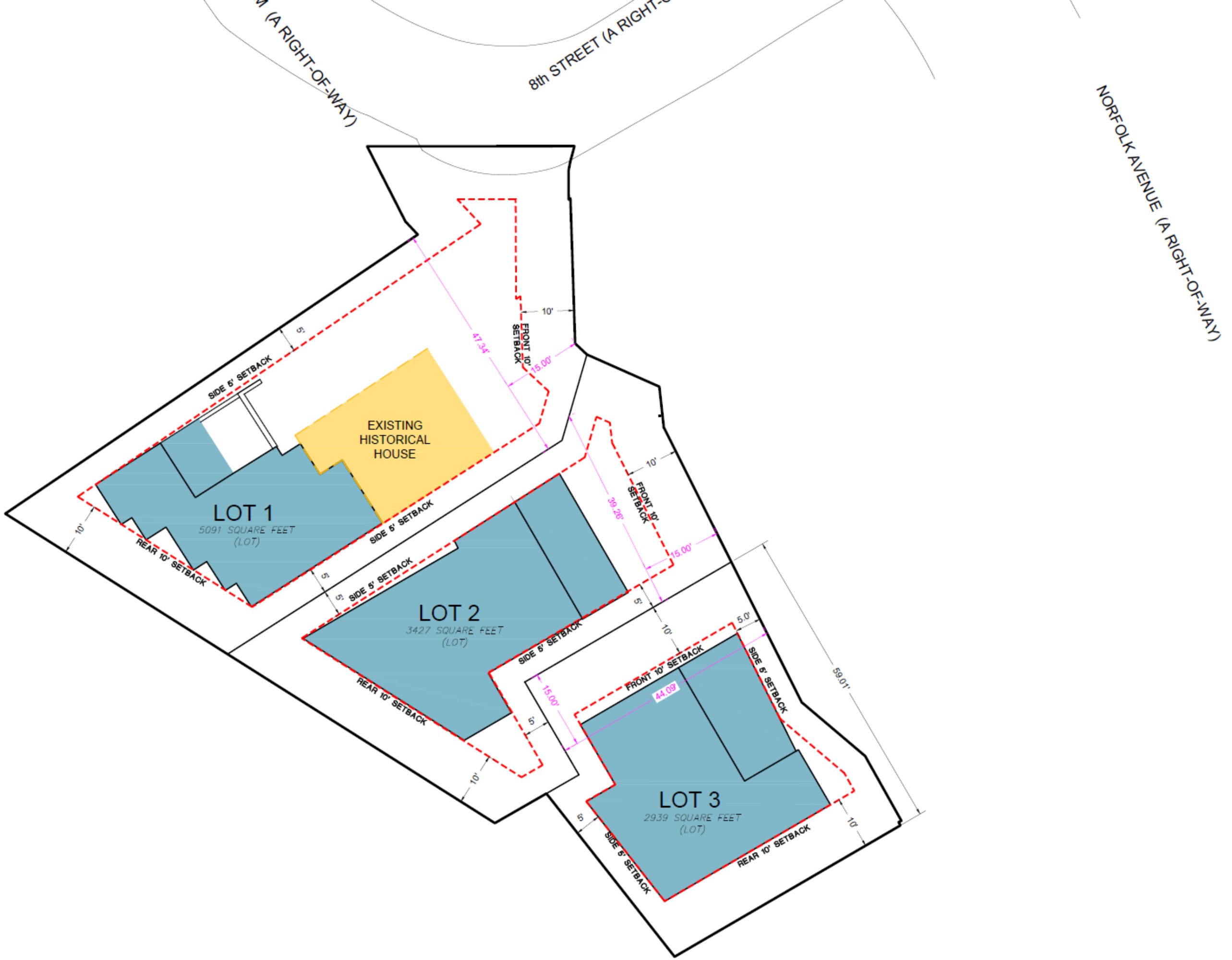
ALL REFERENCES TO MAPS & PLATS OF RECORD ARE IN THE OFFICE OF THE SUMMIT COUNTY, UTAH RECORDER.

SHEET 2 OF 2
APRIL 05, 2022

Park City Surveying
PO Box 682993
Park City, UT 84068
435-649-2918
WWW.PARKCITYSURVEY.COM

ENTRY NUMBER: ____
BOOK ____ PAGE: ____
STATE OF UTAH, COUNTY OF ____
DATE: ____ TIME: ____
FEE PAID: ____
RECORDED AND FILED AT THE REQUEST OF: ____

COUNTY RECORDER



PURPOSE OF THIS EXHIBIT:

SHOW THE BUILDABLE AREA WITHIN THE BUILDING SETBACKS

SHOW THE PROPOSED HOUSE FOOTPRINTS AS THEY EXIST TODAY.

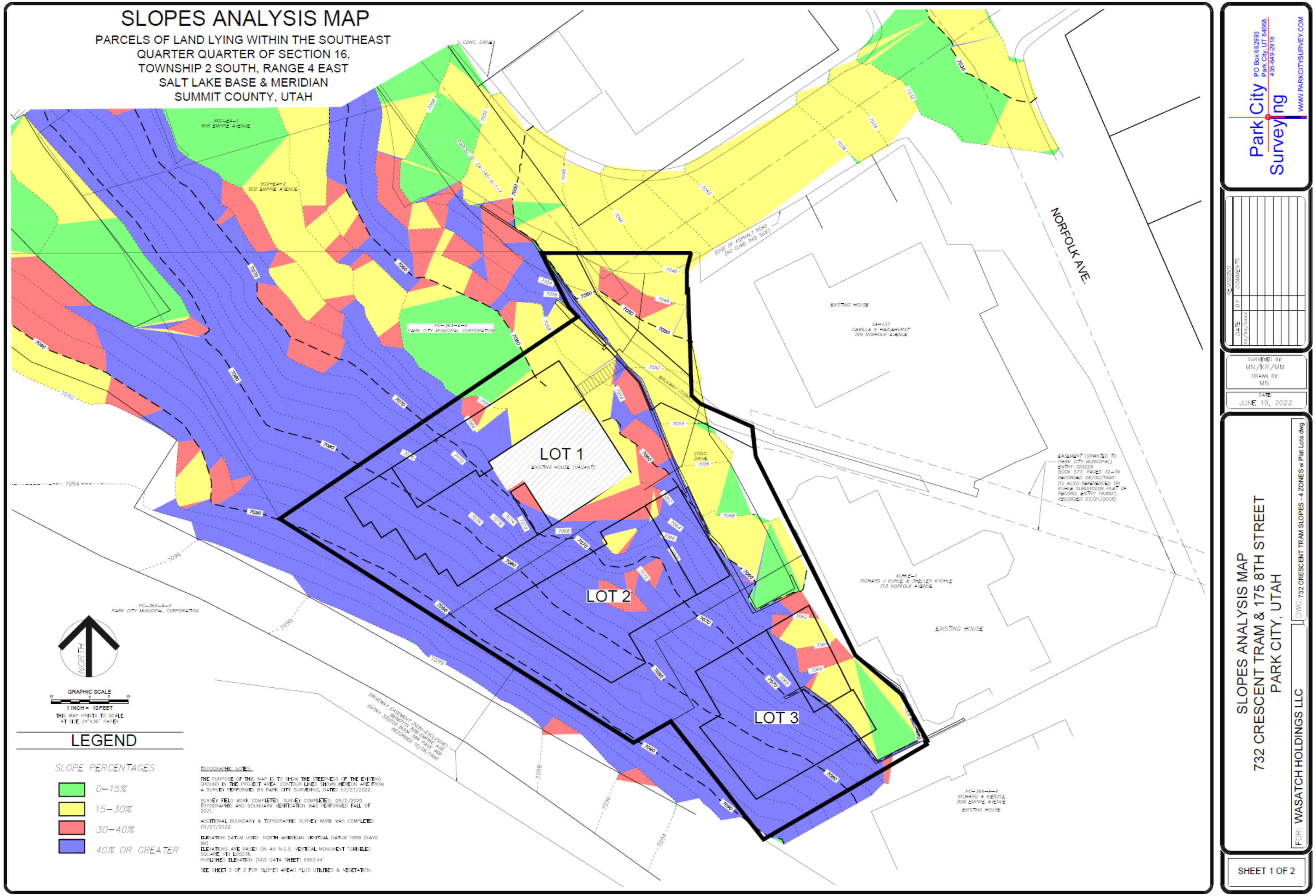
BUILDING FOOTPRINTS SHOWN ARE FOR DISCURSION ONLY.

AREAS (ROUNDED TO NEAREST ONE SQUARE FOOT)

LOT	OVERALL LOT	WITHIN SETBACKS	BUILDING FOOTPRINT
A	5091 S.F.	2994 S.F.	1602 S.F.
B	3509 S.F.	1769 S.F.	1386 S.F.
C	2858 S.F.	1475 S.F.	1338 S.F.

SHEET 1 OF 1
JULY 25, 2022

Park City
Surveying
WWW.PARKCITYSURVEY.COM


SLOPES ANALYSIS MAP
PARCELS OF LAND LYING WITHIN THE SOUTHEAST
QUARTER QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH
NORFOLK AVE.
LOT 1
EXISTING HOUSE (VACANT)
LOT 2
LOT 3
EXISTING HOUSE
EXISTING HOUSE
NORTH
GRAPHIC SCALE
1 INCH = 10 FEET
THIS MAP PRINTS TO SCALE AT SIZE 24"X36" PAPER
LEGEND
SLOPE PERCENTAGES
0–15%
15–30%
30–40%
40% OR GREATER
TOPOGRAPHIC NOTES:
THE PURPOSE OF THIS MAP IS TO SHOW THE STEEPNESS OF THE EXISTING GROUND IN THE PROJECT AREA. CONTOUR LINES SHOWN HEREON ARE FROM A SURVEY PERFORMED BY PARK CITY SURVEYING, DATED 03/27/2022.
SURVEY FIELD WORK COMPLETED: SURVEY COMPLETED: 08/2/2020. TOPOGRAPHIC AND BOUNDARY VERIFICATION WAS PERFORMED FALL OF 2021.
ADDITIONAL BOUNDARY & TOPOGRAPHIC SURVEY WORK WAS COMPLETED 03/27/2022.
ELEVATION DATUM USED: NORTH AMERICAN VERITCAL DATUM 1988 (NAVD 88)
ELEVATIONS ARE BASED ON AN N.G.S .VERTICAL MONUMENT "CHISELED SQUARE, PID L00236.
PUBLISHED ELEVATION (NGS DATA SHEET) 6563.44'
SEE SHEET 2 OF 2 FOR SLOPES AREAS PLUS UTILITIES & VEGETATION.
Park City Surveying
PO Box 682993
Park City, UT 84068
435-649-2918
WWW.PARKCITYSURVEY.COM
SURVEYED BY: MN/KR/MM
DRAWN BY: MN
DATE: JUNE 19, 2022
SLOPES ANALYSIS MAP
732 CRESCENT TRAM & 175 8TH STREET
PARK CITY, UTAH
FOR: WASATCH HOLDINGS LLC
DWG: 732 CRESCENT TRAM SLOPES - 4 ZONES w Plat Lots.dwg
SHEET 1 OF 2

PROPOSAL

Proposed Lot Sizes

Lot 1	5,091
Lot 2	3,427
Lot 3	2,939
	11,457

Neighborhood Lot Sizes

Average Lot Size 0.08454 3,683

Median 2,831

ISSUES TO CONSIDER

TITLE SUB-HEADER

- Historically there have only been two houses on the site.
- Concerns with development on Steep Slopes = excavation, loss of vegetation and open space.
- Access to/from Crescent Road (narrow and steep).
- Potential for pedestrian and vehicular conflicts over historic Crescent Tram Pathway.

TITLE SUB-HEADER

- Proposal complies with the HR-1 Zoning District Requirements.
- Future structures will require Steep Slope CUP or Admin CUP and Historic District Design Review.
- Lot sizes consistent with neighborhood, zone requirement of 1,875 sf.

PARK CITY 1884

ISSUES TO CONSIDER

How to preserve the historic character and integrity of the residential area?

2 vs. 3 lots?

Limits of Disturbance or Maximum House Size?

Crescent Tram Plat Amendment

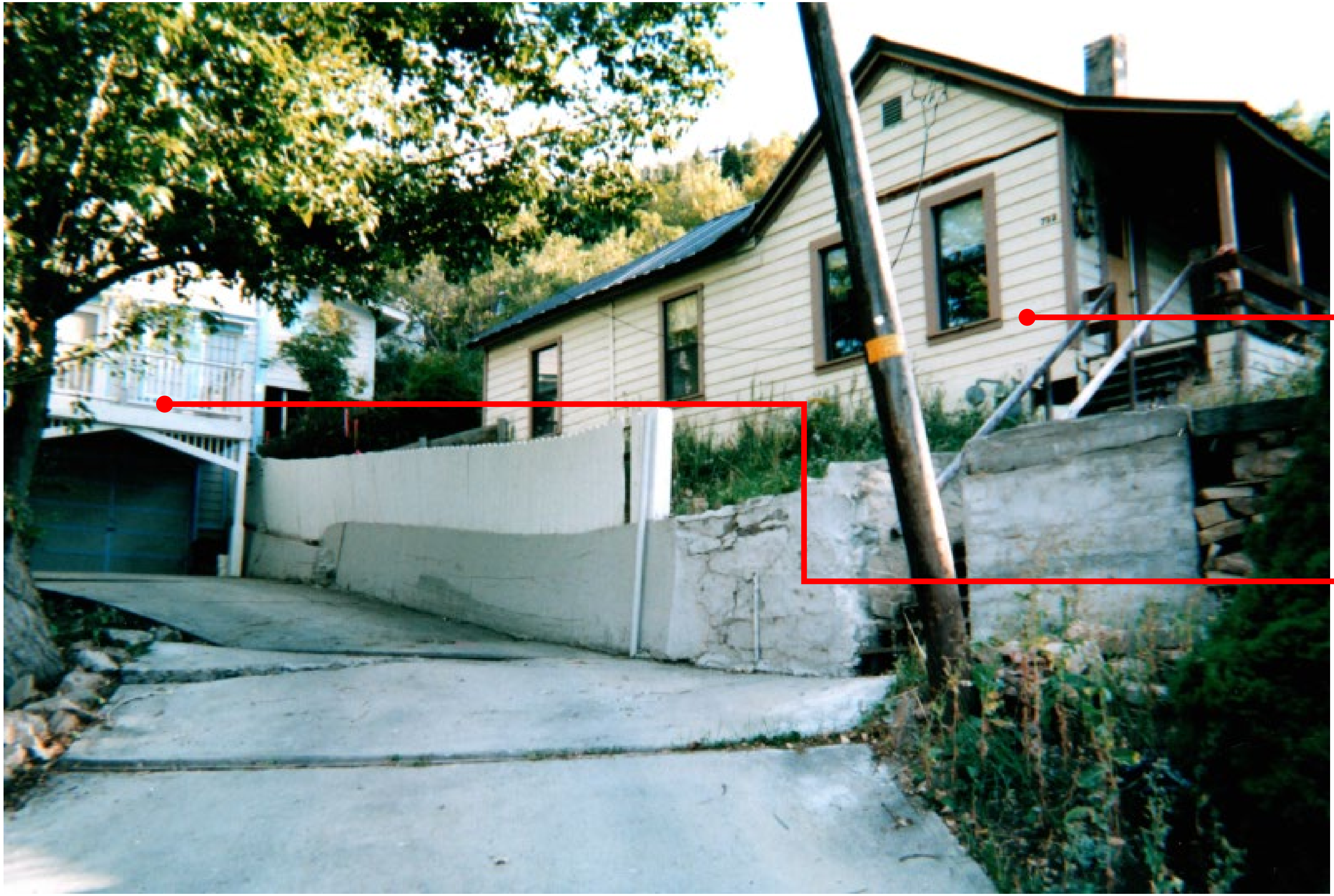
07/27/2022

Work Session

Park City Planning Commission

Park City Surveying

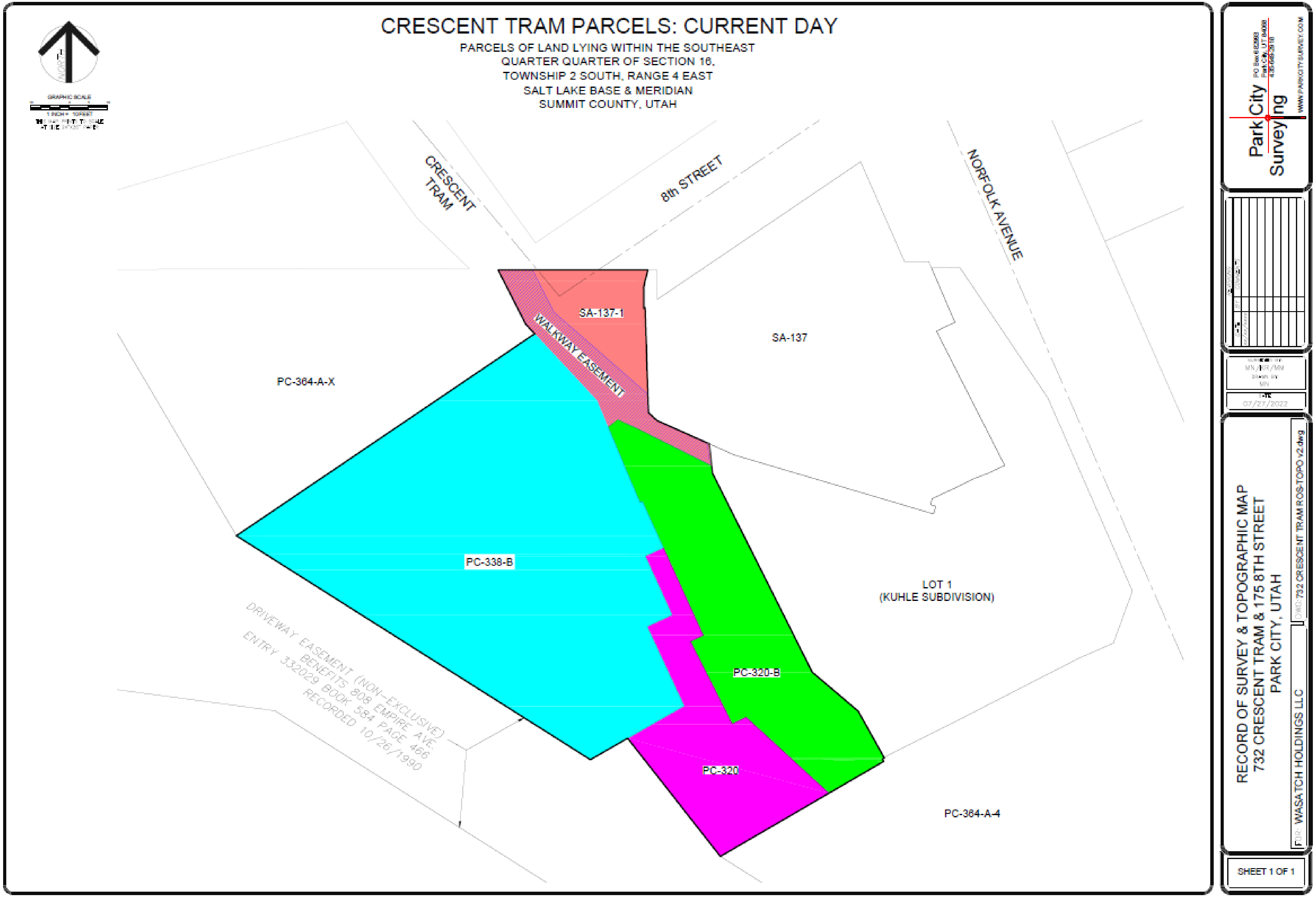
P.O. Box 682993
Park City, UT 84068
(435)649-2918
(435)649-4637 fax

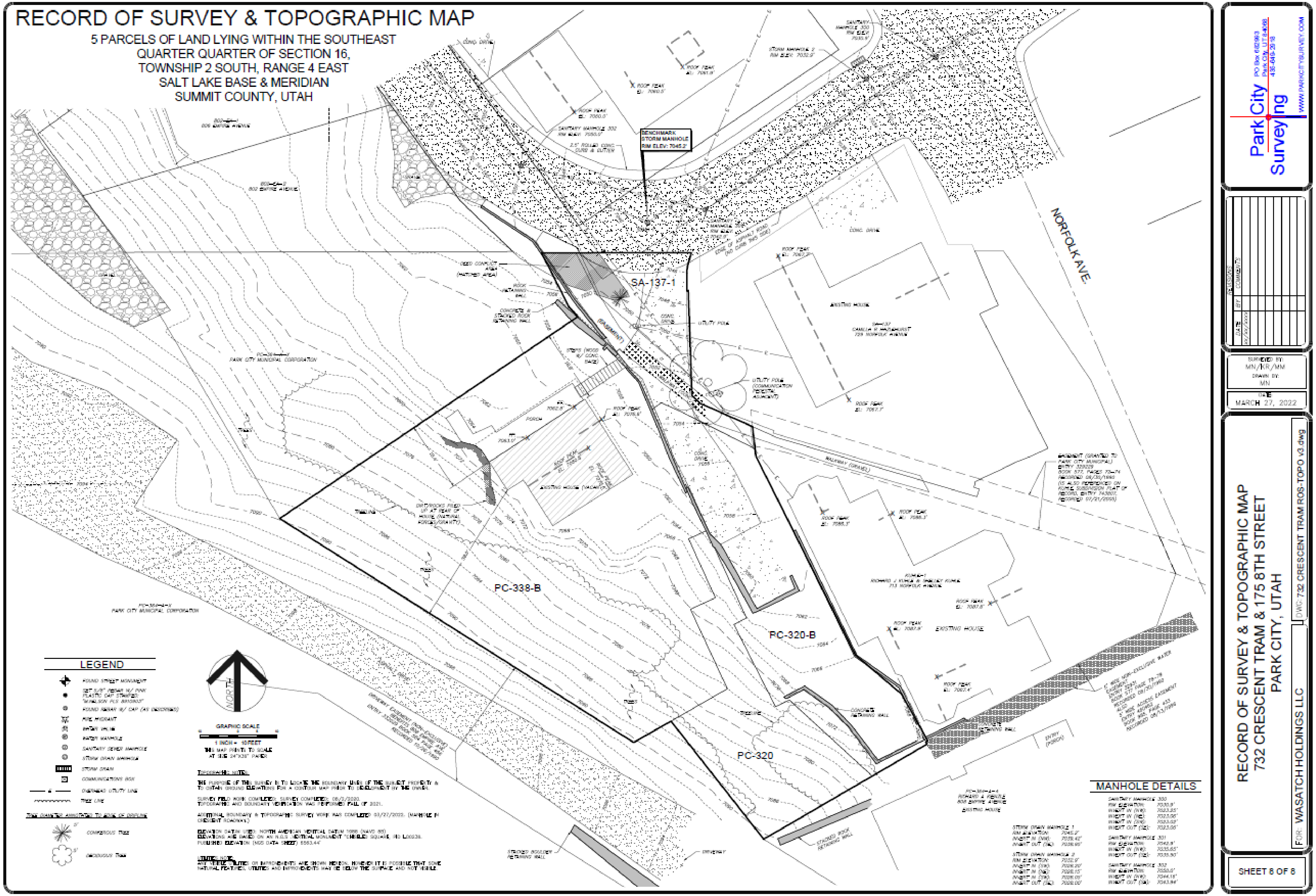


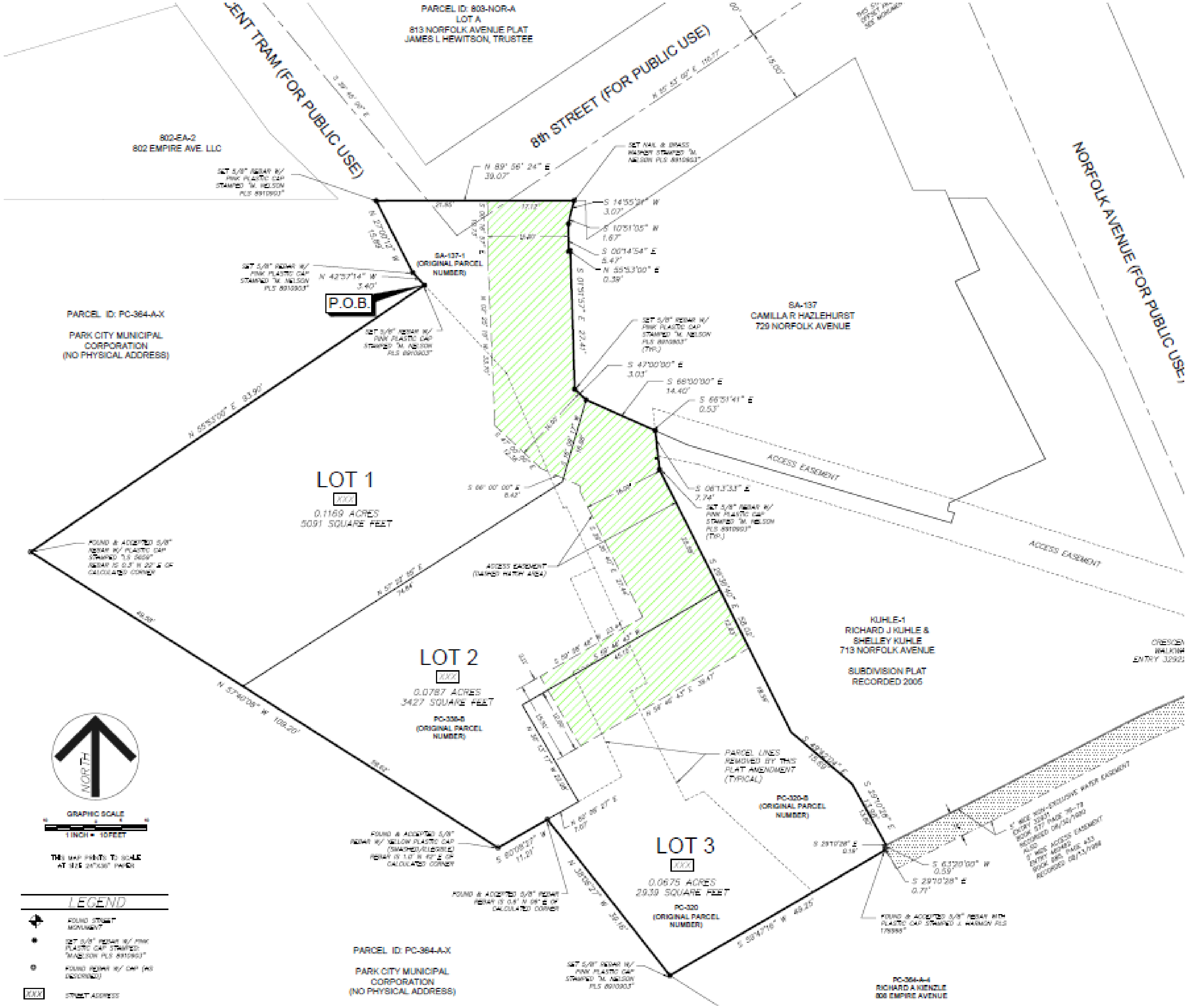
732
CRESCENT
HOUSE

175 8th Street


KIENZLE HOUSE
KUHLE HOUSE
732 CRESCENT HOUSE
03/11/2020


CRESCENT TRAM PARCELS: CURRENT DAY
PARCELS OF LAND LYING WITHIN THE SOUTHEAST
QUARTER QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH
CRESCENT TRAM
8th STREET
NORFOLK AVENUE
SA-137-1
WALKWAY EASEMENT
SA-137
PC-364-A-X
PC-338-B
LOT 1
(KUHLE SUBDIVISION)
DRIVEWAY EASEMENT (NON-EXCLUSIVE)
BENEFITS 808 EMPIRE AVE.
ENTRY 332029 BOOK 584 PAGE 466
RECORDED 10/26/1990
PC-320-B
PC-320
PC-364-A-4
Park City Surveying
WWW.PARKCITYSURVEY.COM
MN/KR/MN
MN
07/27/2022
RECORD OF SURVEY & TOPOGRAPHIC MAP
732 CRESCENT TRAM & 175 8TH STREET
PARK CITY, UTAH
WASATCH HOLDINGS LLC
732 CRESCENT TRAM ROS-TOPO v2.dwg
SHEET 1 OF 1


RECORD OF SURVEY & TOPOGRAPHIC MAP
5 PARCELS OF LAND LYING WITHIN THE SOUTHEAST
QUARTER QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH
BENCHMARK
STORM MANHOLE
RIM ELEV: 7045.2'
SA-137-1
NORFOLK AVE.
PC-338-B
PC-320-B
PC-320
EXISTING HOUSE
LEGEND
NORTH
GRAPHIC SCALE
1 INCH = 10 FEET
THIS MAP PRINTS TO SCALE
AT SIZE 24"X36" PAPER
TOPOGRAPHIC NOTES:
THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES OF THE SUBJECT PROPERTY & TO OBTAIN GROUND ELEVATIONS FOR A CONTOUR MAP PRIOR TO DEVELOPMENT BY THE OWNER.
SURVEY FIELD WORK COMPLETED: SURVEY COMPLETED: 06/2/2020.
TOPOGRAPHIC AND BOUNDARY VERIFICATION WAS PERFORMED FALL OF 2021.
ADDITIONAL BOUNDARY & TOPOGRAPHIC SURVEY WORK WAS COMPLETED 03/27/2022. (MANHOLE IN CRESCENT ROADWAY.)
ELEVATION DATUM USED: NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 88)
ELEVATIONS ARE BASED ON AN N.G.S. VERTICAL MONUMENT "CHEBLES SQUARE, PID L00026.
PUBLISHED ELEVATION (NGS DATA SHEET) 6563.44'
UTILITIES NOTE:
ANY VISIBLE UTILITIES OR IMPROVEMENTS ARE SHOWN HEREON, HOWEVER IT IS POSSIBLE THAT SOME NATURAL FEATURES, UTILITIES AND IMPROVEMENTS MAY BE BELOW THE SURFACE AND NOT VISIBLE.
MANHOLE DETAILS
Park City Surveying
SURVEYED BY:
MN/KR/MM
DRAWN BY:
MN
DATE
MARCH 27, 2022
RECORD OF SURVEY & TOPOGRAPHIC MAP
732 CRESCENT TRAM & 175 8TH STREET
PARK CITY, UTAH
DWG: 732 CRESCENT TRAM ROS-TOPO v3.dwg
FOR: WASATCH HOLDINGS LLC
SHEET 8 OF 8


PARCEL ID: 803-NOR-A
LOT A
813 NORFOLK AVENUE PLAT
JAMES L HEWITSON, TRUSTEE
8th STREET (FOR PUBLIC USE)
NORFOLK AVENUE (FOR PUBLIC USE)
802-EA-2
802 EMPIRE AVE. LLC
SA-137-1
(ORIGINAL PARCEL NUMBER)
P.O.B.
PARCEL ID: PC-364-A-X
PARK CITY MUNICIPAL CORPORATION
(NO PHYSICAL ADDRESS)
SA-137
CAMILLA R HAZLEHURST
729 NORFOLK AVENUE
ACCESS EASEMENT
LOT 1
0.1169 ACRES
5091 SQUARE FEET
LOT 2
0.0787 ACRES
3427 SQUARE FEET
PC-320-B
(ORIGINAL PARCEL NUMBER)
KUHLE-1
RICHARD J KUHLE &
SHELLEY KUHLE
713 NORFOLK AVENUE
SUBDIVISION PLAT
RECORDED 2005
PARCEL LINES REMOVED BY THIS PLAT AMENDMENT (TYPICAL)
LOT 3
0.0675 ACRES
2939 SQUARE FEET
PC-320
(ORIGINAL PARCEL NUMBER)
NORTH
GRAPHIC SCALE
1 INCH = 10 FEET
LEGEND
PARCEL ID: PC-364-A-X
PARK CITY MUNICIPAL CORPORATION
(NO PHYSICAL ADDRESS)
PC-364-4-4
RICHARD A KIENZLE
808 EMPIRE AVENUE

732 CRESCENT TRAM AREAS ANALYSIS
07/25/2022

PURPOSE OF THIS EXHIBIT:

SHOW THE BUILDABLE AREA WITHIN THE BUILDING SETBACKS

SHOW THE PROPOSED HOUSE FOOTPRINTS AS THEY EXIST TODAY.

BUILDING FOOTPRINTS SHOWN ARE FOR DISCURSION ONLY.

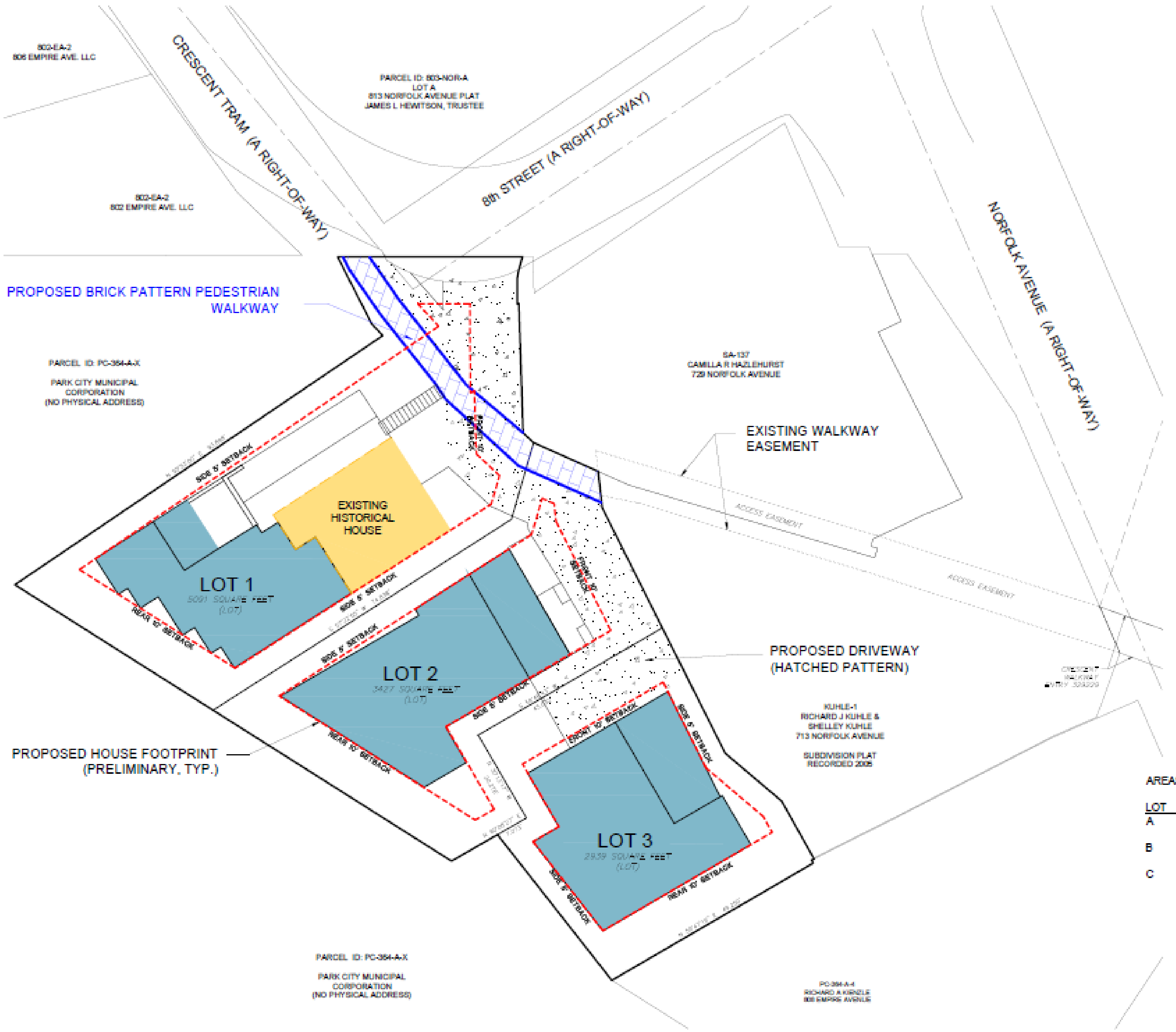
AREAS (ROUNDED TO NEAREST ONE SQUARE FOOT)

LOT	OVERALL LOT	WITHIN SETBACKS	BUILDING FOOTPRINT
A	5091 S.F.	2994 S.F.	1602 S.F.
B	3509 S.F.	1769 S.F.	1386 S.F.
C	2858 S.F.	1475 S.F.	1338 S.F.

SHEET 1 OF 1
JULY 25, 2022

Park City Surveying
WWW.PARKCITYSURVEY.COM

732 CRESCENT TRAM AREAS ANALYSIS



PURPOSE OF THIS EXHIBIT:

SHOW THE BUILDABLE AREA WITHIN THE BUILDING SETBACKS

SHOW THE PROPOSED HOUSE FOOTPRINTS AS THEY EXIST TODAY.

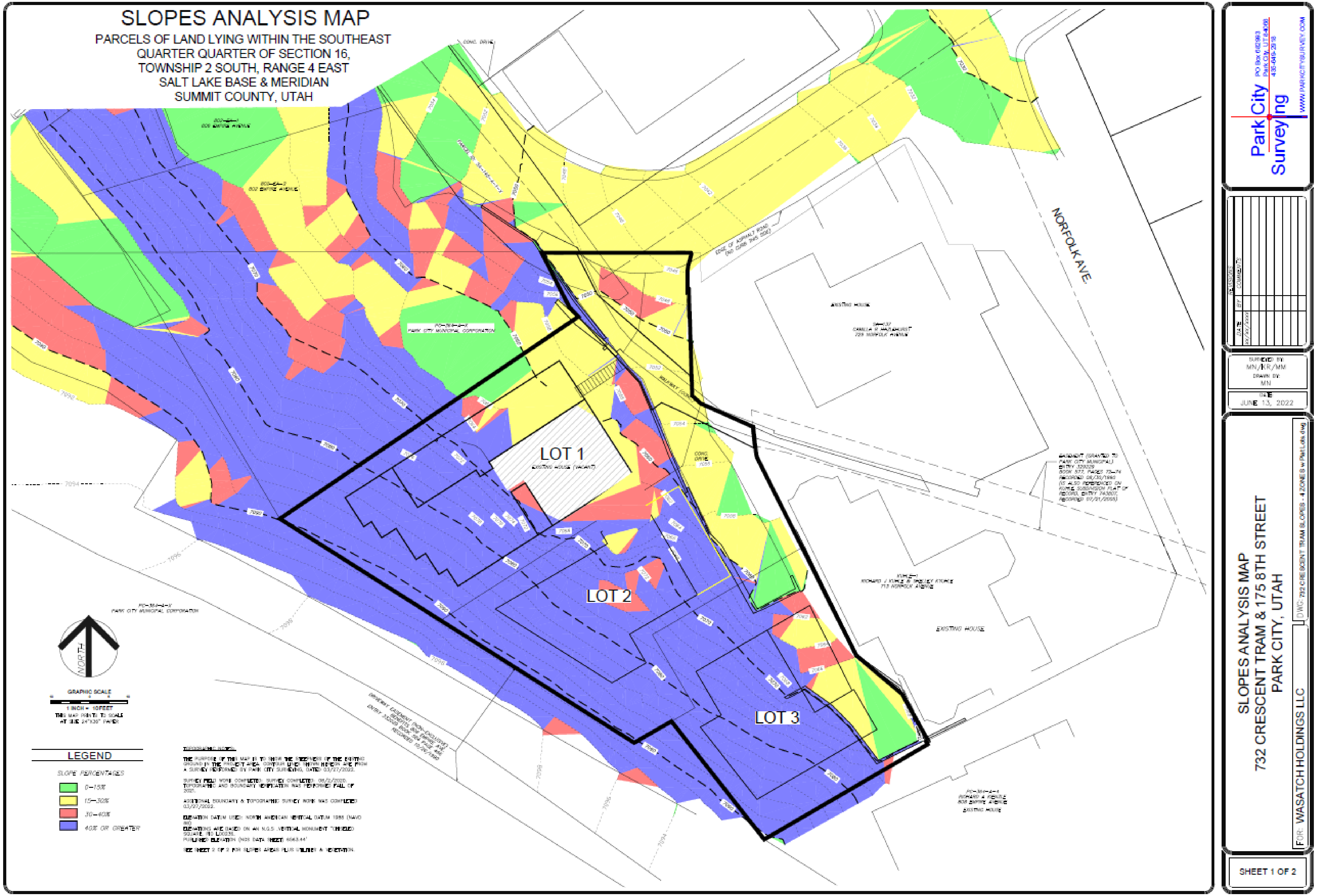
BUILDING FOOTPRINTS SHOWN ARE FOR DISCURSION ONLY.

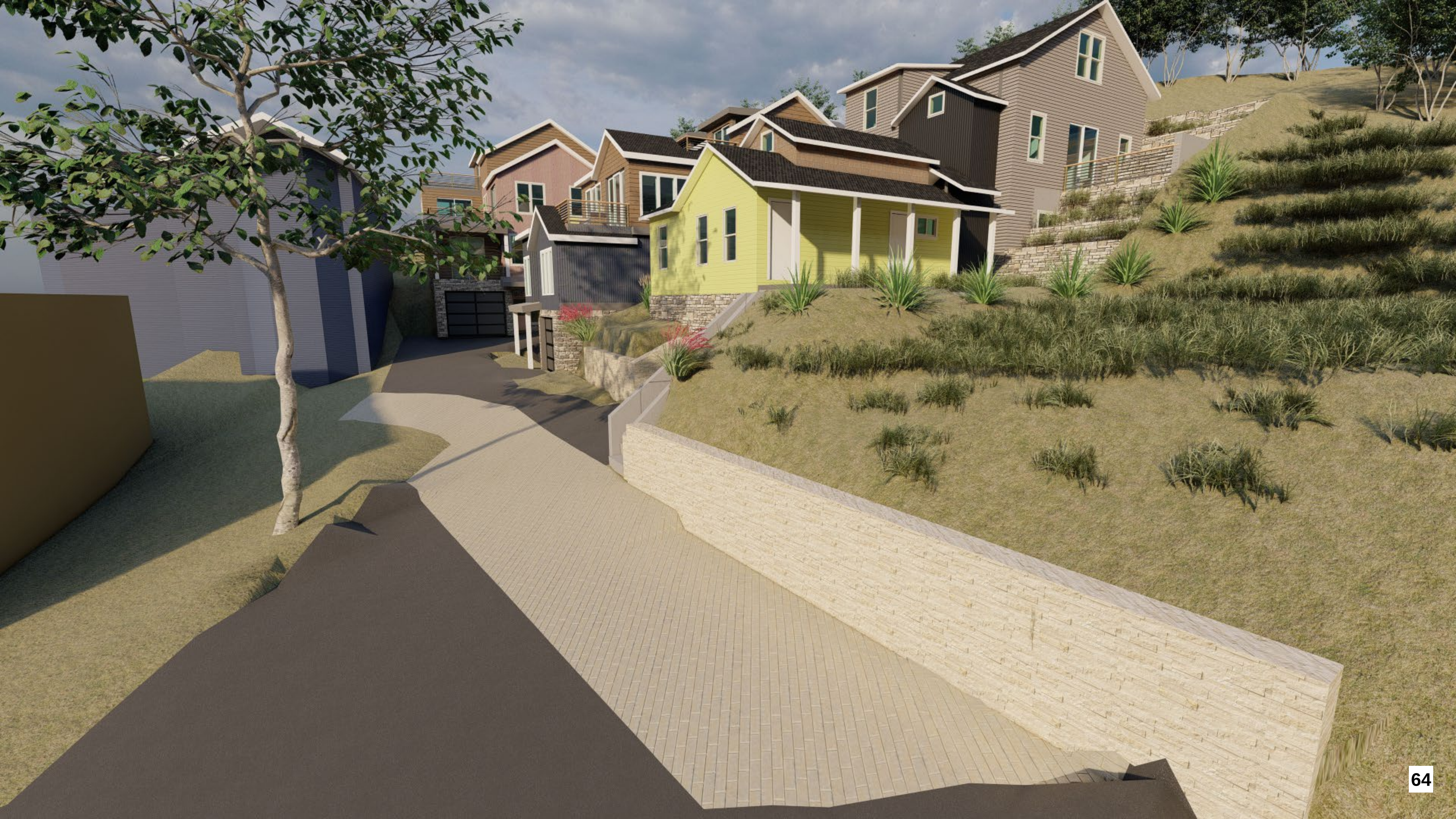
AREAS (ROUNDED TO NEAREST ONE SQUARE FOOT)

LOT	OVERALL LOT	WITHIN SETBACKS	BUILDING FOOTPRINT
A	5091 S.F.	2994 S.F.	1602 S.F.
B	3509 S.F.	1769 S.F.	1386 S.F.
C	2858 S.F.	1475 S.F.	1338 S.F.

SHEET 1 OF 1
JULY 25, 2022

Park City Surveying
WWW.PARKCITYSURVEY.COM


SLOPES ANALYSIS MAP
PARCELS OF LAND LYING WITHIN THE SOUTHEAST
QUARTER QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH
NORFOLK AVE.
LOT 1
LOT 2
LOT 3
EXISTING HOUSE
NORTH
GRAPHIC SCALE
1 INCH = 10 FEET
THIS MAP PRINTS TO SCALE AT SIZE 24"X36" PAPER
LEGEND
SLOPE PERCENTAGES
0-15%
15-30%
30-40%
40% OR GREATER
TOPOGRAPHIC NOTES:
THE PURPOSE OF THIS MAP IS TO SHOW THE STEEPNESS OF THE EXISTING GROUND IN THE PROJECT AREA. CONTOUR LINES SHOWN HEREON ARE FROM A SURVEY PERFORMED BY PARK CITY SURVEYING, DATED 03/27/2022.
ADDITIONAL BOUNDARY & TOPOGRAPHIC SURVEY WORK WAS COMPLETED 03/27/2022.
SEE SHEET 2 OF 2 FOR SLOPES AREAS PLUS UTILITIES & VEGETATION.
Park City Surveying
WWW.PARKCITYSURVEY.COM
SURVEYED BY: MN/KR/MM
DRAWN BY: MN
DATE
JUNE 13, 2022
SLOPES ANALYSIS MAP
732 CRESCENT TRAM & 175 8TH STREET
PARK CITY, UTAH
FOR: WASATCH HOLDINGS LLC
SHEET 1 OF 2



Planning Commission
Staff Report

Subject:	**1800 Park Avenue**
Application:	**PL-22-05254 & PL-22-05255**
Author:	**Alexandra Ananth, Sr. Planner**
Date:	**August 24, 2022**
Type of Item:	**MPD and AMPD**

Recommendation

At the Applicant's request, the Planning Department recommends the Planning Commission *Continue* the scheduled work session to ***September 14, 2022.***

Description

Applicant:	Seth Singerman c/o Yarrow Hotel Owner, LLC, Mike Sanford, Applicant's Representative
Location:	1800 Park Avenue
Zoning District:	General Commercial (GC), Frontage Protection Overlay (FPO)
Adjacent Land Uses:	Commercial Uses including shopping centers which include grocery, retail, office, theater uses, Olympic Sculpture Park, and condominiums
Reason for Review:	MPDs and AMPDs require Planning Commission action[1] and a recommendation to the Housing Authority (as applicable).

[1] LMC § 15-7.1-2(B).

Planning Commission
Staff Report

Subject:	**1875 Homestake Drive**
Application:	**PL-22-05288 | PL-22-05300**
Author:	**Spencer Cawley, Planner II**
Date:	**August 24, 2022**
Type of Item:	**Affordable Master Planned Development** **Multi-Unit Dwelling Conditional Use Permit**

Recommendation

Staff requests the Planning Commission continue the scheduled work session to September 28, 2022.

Description

Applicant:	Park City Municipal Corporation, represented by Peter Tomai J Fisher Companies, represented by Rory Murphy
Location:	1875 Homestake Drive
Zoning District:	General Commercial
Adjacent Land Uses:	The Blind Dog and Boneyard Restaurants (1251 Kearns Boulevard), Homestake Condos (1900 Homestake Road), Claimjumper Condos (1800 Homestake Road), Ironhorse Park Commercial Subdivision (1020 Iron Horse Drive), Rocky Mountain Power Substation (Parcel S-22), Recycle Utah (Parcel SA-224-X)
Reason for Review:	The Planning Commission reviews Affordable Master Planned Developments and Conditional Use Permits, conducts a public hearing, and takes Final Action[1]

[1] LMC § 15-1-8(G)

Planning Commission
Staff Report

Subject:	**Recommendation on the Moderate-Income Housing Element of the General Plan**
Authors:	**Housing Team**
Date:	**August 24, 2022**
Type of Item:	**Legislative – General Plan Amendment**

Recommendation
(I) Review the 2022 Moderate-Income Housing Plan (MIHP) that serves as the Housing Element of the General Plan, (II) conduct a public hearing, and (III) consider forwarding a positive recommendation for the City Council's consideration on September 1, 2022.

Description
Applicant: Housing Team
Reason for Review: The State requires annual updates to the Housing Element of the General Plan.

Abbreviations
AMI	Area Median Income
DWS	Department of Workforce Services
LIHTC	Low Income Housing Tax Credits
MIHP	Moderate Income Housing Plan
MPD	Master Planned Development
RDA	Redevelopment Authority

Background
In their 2022 session, the State Legislature enacted HB 462, requiring annual updating of the Housing Element of the General Plan, also referred to as a Moderate-Income Housing Plan (MIHP). Noncompliance with HB 462 would mean Park City is ineligible to receive State transportation funding. The Housing Team brought information to the Planning Commission on June 22, 2022, outlining the new reporting and planning requirements in preparation for the review of the 2022 Annual Moderate Income Housing Plan. On July 27, 2022, the Housing Team presented the drafted Plan in the Planning Commission work session. The discussion summary and feedback from the Planning Commission in their July 27, 2022, meeting has been listed below.

- Agreement to the recommended 5-year goals and the implementation strategies for year one, July 2022 to June 2023.
- A desire to see the resorts take more initiative and responsibility for housing their employees.

- A desire to continue reviewing and amending the Land Management Code to incorporate ways of incentivizing moderate-income housing development, including affordable ADUs, and reducing the trigger for Master Planned Developments (MPD).
- A desire to see a more aggressive community goal in developing new affordable housing units.
- A desire to focus on housing affordable to households earning less than 80% of AMI.

The updated MIHP broken into the following sections:

- Background on the state of housing in Park City,
- Accomplishments and successes,
- Projection of needs drawn from the 2021 Housing Needs Assessment completed by James Wood, Ivory Boyer Senior Fellow of the Kem C. Gardner Policy Institute at the University of Utah,
- Recommended five-year plan goals, and
- Strategies to address the housing needs over the next year.

As directed by the Department of Workforce Services (DWS), the strategies are derived directly from the State's codified list of strategies (attached as EXHIBIT B). These goals are required to satisfy State requirements.

Analysis

Although the Planning Commission agreed with the proposed Plan and Implementation Strategies, the Housing Team made a few changes to incorporate the minor concerns raised.

Objectives have been added to provide additional focus on:

- Furthering the development of affordable ADUs, Goal II, Objective D and Goal IV, Objective C.
- Finding ways to build units affordable to households earning less than 80 percent of AMI, Goal I, Objective G.

The Housing Team does not recommend changing the Implementation Strategies for year one, July 2022 to June 2023. While these strategies represent only a small portion of the work the Housing Team will focus on in the coming year, they are written to comply with the DWS codified format.

2022 Five Year Housing Plan

A review of proposed Goals and Objectives followed by proposed Implementation Strategies for year one, July 2022 to June 2023 follows:

GOALS

GOAL I: Facilitate the production of a mix of new housing units to meet the needs of the local workforce, maintain vibrancy, and increase the diversity of the community.

Objective A: Work with public/private partnerships to build new units.

Objective B: Ensure that new units resulting from development agreements are a mix of rental, for sale units.

Objective C: Increase the diversity of housing stock to include various unit sizes and types.

Objective D: Reduce and/or eliminate municipal fees for affordable housing development.

Objective E: Create housing opportunities for both the aging and neuro-diverse populations.

Objective F: Preserve existing moderate-income units.

Objective G: Find ways to build units at various levels of affordability.

GOAL II: Enact zoning changes and amend the Land Management Code to incentivize the development of affordable housing.

Objective A: Change zoning classifications to allow for the development of affordable housing.

Objective B: Provide parking reductions to projects that use alternative transportation options to reduce the need for vehicle travel.

Objective C: Look for opportunities to Increase height and density allowances for affordable housing development where appropriate.

Objective D: Change Land Management Code to incentivize development of affordable ADUs.

GOAL III: Enhance housing assistance programs for City Employees.

Objective A: Expand the employee rental program to include both short and long-term rental options.

Objective B: Continue to evaluate employee housing allowance programs and make changes as necessary.

Objective C: Look for innovative ways to create housing opportunities for City employees.

GOAL IV: Explore new tools to retain permanent residents and preserve community vibrancy.

Objective A: Reduce the impacts that short-term rentals have on our resort community.

Objective B: Pursue programs that will preserve existing housing stock for permanent residential use.

Objective C: Pursue ways to incentivize the development of affordable accessory dwelling units (ADUs).

IMPLMENTATION STRATEGIES FOR YEAR ONE
JULY 2022 – JUNE 2023

GOAL I: Facilitate the production of a mix of new housing units to meet the needs of the local workforce, maintain vibrancy, and increase the diversity of the community.

State Strategy C: Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate-income housing.

- Adopt a plan to rehabilitate municipal property at 516 Marsac Avenue to preserve moderate-income housing in Park City.
- PROJECTED COMPLETION: July 2023.

State Strategy L: Reduce, waive, or eliminate impact fees related to moderate-income housing.

- Work with a private developer to waive building and construction fees for the Homestake affordable housing project, proposed to create 123 units.
- PROJECTED COMPLETION: December 2022.

State Strategy P: Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing.

- Use funds from the Lower Park RDA and affordable housing bond financing to begin the development of the Homestake multi-unit, mixed-income project with 123 proposed units.
- PROJECTED COMPLETION: April 2023

State Strategy U: Develop a moderate-income housing project for residents who are disabled or 55 years or older.

- Evaluate feasibility and develop a plan to incorporate senior housing and services into the development of a multi-use and multi-generational project located at 1361 Woodside Avenue
- PROJECTED COMPLETION: July 2023

GOAL II: Enact zoning changes and amend the Land Management Code to incentivize the development of affordable housing.

State Strategy A: Rezone for densities necessary to facilitate production of moderate-income housing.

- Issue an RFP to identify a public/private partnership to rezone a portion of the City-owned Mine Bench parcel at 7700 Marsac Avenue to provide higher density for the development of affordable/employee housing.
- PROJECTED COMPLETION: August 2023.

GOAL III: Enhance housing assistance programs for City Employees.

State Strategy N: Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality or any other public employer that operates within the municipality.

- Evaluate the existing policy and propose changes to increase assistance and utilization.
- PROJECTED COMPLETION: March 2023.

Exhibits

EXHIBIT A: 2022 Moderate-Income Housing Element to the General Plan
EXHIBIT B: State's list of Strategies provided in HB 462

2022 Five-Year Moderate Income Housing Plan
Housing Element of the General Plan
WORKING DRAFT

Introduction

This plan is prepared consistent with Section 10-9a-403 of the Utah Code, which requires municipalities to complete a Moderate-Income Housing Plan (MIHP) as the Housing Element of the General Plan. Per state code, the plan contains an estimate of the need in Park City for additional moderate-income housing. It also outlines the strategies the City will use to facilitate a reasonable opportunity for a variety of units to be built "to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life."[1] The State's definition of moderate income is equal to 80 percent of Area Median Income (AMI)[2] and in 2022, AMI for a family of three is $96,984 in Summit County.

A universally accepted formula defines housing affordability: households should spend no more than 30 percent on housing costs.[3]

Background

Park City Municipal Corporation has a long history of ensuring that there are affordable housing options for Park City community members. One of the City Council's primary goals is to develop and maintain a range of affordable, quality housing opportunities that meet the life cycle needs of households at all economic levels. Since the early 90s, the City Council has been forward-thinking about building and preserving affordable housing. In 1993, Park City issued the first of many housing resolutions that grew more aggressive with each update as the affordable housing crisis worsened. The most recent update – *Housing Resolution 05-2021* – was adopted in April 2021.

General Plan

Housing affordability for a diverse range of income levels is critical to maintaining a complete and vibrant community. To that end, the Housing Element of the 2014 General Plan established Goals 7 & 8 to preserve and develop Lifecycle and Workforce Housing. This Plan replaces these goals and utilizes a number of the elements of the Housing Tool Box found beginning on page 88 at this LINK. The City has and continues to utilize a number of the tools in the Housing Tool Box such as:

- Use of city-owned property for affordable housing development.
- Use of funding from Redevelopment Authorities to finance the construction of units.

---

[1] Utah Municipal Code: Municipal Land Use, Development, and Management Act, Plan Preparation (10-9a-403).

[2] AMI is a formula utilized by the Department of Housing and Urban Development as a benchmark for housing affordability.

[3] AFFORDABLE HOUSING: In general, housing for which the occupant(s) is/are paying no more than 30 percent of income for gross housing costs, including utilities. Some jurisdictions may define affordable housing based on other locally determined criteria. This definition is intended solely as an approximate guideline or general rule of thumb – from the HUD User website at http://www.huduser.org/portal/glossary/glossary_a.html.

- Use of Inclusionary Zoning to mitigate the impact of large developments on the need for affordable housing.
- Amend the Land Management Code to incentivize the private development of affordable housing.
- Maintain City employee housing programs.
- Continue to update deed restrictions on affordable units to protect the integrity of the program and preserve affordability.

Past updated Housing Elements to the General Plan were approved in 2020 and 2021 and are LINKED here. In addition, as a result of ongoing planning that included measurable outcomes and timelines, the City has accomplished the following:

- Completion of 112 additional affordable and attainable units through public/private partnerships, direct city-sponsored development, and housing obligations resulting from development agreements.
- Amendments to the Land Management Code (LMC) to establish an Affordable Master Plan Development, incentivizing private developers to build affordable housing.
- Amendments to the LMC to reduce barriers to the development of accessory dwelling units (ADUs).
- Use of Redevelopment Authority Bonds for the development of low- and moderate-income rentals on several city-owned properties.
- Collaboration with the Transportation Planning Team to explore opportunities to locate affordable housing density near transit.
- Development of a new electronic platform for tracking affordable and attainable housing inventory, managing the waitlist for future sales, conducting annual compliance reviews, and housing obligations resulting from applicable development agreements.

Existing Inventory of Moderate-Income Housing

In 2016, City Council allocated approximately $19 million in Lower Park Ave RDA bond funds and $5 million in Additional Resort Communities Sales Tax revenue to fund housing projects. The goal was to use various tools, including direct development, participation in public/private partnerships, and purchase/preservation of existing units. In addition to the funding allocation, the City Council established a community goal of 800 new affordable units by 2026. The 800 figure is a recommendation from a Housing Policy Study completed in 2016, which recommended 80 new units added annually to maintain 15 percent of the workforce living in town.

Since 2000, housing plans have focused primarily on increasing the number of for-sale units to fill a void of for-sale options for lower-income households. As young workforce households matured, there were few options for moving from affordable rentals to affordable sales. In 2000, seven percent of affordable units were owner-occupied, and ninety-three percent were rentals. By 2010, the ratio of for-sale to rental units was 21 percent to 79, and today they are 33 percent to 67. The last five-year plan, completed in 2017, acknowledged the need for more long-term rentals but suggested the City maintain a focus on for-sale units.

The City has played a leadership role in bringing for-sale units to market to help keep the growing workforce households in town. Infill and municipally funded affordable housing projects included Central Park City Condominiums, The Retreat at the Park, and Woodside Park Phase I. These projects added 27 affordable and attainable[4] ownership units. The City's partnership with Ivory Homes also added another 68 homes in Park City Heights, a subdivision that, will have 79 deed-restricted homes and 160 market homes when completed.

Based on the most recent Park City Housing Market Assessment 2021 completed by James Wood of the University of Utah, the 800-unit goal is no longer sufficient, and the need for affordable rental units has increased significantly.

Today, rental unit availability is nearly nonexistent due to several factors:

1. Rather than traditional apartment buildings, the market development in Park City has been condominium buildings that are priced out of range for the primary workforce earning 63 percent of AMI or $76,416 annually.
2. Many long-term rentals have been converted to short-term vacation use in recent years.
3. New affordable rental buildings haven't been built for more than 25 years.

Based upon the above factors and James Wood's recommendation, the city will need to re-evaluate its housing goals from 2016. The goals should consider the need for the production of 800 to 1,000 new units in the next five years, adding both rental units and for-sale units to the inventory. In addition, based on needs identified in the 2021 Housing Market Assessment,. New development should maintain an 80/20 ratio between rental and for-sale units,[5] withrental units be targeted to household incomes at 63 or below percent of AMI.

Today, there are 651 moderate-income homes in Park City, a community of 3,193[6] year-round households. The current inventory represents 439 rental units and 212 owner-

Table 1 Status of Current Inventory

Total # of Housing Units	Renter-Occupied	Owner-Occupied	# of Bedrooms	AGE	#	# of LIHTC	# of Vouchers
651	439	212	SRO: 52	>2020	0	324	2
			Studio: 34	2010-2019	186		
			1 bd: 62	2000-2009	96		
			2 bd: 188	1990-1999	247		
			3 bd: 301	1980-1989	0		
			4 bd: 14	1970-1979	122		

[4] Attainable units are defined as those affordable to households earning 80 to 150% of Area Median Income (AMI).
[5] *Park City's Housing Needs Assessment 2021*, Wood, James, page 25 ("Wood Study").
[6] Total primary residences (owner-occupied and long-term rentals), according to the Summit County Assessor's office. This number differs slightly from the Census data included in the James Wood study.

occupied. A variety of resources were utilized to build these units. These include: inclusionary housing obligations, Federal Low-Income Housing Tax Credits (LIHTC), USDA Rural Development funds, and local nonprofits such as Mountainlands Community Housing Trust (MCHT) and Habitat for Humanity. The City has also stepped into the role of developer, developing several infill projects. In the past, the City also assisted private developers to ensure the success of several projects by providing gap loans, land donations, fee waivers, and paying for flood map changes. Recently, the City has shifted strategies and is working in partnership with private developers to develop city-owned properties.

Existing affordable units have been put into service as follows:

Table 2 History of Affordable Unit Construction in Park City

Timing	Source	Number of Units	
		Owner	Rental
1970-1979	Federal United States Department of Agriculture (USDA) Rural Development funding		122
1980-1989	No new units		
1990-1999	Low Income Housing Tax Credits (LIHTC) and in-lieu fee cash from housing obligations	2	202
	Inclusionary Zoning	21	22
2000-2009	Inclusionary Zoning	41	20
	City Development	13	
	Mountainlands Community Housing Trust with City Assistance	22	
	Renovation of 122 aging rental units using LIHTC and USDA Rural Development funding and City Assistance – counted in 1971-1980 above		
2010-2019	Inclusionary Zoning	54	51
	City Public Private Partnerships	42	
	City Development	15	22
	Habitat for Humanity	2	
2020-2022			0
Totals		**212**	**439**
Overall Total			**651**

Based on annual compliance reports and the most recent needs assessment, the affordable units in Park City are serving the following populations:

- Rental units built or preserved with LIHTC and or USDA Rural Development subsidy programs (324) serve low-income households with annual incomes of 35 to 60 percent of AMI ($42,431 to $72,738 for a family of three in 2022).[7]
- Rental units built or purchased by the city to serve the needs of transit employees (41) serve very low-income households with annual incomes at 30 percent of AMI ($36,369 for a family of three).

[7] Area Median Income (AMI) is calculated by the Department of Housing and Urban Development as a benchmark for housing affordability.

- Rental units built by private developers in fulfillment of housing obligations (76) serve moderate-income households with annual incomes between 60 and 80 percent of AMI ($72,738 to $96,984 for a family of three in 2022).
- Owner-occupied units in the Affordable Category (167) also serve moderate-income households with annual incomes between 60 and 80 percent of AMI ($72,738 to $96,984 for a family of three in 2022).
- Owner-occupied units in the Attainable Category (43) serve middle-income households with annual incomes between 80 and 150 percent of AMI ($96,984 to $181,845).

Park City Municipal also provides employer-assisted housing to help city employees live where they work. Assistance takes the following forms:

- Down-payment and closing cost assistance to help employees to buy homes within the Park City School District boundaries.
- Low-cost rental properties to assist in employee recruitment and retention purposes, helping to provide a temporary location while searching for a permanent home.
- A housing allowance for those living within School District boundaries, and
- Low-cost studio rental units for seasonal transit employees.

Economic and Demographic Conditions

The 2020 Census Bureau states that the population of permanent residents in Park City was 8,564 (see Table 3). The growth rate of Park City's population has varied quite a bit since 2000; however, in the past ten years, it has averaged 1.2 percent annually.[8] Therefore, using the average of 1.2 percent, the projected total population in five years is 9,308 and 9,886 by 2032.

Table 3 Population Changes in Park City

Year	Park City Population	Absolute Change	Percent Change
1970	1,193	-173	-13%
1980	2,823	1,630	137%
1990	4,468	1,645	58%
2000	7,371	2,903	65%
2010	7,558	187	3%
2020	8,562	1,004	12%

Due to extremely high housing costs, population trends indicate that Park City is becoming less diverse, older, and wealthier. The Census Bureau American Community Survey (ACS) (2020 five-year average) estimates that persons aged 55 and older make

[8] Wood Study, page 17.

Table 4 Park City Households with incomes below 120% of AMI

AMI Levels	Renters	Owner	Total
≤30% AMI	295	294	589
30% to 50% AMI	175	145	320
50% to 80% AMI	380	116	496
80% to 100% AMI	200	58	258
100% to 120% AMI	41	95	136
Total	1,091	708	1,799

Source: James Wood derived from building permit data, HUD CHAS, and Census Bureau data.

up 30 percent of Park City's population,[9] an increase from 13 percent in 2000. Park City's median age is 40, nine years older than the statewide median age of 31.2.[10]

The number of households with incomes at 80, 50 & 30 percent of AMI has stayed constant in the past ten years at around 40 percent of total households. Based on this, there will be over 200 additional households in need of subsidized housing in each of the next five years: 216 units by 2027 and 444 by 2032.

The rise in Area Median Income (AMI) indicates how wealthy the community is becoming. In 2022, the AMI for a family of three[11] is $121,230, the highest in Utah. AMI is based on who lives in the community, not who works there. According to the Utah Department of Workforce Services (DWS), the most recent calculation of the median wage earned by a household of three employed in Summit County is $76,416, which equals 63 percent of AMI.[12] This calculation has remained consistent for several years, as noted in Table 4. Since the average workforce wage is considerably lower than AMI, most of the workforce cannot afford to live in Park City.

The top three workforce sectors in Park City are 1) Accommodation and Food Services, 2) Arts, Entertainment, and Recreation, and 3) Retail Trade. The number of jobs in these sectors makes up close to half of all employment. However, on average, these jobs pay substantially lower wages. The economy depends on tourism, and visitors to Park City demand a high level of service, which requires a large workforce. Household wages in the leisure and hospitality categories earned a household median wage of $59,914 in 2021, 22 percent less than Summit County's median household wage.

Table 5 Comparison of Summit County AMI vs WFW

	100% AMI	**100% WFW**	**WFW as % of AMI**
2022	121,230	76,416	63%
2017	93,060	57,173	61%
2012	90,270	55,714	62%
2010	83,970	51,764	62%
2005	75,060	46,746	62%
2000	61,470	42,434	69%

Meanwhile, according to the 2022 first-quarter sales report provided by the Park

[9]Wood Study, page 15.
[10]Woods Study, Page 14.
[11] The average household size in Park City is 2.78, according to the 2020 Census American Community Survey (ACS) five-year estimates. Therefore, a more realistic formula is to calculate affordable housing-related data on a three-person family rather than the four-person demographic that HUD uses.
[12] Utah Department of Workforce Services, https://jobs.utah.gov/wi/data/library/wages/annualprofilewages.html

City Board of Realtors, housing sales prices in the Park City region remain significantly high. For example, the median price of a single-family home in the first quarter of 2022 was $3.5 million, and $890,000 for a condo.[13] By contrast, without significant gifts or savings, an annual income of $76,416 can comfortably handle the mortgage of a home or condo at a sale price of approximately $307,000. Moreover, in the past year, the average price per square foot to build in Park City was between $400 and $650, which equals $360,000 to $585,000 for a 900 SF unit at cost, which includes no profit for a builder.

Rents have also increased considerably recently. Today, the average rent on a two-bedroom condominium is approximately $3,000, compared to $2,200 in 2017. In addition, the long-term rental market is being squeezed by short-term rentals. Many owners converted long-term rental properties to short-term, meaning that full-time community and workforce members are being pushed out in favor of visitors and tourism. Another factor is the lack of new development of rental apartments. According to the Wood Study, new multi-unit apartment properties (traditional apartments, different from condominium projects) haven't been built for more than 25 years.

Table 6 Housing Affordability in Summit County

2022 Housing Affordability

% of AMI	% of WFW	Annual Income	Affordable Rent/Mortgage	Affordable Purchase Price
30%	48%	$ 36,369	$ 909	$ 128,361
50%	79%	$ 60,615	$ 1,515	$ 213,936
60%	95%	$ 72,738	$ 1,818	$ 256,723
80%	127%	$ 96,984	$ 2,425	$ 342,297
100%	161%	$ 123,230	$ 3,031	$ 427,871
120%	190%	$ 145,476	$ 3,637	$ 513,446

Based on the Wood Study, no viable for-sale or rental units in the Park City market are affordable to households with annual incomes at 80 percent or less of AMI.[14] With limited inventory and high housing costs, most of Park City's workforce must commute to work from outside the area. Over 12,700, or 86 percent, of Park City's workforce commute to their jobs, and 8,800 drive from outside Summit County. Commuters add congestion to the roadways and are not environmentally sustainable. Limited inventory also increases the difficulty of recruiting and retaining employees for local businesses.

Special Needs Populations

Generally, special needs housing is developed in counties or areas with populations much greater than Summit County or Park City. Most smaller communities do not provide special needs housing. However, Mountainlands Community Housing Trust does have a

---

[13] *2022 1st Quarter Statistics*, Park City Board of Realtors, https://www.parkcityrealtors.com/www.parkcityrealtors.com/newsroom.

[14] Wood Study, page 22.

small number of units for transitional housing.[15] In addition, the Peace House, a program serving victims of domestic violence, provides 12 transitional housing units and eight emergency shelter units.

Affordable Housing Mitigation

The City has actively worked to improve affordable housing options in Park City. The City has utilized Public/private partnerships to complete 79 units, and 99 additional units are planned. The City has also built 16 infill homes. In addition, the City's Community Development Team introduced LMC changes to reduce parking and setback requirements and increase height and density allowances for affordable housing projects. Additional LMC changes reduced barriers to developing accessory dwelling units (ADUs). The City's Housing Team is working with a public/private partnership to develop low- and moderate-income rentals. The first project, totaling 123 units (99 affordable and 24 market), is in entitlement.

The Housing Team is also working with private developers to complete 15 affordable units to fulfill housing obligations. There are also new development agreements under consideration with housing obligations that may produce as many as 250 new affordable units.

Five Year Plan

Based on the Wood Study and needs analysis, the need for moderate-income units will likely increase by 800 to 1,000 units in five years. The projected units are made up of cost-burdened households, projections of demographic growth, and those units needed to ensure that 15 percent of the workforce can live near their jobs.

The following five-year plan focuses first and foremost on the development of additional moderate-income housing. It is laid out first with overarching goals, followed by objectives and the final section establishes the implementation strategies for year one, July 2022-June 2023. Implementation is laid out to align with State codified strategies included in HR 462, a law that took effect on June 1, 2022.

GOAL I: Facilitate the production of a mix of new housing units to meet the needs of the local workforce, maintain vibrancy, and increase the diversity of the community.

Objective A: Work with public/private partnerships to build new units.

Objective B: Ensure that new units resulting from development agreements are a mix of rental, for sale units.

[15] *Park City Housing Needs Assessment 2016*, Wood, James, page 16.

Objective C: Increase the diversity of housing stock to include various unit sizes and types.

Objective D: Reduce and/or eliminate municipal fees for affordable housing development.

Objective E: Create housing opportunities for both the aging and neuro-diverse populations.

Objective F: Preserve existing moderate-income units.

Objective G: Find ways to build units at various levels of affordability.

GOAL II: Enact zoning changes and amend the Land Management Code to incentivize the development of affordable housing.

Objective A: Change zoning classifications to allow for the development of affordable housing.

Objective B: Provide parking reductions to projects that use alternative transportation options to reduce the need for vehicle travel.

Objective C: Look for opportunities to Increase height and density allowances for affordable housing development where appropriate.

Objective D: Change Land Management Code to incentivize development of affordable ADUs.

GOAL III: Enhance housing assistance programs for City Employees.

Objective A: Expand the employee rental program to include both short and long-term rental options.

Objective B: Continue to evaluate employee housing allowance programs and make changes as necessary.

Objective C: Look for innovative ways to create housing opportunities for City employees.

GOAL IV: Explore new tools to retain permanent residents and preserve community vibrancy.

Objective A: Reduce the impacts that short-term rentals have on our resort community.

Objective B: Pursue programs that will preserve existing housing stock for permanent residential use.

Objective C: Pursue ways to incentivize the development of affordable accessory dwelling units (ADUs).

IMPLMENTATION STRATEGIES FOR YEAR ONE
JULY 2022 – JUNE 2023

GOAL I: Facilitate the production of a mix of new housing units to meet the needs of the local workforce, maintain vibrancy, and increase the diversity of the community.

State Strategy C: Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate-income housing.

- Adopt a plan to rehabilitate municipal property at 516 Marsac Avenue to preserve moderate-income housing in Park City.
- PROJECTED COMPLETION: July 2023.

State Strategy L: Reduce, waive, or eliminate impact fees related to moderate-income housing.

- Work with a private developer to waive building and construction fees for the Homestake affordable housing project, proposed to create 123 units.
- PROJECTED COMPLETION: December 2022.

State Strategy P: Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing.

- Use funds from the Lower Park RDA and affordable housing bond financing to begin the development of the Homestake multi-unit, mixed-income project with 123 proposed units.
- PROJECTED COMPLETION: April 2023

State Strategy U: Develop a moderate-income housing project for residents who are disabled or 55 years or older.

- Evaluate feasibility and develop a plan to incorporate senior housing and services into the development of a multi-use and multi-generational project located at 1361 Woodside Avenue
- PROJECTED COMPLETION: July 2023

GOAL II: Enact zoning changes and amend the Land Management Code to incentivize the development of affordable housing.

State Strategy A: Rezone for densities necessary to facilitate production of moderate-income housing.

- Issue an RFP to identify a public/private partnership to rezone a portion of the City-owned Mine Bench parcel at 7700 Marsac Avenue to provide higher density for the development of affordable/employee housing.
- PROJECTED COMPLETION: August 2023.

GOAL III: Enhance housing assistance programs for City Employees.

State Strategy N: Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality or any other public employer that operates within the municipality.

- Evaluate the existing policy and propose changes to increase assistance and utilization.
- PROJECTED COMPLETION: March 2023.

EXHIBIT C

Moderate Income Housing Strategies
Excerpt from HB462

A. Rezone for densities necessary to facilitate the production of moderate-income housing.
B. Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing.
C. Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing.
D. Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate-income housing.
E. Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.
F. Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.
G. Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors.
H. Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities.
I. Amend land use regulations to allow for single room occupancy developments.
J. Implement zoning incentives for moderate income units in new developments.
K. Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund.
L. Reduce, waive, or eliminate impact fees related to moderate income housing.
M. Demonstrate creation of, or participation in, a community land trust program for moderate income housing.
N. Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality.
O. Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and

create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.

P. Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing.
Q. Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.
R. Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530.
S. Create a program to transfer development rights for moderate income housing.
T. Ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing.
U. Develop a moderate-income housing project for residents who are disabled or 55 years old or older.
V. Develop and adopt a station area plan in accordance with Section 10-9a-403.1.
W. Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones.
X. Demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.

Planning Commission
Staff Report

Subject:	**Park City Fire Station Subdivision Plat**
Application:	**PL-22-05264**
Author:	**Spencer Cawley, Planner II**
Date:	**August 24, 2022**
Type of Item:	**Administrative – Subdivision Plat**

Recommendation

Staff recommends the Planning Commission (I) review the Park City Fire Station Subdivision Plat, (II) hold a public hearing, and (III) consider forwarding a positive recommendation for City Council's consideration on October 6, 2022, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in Draft Ordinance No. 2022-XX (Exhibit A).

Description

Applicant:	Park City Fire District
Location:	7805 Royal Street
Zoning District:	Public Use Transition (PUT)
Adjacent Land Uses:	Multi-Unit Dwellings, Stein Erickson Lodge
Reason for Review:	Subdivision Plats require Planning Commission recommendation and City Council action[1]

CUP	Conditional Use Permit
E	Estate Zoning District
LMC	Land Management Code
PCFD	Park City Fire District
PUT	Public Use Transition Zoning District
RD	Residential Development Zoning District
ROW	Right-of-Way

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Background

7805 Royal Street (Parcel PCA-1200-4-X) is a metes-and-bounds parcel in Upper Deer Valley. The site contains Fire Station #34, owned by the Park City Fire District (PCFD), and is in the Public Use Transition (PUT) Zoning District. The parcel is surrounded by the Residential Development (RD) Zoning District, which is part of the Deer Valley Master Planned Development initiated in the 1980s.

[1] LMC § 15-7.1-2(B)

Figure 1: Fire Station #34

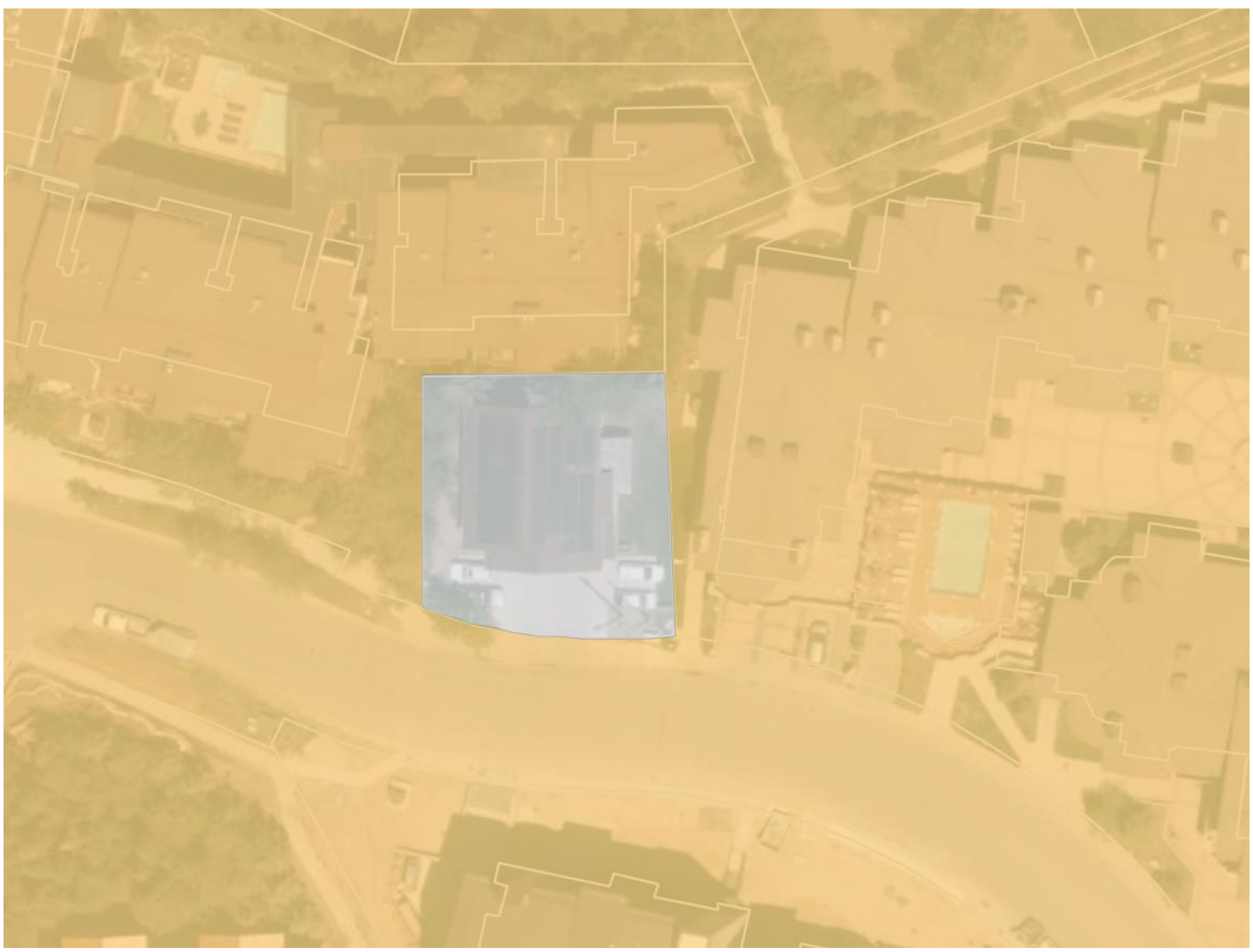


Figure 2: RD Zoning District in yellow; PUT Zoning District in white.

In 2002, PCFD needed to expand the fire station. At that time, the Site was zoned Estate (E), and the expansion required a Variance and a Conditional Use Permit (CUP).

On May 21, 2002, the Board of Adjustment approved a Variance[2] allowing the PCFD to expand Fire Station #34 and encroach 25 feet into the rear Setback and 12 feet into the side Setbacks (Exhibit B).

On May 22, 2002, the Planning Commission approved a CUP allowing the expansion of essential municipal and public facilities for Fire Station #34.[3] This CUP approved a remodel of the station to support four (4) firefighters, a full-size fire engine, and two auxiliary vehicles. The building depth increased by ten feet (10') to accommodate the necessary equipment (Exhibit C).

With the increasing demands of servicing Upper Deer Valley, PCFD decided to build a new fire station at the same location. This new station will accommodate six (6) personnel (three per shift) and a larger fire apparatus. On July 30, 2021, PCFD submitted a Zone Change application to the Planning Department proposing to rezone Parcel PCA-1200-4-X from E to PUT to accommodate the expansion of Use and allow compatibility with future Public Uses.

On October 13, 2021, the Planning Commission unanimously forwarded a positive recommendation to rezone Parcel PCA-1200-4-X to the City Council. (Staff Report; Meeting Minutes)

On October 28, 2021, the City Council unanimously adopted Ordinance No. 2021-43 approving a Zoning map amendment for one (1) tract of land zoned Estate to Public Use Transition including all of PCA-1200-4-X located at 7805 Royal Street, Park City, Utah. (Staff Report; Meeting Minutes) The ordinance requires PCFD to complete a Subdivision Plat to create one Lot-of-Record for Parcel PCA-1200-4-X.

On May 17, 2022, PCFD submitted a Subdivision Plat application. Staff deemed the application complete on June 8, 2022.

Analysis

Subdivision Plats require Planning Commission review and City Council Final Action.[4] A Subdivision containing not more than three Lots fronting an existing Street, not involving any new Street or road, or the extension of municipal facilities, or the creation of public improvements, is a Minor Subdivision and does not require a Preliminary Plat.[5]

> **(I) The proposed Subdivision complies with the PUT Zoning District Requirements.[6]**

---

[2] LMC § 15-10-8
[3] LMC § 15-2.10-2(B)(5)
[4] LMC § 15-12-15(B)(9)
[5] LMC § 15-7.1-3(A)(1)
[6] LMC Chapter 15-2.22

The following table outlines the PUT Zoning District Requirements from LMC Chapter 15-2.22:

PUT Zoning District Requirement	Analysis of Proposal
Lot Size	**Complies** There is no minimum Lot size in the PUT Zoning District. However, the proposed Lot is 7,564 square feet (0.174 acres). No Building Permit will be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as private or Public Street on the Streets Master Plan.
Setbacks	**Complies** Construction abutting a residential zone shall meet the required minimum Setback of that zone. In this instance, the abutting residential zone is the RD Zoning District. Front: 10 feet Rear: 15 feet Side: 12 feet The 2002 approved Variance continues to be in effect. If PCFD needs additional changes to Setbacks, they can request that the Board of Adjustment modify the Variance approval.
Clear View of Intersection	**Not Applicable** This is a requirement for Corner Lots.
Maximum Building Height	**Complies** 45 feet measured from Existing Grade. 30 feet at Front Lot line measured above the average Natural Grade, then proceeds at a 45-degree angle toward the rear of the Property until it intersects with a point 45 feet above the Natural Grade and connects with the rear portion of the bulk plane.

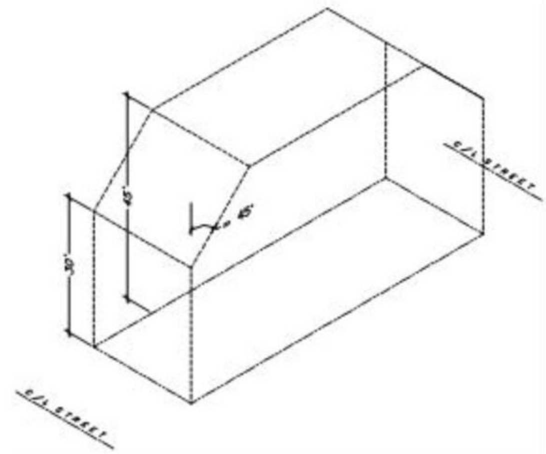


Figure 3: Image taken from the LMC to help illustrate the PUT Zoning District Building Height requirements.

Due to the shed roof form, the Building Height in the Rear Setback ranges from approximately 29 feet at the northwest corner to approximately 32 feet at the ridge peak, near the center of the Structure. In the image below, staff highlighted the portion of the building that is in the Rear Setback.

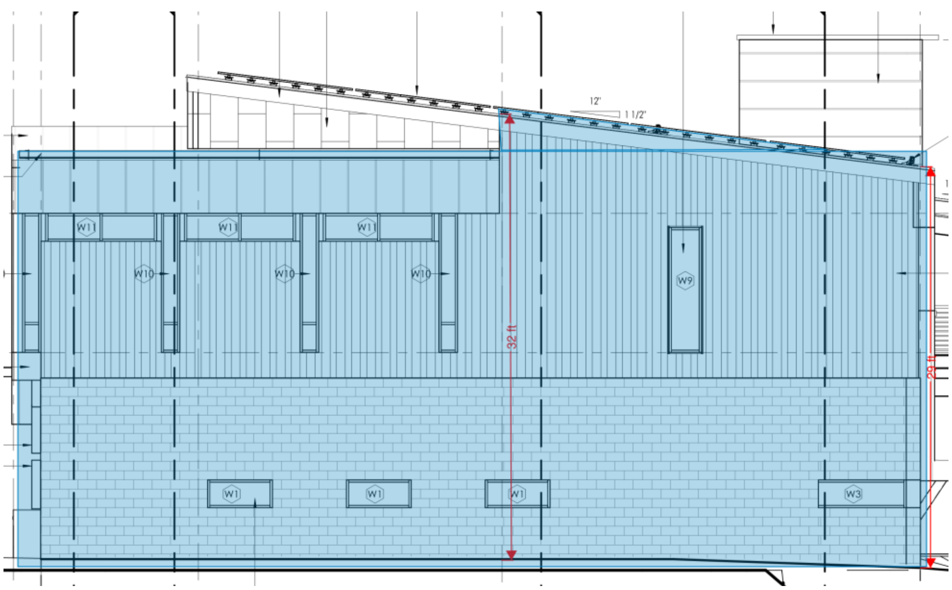


Figure 4: North Elevation (Rear) Taken From Building Permit Plans

The highest points of the Structure in the Side Setbacks are approximately 38 feet on the west side and 35 feet on the east side. Because of topography, these points are near the front of the building. Staff highlighted these points in the image below.

	 *Figure 5: Rendering of Fire Station #34* Rooftop mechanical equipment, when enclosed or screened, may extend up to five feet (5') above the height of the Building.

Height Considerations
The 12th Amended Deer Valley MPD indicates that Lots in the Silver Lake Village Subdivision have a development height limitation of 64'. This is tied to base elevation 8,122' with peak-of-roof not to exceed elevation 8,186'. Five feet (5') in excess is allowed if peak-of-roof does not exceed elevation 8,186'.

- Golden Hirsch – 64'
- Chateau at Silver Lakes Condo – 45'
- Black Bear Condo – 50'
- Proposed height of Fire Station #34 – 38' (allowance up to 48 feet for mechanical equipment)

(II) The proposal complies with non-Residential parking ratio requirements as outlined in LMC § 15-3-6(B).

A Public and Quasi-Public Institution requires two (2) parking spaces per three (3) employees, or one (1) space per 1,000 square feet of floor Area, whichever is greater.[7] PCFD indicates the new fire station will employ eight (8) personnel, four (4) personnel per shift. The Building plans show the following floor Area:

- Basement – 1,020 square feet
- Level 1 – 3,226 square feet

[7] LMC § 15-3-6(B)

- Level 2 – 3,281 square feet
- **Total – 7,527 square feet**

Per the LMC, Fire Station #34 requires eight (8) Off-Street parking spaces because the floor Area requirement requires more spaces than the employee requirement. Staff reviewed the plans submitted to the City by PCFD's Applicant Representative, Think Architecture, that show five (5) proposed parking spaces. On-site parking is configured as three (3) outdoor spaces and two (2) indoor spaces. (Building Permit #22-632.)

PCFD Fire Chief Bob Zanetti confirmed with staff that The Chateau Deer Valley parking structure provides four (4) parking spaces for fire station personnel use on the bottom-most parking level. However, a parking agreement was never formally finalized. LMC § 15-3-2(C) gives the Planning Commission the authority to allow parking on adjacent deed restricted Lots. Staff recommends the Planning Commission consider **Condition of Approval 6**, requiring PCFD to update their parking agreement with The Chateau/Deer Valley prior to recordation of the final Plat. By doing so, the total available Off-Street parking spaces exceeds the LMC requirements.

(III) The proposal complies with LMC Chapter 15-2.21, *Sensitive Land Overlay Zone (SLO) Regulations.*

The proposed Lot is located within the SLO. LMC § 15-2.21-2(A) states:

Applicants for Development within the SLO must identify the Property's sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, wetlands, Stream Corridors, Wildland Interface, and Wildlife Habitat Areas and provide at time of Application, a Sensitive Lands Analysis.

The purpose of the SLO is to:

A. Require dedicated Open Space in aesthetically and environmentally sensitive Areas;
B. Encourage preservation of large expanses of Open Space and Wildlife Habitat;
C. Cluster Development on Ridge Line Areas, Steep Slopes, and wetlands; and
D. Protect and preserve environmentally sensitive land.

SLO Analysis Criteria	Analysis of Proposal
1. *Slope/Topographic Map*	**Complies** The front of the proposed Lot is 8,127 feet. The rear of the proposed Lot is 8,138 feet. See image below and Exhibit E.

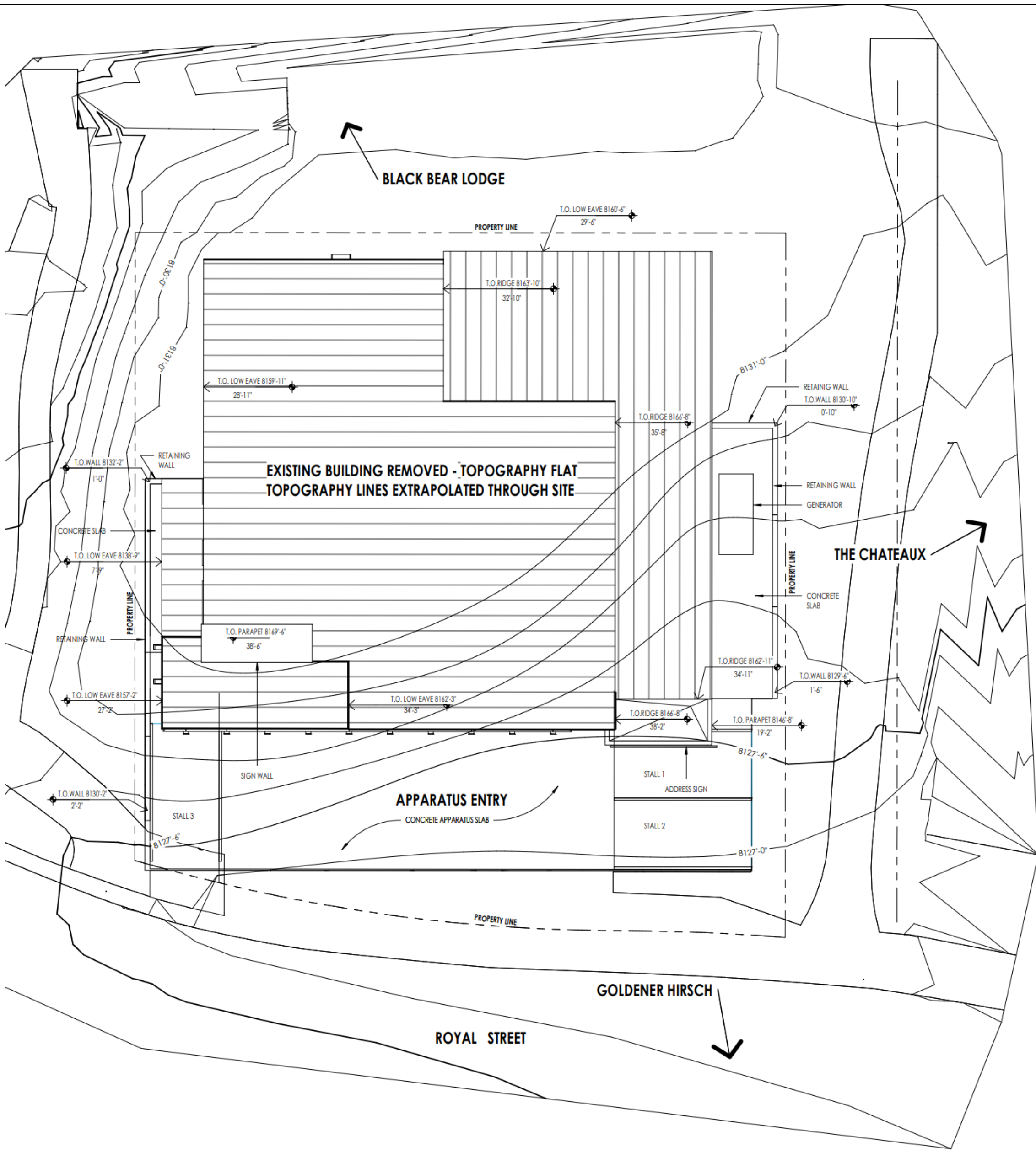


Figure 6: Applicant's topographical survey.

2. *Ridge Line Areas*	**Complies** The site is not on a Hill Crest or Ridge Line.
3. *Vegetative Cover*	**Complies** The site was previously disturbed. PCFD agrees to not disturb the mature vegetation on the neighboring properties.

4. *Designated Entry Corridors and Vantage Points*	**Not Applicable** The site is not visible from Utah Highway 248 east of Wyatt Earp Way or Utah Highway 224 north of Holiday Ranch Loop Road and Payday Drive.
5. *Wetlands*	**Not Applicable** There are not wetlands on the Site or surrounding Areas.
6. *Stream Corridors, Canals, and Irrigation*	**Not Applicable** There are no streams, canals, or irrigation ditches that run on or through the Site.
7. *Wildlife Habitat Areas*	**Not Applicable** The Site is not in an identified wildlife migration corridor. However, the Planning Commission may request a Wildlife Habitat Report prior to forwarding a positive recommendation to the City Council.

(IV) Staff finds Good Cause for the Park City Fire Station Subdivision because (A) the Subdivision creates one (1) Lot-of-Record and allows PCFD to house the personnel and equipment necessary to continue to serve the residents and businesses of Upper Deer Valley, (B) no Public Street or Right-of-Way is vacated or amended, and (C) no easement is vacated or amended.

Subdivision Plats shall be reviewed according to LMC § 15-7.1-6, *Final Subdivision Plat,* and approval shall require a finding of Good Case and a finding that no Public Street Right-of-Way, or easement is vacated or amended.

LMC § 15-15-1 defines Good Cause as "[p]roviding positive benefits and mitigating negative impacts, determined on a case-by-case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City Community."

A. The Subdivision creates one (1) Lot-of-Record and allows PCFD to house the personnel and equipment necessary to continue to serve the residents and businesses of Upper Deer Valley.

Currently, 7805 Royal Street is a meets-and-bounds parcel. The Subdivision of Parcel PCA-1200-4-X ensures PCFD develops the Lot in accordance with the LMC and PUT Zoning District Requirements. By creating this Lot, PCFD can construct a new fire station, replacing the existing Building, which has exceeded its useful life, and allowing PCFD to further ensure the health, safety, and welfare of the residents in the Area.

B. No Public Street or Right-of-Way is vacated or amended.

Access to the Site is from Royal Street. The proposal does not vacate or amend any portion of the platted ROW. There are no encroachments into the ROW or the neighboring properties.

C. No easement is vacated or amended.

(V) The Development Review Committee met on July 5, 2022, reviewed the proposal, and did not identify any issues.

Department Review

The Development Review Committee, Planning Department, Engineering Department, and City Attorney's Office reviewed this application.

Notice

Staff published notice on the City's website, the Utah Public Notice website, and posted notice to the property on August 8, 2022. Staff mailed courtesy notice to property owners within 300 feet on August 8, 2022. The *Park Record* published notice on August 10, 2022.[8]

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The Planning Commission may forward a positive recommendation for Ordinance 2022-XX, approving the Park City Fire Station Subdivision, to the City Council for Consideration on October 6, 2022; or
- The Planning Commission may forward a negative recommendation for Ordinance No. 2022-XX, Denying the Park City Fire Station Subdivision, to the City Council and direct staff to make Findings for the denial; or
- The Planning Commission may request additional information for the Park City Fire Station Subdivision and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Ordinance No. 2022-XX and Proposed Plat

[8] LMC § 15-1-21.

Exhibit B: Applicant's Project Intent
Exhibit C: 2002 Variance – PL-02-00151
Exhibit D: 2002 Conditional Use Permit – PL-02-00149
Exhibit E: Applicant's Boundary and Topography Survey

Ordinance No. 2022-XX

AN ORDINANCE APPROVING THE PARK CITY FIRE STATION SUBDIVISION, LOCATED AT 7805 ROYAL STREET, PARK CITY, UTAH

WHEREAS, the owner of the property located at 7805 Royal Street petitioned the City Council for approval of the Park City Fire Station Subdivision; and

WHEREAS, on August 10, 2022, notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on August 8, 2022, courtesy notice was mailed to property owners within 300 feet of 7805 Royal Street; and

WHEREAS, on August 24, 2022, the Planning Commission reviewed the application and held a public hearing; and

WHEREAS, on August 24, 2022, the Planning Commission forwarded a positive/negative recommendation for City Council's consideration on October 6, 2022; and

WHEREAS, on October 6, 2022, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the plat is consistent with the Park City Land Management code including § 15-7.1-3(A), § 15-7.1-6, § 15-12-15(B)(9), Chapter 15-2.22, and Chapter 15-7.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah, as follows:

SECTION 1. APPROVAL. The Park City Fire Station #34 Subdivision, located at 7805 Royal Street, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact
Background:

1. The property is located at 7805 Royal Street.
2. The Parcel is listed with Summit County as PCA-1200-4-X.
3. The property is in the Public Use Transition (PUT) Zoning District and the Sensitive Land Overlay.
4. Park City Fire District will maintain ownership of the proposed Lot.
5. No easement is vacated or amended as a result of the subdivision.
6. The LMC regulates Public Use Transition (PUT) Lot and Site Requirements per LMC Chapter 15-2.22
7. There is no minimum Lot size in the PUT Zoning District, however the proposed Lot is 7,564 square feet (0.174 acres).

8. In the PUT Zoning District, Lots abutting a residential zone shall meet the required minimum Setback of that zone. In this instance the abutting residential zone is the Residential Development (RD) Zoning District.
9. The required Font Setback is 10 feet.
10. The required Rear Setback is 15 feet.
11. The required Side Setback is 12 feet.
12. The Maximum Building Height in the PUT Zoning District is 45 feet measured from Existing Grade. 30 feet at Front Lot line measured above the average Natural Grade, then proceeds at a 45-degree angle toward the rear of the Property until it intersects with a point 45 feet above the Natural Grade and connects with the rear portion of the bulk plane.
13. Due to the topography of the site, the highest point of the Fire Station is 38 feet at the front and 32 feet at the rear.

<u>Conclusions of Law</u>

1. The Subdivision is consistent with the Park City Land Management Code, including LMC Chapter 15-2.22, *Public Use Transition (PUT),* and LMC § 15-7.1-6, *Final Subdivision Plat.*
2. Neither the public nor any person will be materially injured by the proposed Subdivision.
3. Approval of the Subdivision, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

<u>Conditions of Approval</u>

1. The City Planner, City Attorney's Office, and City Engineer will review and approve the final form and content of the Subdivision for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the Subdivision.
2. The Applicant shall record the plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this Subdivision 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 City Council.
3. The plat shall note that fire sprinklers are required for all new or renovation construction, to be approved by the Chief Building Official.
4. A non-exclusive ten foot (10') public snow storage easement on Royal Street shall be dedicated on the Plat.
5. City Engineer review and approval for Lot grading, utility installation, public improvement, and drainage plans is required for compliance with City standards prior to issuance of any building permits.
6. Park City Fire District shall update their parking agreement with The Chateau/Deer Valley prior to recordation of the final Plat.

<u>SECTION 2. EFFECTIVE DATE.</u> This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 6th Day of October 2022.

PARK CITY MUNICIPAL CORPORATION

____

Nann Worel, MAYOR

ATTEST:

____

City Recorder

APPROVED AS TO FORM:

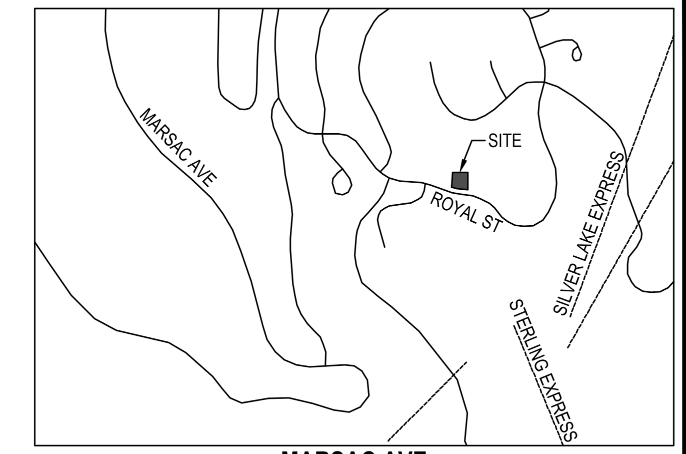
____

City Attorney's Office

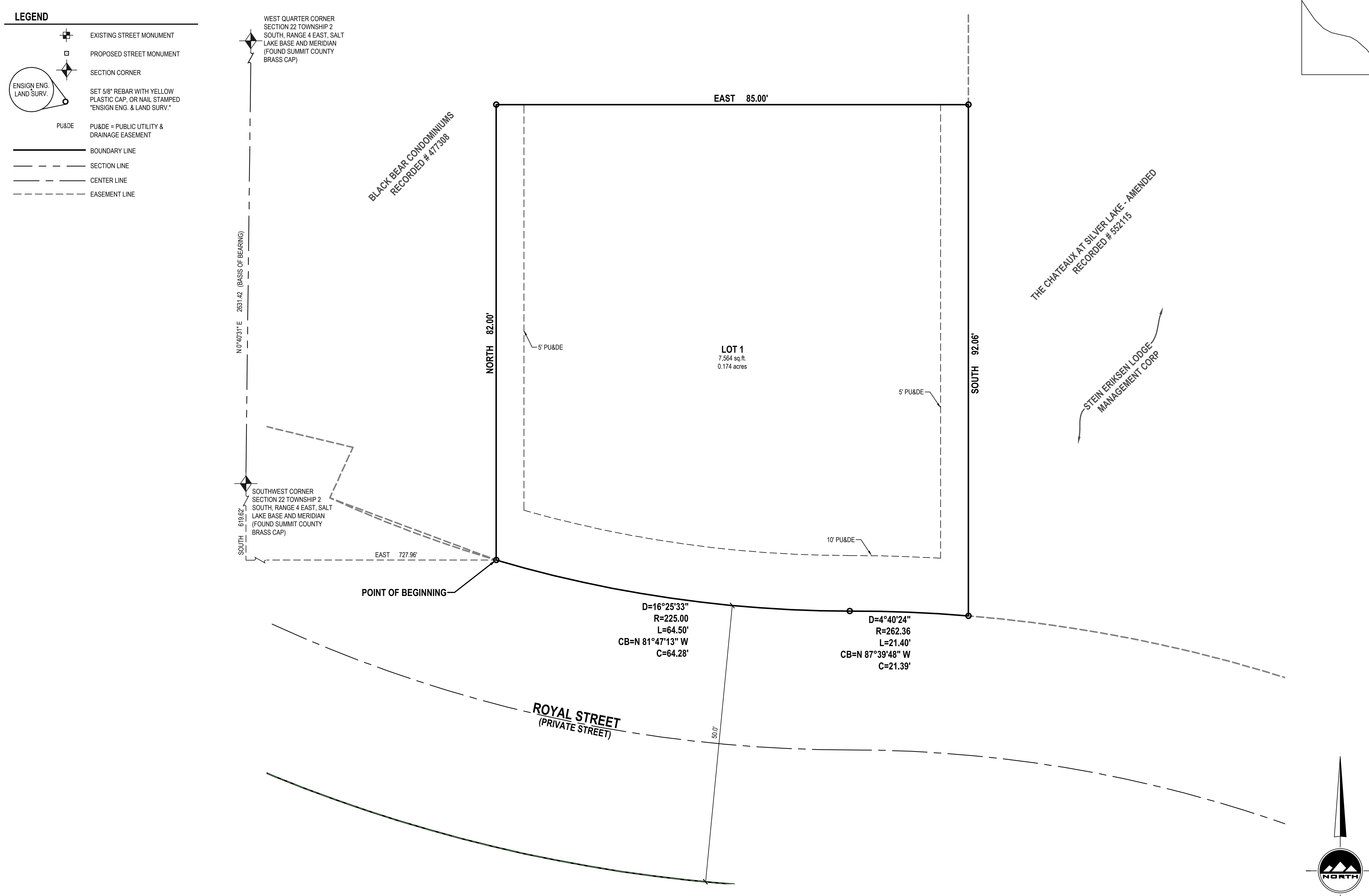
Attachment 1 – Proposed Plat

PARK CITY FIRE STATION SUBDIVISION PLAT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 27,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



MARSAC AVE
(NOT TO SCALE)



PLAT NOTES
1. Lots are subject to the Summit Research Park Development Agreement, dated December 10, 2008, therefore all lot owners hereby acknowledges and agrees not to obstruct the further subdivision of Lots as the Park City Tech Center Subdivision and for the uses outlined in the development agreement. Notwithstanding the consent assumed in this note, all future development and subdivisions must comply with the requirements of Utah Code Ann. Section 17-27a-601 et. seq. as well as Chapter 10 of the Summit County Code.
2. Nothing in this subdivision plat shall prohibit future lot line adjustments and/or further subdivision of any parcel, in each case in compliance with applicable ordinances and the development agreement.
3. Wastewater service to the PARK CITY FIRE STATION SUBDIVISION PLATshall be provided by the Snyderville Basin Water Reclamation District. A Line Extension Agreement with the District may be required for each lot created by the Plat. It shall be the responsibility of the Owner of each lot to extend the public wastewater system as necessary within the parcel being developed according to the requirements of the Line Extension Agreement.
4. Private Road - are permanent easements for Public Utility & Private Access
5. No specific development projects are approved by the recordation of this plat. Subject to development agreement, all developments are subject to codes, ordinances, etc....
6. CC&Rs will be recorded with this subdivision plat that will further define the covenants, conditions, and restrictions associated with the development on this property.
7. Each platted lot may use public utilities easements even if they cross other lots, subject to CC&Rs
8. Open space to be owned and maintained by the HOA

UTILITY NOTES:
UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.

Dominion Energy Utah - Note:
Questar Gas Company dba Dominion Energy Utah, hereby approves this plat for the purpose of approximating the location, boundaries, course and dimensions of the Rights-of-Way and Easement Grants and existing underground facilities. Nothing herein shall be constructed to warrant or verify the precise location of such items. The Rights-of-Way and easements are subject to numerous restrictions appearing on the recorded right-of-way and easement grant(s). Dominion Energy Utah also hereby approves this plat for the purpose of confirming that the plat contains public utility easements; however, Dominion Energy Utah may require additional easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set in the Owners Dedication or in the Notes, and does not constitute a guarantee of particular terms or conditions of natural gas service. For further information please contact Dominion Energy Utah's Right-of-Way Department at 800-366-8532.

ROCKY MOUNTAIN POWER NOTES:
1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
   2.1. A RECORDED EASEMENT OR RIGHT-OF WAY
   2.2. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
   2.3. TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
   2.4. ANY OTHER PROVISION OF LAW.

DEVELOPER
THINK ARHITECTURE
7927 HIGHPOINT PARKWAY, SUITE 300
SANDY, UTAH 84094
801.269.0055

HORIZONTAL GRAPHIC SCALE
150 0 50 150 300
(IN FEET)
HORZ: 1 inch = 150 ft.

SHEET 1 OF 1
PROJECT NUMBER : 10827
MANAGER : DAJ
DRAWN BY : SJL
CHECKED BY : PMH
DATE : 6/8/22

SURVEYOR'S CERTIFICATE

I, **PATRICK M. HARRIS** do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. **286882** as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as **PARK CITY FIRE STATION SUBDIVISION PLAT**, and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A parcel of land situate in the Northwest Quarter of Section 27, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel of land being more particularly described as follows:

Beginning at a point on the North line of Royal Street and the Southeast Corner of Black Bear Condominiums, Recorded # 477308, said point being South 619.62 feet and East 727.96 feet from the Southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running;

thence along the Easterly Boundary line of said Black Bear Condominiums the following two (2) courses:
(1) North 82.00 feet;
(2) East 85.00 feet to the Westerly Boundary line of The Chateaux at Silver Lake - Amended, Recorded # 552115;
thence South 92.06 feet along said Westerly Boundary line to the North line of Royal Street;
thence along said North line of Royal Street the following two (2) courses:
(1) Northwesterly 21.40 feet along the arc of a 262.36 feet radius non-tangent curve to the left (center bears South 4°40'24" West and the long chord bears North 87°39'48" West 21.39 feet through a central angle of 4°40'24");
(2) Northwesterly 64.50 feet along the arc of a 225.00 feet radius reverse curve to the right (center bears North and the long chord bears North 81°47'13" West 64.28 feet through a central angle of 16°25'33") to the point of beginning.

Contains 7,564 square feet. 0.174 acres.

PROFESSIONAL LAND SURVEYOR
No. 286882
PATRICK M. HARRIS
STATE OF UTAH

DATE

PATRICK M. HARRIS
P.L.S. 286882

OWNER'S DEDICATION

Known all men by these presents that I / we, the undersigned owner(s) of the above described tract of land, having caused same to be subdivided, hereafter known as the

PARK CITY FIRE STATION SUBDIVISION PLAT

do hereby dedicated for perpetual use of the public all parcels of land shown on this plat as intended for Public use. The undersigned owner(s) also hereby convey to any and all public utility companies, including Snyderville Basin Water Reclamation District, providing service to the heron described tract a perpetual, non-exclusive easement over the public streets and public utility easements shown on this plat, the same to used for drainage and the installation and maintenance and operation of public utility service lines and facilities.

In witness whereof I / we have hereunto set our hand (s) this________day of___________________________A.D., 20_______.

By: By:

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH }S.S.
County of Summit

On the ________ day of ______________________________ A.D., 20___________, personally appeared before me, the undersigned Notary Public, in and for said County of ____________________ in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the________________________________, of ______________________________________ and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation by authority of a resolution of its Board of Directors for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES:________________________________,

______________________________ RESIDING IN______________________ COUNTY.
NOTARY PUBLIC

PUBLIC SAFETY ANSWERING POINT ACCEPTANCE	DOMINION ENERGY	ROCKY MOUNTAIN POWER
APPROVED AND ACCEPTED THIS ________ DAY OF ____________________, 20________.	APPROVED THIS ________ DAY OF __________________, 20________, BY DOMINION ENERGY.	APPROVED THIS ________ DAY OF __________________, 20________, BY ROCKY MOUNTAIN POWER.
PUBLIC SAFETY ANSWERING POINT	DOMINION ENERGY	ROCKY MOUNTAIN POWER

PARK CITY FIRE STATION SUBDIVISION PLAT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 27,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

ENSIGN
SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT. 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNENG.COM
LAYTON Phone:801.547.1100
TOOELE Phone: 435.843.3590
CEDAR CITY Phone: 435.865.1453
RICHFIELD Phone: 435.896.2983

COUNTY ASSESSOR	SUMMIT WATER DISTRIBUTION COMPANY APPROVAL	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	SNYDERVILLE BASIN SPECIAL RECREATION DISTRICT
REVIEWED AND ACCEPTED BY THE SUMMIT COUNTY ASSESSOR THIS ________ DAY OF _______________, 20______.	WE ARE THE SUMMIT WATER DISTRIBUTION COMPANY. REVIEW FOR CONFORMANCE TO SUMMIT WATER DISTRIBUTION STANDARDS AND ACCEPTED THIS _____ DAY OF ___________________, 20_______.	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT THIS ________ DAY OF , 20_______.	APPROVED AND ACCEPTED THIS ________ DAY OF ____________________, 20_______.
COUNTY ASSESSOR	GENERAL MANAGER	BY:	DISTRICT ADMINISTRATOR

PARK CITY FIRE PROTECTION DISTRICT APPROVAL	GOVERNING BODY APPROVAL AND ACCEPTANCE	COUNTY ENGINEER	APPROVAL AS TO FORM
APPROVED AND ACCEPTED THIS ________ DAY OF ____________________, 20_______.	APPROVED AND ACCEPTED ON BEHALF OF THE SUMMIT COUNTY COUNCIL, THIS ________ DAY OF _______________, 20_____.	I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.	APPROVED AS TO FORM THIS ________ DAY OF ____________________, 20________.
FIRE MARSHAL	SNYDERVILLE BASIN PLANNING COMMISSION, CHAIR	DATE COUNTY ENGINEER	COUNTY ATTORNEY

RECORDED #

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF :
DATE: TIME: BOOK: PAGE:
FEE$ SUMMIT COUNTY RECORDER

Think Architecture

+Architecture
+Landscape Architecture
+Land Planning
+Construction Management
+Interior Design

Memorandum

Date: February 1, 2022

PROJECT:	**Park City Fire Station #34**
TO:	Park City Planning Department 445 Marsac Ave, Park City, UT. 84060
ATTN:	Spencer Cawley Planner
FROM:	Jim Poloncic 7927 High Point Parkway, Suite 300, Sandy City, UT. 84094
CC:	-
RE:	Memo-001: Project Description

Spencer

Per Subdivision Plat/ Condominium Plat application, Item 1 of PROJECT DESCRIPTION request a description of the proposal for this project. The existing Fire Station #34 at 7805 Royal Street will be demolished and a new Fire Station #34 will be constructed.

Sincerely

Jim Poloncic
THINKarchitecture

7927 High Point Parkway
Suite 300
Sandy, Utah 84094
801-269-0055
www.thinkaec.com

THE BOARD OF ADJUSTMENT
PARK CITY, SUMMIT COUNTY, UTAH

IN RE: Request for variances to encroach twelve feet into the thirty foot side yard setback and twenty five feet into the thirty foot rear yard setback for the existing Silver Lake Fire Station located at 7805 Royal Street East

Petition #VP-02-0151	)	Findings of Fact
Legal Description: PCA-1200-4-X	)	and Conclusions of Law

The Board of Adjustment of Park City, Utah met on Tuesday, May 21, 2002, for a regularly scheduled and noticed meeting. After determining that a quorum of members of the Board were present, the Board conducted its scheduled business. Among the petitions heard by the Board was the above entitled petition which was filed on April 19, 2002.

After hearing all interested parties, the Board made the following findings of fact:

1. The property located at 7805 Royal Street East is located in the Estate zone.
2. The applicant is requesting an addition to the existing fire station to accommodate additional vehicles and firefighters at the Silver Lake Station.
3. The Land Management Code prohibits construction within thirty feet (30') of any property line in the Estate Zone.
4. The proposed addition will encroach twenty five feet (25') into the rear yard setback.
5. The proposed addition will encroach twelve feet (12') into the side yard setback.
6. There is a need for additional emergency services in the Silver Lake and Flagstaff areas of Park City.
7. The proposed fire station addition will enable the Park City Fire District to provide additional emergency response services to the Silver Lake and Flagstaff areas.
8. The community should continue to provide excellence in public services and community facilities to meet the needs and desires of residents and visitors.
9. The facts discussed in the background and analysis sections are incorporated herein.

Considering all relevant facts, the Board of Adjustment concluded that a variance should be **GRANTED** under the provisions of the Land Management Code because:

1. Literal enforcement of the zoning ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the zoning ordinance.
2. There are special circumstances attached to the property that do not generally apply to other properties in the same district
3. Granting the variance is essential to the enjoyment of substantial property right possessed by other property in the same district.
4. The variance will not substantially affect the general plan and will not be contrary to the public interest.

5. The spirit of the zoning ordinance is observed and substantial justice done.

The following conditions were placed on the approval of said variance request:

1. The addition design is subject to review and approval from the City Engineer, Chief Building Official, and the Planning and Zoning Administrator for compliance with the Land Management Code.
2. Existing vegetation on the site shall be preserved to the greatest extent possible.
3. Conformance with Park City Design Guidelines is required prior to any construction.
4. This approval shall expire if a full building permit has not been issued prior to May 21, 2003.

Dated this 2nd day of July, 2002.

Gordon Strachan

Chairperson, Board of Adjustment

PARK CITY
1884

Department of Community Development
Engineering • Building Inspection • Planning

May 23, 2002

Park City Fire Service District
Attn: Steve Zwirn
PO Box 680967
Park City, Utah 84068

NOTICE OF PLANNING COMMISSION ACTION

Project Address:	**7805 Royal Street East**
Project Description:	**CUP for Addition to Silver Lake Fire Station**
Date of Meeting:	**May 22, 2002**

Action Taken By Planning Commission: Approved in accordance with the Findings of Fact and Conclusions of Law as outlined in the staff report; and Conditions of Approval as written below:

Conditions of Approval

1. All standard conditions of project approval shall apply to this project.
2. Approval of a variance from the Board of Adjustment is a condition precedent to the issue of a building permit.
3. All materials used in the construction of the addition shall match the existing materials on the structure.
4. The height of the addition may not exceed the existing height of the building.
5. The applicant shall submit a landscape plan for the areas between the facility and the neighboring Black Bear Lodge upon submitting a building permit application.
6. This approval shall be null and void as of May 22, 2003, unless the applicant has received a building permit for the project.

Any person who submitted written comment on a proposal, the owner of any property within three hundred feet (300') of the boundary of the subject site, or the owner of the subject property may appeal to the City Council any action pertaining to the approval. The petition must be filed in writing with the City Recorder within ten (10) calendar days of a Planning Commission decision.

Best Regards,

R) Mill

Ray Milliner
Planner

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, Utah 84060-1480
Community Development (435) 615-5055 • Engineering (435) 615-5055 • Building (435) 615-5100
Planning (435) 615-5060 • FAX (435) 615-4906

Planning Commission Report

DATE: **May 22, 2002**
DEPARTMENT: **Planning Department**
TITLE: **Expansion of Silver Lake Fire Station**
TYPE OF ITEM: **Conditional Use Permit**

SUMMARY RECOMMENDATIONS: Staff recommends the Commission hold a public hearing, consider public input and consider approving the Conditional Use Permit for the expansion of the existing Silver Lake Fire Station located at 7805 Royal Street East according to the Findings of Fact, Conclusions of Law and conditions of a approval outlined in this report.

A. DESCRIPTION

Project Name: CUP for an essential municipal facility
Project Planner: Ray Milliner
Applicant: Park City Fire District
Representative: Steve Zwirn
Owner of Property: Park City Fire District
Location: 7805 Royal Street East
Zone: Estate

B. BACKGROUND

The applicant is requesting a CUP which will enable an expansion of the existing fire station at 7805 Royal Street East. The station currently houses two firefighters, one small engine and an auxiliary vehicle (brush fire engine or ambulance). The expansion will provide for the housing of two additional firefighters as well as a larger engine, an ambulance and a brush fire vehicle. The additional equipment and personnel are proposed due to the continued population growth in the Silver Lake and Flagstaff Mountain Resort areas and Fire District's need to maintain a high level of emergency response services there. It is hoped that construction will occur during the summer months in order to have the renovation completed in time for the busy winter season.

To accommodate the necessary square footage, the applicant proposes to expand the existing building by twelve feet (12') on the west (side yard) and ten feet (10') on the north (rear yard). The north expansion will encroach an additional ten feet (10') into the rear yard setback for a total of a twenty five foot (25') encroachment into the thirty foot (30') rear yard setback (the existing building encroaches fifteen feet (15')). The western expansion will encroach twelve feet (12') into the required thirty foot (30') side yard setback. Therefore, the applicant has applied for a variance to the rear yard setback for the Estate zone with the Board of Adjustment. At the time of this writing, the Board has not made a ruling on the matter (a hearing is scheduled for May 21, 2002). If the CUP is approved by the Planning Commission, a condition of approval has been drafted which requires Board of Adjustment variance approval prior to the issue of a building permit.

No height increases are proposed for the structure, the applicant has proposed to match all existing materials, and the addition will be similar to the existing building architecturally.

C. ANALYSIS

Applications for essential municipal or public facilities located in the Estate zone are reviewed as a conditional use pursuant to section 15-2.10-2(B) of the Land Management Code. Outlined below is Staff's analysis according to the Conditional Use Permit Standards for Review from Section 15-1-10(D) and (E) of the zoning requirements of the Land Management Code, which relate to this project:

Standards For Review:

Standard 1: Application complies with all requirements of LMC. **COMPLIES**. This recommendation is predicated on the condition of approval that the applicant receive a variance to the LMC requirement that a building in the Estate zone have thirty foot (30') rear and side yard setbacks. All other aspects of the application are in conformance with the requirements of the LMC, as it relates to height, parking, setbacks, architectural details, and so on.

Standard 2: Use will be compatible with surrounding structures in use, scale, mass and circulation. **COMPLIES**. The project was reviewed by members of the Legal Department, and Community Development Department at the April 30, 2002 staff review meeting. Staff determined that the fire station expansion is compatible with surrounding uses as it is an essential public service. The mass and scale of the proposed renovation is compatible with the existing building, as well as surrounding structures, the surrounding vernacular is multi-story structures of varying widths and lengths. The proposed structure would be approximately 31 feet tall, and 45'x42' at its largest dimensions.

Standard 3: Use is consistent with the Park City General Plan. **COMPLIES.** Goal 3 of Chapter 2 of the general plan states "The community should continue to provide excellence in public services and community facilities to meet the needs and desires of residents and visitors." Staff finds that the proposed application is consistent with this goal as it enhances the ability of the Park City Fire District to "provide excellence" in responding to emergency situations in the growing Silver Lake and Flagstaff Areas.

Standard 4: The effects of any differences in use or scale have been mitigated through careful planning. **COMPLIES**. The proposed fire station expansion is a conditional use in the Estate zone, prior to the commencement of any construction, the Planning Commission will review the project for compatibility with the LMC according to the sixteen review criteria below, the Board of Adjustment will determine whether a variance is appropriate for the proposed encroachment into the rear yard setback, and the Community Development Department will review the building permit application for compliance with the LMC and International Building Code.

Review Criteria

Criteria 1: Size and location of the site; **COMPLIES.** The fire station is the only emergency response facility in the Silver Lake/Flagstaff area at the current time. It currently houses one small engine and a service vehicle. Because of the recent growth of the area it is appropriate that the facility be expanded to accommodate future emergency services needs of the community.

Criteria 2: Traffic considerations; **COMPLIES.** It is essential that the facility have large bay doors that face Royal Street East, as emergency vehicles, on occasion, exit the facility at a high rate of speed. Therefore, the road cut and paved area in the front yard setback are wider than normally proposed for residential or commercial structures.

Criteria 3: Utility capacity; **COMPLIES.** The proposed use has existing access to all necessary utilities.

Criteria 4: Emergency vehicle access; **COMPLIES.** The facility has adequate access to emergency services.

Criteria 5: Location and amount of off-street parking; **COMPLIES.** The proposed addition will house four firefighters, and three emergency vehicles. The emergency vehicles will be housed inside of the structure, and four parking spaces have been provided in front of the building for the firefighters.

Criteria 6: Internal circulation system; **COMPLIES.** The primary need of the structure is ample access to Royal Street East, this has been provided, and is appropriate.

Criteria 7. Fencing, screening and landscaping to separate uses; **COMPLIES.** The LMC requires that the applicant provide landscaping between the parcel and the uses on either side of the property. The landscape plan will be reviewed by the Community Development Department as part of the building permit application.

Criteria 8: Building mass, bulk, orientation and the location on site, including orientation to adjacent buildings or lots; **COMPLIES.** The proposed building meets the mass, and height requirements of the Estate zone.

Criteria 9: Usable open space; **COMPLIES.** This criteria is not applicable.

Criteria 10: Signs and lighting; **COMPLIES.** The station has a small identification sign hanging above the large bay doors, which conforms with the requirements of the Sign Code. No changes to the existing sign or additional signs are proposed as part of this application.

Criteria 11: Physical design and compatibility with surrounding structures in mass, scale and style, design, and architectural detailing; **COMPLIES.** The existing structure is sheathed with board and batten siding with multiple gables in the Mountain Architecture style. The front facade is dominated by two large bay doors facing Royal Street East. Though larger than the structure in question, the surrounding buildings are of a similar style of construction and built with similar materials. The proposed addition will match the existing building in style and materials. Staff finds that the mass, scale and design of the addition is compatible with the existing Silver Lake structures.

Criteria 12: Noise, vibration, odors, steam, or other mechanical factors that might affect people; **COMPLIES.** By nature, when responding to an emergency, the vehicles housed in a fire station emit a shrill and alarming sound which draws attention to the vehicles. However, staff finds that these "sirens" are an important part of the stated goals of LMC Section 15-1-2(A) which are to "To promote the general health, safety and welfare of the present and future inhabitants, businesses, and visitors of the City," and are therefore appropriate.

Criteria 13: Control of delivery and service vehicles, loading and unloading zones, and screening of trash pick up areas; **COMPLIES.** Delivery trash and service vehicles will not change their approach to the parcel.

Criteria 14: Expected ownership and management of the property; **COMPLIES.** The Park City Fire District is the owner and operator of the property.

Criteria 15: Architectural and Uniform Building Code review; **COMPLIES.** Prior to commencing construction, the applicant must file an application for a building permit with the Building Department. The application must be reviewed and approved by the Building, Engineering and Planning Departments prior to the issue of a building permit.

Criteria 16. Sensitive Lands Review. **COMPLIES.** The proposed site for the addition is in not located within the Sensitive Lands Overlay Zone, and is therefore not subject to sensitive lands review.

D. DEPARTMENT REVIEW

The application was reviewed by City staff at the April 30, 2002 staff review meeting. Members of the Community Development Department, Legal Department and Public Works were present. No concerns were expressed at that time.

E. RECOMMENDATION

Staff recommends the Commission hold a public hearing, consider public input and consider approving the Conditional Use Permit for the expansion of the existing Silver Lake Fire Station located at 7805 Royal Street East according to the Findings of Fact, Conclusions of Law and conditions of a approval outlined below.

Findings of Fact

1. The existing Fire Station is owned by the Park City Fire District.
2. The existing Fire Station is located in the Estate Zone.
3. Expansions of essential municipal and public facilities in the Estate zone are a conditional use requiring a review by the Planning Commission and a public hearing.
4. The proposed addition will encroach twenty five feet (25') into the rear yard setback
5. The proposed addition will encroach twelve feet (12') into the side yard setback.
6. On May 21, 2002, the Board of Adjustment granted a variance to the applicant for a ten foot encroachment into the rear yard setback.
7. The height of the existing building will not increase as a result of this application.
8. The purpose of the addition is to house two additional firefighters a fire engine and two auxiliary vehicles which will provide additional emergency services in the Silver Lake and Flagstaff areas of Park City.
9. The proposed fire station addition will enable the Park City Fire District to provide additional emergency response services to the Silver Lake and Flagstaff areas.
10. The findings in the Analysis section are incorporated herein.
11. The applicant stipulates to all Conditions of Approval.

Conclusions of Law

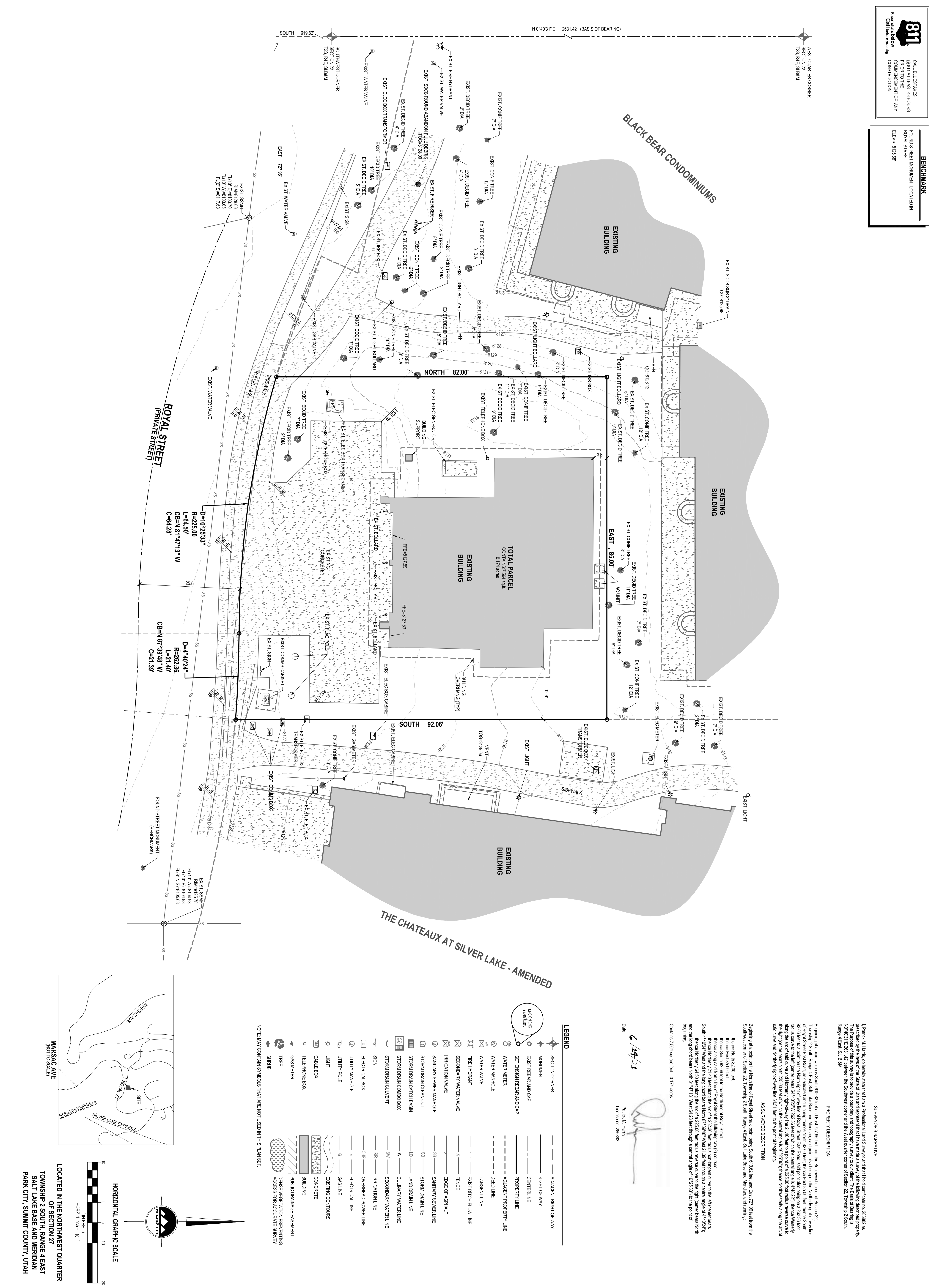
1. The application complies with all requirements of Sections 15-2.10-2(B), and 15-1-10(E)1-15 of the Land Management Code.
2. The proposed use, as conditioned, is compatible with the surrounding residential and commercial structures in use, scale, mass and circulation.
3. The use is consistent with the Park City General Plan.

Conditions of Approval

1. All standard conditions of project approval shall apply to this project.
2. Approval of a variance from the Board of Adjustment is a condition precedent to the issue of a building permit.
3. All materials used in the construction of the addition shall match the existing materials on the structure.
4. The height of the addition may not exceed the existing height of the building.
5. The applicant shall submit a landscape plan for the areas between the facility and the neighboring Black Bear Lodge upon submitting a building permit application.
6. This approval shall be null and void as of May 22, 2003, unless the applicant has received a building permit for the project.

EXHIBITS

Exhibit A - Site Plan
Exhibit B - Letter From Applicant



ENSIGN
THE STANDARD IN ENGINEERING

SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
THINK ARCHITECTURE
7927 HIGHPOINT PARKWAY, SUITE 300
SANDY, UTAH 84094
CONTACT:
COREY SOLUM
PHONE: 801-269-0055

PARK CITY FIRE STATION #34
BOUNDARY AND TOPOGRAPHY SURVEY
7805 ROYAL STREET
PARK CITY, UTAH

PROFESSIONAL LAND SURVEYOR
No. 286882
PATRICK M. HARRIS
STATE OF UTAH

BOUNDARY AND TOPOGRAPHY SURVEY

PROJECT NUMBER 10627
PRINT DATE 6/14/21
DRAWN BY M. BURT
CHECKED BY P. HARRIS
PROJECT MANAGER P. HARRIS

1 OF 1

Planning Commission
Staff Report

Subject: **Planning Commissioner Qualifications**
Application: **PL-22-05332**
Author: **Rebecca Ward, Assistant Planning Director**
Date: **August 24, 2022**
Type of Item: **Legislative – Land Management Code Amendments**

Recommendation

(I) Review the proposed Land Management Code amendments to outline Planning Commissioner qualification requirements, (II) conduct a public hearing, and (III) consider forwarding a positive recommendation for City Council's consideration on September 1, 2022, as outlined in the Draft Ordinance No. 2022-XX (Exhibit A).

Background

On July 28, 2022, the City Council discussed the value of having a land use professional on the Planning Commission and directed Planning staff to evaluate Land Management Code amendments that would include qualification requirements for certain Planning Commissioner seats (Audio). The Council discussed the possibility of having one or more designated seats for a land use professional that could include someone with a background in construction, planning, or architecture.

The City Council directed Planning staff to bring proposed Land Management Code amendments to the Planning Commission for an August review, public hearing, and recommendation to the City Council for their consideration on September 1, 2022.

Analysis

Planning Commissioners are appointed by the Mayor with advice and consent of the City Council.[1] Land Management Code § 15-12-2 outlines the current qualification requirement for appointment to the Planning Commission – Planning Commissioners must be residents of Park City and have resided within the City for at least 90 days prior to being appointed. Additionally, Land Management Code § 15-12-4 states "[a]ppointments to the Planning Commission shall be made on a basis which fairly represents the interests of all residents of the community."

Based on City Council direction, Land Management Code § 15-12-2 *Terms and Eligibility of Members* is proposed to be amended as follows:

> Members of the Planning Commission shall serve terms of four (4) years.

[1] Land Management Code § 15-12-1

Terms shall be staggered and expire on the second Wednesday in July. Members shall continue to serve until their successors are appointed and qualified. The Mayor shall appoint a new Planning Commission member to fill vacancies that might arise and such appointments shall be to the end of the vacating member's term.

Members of the Planning Commission shall be residents of Park City and have resided within the City for at least ninety (90) days prior to being appointed. At least one Planning Commissioner shall be a land use professional, including but not limited to experience in construction, planning, or architecture.

Members are deemed to have resigned when they move their residences outside the City limits.

The Engineering Department recommends adding a civil, geotechnical, or structural engineer as a potential land use professional. In response to Staff Communications on August 10, 2022, some members of the Planning Commission expressed a desire to further understand the meaning of land use professional, because the broad term as proposed appeared to include existing members, attorneys with land use/real estate experience, so arguably the standard is already met (Audio). The Planning Commission may modify the proposed amendments prior to forwarding a recommendation to the City Council.

Department Review

The Executive, Planning, Engineering, and Legal Departments reviewed the proposed Land Management Code amendments.

Notice

The proposed Land Management Code amendments were noticed pursuant to LMC § 15-1-21 and were published in the *Park Record* and posted to the Utah Public Notice Website and City Website.

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The Planning Commission may make modifications and may forward a positive recommendation for Land Management Code amendments to outline Planning Commissioner qualifications for City Council's consideration on September 1, 2022.
- The Planning Commission may forward a negative recommendation for Land Management Code amendments to outline Planning Commissioner qualifications for City Council's consideration on September 1, 2022.
- The Planning Commission may request additional information and continue the discussion to a date certain.

Exhibit

Exhibit A: Draft Ordinance No. 2022-XX

Attachment 1 – Land Management Code Redlines

Ordinance No. 2022-XX

AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTION 15-12-2 *TERMS AND ELIGIBILITY OF MEMBERS* TO OUTLINE PLANNING COMMISSIONER QUALIFICATIONS

WHEREAS, the Land Management Code promotes the general health, safety, and welfare of the present and future inhabitants, businesses, and visitors of the City;

WHEREAS, Land Management Code Chapter 15-12 *Planning Commission* establishes a seven-member Planning Commission appointed by the Mayor with advice and consent of the City Council;

WHEREAS, Land Management Code Section 15-12-2 *Terms and Eligibility of Members* outlines requirements for Planning Commissioners – Planning Commissioners must be residents of Park City and have resided within the City for at least ninety days prior to appointment;

WHEREAS, Land Management Code Section 15-12-4 states appointments to the Planning Commission shall be made on a basis which fairly represents the interests of all residents of the community;

WHEREAS, on July 28, 2022, the City Council discussed the value of having a land use professional on the Planning Commission and directed Planning staff to evaluate Land Management Code amendments that include qualification requirements for certain Planning Commissioner seats for one or more land use professionals, including individuals with a background in construction, planning, or architecture;

WHEREAS, on August 24, 2022, the Planning Commission conducted a duly noticed public hearing and forwarded a _________________ recommendation on the proposed Land Management Code amendments to the City Council;

WHEREAS, on September 1, 2022, the City Council conducted a duly noticed public hearing on the proposed Land Management Code amendments.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah, as follows:

<u>SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY TITLE 15 LAND MANAGEMENT CODE</u>. The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code Section 15-12-2 *Terms And Eligibility Of Members* is hereby amended as outlined in Attachment 1.

<u>SECTION 2. EFFECTIVE DATE</u>. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 1st day of September 2022.

PARK CITY MUNICIPAL CORPORATION

____

Nann Worel, Mayor

Attest:

____

City Recorder

Approved as to form:

____

City Attorney’s Office

Attachment 1

15-12-2 Terms And Eligibility Of Members

Members of the Planning Commission shall serve terms of four (4) years. Terms shall be staggered and expire on the second Wednesday in July. Members shall continue to serve until their successors are appointed and qualified. The Mayor shall appoint a new Planning Commission member to fill vacancies that might arise and such appointments shall be to the end of the vacating member’s term.

Members of the Planning Commission shall be residents of Park City and have resided within the City for at least ninety (90) days prior to being appointed. At least one Planning Commissioner shall be a land use professional, including but not limited to experience in construction, planning, or architecture.

Members are deemed to have resigned when they move their residences outside the City limits.