PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
SEPTEMBER 11, 2024

COMMISSIONERS IN ATTENDANCE: Chair Sarah Hall, Christin Van Dine, Laura Suesser, Bill Johnson, John Frontero, Henry Sigg, Rick Shand

EX OFFICIO: Rebecca Ward, Planning Director; Alec Barton, Senior City Planner; Jaron Ehlers, City Planner; Meredith Cover, City Planner; Mark Harrington, City Attorney

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1. ROLL CALL

Chair Sarah Hall called the meeting to order at 5:30 p.m. and confirmed the presence of all Commissioners.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from August 14, 2024.

MOTION: Commissioner Frontero moved to APPROVE the Planning Commission Meeting Minutes from August 14, 2024. Commissioner Suesser seconded the motion.

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

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Rebecca Ward reported that there were a couple of items on tonight's Agenda that would be reviewed by the Planning Commission but that would not have a public hearing. She identified these Agenda items as the Snow Park Village Base Area application and the proposed modifications to the parking at the Snow Creek Development. There would be future public hearings scheduled on both of these items. Public input could be submitted on the Snow Park Master Planned Development at any time by emailing planning@parkcity.org.

With regard to the proposal for the Snow Creek parking expansion, Director Ward reported that when the Planning Commission makes its determination this evening, it would go through a future review, which would include a public hearing. She reminded the Commission that those wanting to provide public comment during tonight's meeting to please state their full name and sign in. For those appearing via Zoom, she requested they sign in with their full first and last name. Public input should be limited to three minutes and should be directed to the Planning Commission on the item it is reviewing. She also reminded speakers to be civil.

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Director Ward announced that a Fall Open House featuring City projects was scheduled for September 18, 2024. This Open House would take place at Miner's Hospital and would include the General Plan.

Commissioner Suesser asked if the Open House would include the Bonanza Park Small Area Plan. Director Ward stated the Small Area Plan would not be included.

Chair Hall reiterated her prior disclosure that she retained the law firm where Justin Keyes works, and it would not require her to recuse herself. She also noted that a Director of Rivian reached out many months ago in relation to the Planning Commission application and that it would not bias her ability to hear that application.

4. PUBLIC COMMUNICATIONS

There were no public communications.

5. WORK SESSION

A. Snow Park Village Base Area - Deer Valley Resort 13th Amended and Restated Large Scale Master Planned Development Permit and Phase I Conditional Use Permit - The Planning Commission Will Review the Status Update and Proposed Schedule for Public Hearings and Work Sessions Related to Phase I of the Snow Park Village Base Area Development at Deer Valley. Phase I of the Project Includes a Three-Level Parking Garage with 1,971 Parking Spaces, an Underground Transit Hub Adjacent to Snow Park Lodge, a Conceptual Site and Circulation Plan, and Road and Utility Improvements. PL-21-04767 MPD, PL-21-04811 CUP (60 mins.) Public comment may be submitted to the Planning Department: alexander.barton@parkcity.org

Director Ward explained that the application was for an amendment to the Deer Valley Resort Master Planned Development ("MPD") Conditional Use Permit ("CUP") for Phase I of that development. The applicant proposed Phase I of the Base Area project that would include a three-level parking garage, an underground Transit Hub adjacent to the Snow Park Lodge, and a conceptual Site and Circulation Plan with road and utility improvements. The application was submitted in December 2020 and has been pending for a number of years. This application was last before the Planning Commission on January 18, 2023. As part of that review, Director Ward recalled that the Commission did not take a formal vote on a positive or negative recommendation on the proposed vacation of the right-of-way but reached a consensus that the question should be moved to the City Council for review and action. The Commission forwarded their consensus with detailed qualifiers, concerns, conditions, and caveats for the City Council to consider.

Director Ward reported that the City Council reviewed the applicant's request for a vacation of right-of-way over 12 meetings in 2023. On December 14, 2023, the City Council approved the vacation of right-of-way and also approved a Resolution for a public/private partnership and a Letter of Intent for a shared parking facility in the area of Highway 40 and State Route ("SR") 248. Since that time, the applicant has been working with Staff as they worked to revise and update the plans. She also reported that the applicant held a series of community meetings for input on the revisions.

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Director Ward reported that as the Commission evaluates the plan's compliance with the Land Management Code ("LMC") and the prior MPD requirements, the City Council would concurrently continue to evaluate the options for the public/private partnership. City Engineer, John Robertson and Transportation Planning Director Tim Sanderson, and their consultants had reviewed the Traffic Impact Study and the transit and circulation for the updated plans. The Planning Team also evaluated the plan had been working with the applicant and would continue to do so, so they would have updated information and detailed review to present to the Planning Commission in several upcoming public hearings.

Director Ward reported that during this Work Session, the applicant would present a high-level overview of the revisions to their plans, and the substantive changes to the Circulation Plan, the Transit Hub location, and the configuration of the parking garage. The Planning Commission was scheduled for an in-depth review of the details of these revisions, with a public hearing on October 9, 2024. A special meeting was also scheduled for this project on October 30, 2024. A further public hearing would then be conducted on November 13, 2024, with potential additional review in December or into 2025, as needed.

Chair Hall disclosed that she retained Snell & Wilmer and that would not impact her decision or ability to participate in this application. Hannah Tyler, Vice President of Resort Planning for Deer Valley introduced herself as Applicant's representative. She stressed that they have a once-in-a-generation opportunity to create an incredible resort base area at Snow Park. She noted that this process had been a journey and that some current members of the Planning Commission had been part of this journey since the initial submission, while others were new to the Commission since the applicant was last before it.

Ms. Tyler emphasized that this journey had been an incredible collaboration. They worked with the Honorable Mayor, the City Council, and the Planning Commission. They also engaged with City Staff, who she described as world-class. They also engaged with their own Deer Valley Staff and most importantly, the community. She proudly stated that they listened carefully throughout this process and were excited to share the evolution of their vision. She stated that this presentation would provide an overview of the evolved plan, and in future meetings, they would return with specific topics in greater detail.

Ms. Tyler introduced Jen Pasquier, Deer Valley's Project Director for Snow Park Village. Prior to turning it over to Ms. Pasquier, Ms. Tyler wanted to ground the Commission in the essence of Deer Valley. Since Deer Valley's inception in 1981, Deer Valley's commitment to excellence defined the modern ski resort experience. For over 40 years, they stayed true to their founder's vision and focused on the key brand pillars that continue to set them apart.

Ms. Tyler stated that they had dedicated hundreds of hours to conversations with guests, Staff, and community members, and this input was distilled into their Guiding Brand Principles, which include,

- World Class friendly guest service provided by exception employees;
- Attention to detail with a focus on families;
- World-class grooming;
- Innovative dining;
- A ski-only experience with limited capacity; and
- A commitment to sport.

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She commented that none of these should be a surprise to anyone coming to Deer Valley.

Ms. Tyler reported that they used these principles to guide the creation of their Expanded Excellence Plan, which is built on four key components:

- Expanded terrain;
- The development of the new Deer Valley East Village;
- The evolution of Snow Park Village; and
- The revitalization of existing facilities.

For over one year, they worked on Expanded Excellence, and Snow Park Village was the significant next step. Ms. Tyler reported that they had listened to community feedback throughout this process, and the intention for this meeting was to present an evolved plan that reflected their brand pillars and would address the common concerns they have heard. The design principles for this evolved plan include an elevated design. She added that Deer Valley's architectural vernacular was rooted in the sense of place in Park City, and maintaining a consistent sign language across the resort buildings and the surrounding properties was essential to their design success over the past 40 years. She emphasized that visitors felt that warm and inviting design when they visited Deer Valley today. Ms. Tyler added that they also want to see a seamless arrival experience. Deer Valley's guests expect a smooth and welcoming arrival, and they are committed to enhancing that experience with this plan.

Ms. Tyler expressed that they also wanted to see the human scale, and wanted the development to feel intimate and purposeful, reflecting the personal touch that had defined Deer Valley. They also wanted integration with nature. Additionally, she stated that sustainability was central to their vision, with goals for carbon neutrality, sustainable water and waste management, and an overall focus on sustainability throughout the development. She noted that they also wanted to see year-round activation. Snow Park Village would offer amenities for both locals and destination guests, ensuring that the space would be vibrant throughout the year. She expressed great pride in the progress and evolution made in their plans. They conducted a lot of community engagement with hundreds of community members over the past year, and the plans continued to evolve through this entitlement process as they went to the community with a series of open houses.

As Director Ward mentioned, Ms. Tyler stated they have held regular working sessions with Staff that were incredibly impactful to their overall progress. They also met with their own technical consultants and third-party reviewers and would continue to hold these work sessions parallel with the Planning Commission entitlement process. She stated that they were very excited to bring this back before the Commission.

Ms. Pasquier explained that she was leading the development effort on behalf of the resort. She reported that this presentation would be a high-level overview and echoed the statements that this was a once-in-a-generation opportunity. She presented an image of the site and explained that in looking at the parking lot, it was 14 acres of dirt in the middle of the community and at the base of the resort. They have the opportunity to reintegrate this with nature to make it an active and dynamic part of the community by burying the parking and giving this space back to people.

Ms. Pasquier explained that at the core of what they were trying to achieve was how they reconnected to nature, how they connected to the snow-making ponds, and how they connected to the existing terrain. In terms of walkability, she stated they took a lot of inspiration from European alpine villages in terms of scale and pedestrian friendliness. She stressed that this

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plan would bury the cars, and with that would come an incredible opportunity to give this space back to the community and create a really active space. They want visitors to meander through the village and discover, and they want this to be a year-round place. She acknowledged that Deer Valley was rooted in skiing, but also noted the adage "You come to Park City for the winter, and you stay for the summer." She noted the question was how they could experience that with the out-of-town guests, and how to create spaces within the village that were really intriguing for the local community.

Ms. Pasquier explained that in future phases they would address verticality, but in terms of a high-level vision, there would be somewhere between 115 and 120 hotel rooms, approximately 80 residences, and retail and food and beverage on the ground floor and not the plaza level. She stressed that when this project is completed, they would have created nearly four acres of public Open Space and public plaza while ensuring that the village is porous, accessible from all directions, and very accessible to all. She stressed that the goal was to create a hub of activity for this part of town.

In terms of character zones, she mentioned skier services, the fundamental Snow Park Lodge, transit drop-off, and a new gondola. She stated that pulling the gondola into the village would really create a lot of beachfront and a very active snowfront. This meant that when someone was dropped off at the Transit Center, they would come up straight at snow. She also mentioned the village core, where people would dine, go to the spa or visit friends. She then addressed the snow-making ponds, which were used immensely and on which they plan to build to pull the recreation up into the village.

Ms. Pasquier presented the new Master Plan and pointed out a couple of elements they felt were critical. One is the scale of the buildings, wherein she noted that the applicant was not looking to build mammoth façades; rather, they want the buildings to articulate and be intimate. She reiterated that it would be about discovery and how visitors experience this place. She stated they also spent a lot of time on public plazas and public space, and how they could be right-sized to feel really comfortable walking through, but also substantial enough to host farmer's markets and community gathering events. She stressed that getting that right was really valuable to public space. The last thing they want is a giant open plaza that feels empty and a little sad.

Ms. Pasquier revisited the notion of how they could make this porous and how they could make it connect the ten different access points around the village. They thought about all of the cardinal directions, how someone would come in from Main Street and from Doe Pass Road and by accessing the pedestrian promenade. She also mentioned the connection to the ponds and how one might cross to get to the St. Regis. She commented that this plan thought through how people would be using the village.

With respect to vehicular circulation, Ms. Pasquier stated that Ms. Tyler would talk more about specific modalities, but the fundamental concepts heard loud and clear were that arrival, convenience, and accessibility were core to Deer Valley's value propositioning and would be really valuable to the neighborhood. The plan would make the current conditions better. They fundamentally followed the existing traffic flow, and the transit drop-off was essentially where it is today, albeit below grade. They worked really hard with their incredible design team to ensure this space would feel really warm and welcoming. Visitors would still be greeted by Deer Valley "green jackets" when they enter that drop-off. She stressed they were trying to maintain what is there, making it better and improving on that experience.

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Ms. Tyler stated she would address some of the details of the overall site access and circulation. Prior to doing so, she highlighted the key improvements to the Deer Valley Loop that remained consistent in this plan. These included improvements at the intersections of Solamere Drive and Queen Esther Drive, which would include turn pockets, merging lanes, and other enhancements to facilitate better ingress and egress for those developments. She noted they also included the multi-use pathway network throughout the loops and the trails within the ponds, as well as connections to the trails already at Deer Valley. They believed this was important to give people multiple ways of getting to Deer Valley. She explained that the Y intersection would be signalized, as it meets the current engineering warrants today; therefore, even without the Snow Park Village Plan, that intersection would still be signalized.

Ms. Tyler addressed the day skier drop-off component. She explained that if someone were looking to drop off a day skier in the multi-modal hub, they would take a right at the Y, navigate through the new roundabout at the intersection of Doe Pass road and Deer Valley Drive West, and then after the Royal Street intersection the road would turn one way and descend into the multi-modal hub that would be below grade. Guests being dropped off at the hub would not have to cross eight lanes of traffic to get to the resort and would have direct vertical access to the plaza and the lift infrastructure. She added that could be through escalators, stairs, or an elevator. Once a driver dropped off their passenger and wanted to park, they would exit the Transit Center on the east side and then either go into the parking garage on Doe Pass Road or use another entrance on the east side to current lots 5 and 6. The other option would be for drivers to exit the area by turning right at the Y and exiting Deer Valley.

Ms. Tyler noted that they worked out with the City that Doe Pass Road would be a public right-of-way maintained by Deer Valley. For ski school or dropping off a child at the year-round daycare at Deer Valley Academy, the drop-off would be on the east side next to the lodge. They chose to separate that drop-off from the normal drop-off because they recognized that the behaviors of those people were different that someone looking to drop-off a regular guest. They accommodated the ski school and daycare drop-offs so that the driver could park temporarily, leave the car, and get their student or day-skier guest into the ski school. She mentioned that they did not want to clog up the underground Transit Center, so they pulled it out and accommodated it as close as they could to those different options in the lodge.

Ms. Tyler commented that if someone just wanted to park and not drop anyone off, they could go either direction at the Y and enter one of the parking garages either off of Doe Pass Road or on Deer Valley Drive East in lots 5 and 6. Motorists would not be required to go through the drop-off.

In terms of the multi-use lane, which for all intents and purposes would be the “bus only” lane, Ms. Tyler reported that this remained in the plan and would be dedicated to transit vehicles and cyclists. As part of their work sessions with the City, this would align with the City’s Transit First policy adopted by the City Council, and the overall goal was to improve the overall efficiency of transit. She reported that in their next meeting when they talk about the Traffic Impact Study and the overall site circulation, they would dig into the data and where they landed with the City as to why they chose this lane.

With respect to emergency vehicle access, she stated that they heard loud and clear the concerns of the community and Staff about emergency vehicle access. One of the benefits of the “bus only” lane would allow emergency vehicles to also use that lane to access Deer Valley on the in and on the out. She pointed out that the plan also accommodated those emergency vehicles and

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gave them ways to get around the development by clearing areas and making them wide enough to meet the warrants defined by the Fire District. They would continue to work with City Staff and the Fire District as these plans evolve to make sure they meet every single Fire Code. Ms. Tyler expressed pride in the progress made and that they were able to get emergency vehicles into and through the Transit Center.

Ms. Pasquier next addressed the vertical experience for visitors. She reiterated that this plan buried the parking, and they spent time thinking about how they would move people up and out of the parking garage quickly, conveniently, and safely. There are multiple exits throughout the village, at which point a visitor would traverse at grade and experience the alpine village vibe. Level P-1 would predominantly house the Transit Hub and some resident parking. She reported that everyone would drop-off in the same location. They spent much time on safety and convenience while ensuring that seamless arrival experience. When someone exits the Transit Center, they could move up via stairs, elevators, or escalators. Just off the plan to the right, there would also be a couple of ramps up to the new gondola plaza. The intent was that these visitors would not have to cross in front of any vehicles to get up and out of the Transit Center. It would also create equity across modalities, so no matter how someone arrived at the resort, all visitors would be welcomed the same way.

Ms. Pasquier commented that because of the location of the gondola, visitors would come up into the village where the snow beach was pulled in. Therefore, visitors would actually be much closer to snow. They also planned to do some regrading of the lower base area so visitors would not have to walk up to the Carpenter Lift with their skis; rather, access would be much more direct and convenient. Level P-2 would house hotel parking, designated residential parking, and some day-skier parking. These spaces would be accessible via Doe Pass Road.

Ms. Pasquier also noted that there would be a bus electrical charging station on Doe Pass Road and an end-of-line lounge for transit team members to utilize given that this would be an end-of-line route. The majority of the day-skier parking would be located on level P-3, also accessible via Doe Pass Road, or via Deer Valley East for former lots 5 and 6. Fundamentally, this plan was about people, and she wanted to walk the Commission through a couple of different guest profiles. She first addressed day-skiers and what it would feel like coming into this space. She reported that this was supposed to be an emotive experience, and it was also supposed to be convenient. Day-skiers would have a couple of options. Coming in from Main Street, they would descend into the Transit Center where they could be dropped-off with the same welcoming experience by the "green jackets." She added that if a day-skier wanted to park, they would head out on Deer Valley East, take a left onto Doe Pass Road, and enter the parking garage before moving up one of the vertical pathways into the village.

Ms. Pasquier reiterated that step one of the experience would be to drive into the Transit Center, steps 2 and 3 would involve the drop-off and exit, and then step 4 would either be to park or to leave. For transit guests who come to the resort not to ski, but to either go to the spa, go to work, or dine, they would do the same descent into the Transit Center and then take the ramp up to the gondola plaza and meander through the village to their destination. She noted that another bus stop on Doe Pass Road would be an option for those heading toward the ponds.

Ms. Pasquier reported that families are core to Deer Valley, so they thought a lot about convenience and safety. She noted that skiing with children can be difficult, so they wanted to make that as safe and convenient as possible, therefore, they re-routed families directly to the front of Snow Park Lodge. They also reconfigured some of the lodge components, so visitors

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could get out of their cars and head straight in instead of having to meander through for check-in and drop-off. Temporary parking would be available to allow for more support for the child to be checked in. After dropping off the children, the parents could go park if they were going to ski or head out the loop. The fact that the presented diagram was the simplest diagram in the presentation was reflective of the fact that they tried to make this easy for families.

Ms. Pasquier reported that for those who are not interested in skiing but want to visit the village to otherwise recreate, they would approach via Deer Valley Drive, turn onto Doe Pass Road enter the parking lot on Doe Pass Road, and then go up into the main plaza and experience the village. She mentioned that the entire professional team was present to answer any questions. She expressed appreciation for the opportunity to share this evolution.

Chair Hall noted that there were no direct questions for the Commission from either Staff or the applicant and asked the applicant's team if they had specific questions for the Commission. Ms. Tyler wanted to make sure that they presented the Commission with the information that would make the Commission's job easy in terms of reviewing the project. She requested anything further that would help the Commission review this project because they want to ensure that they feel good about the decision-making process. Chair Hall reported that they are in the infancy of the application and without Staff evaluation of the LMC criteria the Commission did not have a lot to talk about in terms of specific details at this meeting.

Commissioner Suesser requested more information on the circulation within the garage. On behalf of the applicant, Jeff Covel, Design Director at Skylab Architecture identified himself as the lead designer on the project. He thanked the Commission for the opportunity to be present. They created a series of terraces, and the parking lots will diminish as they go to the north. This was important in terms of managing a fairly strict requirement in the project, and to have the grade of the plaza naturally step down in a smooth way as they connect the ponds to Snow Park Lodge. Along that route, there are five primary vertical connections. A pair of elevators and a stair would take someone to Snow Park Lodge and the Carpenter Lift. There would also be a set of escalators and a stair that would take someone to the gondola. A pair of elevators and a stair would be attached to the gondola so that a visitor could literally come up into the gondola building.

In addition, there were two more vertical connections including one in the hotel and the north plaza and another on the north side of the pedestrian bridge planned for Doe Pass Road.

Mr. Covel reported that a primary circulation core underground would connect all five. If someone came in from Doe Pass Road, which would be the primary entrance on the south side of Doe Pass Road, there would be a direct ramp into P-3 and one entrance would take a driver into P-2. There would be internal circulation from there where a driver could actually go under Doe Pass Road and connect to the north side of P-3. He stated there would also be an internal ramp and exit out of the north side. Mr. Covel reported that there would be four primary garage entrances to P-3 and P-2, and all of those would share the vertical access. P-1 was kind of an isolated parking garage only accessed from Deer Valley Drive East. It would have a smaller footprint and would essentially share three of the vertical connections due to the terracing down.

In response to a further inquiry from Commission Suesser, Mr. Covel explained that coming in from Deer Valley Drive East there would be two entrances: on the southern end that would take a driver into P-1, and the northern entrance that was essentially the boundary of lots 5 and 6 that would take a driver down into P-3. Mr. Covel mentioned that P-1 would have only one ingress and egress and would have a smaller quantity of vehicles. The bulk of the parking would be in P-

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2 and P-3, which was where they have more options and more porosity and internal connectivity between levels. In response to Commissioner Rick Shand's question about the current capacity of the parking lots, Ms. Tyler responded that it was 1,340.

Commissioner Suesser asked how a visitor would descend down into the parking garage at the end of the day. Mr. Covel noted there would be a handful of options and scenarios, and it would depend on which part of the plaza one was coming from. He stated if someone came down the gondola and skied to the primary snow beach, someone could take their skis off, put them in a valet and a set of escalators would then take them to the drop-off area to be picked up or to take transit. Adjacent to that would be an additional stair and another set of elevators that could take a visitor into the parking levels. Skiers getting off at Carpenter Lift would essentially be a story above that along with a separate ski valet and a separate set of elevators that would take the skier down into the drop-off center. Mr. Covel added that there would be opportunities to access the garage for those deeper in the village. He acknowledged it was an interesting design for them, but they were really trying to locate the cores directionally moving visitors toward the snow. It did not make sense to make people walk away from the snow and then back; therefore, they looked very carefully at subdividing the lots into five equal sections and then trying to have a vertical core at the southern end of each one.

Commissioner Johnson noted that the previous application did not ask for any exceptions within the Code or in the Development Agreement and asked if that was still the case. Ms. Tyler confirmed that was still accurate.

Chair Hall thanked the presenters and stated the Commission would look forward to the next meeting. Director Ward reported that the next public hearing for this project would take place on October 9, 2024. A special meeting was also scheduled for this project on October 30, 2024. Chair Hall stated that the Commission would take in-person or virtual public comment during the October 9, 2024, public hearing. Comments could also be submitted by emailing planning@parkcity.org.

Commissioner Suesser asked if the parking to access the ponds would be eliminated or whether some parking would still be available for those recreating at the ponds. She also inquired about the sustainability goals and noted the extra amount of snowmaking required to keep the snow beach covered. She inquired how that worked into the plan and how the plan addressed sustainability with the extra snowmaking. With respect to parking for access to the ponds, Project Manager Pasquier reported that visitors would still be able to park in what were currently lots 5 and 6. The direct access from Deer Valley East into the new garage would be open and accessible.

In terms of sustainability, Ms. Tyler stated that they would address sustainability in depth during another meeting; however, in terms of extended snowmaking for the ski beach, she stated it would be quite comparable to the current ski beach. She mentioned the grading opportunities on Y West as well as at their World Cup venue and future Olympic venue. They would be moving all of the excavated dirt up onto the mountain, and some of it would actually be a water-savings activity because by relocating the dirt onto the mountain they would make less snow to accommodate those events. They were excited about the opportunity to eliminate the need for all of the trucks full of dirt to go down Deer Valley Drive, and to also help them with their sustainability goals to conserve more water. They currently did not have an issue maintaining snow at the Base Area, and they did not see an issue with that in the future. Ms. Tyler emphasized that there would be some water-saving techniques that would come out of some of the

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construction activities. She recalled that sustainability would be discussed with the Commission in November.

Commissioner Suesser asked if the ponds were the main resource for the water for snowmaking. Ms. Tyler confirmed and added that because it was within this watershed, all of this water came from the ponds for current Deer Valley. She explained that Deer Valley had only so many rights, and in the future, they would not be able to exceed their current rights, therefore no additional water specific to the Snow Park Village Base Area development would be used for snowmaking.

6. REGULAR AGENDA

A. 1800 Park Avenue - Park and Kearns Master Planned Development - The Applicant Proposes Redevelopment of the Site with 182 Hotel/Condo Units, 60 Affordable Units, 8,143 Square Feet of Restaurant/Bar Uses, 4,750 Square Feet of Retail, 6,500 Square Feet of Office Space, and Accessory Use Exceptions in the General Commercial Zoning District and Frontage Protection Overlay Zone. PL-22-05476.

Director Ward introduced Senior Planner, Alec Barton, who joined the team in July 2024. She reported that he would be taking the project forward. They were excited to have Planner Barton on board. She recalled the Commission of the applicant's last discussion where they requested input and a determination on Building Height. Director Ward reported that the applicant revised their plans. The purpose of this meeting was to review their thoughts regarding the project regarding the site design and Building Height based on the criteria in the Code. The applicant wanted to determine if they heard and understood the Commission's input, and whether they were on the right path as far as the site design.

Director Ward reported that this item would be continued to September 25, 2024, for an in-depth discussion. The Staff Report outlined additional public hearings.

Planner Barton echoed Director Ward's comments that the applicant would present updated plans to reflect the direction of the Commission during the last public hearing. He presented the Building Height exceptions and indicated that they could review them following the applicant's presentation. He highlighted the proposed public hearing schedule in the Staff Report. This item was scheduled to appear before the Commission in two weeks, with additional review and potential final action on October 23, 2024. Planner Barton stated that they set aside additional time for the November 13th meeting, if needed, and additional meetings would be scheduled at the Planning Commission's discretion.

Carla Lehigh, AIA, from Elliott Workgroup Architecture identified herself as the business partner of Craig Elliott. They heard the Commission's comments and wanted to show the revisions made as a result of those comments. She referenced the Frontage Protection Zone ("FPZ") Analysis contained in the Packet and explained that this analysis consisted of three graphics. The first graphic depicted the existing building, and the areas where the building encroached into the 100-foot FPZ were highlighted in purple. The second

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graphic showed the MPD submitted in 2022, and the third graphic illustrated the applicant's proposal.

Ms. Lehigh directed the Commission's attention to Block A, which was the Block that would contain the entrance. In the prior plan, that Block encroached slightly into the 100-foot FPZ, and they relocated that Block 3 feet to the west. Therefore, Block A was not completely outside the FPZ. With respect to Block B, Ms. Lehigh noted it was located at the intersection. They pushed that building approximately 21 feet east to take it approximately 81 feet from the property line along Park Avenue. She reported that the locations of Blocks C and D would remain as designed.

Ms. Lehigh then focused on the southern side of the project, where they would house the meeting area and restaurant. She explained that they moved the footprint of those two areas. They moved the meeting room six feet so that it would be 31 feet from the property line. The restaurant was moved four feet to the north, bringing it to 29 feet from the property line. She noted that they needed to consider that the Setback for the underlying zone in that area would be 10 feet. They also looked at the affordable housing block, Block E, which was moved 8 to 9 feet to the west. In that area, the Setback for the underlying zone was 10 feet, being the closest point to 30 feet.

Ms. Lehigh presented another exhibit that showed the Open Space calculations. She explained that the exhibit contained graphics for the existing building, which showed 23.7% Open Space. The graphic from the 2022 MPD showed 31.8% Open Space. Based on the Commission's comments, and the revisions to the Setbacks, the proposal now contained 40% Open Space. She explained that they achieved that number because of the Setbacks and the relocations of the Blocks. She pointed out that the area they had between Blocks B and C was increased and they removed some units from the footprint in that area, which has increased the Open Space. She also mentioned a revision to the amenity space for the hotel. They used to call it a private Open Space, but now they changed the name to amenity space because it was an amenity of the hotel. This space was not considered in the Open Space calculation. Ms. Lehigh stated that it was important to know that it was not just a 10% increase in Open Space; rather, this proposal was a 33% increase over the baseline.

Commissioner Suesser asked Ms. Lehigh to explain specifically what items in the presented diagram were included in the Open Space and what areas were not. Ms. Lehigh reported that the Open Space was represented by the dark green areas, which they called out as a landscaped area, and the sidewalks as being included in the Open Space calculation. The areas in the legend that were highlighted in red were included in the 40% Open Space calculation.

Craig Elliott from AIA of Elliott Workgroup Architecture stated that Ms. Lehigh's presentation was their response from a Site Plan point of view. He stated that he would address what they changed with regard to the building and their approach to the items explained by Planner Barton.

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With respect to the area on the diagram highlighted by the magenta circle and ellipse, Mr. Elliott stated that they did not show new development there, but they felt it presented a great opportunity to create some great space. As an architect, he was more interested in creating great places and spaces for people, and they understood that those could develop as they work through this with the Planning Commission. He presented the floor plans to the Commission. He highlighted the light dashed line, which was the location they had shown in the previous submittal. The heavy black dashed line represented the footprint of the existing building; therefore, they could get a sense of how it sits in comparison with what is constructed on the site today. He felt it was useful to see and compare how they carved away from the existing building much more than they have expanded in most places except on the east side.

Mr. Elliott pointed out the changes in terms of where they moved each of the Blocks. In addition, in Blocks B, C, and D, he stated they created a new entrance element along Kearns Boulevard. They created their own entrance because they believed that the pathway there would actually be a commuter-type space. He noted there would be a place for people to come in and out of the building and go directly to either their bike, to walk, or to get throughout the City. As they develop the building further, he felt that it would give it an identity and they could start to create entry elements at each of those locations.

He next presented a diagram of the second floor and explained that the spaces they removed from the FPZ and moved to the connector in the middle of the property. He noted you could see this on the second floor and the third floor. On the fourth floor, he pointed out the location of the new units. He noted that the red-dashed line was the 100-foot FPZ line. He stated that they moved all of the height for which they were asking for an exception, out of the 100-foot FPZ.

Mr. Elliott commented that they were excited about how this turned out, and it was starting to give them a unique component. They felt the amenity space would be well-received, and they liked the spaces outside as well as the community gathering areas. They also liked the opportunities along Kearns Boulevard and Park Avenue. He then presented a diagram that illustrated the heights and explained that they showed a 42-foot height above grade in the area set back from the 100-foot FPZ. All of the other buildings were well below the height, and he highlighted the roof points called out in the diagram.

Mr. Elliott reported that these revisions worked within the concept of the discussions they've had and responded fairly well to the comments they heard. He noted that the elevations were pretty simple, and they had not yet had the chance to take them much farther; however, he pointed out that they still showed the large breaks that would be over 80 feet between each building. The community gathering spaces would be quality spaces as they go along Kearns Boulevard. They continued with the breaks in mass and scale around the property. He noted they could also see it from the south side and the west side.

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In terms of Building Height, he recalled that during the last meeting, they focused on the area highlighted by the red box in the presented diagram. The question was whether there was adequate landscaping and buffering from adjacent properties and uses. He felt they followed that guidance. Along Kearns Boulevard and Park Avenue, they showed a significant increase in landscape buffering, and they followed the ideas presented through the new Bonanza Park area so that they would create streetscapes.

In addition, they also stepped them back from the property, which tied into the Setbacks and the separations from adjacent properties. He reported that the closest building to this property, which is the Fresh Market, was around 100 feet. Holiday Village was significantly farther from the property.

Mr. Elliott maintained that the additional Building Height resulted in more than the minimum Open Space that would be publicly accessible. Everything shown on the Open Space diagram would be publicly accessible and was 33% more than the baseline required by the Code.

In terms of the General Commercial zone, Mr. Elliott noted that the 20-foot Front Setback could be reduced to 10 feet. He stated that was in places in the FPZ. He noted that this requirement described the nature of what they were trying to do with this Setback because the goal was to move parking underground or behind the buildings and away from the public right-of-way. He stated that the FPZ required a minimum landscape buffer of 30 feet in width abutting the street. The closest point in the proposal was 50 feet, and in some areas, it was 160 feet.

Mr. Elliott noted the purposes and requirements of the FPZ. The purpose was to preserve Park City's scenic view corridors, which they discussed during the last meeting. He felt this proposal followed that purpose. He added that they were preserving and enhancing the rural resort character by creating the landscape buffer. They also minimized the curb cuts, driveways, and access points to the highways, noting that they cut them in half. He added that they moved one access point to a better location that was not so close to either intersection and aligned with the eastern-most parking lot entrance.

In terms of allowing for future pedestrian and vehicular improvements, Mr. Elliott stated that the 50-foot buffer along Kearns Boulevard and the 80-foot buffer on Park Avenue at the corner really met the requirements. He next addressed Lot and Site requirements and underlined in red the items that applied to this project. Regardless of the zone Setback and yard requirements, he stated that no structure should be allowed within 30 feet of the nearest highway right-of-way. He reiterated that the closest point was 50 feet.

He noted the requirement for a Conditional Use Permit for all construction activity in the Setback area between 30 feet and 100 feet and stated they were currently in that process. With respect to the requirement to minimize curb cuts, Mr. Elliott reiterated that they reduced the curb cuts by half. He added that throughout this submittal, they addressed pedestrians and cyclists.

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Mr. Elliott expressed excitement about the connections, the 12-foot-wide multi-use path, and how those would work. At the corner of Kearns Boulevard and Park Avenue, there were some opportunities for improvement and noted that some of that was outside their control. There might be a need for a sidewalk crossing on the south side of that intersection, but that would be part of the City's purview, and they would like a design so that could happen. He noted there was a stick that showed the 42-foot height that is out there today, which he circled on the diagram presented to the Commission. He showed a line at the 100-foot FPZ. He explained that their building would not cover all of that line, the diagram represented the height taken from the parking lot, which was as close to the pathway as he could find. He also took three shots from the intersection of Snow Creek and presented them to the Commission. He also took a picture from the middle of the highway, which he presented to show the height.

In response to Commissioner Johnson's inquiry, Mr. Elliott explained that at the 100-foot Setback, the line on the images showed a Building Height of 42 feet. He reported that these images provided a reference point to illustrate the impacts and the views, as that was discussed quite a bit during the last meeting. They also included an elevation on the Holiday Village building, which he noted was above the height and within the FPZ. He reported that Holiday Village was approved at 36 feet, and from the parking lot, the parapets were at 38 feet.

Mr. Elliott stated the graphic showed 42 feet at Holiday Village and showed what it looked like in comparison. The line shown in the image represented the 100-foot Setback from the property line. He also provided a representation of the size of Block E superimposed on Holiday Village.

Another image was taken at the intersection of Kearns Boulevard and Park Avenue, and represented the 100-foot Setback would be 42 feet high. He stressed the importance of the distance to the nearest buildings and presented an image that showed 100 feet to the property line of Fresh Market.

Mr. Elliott stated that they tried to create street-like elements on the east side and south sides of the project to help the area redevelop as a mixed-use area with retail on the first level and other uses on the upper levels.

Commissioner Suesser asked if there was a visual of the proposal superimposed on top of the image before the Commission. Mr. Elliott felt it was included in prior presentations.

Commissioner Suesser struggled to visualize this because while the buildings were broken up, they were connected into one Block. She asked how tall the additional units were between Buildings B and C. Mr. Elliott explained that they created a street front where the building mass would go up and down and create variety. It would also open up to the south, where they would have access to solar. In terms of Commissioner Suesser's question about height, he stated that the area was 42 feet.

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Commissioner Suesser asked Mr. Elliott to review for the Commission the location of the commercial and retail spaces. Mr. Elliott stated that as they get into the Bonanza Park neighborhood, they get away from the buffer on the perimeter. They tried to make the entire first level an active zone along the sidewalk area, which would create mixed-use. He confirmed that the first floor of the affordable housing building would be retail and office space. Adjacent to that would be restaurant space, with community space on the second floor that would be directly accessible off the main area. Each one of the affordable components would have its' own common area within, which would create an interaction zone.

Chair Hall noted for the record that a Commissioner stepped out briefly.

Commissioner Johnson asked if there was any thought of putting in a small commercial on the first floor by the public plaza to help activate those areas. Mr. Elliott stated they discussed that and in their first submittal they included retail in Block D. He explained that they would want to develop parking along the line of the entrance, which is really close to the intersection. They also looked at something like a coffee shop by the tunnel, but as they developed it they tried to really focus on creating the core interior and developing that out through the rest of Bonanza Park over time.

Commissioner Johnson questioned how they could activate the public plazas from a community standpoint and mentioned a coffee shop or a sandwich shop. Mr. Elliott stated they could look at that and noted that it would not be a bad location in terms of access. Mr. Elliott concluded his presentation. Chair Hall invited clarifying questions from the Commission.

Commissioner Shand sought clarification that the interior of the building was not included in the Open Space calculation. Mr. Elliott confirmed that nothing shown in the ochre color was counted.

Commissioner Johnson asked what the step back was on the west side of Building A. Mr. Elliott explained that Block A was four stories. Commissioner Johnson corrected himself and asked about the little strip of Block B along the street. Mr. Elliott estimated that the step back was more than 10 feet. Commissioner Johnson noted that the more it stepped back, the more it would give a gradual visual from the street level. He added that he appreciated this update with regards to the FPZ, as it was something he struggled with from the start.

Commissioner Frontero sought confirmation of the location of the highest point. Mr. Elliott responded by stating that the highest point would be in Block A and was set at 45 feet. The affordable building would be the next highest at 43 feet, while the other roofs were set at 42 feet. With regard to the diagram before the Commission, Commissioner Frontero understood that the areas highlighted in dark red were the newly added market-rate units. Mr. Elliott stated this represented the reconfiguration of the residential units and expressed that he was comfortable that the areas shown would work.

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Commissioner Frontero noticed that the update increased the market-rate units from 174 to 182. He asked where the eight additional units would be located. Mr. Elliott reported that they would come back with a lower count because when he did the layout, he infilled these sections with one-bedrooms. Before the next presentation, he would come back with two-bedroom units in those locations. He noted that the change was the result of picking up three levels of those units and they removed some of the larger units on the top.

Ms. Lehigh added that the square footage of the market rate units was slightly reduced by 1,000 square feet.

Director Ward commented that the applicant continued to revise the design, so they did not have the final square footage, but as was outlined in the last Staff Report there was 269,749 square feet for the site. She stated they should have that detailed analysis for the September 25th meeting.

Commissioner Suesser asked for clarification on the number of affordable units. Mr. Elliott stated there would be 20 units per floor, resulting in 60 total units. At one time, they looked at five stories but noted that this would work within that configuration. The goal was to design one-bedrooms and studios, which were difficult to find in town. He confirmed that the proposal included 60 affordable one-bedroom and studios combined. He noted the commercial space was by square footage as opposed to units. Historically, a retail unit would be 2,000 square feet and 1,000 square feet for commercial. He felt this proposal had a good balance in terms of how it would interact with the property and the future development of Bonanza Park.

In response to further inquiry from Commissioner Suesser Mr. Elliott reported that the meeting building would be one story, but it would essentially be two stories due to the fact that they would be ballroom spaces. Ms. Lehigh confirmed they would be 20 feet. Mr. Elliott also confirmed that the roof over the bar area would be 28’6” high over the restaurant space.

Chair Hall asked about an elevation for the perimeter of the property and noted the elevation changed from the north. Mr. Elliott did not have the survey with him but noted there was quite a bit of grade change across the parcel, with most of it on the corner. He added that was modified when Kearns Boulevard was expanded and noted that it occurred at Holiday Village and this corner.

With regard to the 12-foot path along the west and north sides of the project, Commissioner Suesser asked if the applicant discussed with Staff eliminating the current public sidewalk. Mr. Elliott reported that they took it out and replaced it with the 12-foot-wide multi-use path. He stated they would install this so that it would reduce the City’s requirements to expand the current sidewalk.

In response to Commissioner Suesser’s further inquiry, Mr. Elliott stated that the distance from the existing curb into the project to get to the bike path would depend on how they

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wanted to approach it. He reported that they originally designed it so that one would come into the site at a certain location but stated that the tunnel would extend the ramp to the location shown with an arrow. They could discuss the appropriate location for that access, but noted they would need to get down close to grade in order to work with the ramps currently designed for the tunnel access.

Commissioner Suesser opined that the bike path interior to the project was not the best community benefit and that bringing that path more directly to the corner of Kearns Boulevard and Park Avenue would be better. She felt it should be more of a public amenity, rather than a project amenity. She did not believe it would be intuitive for people going to the Kearns corner to go up the driveway and so close to the project. She expressed concern about people jumping off the sidewalk there and going into the street or riding across the landscaping to the corner. Mr. Elliott agreed that made sense.

Commissioner Suesser also felt that the main goal of this area was connectivity and making it easy to bike and walk rather than having an Olympic plaza or public art at the corner. She strongly suggested that the priority was connectivity and that should be considered the main direction for that path. Mr. Elliott stated they would look at that and added that the red line in the diagram represented the property line, and it was another five feet or more to the curb; that would also be landscaped but would not count toward the Open Space calculation. He was comfortable bringing this path to the corner if that was the consensus of the Commission.

Chair Hall acknowledged for the record that all Commissioners were present.

Commissioner Sigg viewed this as a residential development that is mixed-use. As a result, connectivity and circulation were very important. He wanted some perspective on the amenity space. He noted that the buffer moat was in the Setback of existing Rights-of-Way, and the General Plan spoke specifically to aspects of connectivity, circulation, and community space. He felt the amenity space could create a tremendous opportunity for increased circulation and connectivity.

With regard to the south building massing, especially above the meeting space, Commissioner Sigg mentioned roof top pools in other areas and wondered if there was a way to create greater connectivity, circulation, and egress for what is now a condominium development. He suggested it might make certain areas, especially along Kearns Boulevard, more accessible. He used the example of getting to the grocery store without having to walk the perimeter of the project. He suggested that perimeter pathways, multi-modal trails, and landscaping within the buffer would be required for any development. He asked the applicant to provide some perspective on that and felt that some repurposing could go a long way to creating better circulation and connectivity for the community at large of these units.

Mr. Elliott stated that the hotel would be a condominium hotel, which was the essence of how hotels were now created. He mentioned The Montage and Hotel Park City. This methodology allows these hotels to be developed and operated, and people coming to a

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ski resort are coming with families and looking to have a different experience. Along with the hotel comes amenity spaces, which would not be included if this were just a condominium development. He stressed it was really a hotel with an ownership component.

Chair Hall appreciated the questions and answers but suggested that the Commission and the applicant stay focused on this agenda item, which is the Building Height exception. She commented that she shared these questions but wanted to stay on topic.

Commissioner Suesser noted there were trade-offs. If they approved the Building Height, they would want to see the other elements of the project. She felt there were some issues with the design of the site that the applicant might want to address at this stage.

Commissioner Sigg was not debating the new paradigm of hotel development. Some of the examples cited, however, did not have interior amenities. He was looking for the potential for an opportunity with that space. He stated they could have buildings that were only 20 feet tall where they could have amenity space in a rooftop condition. He wanted to see if there were opportunities for those types of spaces.

Mr. Elliott explained they looked at dividing the property, which would push everything out closer to the perimeters. It would also not get anyone anywhere through that area, so from a connectivity standpoint, that was part of their analysis. In terms of the Building Height and massing on the south side, he stated they were trying to create the variation described in the MPD process. By opening up that side, it would bring light, air, and solar access to the property. He noted they do not need to have sun in the pool; they need to have it on the pool deck. From the applicant's perspective, that allowed them to create an internal amenity space, which is absolutely required for a hotel. Conceptually, they tried to meet all the desires and needs, and the Building Height criteria.

Commissioner Johnson noted that this revision did not adjust the mechanical equipment and wondered whether the applicant had flexibility in giving more of a step back for the mechanical equipment step-ups. Mr. Elliott stated they could not move the elevator and added they had not yet developed the final details of the mechanical systems. They would want to come back on that, but he noted it was shown on the elevations. He added there were a couple of ways to reduce the impacts of the mechanical, which they planned to do. Commissioner Johnson would like to see that tweaked should they move forward with the design.

Chair Hall opened the public hearing. She reminded the speakers that the Commission was only addressing the exceptions for Building Height in the MPD.

Brad Olch stated this was a super-critical corner. This is a 50-to-100-year project that they only have one shot at. He commented that the applicant has done a really good job but there was an opportunity for the Commission to make the right decision to limit the height. He reiterated this was a critical corner for Park City, and once the decision is made they will all have to live with it for the next 50 to 75 years. Mr. Olch inquired of the

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developer whether they flew any balloons so that people in the community could see the actual height contained in the proposal. He also asked what was allowed in the Code without getting the variance. He requested that if the applicant had not flown balloons that they do it more than once to allow more people to see them.

Andrew Marwick referenced Commissioner Sigg's comments regarding a pool deck on the roof; he has a condominium in Phoenix that does not get any sun between mid-November and February, and this would be even worse. Moving the pool to the roof should be looked at to increase the value of the property. He also mentioned that the affordable housing building on the southeast part of the property was well away from both Park Avenue and Kearns Boulevard, and he felt they should look again at adding another 10 to 11 feet of height to an area no one would really see from Park Avenue or Kearns Boulevard.

Mr. Marwick felt that another 10 to 11 feet and 20 additional affordable housing units would help, and mentioned the traffic coming into Park City at 8:00 a.m. He stressed that they really needed to cut that traffic back and have more affordable housing in Park City.

Mark Fischer resides in the 84060-zip code and spoke in favor of the project. He closely followed the Engine House project adjacent to The Yard, and that project would be 50 feet high with a five-foot parapet on top of a 45-foot building. He felt that would set a benchmark for the area. Mr. Fischer felt that 10 feet to get a wonderful project like this, with $200 million in development in Bonanza Park was vital. He requested the Commission consider granting the variance sooner rather than later so the applicant could drill down on the design. As a developer himself, he reported that they could not really finalize elements like pool decks unless they know the decision. He felt it would be a wonderful next step to approve this item so the applicant could get to work.

Bill Coleman noted that several Commissioners registered the legitimate concern that they would deal with the height before addressing the rest of the project. He opined that the process was a huge mistake and reported that the opinion was shared by those who put together the FPZ and everything they were considering. He stated that one offset the other and that they must look at this project holistically. To act on anything less than that would be a mistake and probably not appropriate. If there was a way to deal with this as a whole, Speaker Coleman stated the Commission would then look at the balances. He questioned whether the other elements meant anything if they were only looking at the height. When the Commission acts on this, Mr. Coleman urged them to act on it as a project and not as separate silos that make no sense. He felt they would set a terrible precedent by not proceeding in that manner.

Jason Glidden from Mountainlands Community Housing Trust stated that he has spoken a lot about the dire need for affordable housing, and this was a fantastic location for it. He would hate to see them argue over a couple of feet and kill a project that would deliver affordable housing where there was currently none. Mr. Glidden expressed hope that the Planning Commission would continue to consider this project and work with the applicant,

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and not let this project die. He urged the Commission to find a solution that would work for everyone.

There was no further public comment. Chair Hall noted that public comment would be continued along with this Agenda item to September 25, 2024.

Chair Hall asked Staff to present the LMC criteria for the height exception for an MPD. She again urged the Commission to stay on topic and noted that she was given this specific Agenda item and Staff Report. She agreed that holistically this issue touched on many other aspects but would like the requested height exception to be the focal point to which they tie all of the comments and questions to the LMC.

Director Ward clarified that Staff was not requesting a vote on height, as that was not publicly noticed; rather, this is a check-in. She stated this was a holistic review; however, in order to approve the height, the Planning Commission must make the six findings, and the burden of proof was on the applicant. They had been reviewing this project for nine months, but the Building Height had been the one major concern in the FPZ. They now have revised plans, and there were still some elevations under height, and there were elevations proposed to be over height. With the overall massing, she stated it would be really helpful to have that discussion and direction.

As far as the massing of the height and location on the site, Director Ward invited the Commission to express what they would like taken into consideration so they could prepare for September 25. She noted that the discussions about commercial activation and locations, and the deep dive into those elements of the Site Plan would begin on September 25th, but if Staff could get clear direction as far as the massing and the bulk and where it is located on the site, it would help them to prepare and move the project forward holistically.

Commissioner Johnson stated that there were a lot of components to the project that they still needed to review, but conceptually he liked what the applicant had done by moving the height exception outside of the FPZ. He found that brought it more into compliance with the LMC. He acknowledged the Commission still needed to go through the six criteria; however, he felt there was definitely a path forward for him to look at the project as a whole. Commissioner Johnson stated he was not giving the applicant the green light but expressed that they were finally at a spot where they made the adjustment. Commissioner Johnson wanted to see what the Elliott Workgroup would do with more time, especially in terms of the transition to the new step back and up, as well as the mechanical equipment and any flexibility with the penthouse. With the 50-foot step back, going up another 10 feet on Building D would really soften the visual impact along Kearns Boulevard, which he liked. He felt it would narrow through Buildings C and B. Visual impact slides and photo simulations would be helpful moving forward. Commissioner Johnson stated the Commission still needs to look at many project components to review this application. From a height standpoint, he was okay to proceed.

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The applicant's attorney, Justin Keyes stated that during the last meeting, one of Commissioner Johnson's comments was that the applicant did not meet Criteria 3 and 4 in terms of Setbacks. Commissioner Johnson recalled that he only referenced Criteria 4. Mr. Keyes commented that it would be helpful for Commissioner Johnson to provide feedback on that Criterion specifically related to the southeast corner.

Commissioner Johnson stated that the applicant made the adjustments, which was why he did not reference that here; however, he felt that in an ideal world, he would like to see a little more. He mentioned there were two public plazas, which were community benefits and wanted to know how they would activate those areas. He also mentioned it would be great to have something functional in the affordable housing building.

Mr. Keyes thanked Commissioner Johnson for his feedback and noted the proposal was at 49 feet on the southeast corner, and obviously, they would not have 49 feet of sidewalk, as they would activate that. He wanted to make sure the proposal would meet these criteria. He understood that Commissioner Johnson was not ready to give a green light and noted that the Commission had the discretion to not give the green light even if the applicant met the criteria. Mr. Keyes would like to take away from today that this proposal at least met the six criteria. He stressed that it would be really helpful for the applicant if the Commission expressed that while there was a lot more to see before it could exercise its discretion but determined that the proposal met the criteria.

Commissioner Johnson expressed his opinion that the applicant was really close to meeting Criterion 4. As they look at the south side of the project and the link to the first-floor commercial, he would like to see how that flowed and how much space there would be from the adjacent property. He recalled making a comment regarding the east side sidewalk that they have the loading dock, but there really was not enough space to install a hammerhead, and they would have to get an easement through the adjacent property. Seeing how that would flow was still needed. Mr. Elliott felt this was reasonable and reported that the goal was to meet the ideas in the Bonanza Park Plan, as well as the underlying Master Plan.

Commissioner Suesser felt the project did not meet Criterion 3. She did not find that the south part of the building and the east part of the building would provide enough of a landscape buffer from adjacent properties and uses. LMC Section 15-6-6 referenced the highest value for Open Space, and Section 15-6-5(D) provides that the Planning Commission could designate the preferred type and mix of Open Space for MPDs. She stated that in terms of how the proposal allocated the Open Space, they still needed more landscaping and a greater buffer on the south and east portions. She mentioned she would like to see a plaza on the south side to help activate the area since the plazas on the north side of the building were unlikely to be utilized by the public. She noted the public plaza directly across the street on the Kearns corner that was not well utilized by the public, and it would get more sun than the proposed plazas.

Commissioner Suesser expressed that the two proposed plazas on the north side of the project looked to be for access to the units, which was nice for the units. She felt it was

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like a large patio for the units rather than a true public space that would be programmed and activated. She felt the plazas would not get much sun and were very disconnected from any commercial space. Someone getting a cup of coffee would not walk around the entire project to sit in those plazas. Considering these plazas a public amenity was, to her, a bit of a stretch.

Commissioner Suesser opined that the proposal does not meet Criterion 3 in terms of the trade-offs to get the Building Height exceptions.

Director Ward sought clarification from Commissioner Suesser that she referenced Building E when she talked about inadequate landscaping and buffering on the south side. Commissioner Suesser clarified that she was referencing the south perimeter and the east perimeter, in full.

Commissioner Shand liked the previous design but liked the revised design even better. He noted that he had thought a lot about this project since the last meeting and was focused on the 100-foot Setback and how it came to be. He found the wisdom in the LMC because none of the other buildings along Kearns Boulevard and Park Avenue comply with the 100-foot Setback; however, the LMC provided the Commission with the six criteria. Even though he felt the 100-foot Setback could have been a 90-foot Setback or a 120-foot Setback, the Code landed on 100 feet, with the six criteria.

Commissioner Shand was looking at the project holistically. He loved the fact that the proposal took all of the parking from around the perimeter of The Doubletree and put it underground. He also appreciated the landscaping on the north and west sides and agreed that the south and east sides could be improved. He remarked that the applicant met all six criteria to varying degrees. He was not as concerned about the south and east sides because they essentially abut a parking lot; however, he would like to see renderings of the commercial frontage area where there might be room to sit outside of a coffee shop. He noted that people would like to hang out outside, especially during the shoulder seasons.

Commissioner Shand liked the revised proposal and noted there was always room for improvement. He wanted to make it clear that he was not necessarily in favor of the new design because it is better than the existing; rather, he was in favor of this design because he felt it was a good design. Pretty much anything would be better than what was currently on this property.

Commissioner Frontero commented that the revised proposal was an improvement and met most of the six criteria. He agreed with Commissioner Suesser on Criterion 3 and felt the landscaping and buffering could be improved. He also found that the two bump outs on the north side, discussed, as being programmed for public use, would likely not be the actual use. He noted there was no commercial space to get coffee, adding that no one used the Olympic Plaza across the street as it was too noisy and too busy. Commissioner Frontero questioned why anyone would use the proposed areas because

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there would be no coffee shop. He felt the north side of the project needed a purpose other than just patios and more thought needed to be put into how to activate those areas.

With regard to the south side, Commissioner Frontero found there was a very narrow strip along the edge. While he did not feel as though the entire strip needed to be widened, a 12-foot bump out for a place to sit could make that more community-oriented and a place for people to sit and gather.

In terms of height in general, Commissioner Frontero stated it was hard to just pull that out and comment on it; however, the revised proposal was a great improvement because the applicant took the height out of the FPZ, and they did not add significant height throughout the rest of the project.

Commissioner Frontero remarked that the applicant was on the right path in terms of height, but he would like to see better landscaping to allow him to become more comfortable with Criterion 3.

Commissioner Van Dine agreed with the comments of Commissioner Frontero and Commissioner Suesser regarding the small cutouts on the north side. She did not believe they would be usable spaces. She appreciated the height being taken out of the FPZ, but still felt Buildings B and D created a wall effect. She always wanted that height to be pulled back to the other side of the development. She was not in favor of any height exceptions except for the building that would provide affordable housing.

Commissioner Van Dine appreciated the applicant's efforts and her concerns were lessened with the changes. She was interested in seeing how the height would contribute to the architectural variation. Building B was still at 50 feet in height, with mechanical. The three buildings in the front still caused her to struggle because she did not favor any height exception on that side of the property in that entry corridor where it is most visible. Overall, the project had come a long way, and she was looking forward to seeing more.

Commissioner Sigg agreed that the project had come a long way and was generally in favor of taller buildings that were out of the FPZ and stepped back. He reported that helped to mitigate the impact on the entry corridors and the view corridors, and the applicant had done a very good job in that respect.

He liked the fundamental flow and configuration of the Site Plan. He reiterated that the site needed to be looked at holistically and he would like to see better circulation and a greater effort to potentially make that access to the south. If they have that, then the north could become more relevant because coming in from multiple points would lead to a greater verification of the vision that the Bonanza Park Plan was trying to accomplish. He stressed that the flow of how this becomes a livable space would become better. He would like to see potentially repurposing some of the rooftop areas, which is very common in today's development world where land is scarce. It could still be amenity space versus private space.

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Commissioner Sigg also wanted to utilize the interior because that could become a very interesting space. He mentioned Prospector has corridors in the back that for a long time went unused, and now they were starting to activate. The opportunity for activating the north could be enhanced with better connectivity. He felt it was great that they were talking about the potential tunnel, but he cautioned that it was not there yet and there were a lot of jurisdictions involved. To make that northern space better activated, there needed to be better connectivity and a better circulation flow through the project, which he believed could be pretty easily achieved. That would go a long way to convincing him that the heights made sense.

Commissioner Sigg agreed with the public comment that workforce housing could justify another floor because that building is in the back and well outside of the FPZ. The more the spirit of Bonanza Park they could incorporate, other than the perimeter existing roads, the better. He stated that the applicant was headed in the right direction, but he would like to see more circulation and connectivity internally. He stressed that this project could potentially have 160 individual owners who elect not to rent their units.

Chair Hall would not find that the application, as proposed, complied with the six criteria, although she was very appreciative of the modifications wherein there were no requested height exceptions in the FPZ, and Building A was moved out of the FPZ. She referenced Elevation 1 and did not find drastic architectural variation. As she looked at Criterion 6 (transition and roof elements), it seemed to just be a wall of at least over 40 feet and in some places close to 50 feet.

Chair Hall agreed with Commissioner Suesser, Commissioner Frontero, and Commission Van Dine that there is not adequate landscaping and buffering on the south and east sides. She mentioned Criterion 4 in this regard. She also agreed with the comments regarding the activation zones by Buildings B, C, and D, in that if they were purely residential they would not seem to be publicly accessible.

As the other Commissioners expressed, Chair Hall felt this was the first time they looked at proposed plans where the applicant heard the concerns and was very appreciative of the modifications made. She felt that everything within the FPZ was a great adjustment.

With respect to Commissioner Sigg's comment about adding another floor for affordable housing, Commissioner Johnson made it clear that he was not looking for additional height to be shifted into other parts of the property at this point. His comments were purely based on the heights provided during this presentation.

Commissioner Suesser agreed with Chair Hall's comments, including issues with Criterion 1 (architectural variation) and Criterion 5 (publicly accessible Open Space). She also agreed with Commissioner Johnson's comments regarding additional height and stated she was not in favor of adding additional height to the affordable building. She was open to possibly shifting some of the commercial space to the first floor of the meeting building or the restaurant building and putting more affordable units in the affordable building.

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Commissioner Suesser agreed with all the comments regarding activating the commercial space with more publicly accessible space and creating more vibrancy with better circulation around this project consistent with the goals in the General Plan for this district.

Mr. Keyes stated that Commissioner Sigg raised a wonderful point and stated they considered an additional floor of affordable housing and wondered if there was interest from the Commission in seeing that in a future proposal. He requested a quick poll from the Commission.

Commissioner Van Dine agreed with Commissioner Johnson and Commissioner Suesser and was not in favor of extra height for more affordable units. Commissioner Shand and Commissioner Frontero both agreed as well.

Commissioner Sigg expressed support for affordable housing.

Director Ward stated that Staff had clear direction to prepare for September 25. Mr. Keyes appreciated the Commission's feedback and stated they were still in purgatory but hoped at some point they would come out and find the light. He added that they were listening and trying to make it work. Mr. Keyes did not hear anyone say that 45 feet was out of the question, but that the Commission would like to see some of these other issues in order to say that the criteria was there.

Chair Hall was not convinced that 45 feet at the 100-foot mark was appropriate. Commissioner Suesser agreed and stated it could be appropriate if there were sufficient trade-offs.

MOTION: Commissioner Van Dine moved to CONTINUE 1800 Park Avenue – Park and Kearns Master Planned Development, and the public hearing thereon, to September 25, 2024. Commissioner Johnson seconded the motion.

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

Following a short recess, Chair Hall called the meeting back to order.

B. 1300 Snow Creek Drive - Minor or Substantive Determination for a Modification to a Master Planned Development - The Applicant Proposes to Construct 13 Additional Parking Spaces in the Snow Creek Master Planned Development in the Residential Development-Medium Density Zoning District and Regional Commercial Overlay. PL-24-06212.

Nick Tamburrino from GPD Group identified himself as the Engineer of record. Cheryl Lee from Rivian identified herself as the lead Project Manager. City Planner, Jaron Ehlers stated that the Property Manager, Kent Gibson, was also present.

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Planner Ehlers reported that this application was for a modification determination for the MPD at 1300 Snow Creek Drive. He presented a graphic that illustrated an overview of the site along with an outline of the parking in the six main lots. The graphic also showed the proposed location of the new parking and Electric Vehicle ("EV") Charging Stations. He presented an image of the proposed Site Plan and explained that the dotted area depicted what would be modified. It showed the inner median, the chargers, the outer median, and the electrical area.

In 1993, the MPD was approved, and in 1995 a Building Permit was issued and the Subdivision recorded. Planner Ehlers reported that in 2001, Lot 6 of the MPD was modified from a restaurant use to the existing drive-through bank. In 2006, the liquor store was put in. In April 2024, the Planning Commission determined that the prior parking change was a Minor Modification, and in July the Planning Director issued the Administrative Permit approval.

Planner Ehlers reported that this project is located in the Residential Development – Medium ("RDM") and Regional Commercial Overly ("RCO") zone. The proposal was for 13 new parking stalls, as well as two new fast EV Chargers, one of which would be for electric trailers. Combined with the prior approval, this proposal would bring the total amount of parking spaces on Lots 1 – 4 to 364 stalls. The EV Chargers would be able to be used by the general public. In terms of the criteria for Minor versus Substantive, Planner Ehlers explained that Staff determined that this would be classified as a Minor Modification. Staff concluded that Phase 1, which was the parking for Lots 1 – 4, was capped at 365 parking spaces. This, combined with the entitled parking would bring the total on those four lots to 364 approved parking spaces.

With regard to off-street parking and traffic, Planner Ehlers stated that this parking was already allocated by the MPD, and there were no changes in use or square footage that would increase parking demand. This proposal would not affect the Open Space parcels, and the remaining Open Space would still comprise 46% of the entire Snow Creek MPD. Staff recommended that the Planning Commission review the modification and determine whether the modification was Minor or Substantive.

Commissioner Johnson requested Planner Ehlers show the definitions of Minor versus Substantive. Commissioner Johnson sought clarification of the Open Space, given that the Minor Modification definition states that it would not reduce the Open Space. He questioned how the Open Space was allocated throughout the project in the original approval. Planner Ehlers stated that landscaping was approved, but the specific landscaping was not.

Commissioner Johnson asked if the parking lot landscaping counted towards the overall Open Space with the original approval. Planner Ehlers answered in the affirmative and stated Staff's determination was based on the determination previously made by the Planning Commission that as long as it stayed above the required amount, it would not hit the Substantive threshold because there was some Open Space being removed as part of the prior approval. Planner Ehlers confirmed that by "prior approval," he was

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referring to the previous Administrative Permit. Commissioner Johnson understood that removed minimal landscaping.

Commissioner Suesser mentioned a slide that showed the other landscaping that was being removed in addition to this. Senior City Attorney Mark Harrington stated that was on page 7 of the Staff Report. Commissioner Suesser asked what was driving the request for the additional 13 parking spaces with charging stations.

Ms. Lee stated the plan was to add the charging stations, but they did not want to remove non-charging stalls from the property.

Commissioner Frontero asked the applicant how many of the additional spaces would be EV Charging Stations. Ms. Lee replied that of the 13 new spaces, they would have 12 EV Chargers, but half of those would take existing spaces and half would be new spaces.

Planner Ehlers also clarified that this was a separate application on the same property. Rivian was not the applicant for the previously approved parking spaces. Ms. Lee confirmed.

Mr. Gibson explained that Rivian came to the property owner almost two years ago and inquired if they would be allowed to install EV Charging Stations on the property. Because of the owner's existing parking difficulties which they brought before the Commission, they told Rivian that if they wanted these spaces the property owner would support that request because they understood the City encouraged EV Charging Stations. The owner would not be paying for these stalls and was not a party to this application. One of the property owners' initial concerns was that these EV Charging Stations would be exclusively for the Rivian vehicles; however, Rivian worked with Staff and solved that issue so that the EV Chargers would be open to everyone. He reiterated that the property owner was willing to support this application.

Commissioner Frontero found this to be a Minor Modification as it was a roughly 3.5% increase in the total parking.

Commissioner Van Dine agreed and commented that overall, the proposal stayed above the minimum Open Space threshold.

Commissioner Sigg agreed this was a Minor Modification and asked if the EV Charging Stations were generic. Ms. Lee stated they would be Rivian-manufactured charging stations, but they would be open to any and all-electric vehicles. She confirmed they were rapid chargers with six power cabinets, with each power cabinet supporting 300 kW charging.

Commissioner Suesser asked about the purpose of trailer charging. Ms. Lee stated that with regard to the Rivian vehicles, many customers use their vehicles to tow their adventure toys. It was difficult to charge a vehicle towing a trailer in a standard EV Charging Station. Therefore, the trailer stalls were vital to their customer base to have a

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seamless charging experience. She confirmed that it was not to charge the trailers; rather, the trailer charging stations would be configured so users would not have to unhitch their trailers.

Commissioner Johnson felt this was a substantial modification because it would remove a pretty significant chunk of Open Space and landscaping. He would be interested in seeing the entire Open Space now as compared with the previous approval in 1994. He noted the prior application would pump out more of the landscaping, Silver King already took out a chunk of landscaping within that project, and this was an entry buffer from the adjacent property owner.

Commissioner Suesser agreed with Commissioner Johnson. She added that a Parking Analysis should be done before any more changes to the parking were allowed because some parking was not strictly for the shopping center, and it should be analyzed and regulated before another chunk of Open Space was taken out, particularly for charging stations. She was supportive of the City installing Charging Stations to promote electrical vehicles around town, but she did not find they were particularly necessary for locals. She felt tourists utilized them heavily. She reiterated that she would like to see that analysis before they start adding a substantial amount of Charging Stations.

Commissioner Suesser also agreed that this proposal would remove another significant chunk of Open Space that would be sorely missed in this parking area.

Commissioner Shand leaned toward finding this to be a Minor Modification. He understood the reduction in Open Space.

MOTION: Commissioner Johnson moved that the 1300 Snow Creek – Application to Add 13 Parking Stalls be deemed a Substantive Modification. Commissioner Suesser seconded the motion.

VOTE: Commissioner Van Dine – No; Commissioner Johnson – Yes; Commissioner Suesser – Yes; Commissioner Frontero – No; Commissioner Sigg – No; Commissioner Shand – No. The motion failed 4-to-2.

MOTION: Commissioner Frontero moved that the 1300 Snow Creek – Application to Add 13 Parking Stalls be deemed a Minor Modification. Commissioner Van Dine seconded the motion.

VOTE: Commissioner Van Dine – Yes; Commissioner Johnson – No; Commissioner Suesser – No; Commissioner Frontero – Yes; Commissioner Sigg – Yes; Commissioner Shand – Yes. The motion passed 4-to-2.

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C. 121 Sampson Avenue - Steep Slope Conditional Use Permit - The Applicant Proposes to Construct a New Single-Family Dwelling on a Steep Slope in the Historic Residential Low-Density Zoning District. PL-24-06149.

Director Ward introduced New City Planner, Meredith Covey, who joined the Staff in March. She reported that Planner Covey serves on the Historic Preservation team and did a lot of work in the Historic Districts. Planner Covey reported that 121 Sampson Avenue was located in the Historic Residential – Low Density ("HR-L") Zoning District. She presented a graphic that showed the property outlined in yellow. She explained the applicant proposed a new Single-Family Dwelling. The applicant provided a Slope Analysis that showed the average Lot slope of 35 percent. The steepest slope within the Building Footprint was 55.56 percent. As a result, this proposal required a Steep Slope Conditional Use Permit ("SSCUP").

Planner Covey reported that this proposal was compliant with Lot and Site requirements and setbacks, and the Building Footprint was proposed to be 2,233 square feet. The proposal was also compliant, as conditioned, with Building Height, as it would be 25 feet from the Existing Grade. She stated the applicant also submitted a topography map in the proposed plans. The applicant would be required to reduce the chimney height to a maximum of 5 feet.

Planner Covey also mentioned that the proposal was compliant, as conditioned, with Interior Height, as it would have a maximum of 35 feet. The applicant would be required to update the roof pitch to comply with the 20-foot minimum horizontal length. The proposal was also compliant, as conditioned, with the SSCUP requirements, including the building location, form, and scale. As far as visual analysis, she presented the cross-canyon view and the view from Sampson Avenue. She reported that the proposed Single-Family Dwelling would be one-story when viewed from the right-of-way at Sampson Avenue, and then would step down the hill in a manner to break up the massing. The applicant proposed nine retaining walls that would all be less than four feet in height.

In terms of the building form and scale and building location, Planner Covey reported that Staff recommended a Condition of Approval that the applicant shall modify the plans to include a single-car wide tandem garage with one access driveway to meet some of the criteria from the SSCUP. Additionally, the garage shall be subordinate in design, and parking and driveway areas shall be minimized and provide variation of the front yard. She presented some renderings provided by the applicant that showed the massing and form of the building and how it stepped back as it goes down the hill.

Planner Covey highlighted some of the Conditions of Approval as follows:

- Retaining walls cannot exceed the height approved as part of the SSCUP without modification.
- Retaining walls need to be screened accordingly to minimize their visual impact.
- The applicant must obtain an encroachment agreement with the Engineering Department for driveway access.

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- Existing vegetation on the site shall be protected to the extent possible.
- The garage shall be subordinate in design to the main building.
- The applicant shall submit a plan to protect the water line on the downhill side of the Lot during construction.
- The applicant shall modify plans to put a single-car wide tandem garage.
- The applicant shall update the roof to occupy a minimum horizontal distance of 20 feet.
- The applicant shall update the plans and reduce the chimney height to be up to 5 feet above the highest point of the building.

Commissioner Suesser asked for a diagram or image regarding the requirement to include a single-car wide tandem garage. Planner Covey stated they did not have a rendering and that was a Condition of Approval. Planner Covey confirmed that the applicant proposed two single driveways to a double garage, which was depicted in the renderings.

On behalf of the applicant, Architect Jonathan DeGray stated that the applicant had an issue with Item 23 in the Conditions of Approval. The initial application and drawings were prepared in June, and it was only within the last few weeks that Staff reported they would propose a tandem garage. The Applicant felt that a two-car garage was more appropriate in this instance.

Planner Covey reported that Staff recommended the tandem garage in order to comply with some of the SSCUP criteria. Director Ward stated that Staff had been meeting with Applicant for several months, and in addition to the SSCUP there was also a Historic District Design Review ("HDDR") application, and in Historic Districts the Code requirements for new infill strongly encouraged the single-car garage and tandem parking where possible. Staff looked at the Historic District criteria for this application as well as the SSCUP criteria outlined by Planner Covey. As part of those criteria, the garage must be subordinate in design to the main building.

To decrease the perceived bulk of the main building, the Planning Commission may require a garage separate from the main structure, or no garage. Director Ward stated that in trying to give more of a residential presence on Sampson Avenue with the reduction of the garage and the cars on the site, Staff recommended the tandem garage.

Mr. DeGray explained that in the context of the entire neighborhood, the side-by-side two-car garage was more in context. The tandem configuration would extend the roofline out another 10-15 feet and create another element on the roof that would have to be approved through the exception for a garage on a downhill Lot in the HR-L zone. He presented a slide that depicted the survey confirming the width of the Lot was 60 feet. He stressed that they were not talking about a 25- or 37.5-foot-wide Lot where a single-car garage would be a very appropriate approach.

In the HR-L zone, there are wider Lots, and Mr. DeGray stated because of that they felt the proposal was in keeping with the neighborhood. He presented the rendering

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previously presented to the Commission that showed the proposed front elevation along Sampson Avenue with the two-car garage and the 10-foot driveways with an 18" buffer in between.

Mr. DeGray recommended that the Code allow this type of garage and referenced Section 15-13-8, Regulations for New Residential Infill Construction in non-Historic Residential. He pointed out that Item 7 provided that new driveways shall not exceed 10 feet in width. For an approved two-car garage, driveway access may be provided in one of two ways. He stated this application proposed the second of these options, which was one maximum 10-foot-wide curb cut and one maximum 10-foot-wide driveway that was allowed to access each of the two garages. He also mentioned the provision that required separation by an 18-inch landscape buffer. He argued that based on the Code, this design was an approved application, and within the context of the neighborhood, this would fall in quite nicely.

Mr. DeGray also showed a slide that illustrated other residential homes in the HR-L zone with side-by-side garages. Of the 38 total residential units, 21 had side-by-side two-car garages. He presented a further slide that showed homes with two-car garages. He reiterated that this proposal met the requirements of the LMC and would provide the other applicable offsets. With respect to the Site Plan, Mr. DeGray presented a graphic and explained that they proposed to improve Sampson Avenue approximately five feet into the property to allow for greater width in front of the property for vehicles to pass on Sampson. He stated they were taking the opportunity to provide improvement along the frontage of this property to allow for a better turning radius and improve the circulation along Sampson Avenue. He showed an image of the property directly to the north of 121 Sampson Avenue to address the concerns about Side Setbacks. He explained the proposal included a 9-foot Setback on the north side of the property and a 5-foot Setback on the south side for a total of 14 feet, as required by the Code.

The Setbacks on the property to the north had already been determined by a Planning Director determination, and the Side Setbacks on that property were 10 feet. Therefore, there would be a total of 19 feet between the two properties. He mentioned that the survey located a substantial tree that is just to the north of this property. On the south side, Mr. DeGray explained that they proposed a 5-foot Setback, and the adjoining property had a required Side Setback of 10 feet, and the home was set back further than that. Looking at 121 Sampson Avenue from the street, they sited it so there would be approximately 20 feet of Open Space on either side based on the Setbacks.

Commissioner Johnson noted that some of the photographs presented by the applicant showed a single-wide entry that dropped into a double garage. When he considered Section 15-2.1-6(B)(3), they want to minimize the access width, and he requested further input from the applicant. Mr. DeGray stated that under Item 7(1) there would be the 12-foot driveway, and while they looked at that, they decided to go down this road with two separate driveways with the landscape buffer as a viable solution. It was confirmed that the Design Guidelines required the landscaping buffer.

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Commissioner Van Dine referenced number 2, which requires parking areas and vehicular access to be visually subordinate to the character, defining streetscape or character area elements. She felt that they were trying to avoid having the garage look like part of the main house. She agreed that the appearance of the house looking more like a garage than a house was a problem.

Mr. DeGray stated there were ways to mitigate that. He mentioned going back to the 12-foot centered entrance and looking at using a concealed garage door, which would be sited to appear as a wall of the home. He proposed to have that in the middle so that it would visually look like one door. He reiterated that the side-by-side was a much more viable solution on this Lot. They have the width, and the context was appropriate for the neighborhood. It would also avoid the tandem, which requires a 36-foot-deep garage; the proposed garages were 22 feet deep. This proposal was visually a much better solution.

Director Ward clarified that the recommendation was not necessarily to extend the garage back, but to satisfy one of the parking spaces in the driveway. With respect to the applicant's slide showing the other homes with two-car garages, she would like to determine the year that those homes were built. She added that they receive a lot of driveway replacement applications, and over time they were trying to reduce the pavement in the front of residences in the Historic District. The solution for reducing the pavement was to provide a way for homes that already had a two-car garage to reduce that impact and improve it with increased landscaping. The underlying Code was still outlined in the Historic District requirements and the Steep Slope criteria for new construction looking forward.

Commissioner Suesser noted that one of the comments in the public input was to encourage the applicant to place the home equidistant on the property from the neighbors to decrease the impact of the size of the home directly adjacent to another sizeable home. She requested Mr. DeGray address why they put this home 5 feet from one neighbor and nine feet from the other.

Mr. DeGray stated that looking at the neighbors' setbacks and adding them up they wound up with about equal distance that is approximately 20 feet between the buildings. He acknowledged that if they entered the building, it would not make a lot of difference, but he looked at the entire site to try and create equal Open Space on either side.

Commissioner Shand referenced Figure 12 on page 16 of the Packet and asked about the area on the left-hand side. Mr. DeGray stated they took the image from the street as a panoramic view, which is why it looked curved. The existing site had a concrete pad that used to go onto an elevated parking structure, and the area referenced by Commissioner Shand was a remnant of that concrete slab. Mr. DeGray confirmed that the remnant of the concrete slab would be removed.

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

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Commissioner Suesser asked if there was an image of the Significant Vegetation on the site. Planner Covey stated an image was included as Exhibit F in the Packet. Mr. DeGray stated the site was leveled when the existing home was removed a couple of years ago, and there were two clumps of Box Elder on the north side, with a small Aspen at the bottom. All of the other vegetation shown in the images were on the adjacent properties and would not be disturbed by this project. Mr. DeGray noted that the power poles were also off this property.

Commissioner Suesser asked if there was a depiction that showed the 27 feet from Existing Grade to the height of the building. Planner Covey presented a slide from the proposed plans that showed the measurement from Existing Grade to the top of the roof ridge at 25 feet. She pointed out the point of measurement at Existing Grade. Mr. DeGray added that the 27-foot mark was the dashed red line above the roof that followed the topographic line.

Commissioner Johnson observed that when he visited the site, it looked pretty disturbed and already showed some excavation. Mr. DeGray stated it was previously excavated and explained that they interpolated the natural grade and those were represented by the red lines on his Site Plan.

With respect to the image from page 23 of the Packet, Commissioner Suesser requested Mr. DeGray explain where he measured from Existing Grade. Mr. DeGray stated it was from any point on the grade that is either natural or disturbed; whichever is more restrictive up 27 feet to create an envelope over the entire property.

Commissioner Suesser pointed out that the slide with the dashed red line seemed to cut right under the double window on the higher level, whereas the image on page 23 showed a more excavated side. Mr. DeGray stated the height line on the south side was 27 feet off the grade line based on the topography. With regards to the north elevation, with the bend in the topography, this elevation was closer, and the topography lines did not go down the hill equally; rather it was skewed so they were higher than on the south side. He stated that the heights were compliant, and as you go further back you start looking at roof over topography and measuring the 27 feet from that point.

Chair Hall observed that the driveway was one of the critical issues for this application, and suggested circling back on that to get consensus one way or the other. She asked Staff to pull up LMC Section 15-13.8(B)(1)(h). She stressed that she would like to get to the end of the Agenda, and noted they had a big Agenda Item at the end.

Commissioner Van Dine stated that the Code was written for new infill for a reason, and that was to make sure they were not promoting double-wide garages with a subordinate building next to it. She stated that Condition of Approval 23 should remain. There was consensus, with Commissioners Johnson, Suesser, and Sigg expressing agreement.

Commissioner Frontero also agreed and referenced LMC Section 15-13-8(B)(6)(e)(2), which states that single-car wide tandem garages were recommended for new residential

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infill in Historic Districts and side-by-side parking was strongly discouraged. He considered it to be a very strong part of the Code that he would like to enforce in this application. Additionally, he referenced LMC Section 15-2.1-6(b)(6) that a garage *must* be subordinate in design. He felt the drawing that showed the two-car garage took up at least 50% of the building that would face Sampson Avenue.

Commissioner Frontero found that Staff's recommendation of a single-wide driveway and a single garage was appropriate.

Commissioner Shand stated up to that point, he possibly considered a double-garage door with a 12-foot-wide cut that would expand to accommodate the two garage doors. He understood the architect's point that a tandem garage would push it back into the house and disrupt the profile of the home. He stated that a two-door garage with a 12-foot cut would open the opportunity for a lot more landscaping in the front to disguise the second garage door. Commissioner Shand stated he could go either way on this issue. Mr. DeGray asked if there was any room to send this back to Staff to see if they could work out a solution. Chair Hall noted they could continue this item.

Director Ward asked if the Commission found that there could be mitigations and stated that the idea of camouflaging a garage door would still require the driveway, so she was not sure how much that could be mitigated. However, if the Commission would consider some flexibility in the massing of the garage in comparison to the residence under the SSCUP criteria, then they could continue this item.

Commissioner Frontero stated there was no reason to continue this item as he was sternly following the two Code sections he referenced. He did not see any mitigation that could get him on board with the applicant's proposal. Commissioner Suesser agreed.

Chair Hall stated they could have a motion to continue, a motion to approve, or a motion to deny the double garage. Director Ward confirmed that those were the options available to the Commission.

Commissioner Shand asked if the applicant could decline a vote if they did not want a vote at this point. City Attorney Harrington stated this item was on the Agenda for a vote. The applicant could withdraw the application prior to a vote and request a continuance, but the continuance was at the discretion of the Commission.

Commissioner Suesser felt that Staff had worked with the applicant and came up with this Condition of Approval 23 with a single-car garage that would include a parking space in the garage and a parking space on the driveway. She expressed that sending this back to Staff was an inefficient use of time.

Commissioner Sigg stated that with the encroachment into the height restriction that it would be difficult to mitigate this, even with a re-design. He was inclined to go with a single garage with the exterior parking space.

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Mr. DeGray asked if the two-car garage was off the table as set forth in Condition of Approval 23. He understood that the tandem layout would require the applicant to come back before the Commission for a height exception for a garage on a downhill Lot.

Director Ward clarified that the tandem with a driveway was also a possibility. She stated that Staff recommended a single-car garage with tandem parking was the intention of Condition of Approval 23. Mr. DeGray commented that this would be a single-car garage for a nearly 6,000-square-foot house with five bedrooms on a 60-foot Lot in HR-L zoning. Commissioner Suesser noted that the property is on a Very Steep Slope.

Commissioner Johnson asked Director Ward if she suggested an amendment to Condition of Approval 23 to state a single-car garage with tandem parking on a one-access driveway.

MOTION: Commissioner Johnson moved to APPROVE 121 Sampson Avenue – Steep Slope Conditional Use Permit, pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval set forth in the Draft Final Action Letter as amended:

Findings of Fact

1. 121 Sampson Avenue is a vacant lot in the Historic Residential – Low Density (HRL) Zoning District.

2. 121 Sampson is Lot 1 of the 121 Sampson Subdivision approved by the City Council on August 4, 2005 (Ordinance No. 05-45).

3. The Applicant proposes construction of a new Single-Family Dwelling (SFD) on the vacant lot.

4. The Applicant proposes to construct a new SFD that exceeds 200 square feet and is located on an existing Slope of thirty percent (30%) or greater, therefore, a SSCUP application is required.

5. In conjunction with the SSCUP, the Applicant submitted a Historic District Design Review (HDDR) Application (PL-24-06125). The HDDR Application approval is subject to the approval of this SSCUP.

6. The minimum Lot size in the HRL Zoning District is 3,750 square feet. The Lot is 6,180 square feet.

7. On August 4, 2005, the City Council adopted Ordinance No. 05-45 and approved Lot 1 of the subdivision at 121 Sampson Avenue to have an area of 6,446 square feet.

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8. The plat was recorded with the Summit County Recorder's Office on October 11, 2005 (Entry No. 754169).

9. The minimum Lot width in the HRL Zoning District is 35 feet. The Lot width is 59 feet 7 inches.

10. The maximum building footprint in the HRL Zoning District for the legal non-conforming lot is 2,243 square feet.

11. Pursuant to LMC Section 15-9-5 no Non-Conforming Use may be moved, enlarged, altered, or occupy additional land. The proposed SFD does not expand the Non-Conforming Maximum Lot Size.

12. Minimum Front and Rear setbacks for Lots greater than 100' in depth in the HRL Zoning District is 15' each, for a total of 30'. The proposed SFD has a 15' Front Setback and a 15' Rear Setback.

13. Minimum Side Setbacks for Lots up to 62.5 feet in width are five feet each in the HRL Zoning District with a total of 14 feet. The proposed SFD meets a five-foot minimum side setback for each side, with a combined total of 14 feet.

14. The maximum building height is 27 feet from Existing grade in the HRL Zoning District. The proposed maximum building height is 25 feet from Existing Grade.

15. The HRL Zoning District requires a ten-foot minimum horizontal step in the downhill façade. The proposed SFD steps back at 11 feet at 18 feet 7 inches feet from the lowest point of existing grade.

16. Final Grade must be within four feet of existing grade in the HRL Zoning District. The proposed final grade is within four feet of Existing grade.

17. Pursuant to LMC Section 15-2.1-5, Final Grade must be within four vertical feet (4') of Existing Grade, except for the placement of approved window wells, emergency egress, and a garage entrance. The proposed window well serves as emergency egress and is compliant with LMC Section 15-2.1-5.

18. Structures cannot exceed 35 feet from the lowest floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters in the HRL Zoning District.

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19. The roof pitch for the Contributing Roof Form must be between 7:12 and 12:12 in the HRL Zoning District. The proposed Contributing Roof Form is 7:12.

20. SSCUP applications are subject to the criteria outlined in Land Management Code (LMC) Section 15-2.1-6.

21. When viewed from Sampson Avenue the front facade of the structure is similar to neighboring homes and fits the character area.

22. The slope of the site is steepest at the front, and the SFD has been designed to step down the hillside, in a similar pattern to the rest of the street. The stepping down of the Structure minimizes the mass and scale when viewed from the rear.

23. The Applicant has proposed a series of small retaining walls across the property. The proposed walls are to be less than 4 feet in height per the submitted plans.

24. The Lot has substantial existing vegetation on the site.

25. Pursuant to LMC Section 15-15-1 there are designated Vantage Points within Park City that function to assist in analyzing the visual impact of Development of Steep Slopes.

26. The terraced retaining walls are designed in such a way as to mitigate the visual impact of the steep grade.

27. The Applicant proposes two driveways each 10 feet in width. The below image displays the two proposed driveways as 10 feet in width, separated by an 18-inch-wide landscaped strip. The proposed driveways minimize grading of the natural topography as they are located at the top of the slope.

28. The applicant broke up the mass of the new structure by incorporating multiple roof lines and articulation of the wall planes. Viewed from the right-of-way the Structure is similar in style to neighboring homes.

29. The Structure visible from the right-of-way is one story in height.

30. The proposed structure is compliant with the required Setbacks of the HRL Zoning District.

31. The proposed SFD volume is compliant with the HRL Zoning District Lot and Site requirements.

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32. LMC Section 15-3-6(A) requires two parking spaces for an SFD. LMC Section 15- 3-4(A)(1) requires double car garages must be at least twenty feet (20') wide by twenty feet (20') deep. The proposed garage is 25 feet wide and 20 feet 1 inch deep and is compliant.

33. Staff published notice on the City's website and posted notice to the property on August 21, 2024. Staff mailed courtesy notice to property owners within 300 feet and posted notice to the property on August 21, 2024. The Park Record published notice on August 21, 2024.

Conclusions of Law

1. The proposal complies with the LMC requirements pursuant to Chapter 15-2.1, Historic Residential- Low-Density District.

2. The proposal complies with the LMC requirements pursuant to Chapter 15-2.1-6, Development on Steep Slopes in the Historic Residential- Low-Density District.

3. The proposal complies with the LMC requirements pursuant to Chapter 15-3, Off Street Parking.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the plans reviewed on September 11, 2024, by the Planning Commission. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.

2. The Applicant shall receive approval of a Historic District Design Review prior to submitting a Building Permit application.

3. If the Applicant does not obtain a complete building permit within one year of the date of this approval, this SSCUP approval will expire unless the Applicant submits a written extension request to the Planning Department prior to the expiration date and the Planning Director approves an extension.

4. The applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.

5. Any changes, modifications, or deviations from the approved scope of work, shall be submitted in writing for review and approval/denial in accordance

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with the applicable standards by the Planning Director or designee prior to construction.

6. Residential fire sprinklers are required for all new or renovation construction on this lot, per the requirements of the Chief Building Official.

7. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or Planning Department mine waste-impacted soils, they must handle the material in accordance with State and Federal law.

8. Any areas disturbed during construction surrounding the proposed work shall be brought back to their original state. The Final Grade shall be within four feet of Existing Grade.

9. City approval of a Construction Mitigation Plan (CMP) is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting adjacent structures.

10. City Engineer review and approval of all lot grading, utility installations, public improvements, and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

11. All exterior lighting shall be down-directed and shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Exterior lighting shall not exceed 3,000 degrees Kelvin and outdoor lighting fixtures shall be Fully Shielded. Final lighting details shall be reviewed by the Planning Staff prior to installation.

12. Construction waste should be diverted from landfill and recycled when possible.

13. The Applicant shall submit a geotechnical report and final slope stability prior to submitting a building permit, subject to City Engineer approval.

14. The Applicant shall provide soil stabilization and drainage details documenting how the disturbed area will be restored and stabilized prior to submitting a building permit, subject to City Engineer approval.

15. The Applicant shall submit a landscape bond prior to the issuance of a building permit to ensure the stabilization and vegetation rehabilitation are complete prior to submission of a building permit.

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16. Prior to submitting a building permit, the Applicant shall submit a plan demonstrating how they will provide the temporary shoring needed during construction, subject to City Engineer approval.

17. Retaining walls cannot exceed the height approved as part of this SSCUP without modifying the SSCUP.

18. Retaining walls shall be screened accordingly to minimize their visual impact as they step down the slope.

19. The Applicant shall obtain an Encroachment Agreement for driveway access with the Engineering Department.

20. Existing vegetation shall be protected to the extent possible, and any vegetation removed shall be replaced in a way that minimizes visual and environmental impacts.

21. The garage shall be subordinate in design to the main building.

22. The Applicant shall submit a plan to protect the waterline on the downhill side of the lot during construction.

23. The Applicant shall modify plans to include a single-car wide tandem garage with one access driveway.

24. The Applicant shall update the roof to occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way, and be compliant with LMC Section 15-2.1- 5(C).

25. The Applicant shall update the plans and reduce the chimney height to be up to five feet above the highest point of the Building to be compliant with LMC § 15- 2.1-5.

Commissioner Frontero seconded the motion.

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

D. 7660 Royal Street #112 - Condominium Plat Amendment - The Applicant Proposes to Convert 119 Square Feet of Limited Common Space to Private Ownership in the Residential Development Zoning District. PL-24-06223.

Planner Barton reported that 7660 Royal Street #112 was platted as Unit 12C, so the Commission would see both numbers in the Staff Report. Sterling Lodge was located in the RD zone. The property owner had exclusive use of 120 square feet of limited common

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area on the upper level adjacent to their condominium. The applicant proposed to convert this area to private ownership. Sterling Lodge was located on Royal Street, northeast of the Silver Lake Lodge. Planner Barton presented an image that depicted the limited common area proposed for conversion. The floor plan on the left highlighted in yellow showed the area currently used as a bedroom suite. The plat excerpt on the right showed the same area in relation to the neighboring Unit 11. He presented a plat excerpt that showed a vertical illustration of the limited common area on the upper level of the building.

Planner Barton reported that Staff found Good Cause for the Plat Amendment because it would resolve an existing issue by recording a common area under private use for Unit 12. The applicant provided notarized documentation of the Homeowners' Association's ("HOAs") vote to approve the Plat Amendment. The applicant, Jeffrey Johnson, was present and available to answer questions.

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

Commissioner Frontero asked the applicant about the HOA vote of 67% and inquired about any negative comments or votes. Mr. Johnson stated that 67% was the required vote to pass. He explained that the vote was taken by the manager of Sterling Lodge, so he did not receive the actual feedback from any of the owners. Mr. Johnson added his belief that all of the votes were in the affirmative. Commissioner Van Dine suggested that it was likely that the 67% was the number of votes, as it was very unlikely that the entire HOA voted.

MOTION: Commissioner Johnson moved to APPROVE 7660 Royal Street #112 – Condominium Plat Amendment, pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval set forth in the Draft Final Action Letter as follows:

Findings of Fact

1. On August 30, 1995, the Planning Commission approved a Master Planned Development (MPD) for Sterling Lodge at Silver Lake on Lot 2 of the Silver Lake East Subdivision.

2. On August 1, 1996, the City Council approved the Final Condominium Plat for Sterling Lodge (7660 Royal Street).

3. On September 16, 1996, the Plat was recorded.

4. On October 28, 1997, the Plat was amended for the first time, identifying a 119- square-foot limited common area on Level 7 adjacent to Unit 12 as an "amended area".

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5. On March 9, 2011, the Plat was amended for a second time to convert an approximately 125-square-foot area adjacent to Level 7 of Unit 9 from a common area to limited common area.

6. The proposed Third Amended Sterling Lodge at Deer Valley Condominium Plat will convert a 119-square-foot limited common area on Level 7 of Unit 12 from limited common area to private ownership.

7. The proposed Plat Amendment does not expand the Building footprint or otherwise change existing structures.

8. The proposed Plat Amendment does not increase the parking requirement for the Condominium.

9. The Applicant provided notarized documentation of a vote by the HOA to approve the Plat Amendment.

10. The Third Amended Sterling Lodge at Deer Valley Plat Amendment complies with all Conditions of Approval outlined in the Final Action Letter for the MPD for Sterling Lodge at Silver Lake approved by the Planning Commission on August 30, 1995.

11. Staff finds Good Cause for this Plat Amendment because the amendment resolves an existing issue by recording a 119-square-foot common area that is under exclusive private use for Unit 12.

12. The Development Review Committee reviewed this proposal on August 20, 2024, and does not require any conditions of approval.

13. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on August 28, 2024.

14. Staff mailed courtesy notice to property owners within 300 feet on August 28, 2024.

15. *The Park Record* published courtesy notice on August 28, 2024.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because the amendment resolves an existing issue by recording a 119-square-foot common area that is under exclusive private use for Unit 12.

2. The Plat Amendment is consistent with the Plat requirements outlined in LMC Chapter 15-7.1.

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

4. Approval of the Plat Amendment, subject to the conditions 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 Planning Commission approval. If recordation is not complete within one year, this approval will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.

Commissioner Van Dine seconded the motion.

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

E. Land Management Code Amendments - Pending Ordinance Regarding Accessory Uses and Support Commercial. The Park City Planning Department Formally Initiated Proceedings to Amend the Municipality's Accessory Uses in Master Planned Development Land Use Regulations Outlined in Land Management Code Section 15-6-8 Unit Equivalents and Section 15-15-1 Definitions Regarding Support Commercial and Residential and Resort Accessory Uses for Master Planned Developments, and Sections 15-2.7-2 Uses for the Recreation and Open Space Zoning District, 15-2.18-2 Uses for the General Commercial Zoning District, and 15-2.19-2 Uses for the Light Industrial Uses to Clarify Resort Support Commercial is Allowed when approved as part of a Master Planned Development. PL-24-06193.

Chair Hall expressed hope that Staff could present this item in an abbreviated format since the Commission had seen this item so many times and was very familiar with it. Chair Hall reported that Commissioner Johnson left the meeting. Director Ward thanked the Planning Commission and eight-member Task Force who spent a lot of time on these Amendments. She stated that these Amendments looked forward and would shift the review process as well as clarify and refine the Code. Most of the City's zones were volume-based; therefore, Open Space, Setbacks, and Building Height created the volume. These proposed amendments would shift the way the square footage within that volume was reviewed by the Planning Commission, with considerations like parking and

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affordable housing. She stated the Staff Report provided some additional requested information and the Task Force members had met and might share a presentation.

Director Ward stated that should the Commission like to forward a recommendation to the City Council for its consideration on October 10, 2024, the Task Force would participate in that meeting and present their findings to the Council. In addition, the Commission would have the opportunity to present its findings on October 10. Chair Hall added that individual Commissions would also be able to appear at that meeting.

Task Force Member Chris Conabee introduced himself. Task Force Member Brianna Callaway stated the Task Force had nothing in particular to add at this time but was present to answer any follow-up questions prior to October 10. Commissioner Suesser agreed with all of the proposed changes in the proposed Ordinance, with the exception of the Hotel/Motel definition. Director Ward explained that in the Pending Ordinance, there were no proposed modifications to the Hotel definition as currently drafted. Commissioner Suesser proposed changing that definition at line 6, which stated, "Hotel/Motel does not include Nightly Rental Condominium projects without restaurants, bars, spas and on-site check-in lobbies." She asked if this was intended to mean that for a Nightly Rental Condominium project to qualify as a Motel, it would just have to have a restaurant, bar, spa, and an on-site check-in lobby. She wanted this clarified, as she did not think this was a good definition and a good way to exclude Nightly Rental Condominiums from the definition. Commissioner Suesser suggested something along the lines of "allow full–time residents or that did not mandate Nightly Rental of the units."

Commissioner Shand believed that the State of Utah prohibited mandatory participation in a rental program. He felt a good example was Empire Pass and Silverstrike which were primarily condominium residences with some common space, but that did not have restaurants or a check-in desk. A condominium hotel would fall more into the line of The Montage and St. Regis where they have the amenity space.

Commissioner Suesser understood and confirmed that she wanted to exclude condominiums that do not have these amenities.

Commissioner Frontero reported that was how this definition was currently written. He questioned whether Commissioner Suesser found the definition confusing, or whether she wanted more definition. Commissioner Suesser was not confused by it, but that it was not a good way to exclude Nightly Rental Condominium projects. She felt it would be easy for a Nightly Rental Condominium project to slip into the hotel property, which was what she wanted to prevent.

Commissioner Sigg commented that it probably depends on State Law whether it would mandate participation in the rental program. You could have a 50-unit hotel project, but if no one rented their place, then it would be a condominium project where the residents have the benefit of accessory uses.

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Commissioner Shand noted that the purpose of the developer was to sell real estate. Developers would not cannibalize their sellable square footage to put in a restaurant. Commissioner Sigg disagreed. Commissioner Shand felt they agreed that those were not Hotels, even though they were condominium projects, and they should be excluded.

Commissioner Sigg stated the *modus operandi* of selling the real estate was if they wanted to get a higher price per square foot, they would choose to add amenities. He felt it was a bit of a trade-off, and the spirit of where this goes was to the gaming of the system where people are hiding units to get surplus space as a hotel. It is not about curtailing hotels and making them less viable. If there is a project model and a developer wants these amenities as a condominium project, then they take two units out and put a rooftop pool or whatever it takes to get $2,000/foot instead of $1,500/foot. He reiterated the spirit of this, which was where the definition became a little convoluted.

Chair Hall asked if Commissioner Suesser had a proposed amendment to this definition.

Commissioner Suesser stated that she initially considered striking the language "without restaurants, bars, etc." but stated it might be helpful to keep it. She wanted to hear from Staff whether this language was literal and whether a project would have to have all those things. Director Ward stated that was the intent, and it could be clarified by rephrasing to say that a Nightly Rental Condominium project with a restaurant, bar, spa, and on-site check-in lobby would qualify as a Hotel under the Code."

Commissioner Suesser asked about adding, "that prohibits full-time residents." She noted that owners could not be mandated to put their units into a rental pool. She stated if they were trying to keep Nightly Rental Condominiums from slipping into the Hotel model, that this definition should be strengthened. Commissioner Sigg also asked if amending the definition would be an amendment to the Land Use Code that was independent of this action on Accessory Uses, or if could it be a part of these amendments.

Director Ward stated that the Commission could recommend amending the Pending Ordinance to address this. Nightly Rental Condominium is a term used in the MPD Code, but it is not defined. This would be the closest definition they could get as to the intention for the Nightly Rental Condominium.

Chair Hall suggested that if it is a capitalized definition in the LMC, then they should make it its own defined term.

Commissioner Suesser observed that this spoke directly to a project under consideration, and she did not know how it would apply. Director Ward stated it would not apply as that developer was vested. Commissioner Suesser asked if they needed a spa to qualify. Chair Hall noted that was a moot point as the developer was vested.

Chair Hall proposed adding a definition for Nightly Rental Condominiums and liked Director Ward's suggestion as to how to better clarify. Director Ward stated that if the Commission were comfortable, Staff could work with the liaisons to come up with a

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definition and circulate it for the Commission's review before appearing before the City Council.

Commissioner Sigg asked if it would become zone-specific. Director Ward stated it was a capitalized term, so that would make sense, and they could separate it from the Hotel definition so there would be a new definition for Nightly Rental Condominium.

Commissioner Shand sensed that they were separating the Nightly Rental Condominium from the Condo/Hotel. Chair Hall clarified that Nightly Rental Condominium would be separate from the definition of Hotel/Motel. Commissioner Shand stated that Flagstaff operated differently from the St. Regis, but the buyer of a condominium hotel unit in St. Regis or The Montage was not looking to live in it full-time; rather, they were looking to generate revenue and turn it over to the hotel operator. He added that many times, the owners were limited in these rental agreements with the operators in terms of how often they could use the residence. He wanted to create that delineation, so maybe they should have three different definitions.

Commissioner Sigg liked Commissioner Shand's point and stated that the owner-use provision could potentially be a defining factor as to what constitutes a Hotel/Motel. He also noted that was a Covenants, Conditions, and Restrictions ("CC&Rs") issue. Chair Hall agreed.

Commissioner Shand added that in the case of a Condominium Hotel, 80% of the owners participate in the hotel's rental program because that is why they bought the residence. Commissioner Suesser noted they wanted to encourage that, so they did not have ghost towns and empty condominiums. Commissioner Shand stated that is what was happening in Empire Pass because there were no amenities in those buildings.

Commissioner Sigg saw projects such as Flagstaff as more condominium projects and less as hotels. He added that this also spoke to the profile of the development. If a developer were truly building a hotel, then they would include the amenities.

Mr. Canabee stated that the Task Force was worried about an exercise to get control over what was a perceived abuse of things, by rewriting the LMC; he reported that maybe the solution was to put more controls in for the Planning Commission. The Planning Commission and City Council already had controls in terms of the plat, so if someone abused that, they would not sign off on their plat. At the same time, the Task Force saw that a lot of these hotels were things they did not foresee. He mentioned needing to renegotiate the Sundance lease when they brought forth Silverstar but they needed to come up with a commercial use to house Sundance. That was in the Code with the 5 in 5, so they could create buildings and parking spaces that they might not do today, but there was a purpose in that.

With regard to The Montage, Mr. Canabee stated there were 5,000 acres of Open Space across Park City Mountain Resort and Deer Valley that were protected and put onto that site. One of the outrages of the community was people did not want those cars coming

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down Marsac Avenue. Therefore, the only way to get that annexation and preserve that Open Space to was appease the community by having more amenities so that people would stay at the project.

Mr. Canabee stated that prior Commissions made good decisions, and if there was a theme where they crossover, they would be working on a process that gives the Commission the latitude to grant that rather than just stripping it from the Code. There might be a need in the future where they need it, and they would not have the ability to do it. He stated that as a developer if he were charged with the items listed in that definition and it would come out of his Unit Equivalents ("UEs"), he would just not provide it. He urged the Commission to trust itself and those who came before and not mess with the Code too much. He agreed that if there were instances of people abusing the 5 in 5, they should put it back to the Commission to determine what that 5 in 5 is, and then they have the ability to make the right decision.

In terms of a theme, Commissioner Suesser stated they started with Staff going over the LMC very carefully to address some of the gaps they kept coming up against in applying the Code to certain projects and the ballooning of the support commercial space and cap it because the comps were double the approved density. She stated that was the issue they sought to address, and she felt Staff, and the Commission combed over it very carefully and surgically to make changes to the Code that would address those issues. Commissioner Suesser was very happy with the proposed changes and was in favor of them.

Chair Hall looked to Staff for suggestions regarding the definition. Commissioner Suesser liked the suggestion that Staff would craft the language and provide it to the liaisons.

Chair Hall opened the public hearing.

Mike Lewis identified himself as the Vice President of Mountain Operations for Park City Mountain. They expressed their concerns last year regarding the proposed LMC Amendments and participated in the Accessory MPD Task Force formed by the Mayor and Council in November 2023. They appreciated being a part of the group, and the thoughtful and serious consideration that everyone on the Task Force brought to the process. They were aligned with the Task Force's recommendation.

Mr. Lewis stated their primary concern as an operator within the Recreation Open Space ("ROS") zone was that the addition of Footnote 6 to Resort Support Commercial Uses in the ROS could be misinterpreted to imply that all operational amenities, including a bathroom, warming hut, first aid station or patrol station could be subjected to a Master Planning process just to build a simple accommodation that would improve the employee or guest experience. He believed that the Conditional Use process sufficiently managed and provided oversight of the projects contemplated within the ROS.

The Staff Report indicated that this footnote was added to bring the ROS District in line with other districts, such as Residential, Commercial, and Light Industrial. However, he

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stated this did not add consistency and the reasoning failed to acknowledge and account for the unique differences in districts.

Mr. Lewis stated that the purpose of the ROS district was to accommodate the enjoyment and use of Open Spaces, which was different from the purpose of a Residential, Commercial, or Industrial district where development was assumed. The Task Force analyzed the potential impacts of the proposed changes and unanimously recommended the removal of the footnote and preservation of most of the Code as it is. Mr. Lewis expressed hope that the Planning Commission would consider scaling back the proposed amendments to preserve the aspects of the current LMC that provided an efficient process to manage land use within Park City.

Tony Tyler reported that he runs a local development firm and was part of the contingent that brought forward some of the concerns to the City Council, who effectively pushed them back to the Task Force. He was not part of the Task Force but read their recommendations. He was disappointed to see Staff's recommendations and the proposed Amendments did not scale back the changes, which he thought was the intent of the City Council's direction. Mr. Tyler supported the thoughtful and considerate recommendations from the Task Force and asked the Planning Commission to take those into account to scale back the Amendments proposed.

Rory Murphy thanked the Commissioners for their service and expressed appreciation for the work they do for the community. He furthered the earlier comments of Mr. Canabee and felt compelled to comment on some of the statements made in the last meeting regarding The Montage. There appeared to be considerable misinformation on the Condo/Hotel and how its current design came to be. It was important to understand that The Montage was approved as the focal point of an annexation. The annexation was the Park City Mountain Resort, which became 4,000 acres of permanent deeded Open Space, and the trade was The Montage. Mr. Murphy stated that annexations were negotiated settlements, and the Planning Commission and Council had considerable discretion regarding an annexation application. When the project was submitted to the City, the residents of Marsac Avenue and the adjacent streets were very upset about the increased traffic burden. The Empire Pass development had a significant impact on traffic on Marsac Avenue, and the Commission and Council were especially sensitive at that time to those concerns.

When the project came before the City, the Commission and the Council insisted that the hotel be relatively self-contained to reduce the traffic impact of the Condo Hotel on Marsac Avenue. Mr. Murphy commented that it was not an apples-to-apples comparison with the proposed Support Commercial changes. The City wanted that Open Space, and wanted the book closed on the Mountain Resort development, and that was achieved. Ironically, the spirit of that negotiation was not due to demands from The Montage, but what the City demanded of The Montage. Mr. Murphy felt the context of that discussion in this case was incorrect. He did not support the Code change and believed it was detrimental and an ill-conceived decision for Base Area developments. The ski areas have needs that he did not understand, and that could not be easily anticipated. Whether they liked it or not,

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he stated that the resorts were the economic engine they depended on, and the ski areas should have the ability to plan their own operations and have the flexibility to adjust to future demands that would change over time. To cap both resorts at 5,000 square feet was arbitrary and did not address the inevitable operational changes that would occur in the future.

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

With respect to the operations of resorts, Commissioner Sigg acknowledged that everyone would agree that a draconian or prohibitive ordinance that would not allow for restrooms or warming stations, or first aid, or other things that go along with recreation open space were a very different beast than a private, for sale condominium. Operators should be allowed to have those amenities and those accessories to run a successful resort, and it would be ludicrous not to. He wanted to ensure that they were not misconstruing what they wanted to accomplish by stating that resorts should not have the facilities they need to operate. That was not what they were trying to do with these Amendments.

In response to a request for clarification regarding the changes to the resort support space amendments, Director Ward presented the Pending Ordinance and explained there were two types of resort uses addressed in the LMC. She stated there was one type of Resort Accessory Use through the MPD exceptions in Section 15-6-8. She explained there was a Resort Accessory Use list that the Planning Commission analyzed to refine, and which was associated with the MPDs. Throughout the zoning district Use Tables, there was a Resort Support Commercial Use, and that was defined twice in the current LMC. The Pending Ordinance removed the duplication of those definitions. The definition was a "commercial use that is clearly incidental to and customarily found in connection with the principal resort use, and which is operated and maintained for the benefit or convenience of the owner, occupants, employees, customers of or visitors to the principal use."

The commercial uses were listed as follows:

- Retail business;
- Service establishments;
- Professional offices; and
- Other enterprises that include commerce and/or trade in the buying and selling of goods and services.

Therefore, there are two zoning districts where these commercial uses are just allowed, and the recommendation was that this use still be allowed in these zones, which are both Bonanza Park Neighborhood zones. She added that there is a Conditional Use process for the other zones, and Resort Support Commercial is a Conditional Use Permit.

Director Ward stated the footnote clarified that the commercial uses within the MPD boundaries of the resorts would be through what was already approved through those MPDs. With regard to the concerns about restrooms and lockers and other amenities,

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those remain in the Pending Ordinance but not as Resort Support Commercial; rather they fall under Resort Accessory Use.

Commissioner Shand was a member of the Task Force and agreed with the Task Force. He felt they understood the intent of the proposed Amendments, but he did not think this was the means to do it. He felt the CUP process was the more appropriate way to go and it would ultimately give them more latitude as to what could and could not be done. He added that the existing Code was 5% and 5%, and he felt that was appropriate. There would be developers who would try to abuse it, but there were devices in place to help them prevent that.

Commissioner Shand stated he was not here when the draft was proposed, nor was he on the Commission for Treasure Mountain or some of the other applications. He stated he stood by the Task Force and supported their decision.

Commissioner Frontero sought clarification of the 5 in 5. Director Ward explained that the current Code contained an allowance within a Hotel or Nightly Rental Condominium that there could be Support Commercial Uses that do not exceed 5% of the total Floor Area that would be exempt from UEs. On top of that, within a Hotel or Condominium project, there was a 5% allowance of the Total Floor Area to be used as a meeting space. Under the Amendments, she explained there could be more than 5% Support Commercial for commercial uses and more than 5% meeting space. The Amendments provide that instead of being exempt from UEs, they would be reviewed within the project as a whole.

Director Ward added that if the 5% was not used for meeting space in addition to the Support Commercial, there was some flexibility with the additional 5% where it could then be used for Support Commercial.

Commissioner Frontero understood that if a meeting space was not utilized, the 5% meeting space could be repurposed in some other fashion. Therefore, the residential Accessory Use could jump to 10 percent. Director Ward stated that would require additional Planning Commission review, but as long as the use was intended for those on the site, then there would be that flexibility over time.

Commissioner Frontero understood there was concern with placing a maximum square footage on each of the 5 percent. Director Ward confirmed that was accurate and mentioned there could still be an increase in commercial or support commercial, it would just not be in the exception to UEs. Commissioner Frontero observed that the Commission would not be restricting a resort from any use; rather it was that the developer did not get free UEs; rather, they were just capping it and that it should count as a UE to provide housing for employees.

Commissioner Shand stated it was capped at 5,000 square feet, not just 5%; therefore, it was 5% or 5,000 square feet, whichever was less. He mentioned a hypothetical where the developer had 261,000 square feet 150,000 of it was sellable or usable, and the meeting space would be 5,061 square feet. That is an example where the developer

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could have the ability to use more than 5,061 square feet because they had 150,000 square feet of UEs, but they chose not to make the meeting space.

Commissioner Shand stated there were caps and made it clear that while he did not want to disparage what had been done, the current checks and balances in place through the CUP process were good safeguards.

Mr. Canabee noted that the Commission understood these concerns; however, the Task Force's position was that the way it was being limited was taking away the Commission's ability to do things in the future. It also did not recognize that the Commission has to approve the plat. He suggested a step in between when people take the 5% and the 10% because with the projects he referenced, they were solving a problem and in one they needed all 10% for meeting space and in the other, they needed all 10% for commercial to solve a problem.

Without the 5 in 5, they would do an entirely different project. He added that he could not name another city in the United States that received the level of hotel investment as Park City. He felt that is because the Code was written well and was resort-centric. He stated that gamesmanship was a valid concern, but suggested it was more of a process issue than a Code change.

Commissioner Sigg suggested exploring further some of the comments made during this meeting. He felt that a decision tonight would result in someone not being happy. He heard consensus that they want this to work and have hotels with amenities, but the question was how they police this. He stated it might have to do with the number of units. He would advocate revisiting a methodology to police this rather than making a black-and-white decision tonight. He mentioned there was a degree of commonality and they all agreed they do not want people gaming the system.

Commissioner Suesser agreed and wanted to review a way to trigger the obligations that come along with that additional space, so they were covered in terms of the employee housing trigger, for instance. She understood the Task Force seemed to be on board with that but wasn't sure where to pull that lever in the Code.

Director Ward stated they could continue this to November 13. She noted they issued the Pending Ordinance in August, which is in place for six months. They could then try to bring it before the Council in December.

Commissioner Frontero supported a continuance and could imagine a scenario where they create the ability to curtail some of the abuses and do that in ways other than a Code amendment.

Chair Hall commented was in favor of a positive recommendation to be sent to the City Council for these Amendments, as amended by Commissioner Suesser. There was discussion about a further meeting of the Task Force.

Approved 10.09.2024

MOTION: Commissioner Shand moved to CONTINUE Land Management Code Amendments – Accessory Uses and Support Commercial, and the public hearing thereon to November 13, 2024. Commissioner Sigg seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission. Commissioner Van Dine and Commissioner Johnson were absent from the vote.

7. ADJOURNMENT

MOTION: Commissioner Sigg moved to adjourn.

The meeting adjourned at approximately 10:00 PM

Approved 10.09.2024

Sunday, September 8, 2024 | 8:04 AM

Hello-

I live in Bear Hollow Village. I just found out about the upcoming meeting September 11, but unfortunately cannot make it because I am teaching a class at that time. I wanted to add my voice as someone who is against allowing a zoning variance so the developer can build so high. I do appreciate that there is affordable housing included, as well as open space, but that is such an important location in terms of the visible approach to Old Park city and Main Street.

It would be a slippery slope to allow such tall buildings to start encroaching on that area. It happened in my hometown, and once they allowed the first one, there were more and more, and then the entire character changed (the same thing happened with big box chain stores, which so far have been kept out in Kimball).

My understanding is you have heard more voices in support, but mine is to request that the developer shave a couple of floors off their buildings to keep them ideally within, but at least closer to the current zoned maximum. The difference between 35 and 60 feet is enormous.

Thank you for hearing my voice,

-Deborah Aronson

“Be kinder than necessary because everyone you meet is fighting some kind of battle.” J.M. Barrie

Approved 10.09.2024

Sunday, September 8, 2024 | 2:12 PM

Dear PC Planning, as a PC resident I want to adamantly log my opposition to a larger (higher) hotel as part of this plan. Its sets a precedent which will negatively impact the atmosphere that makes PC so special. I have firsthand experienced an initial larger structure in my former community in California which led very quickly to further development of larger structures forever negatively impacting the neighborhood and living experience which can never be undone. Please DO NOT allow this redev project to proceed!

Respectfully,

Siegfried Reich

Approved 10.09.2024

Monday, September 9, 2024 | 10:26 AM

For Planning Commission, please see my comments below for the upcoming Yarrow discussions. Thank you.

I am in favor of the new design. It is a significant improvement for the site. I like how the buildings are broken up into smaller footprints, with light, air, and landscaping between and around them, rather than a large continuous footprint at a lower height. The design includes 40% open space and 48 affordable units. To achieve that balance, my opinion would be to allow these buildings to go taller. It feels like a good place for this design. Additionally, the other nearby locations, such as the arts district and Ironhorse area, could be good locations to follow a similar format. Everyone always talks about building more affordable housing, and these seem like good locations and ways to achieve it. Doubtful you'll get the typical NIMBY comments in these areas, and the locations are very pedestrian friendly. It seems like these couple of blocks could be transformed into a vibrant worker community rather than the current unsightly grouping of deteriorated buildings, parking lots, vacant lots, etc.

And, thanks for all you do.

Thanks,

Sean Matyja
Associate Broker, REALTOR®

sean@enjoyparkcity.com
enjoyparkcity.com

Approved 10.09.2024

Monday, September 9, 2024 | 11:22 AM

Dear Sirs,

I'm writing to urge you not to ignore/ adjust the height restrictions which you've had in place for many years at the Prime entry point entry point into Park City town itself.

I'm deeply suspicious of developers who think they can get an exemption using the cover of affordable housing- which inevitably turns out to be not quite so affordable and has loopholes for further speculation.

Please don't fall for this switch and bait tactic.

No doubt the site is due for upgrade/further development.... no doubt we need genuine affordable housing, but this can all be done tastefully, effectively - and profitably for them and maintaining the rules that have applied for many decades.

Please stand up and tell them what to do and how to do it, rather than have them tell you what they wish to do.

With thanks for all your hard work,

Respectfully,

Tim - a 40 plus year resident

Tim Lapage

www.safariexperts.com

Approved 10.09.2024

Monday, September 9, 2024 | 5:57 PM

Dear Park City Planning,

I would like to express my concern that the Yarrow redevelopment plan is looking for a height exemption, allowing the structure to exceed the established 35' height limit. While I applaud the affordable housing, expanded community experiences, and added green spaces within this proposal, I strongly disagree with allowing the increased height. This would set an undesired precedent that could lead to follow-on exemptions. Please insist that the project is built within the existing height limits.

Thanks for considering my comments.

Kindly,

Stacie Canan

Approved 10.09.2024

Tuesday, September 10, 2024 | 1:13 PM

Dear Park City Planning Commissioners,

Thank you again for all the time and expertise you contribute to the City on planning

and development issues.

I am writing today to very strongly urge you to NOT allow an extension/increase on

building height allowances for The Yarrow redevelopment proposal.

As a community, we certainly have challenges that we agree are important and need to be addressed, such as affordable housing. My concern is that recent development proposals are finding success with the City and County in using affordable housing as a "trade" for casting aside building height restrictions and protection of our mountain views.

My plea to you is to find solutions that include BOTH, without exception - affordable housing AND maintaining our mountain views by strictly enforcing lower building heights. The Yarrow redevelopment project isn't the only project. As has been mentioned by The Yarrow project developers, the elements in the Yarrow proposal are just part of a larger vision for the Bonanza Park area. Being able to see our beautiful mountains over the past few years in that area has had a significant and positive impact on the community - for residents and visitors. And it's not hard to imagine how that would drastically and negatively change with higher building heights. What I am strongly advocating for are proposals, including for The Yarrow, that address community needs AND preserve views. It is possible, thoughtful design can preserve views too. The Yarrow re-design, however, does not do that, in my opinion.

I posted my comments about this proposal on NextDoor to encourage fellow

residents to express their views to you as you consider the proposal. Here is a link to that dialogue which includes residents who strongly support lower building

heights and protection of our mountain views:

https://nextdoor.com/p/58hJnmfFC_LH?view=detail&init_source=search&query=Yarrow

Thank you for your consideration of my request. I sincerely hope you will vote

against allowing increased building heights.

Sincerely,

Kathy Hunter

Approved 10.09.2024

Wednesday, September 11, 2024 | 11:18 AM

Commissioners,

You have broad discretion to evaluate whether there are enough community benefits to warrant approving an MPD. The 1800 Park plan offers significant 'gets' to the city. Please consider:

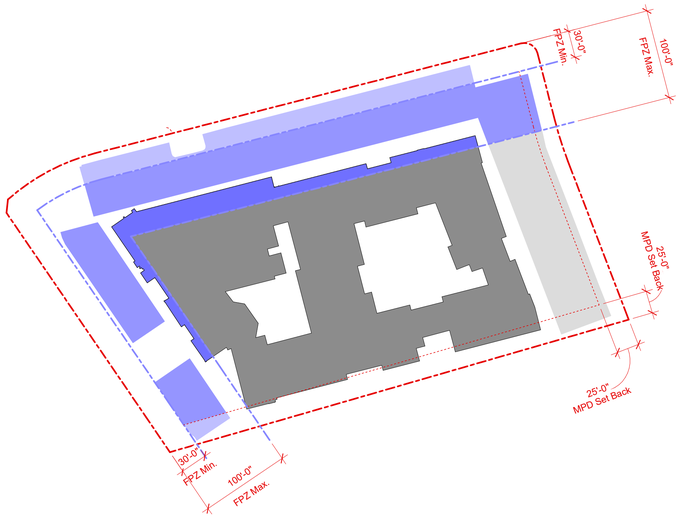
The current entry corridor experience from Kearns/Park Ave heading south includes a fifty year old motor lodge, the Fresh Market , a Walgreens and a Burger King, all with acres of parking on grade and fronting the street. The proposed application offers underground parking for 250 cars with no street frontage parking. It offers a vastly improved landscaping plan that provides a pleasant, safer pedestrian experience along Kearns. Two curb cuts are eliminated providing for safer automobile access to the site. One is at the northeast corner of the site, the second is on Park Ave. A third curb cut is relocated to the center of the property further from the intersection of Park and Kearns. Providing improved access to a proposed tunnel under Kearns is an added bonus.

Taken together these are significant safety improvements worthy of granting a height exception.

Alex Butwinski

former City Councilor

Approved 10.09.2024



Property.....194,652 sq. ft.

30' FPZ and 100' FPZ

Required MPD Set Backs - 25'

Building Footprint encroaching into 100' FPZ.....9,917 sq. ft.

Existing Building Footprint inside Set Backs.....60,599 sq. ft.

Existing Parking Structure encroaching into 100' FPZ.....30,771 sq. ft.

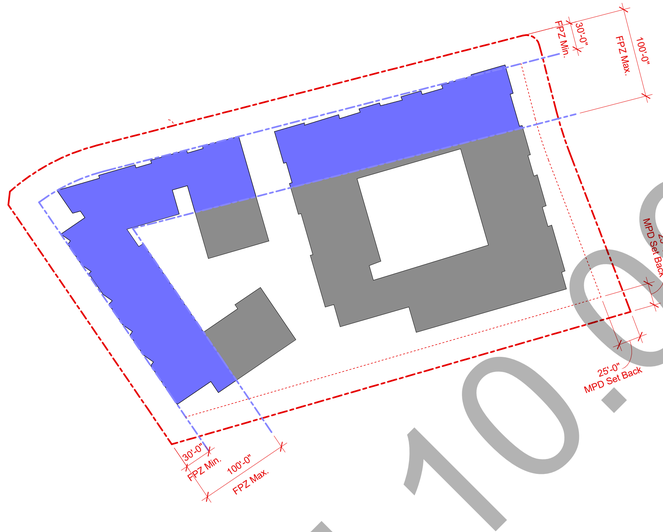
Existing Parking Structure encroaching into 30' FPZ.....10,047 sq. ft.

Existing Parking Structure inside Set Backs.....13,342 sq. ft.

EXISTING STRUCTURE FOOTPRINT: 124,676 sq. ft.

Existing Building Setback Analysis

SCALE: 1" = 80'-0"



Property.....194,652 sq. ft.

30' FPZ and 100' FPZ

Required MPD Set Backs - 25'

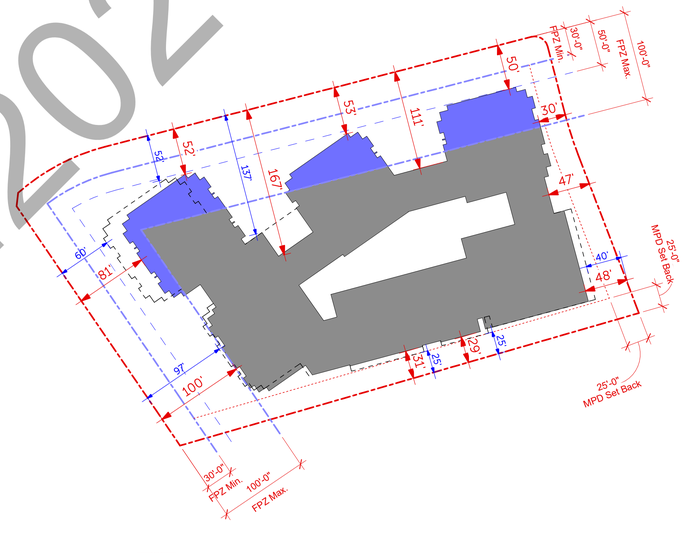
Building Footprint encroaching into 100' FPZ.....47,236 sq. ft.

Existing Building Footprint inside Set Backs.....41,286 sq. ft.

PREVIOUS DESIGN STRUCTURE FOOTPRINT: 88,522 sq. ft.

Proposed Building (MPD 2022) Setback Analysis

SCALE: 1" = 80'-0"



Property.....194,652 sq. ft.

30' FPZ and 100' FPZ

Required MPD Set Backs

Frontage Propteccion Zone 50' Set Back (Small Area Plan)

Previous Footprint

Building Footprint encroaching into 100' FPZ.....13,795 sq. ft.

Existing Building Footprint inside Set Backs.....68,815 sq. ft.

PROPOSED STRUCTURE FOOTPRINT: 82,610 sq. ft..

Proposed Building Setback Analysis

SCALE: 1" = 80'-0"

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Park & Kearns Redevelopment

MPD-011

FPZ Analysis

Property.....194,652 sq. ft.

30' FPZ and 100' FPZ

Required MPD Set Backs

Frontage Propteccion Zone 50' Set Back (Small Area Plan)

Previous Footprint

Building Footprint encroaching into 100' FPZ.....13,795 sq. ft.

Existing Building Footprint inside Set Backs.....68,815 sq. ft.

PROPOSED STRUCTURE FOOTPRINT: 82,610 sq. ft..

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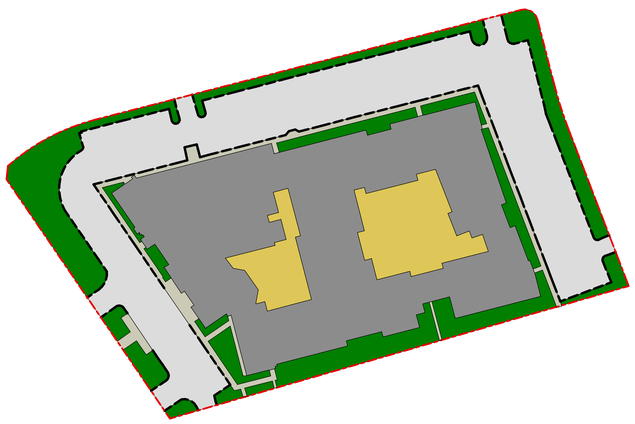
Park & Kearns Redevelopment

MPD-011E

FPZ Analysis

Existing Building Open Space

SCALE: 1" = 80'-0"



Property.....194,652 sq. ft. (100%)

Surface Parking & Driveways.....61,890 sq. ft. (31.8%)

Existing Building Footprint.....70,516 sq. ft. (36.2%)

Amenity Space.....16,228 sq. ft. (8.3%)

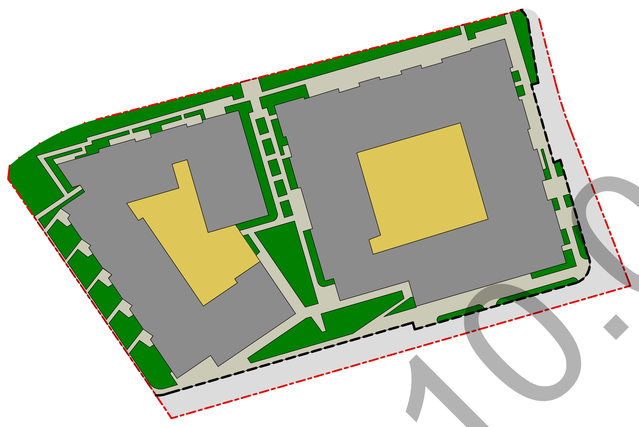
Sidewalks.....8,306 sq. ft. (4.3%)

Landscaped Area.....37,717 sq. ft. (19.4%)

EXISTING OPEN SPACE: 46,023 (23.7%)

Previously Proposed Building Open Space

SCALE: 1" = 80'-0"



Property.....194,652 sq. ft. (100%)

Surface Parking & Driveways.....20,821 sq. ft. (10.7%)

Proposed Building Footprint.....88,522 sq. ft. (45.5%)

Amenity Space.....23,412 sq. ft. (12.0%)

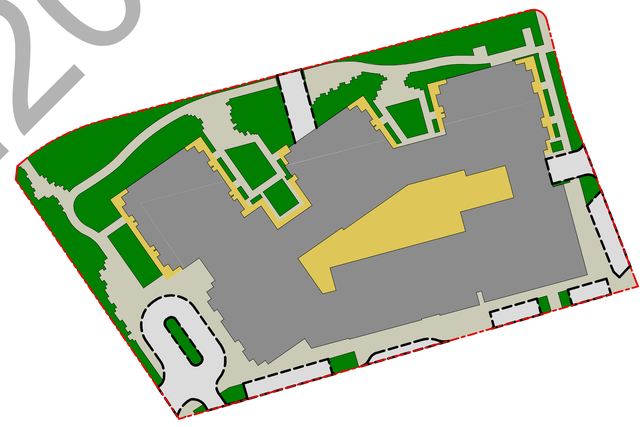
Sidewalks.....29,609 sq. ft. (15.2%)

Landscaped Area.....32,288 sq. ft. (16.6%)

PROPOSED OPEN SPACE: 61,897 (31.8%)

Proposed Building Open Space.

SCALE: 1" = 80'-0"



Property.....194,652 sq. ft. (100%)

Surface Parking & Driveways.....16,919 sq. ft. (8.7%)

Propose Building Footprint.....82,611 sq. ft. (42.4%)

Amenity Space.....17,307 sq. ft. (8.9%)

Sidewalks.....36,857 sq. ft. (18.9%)

Landscaped Area.....40,988 sq. ft. (21.1%)

PROPOSED OPEN SPACE: 77,845 (40%)

Approved 10.09.2024

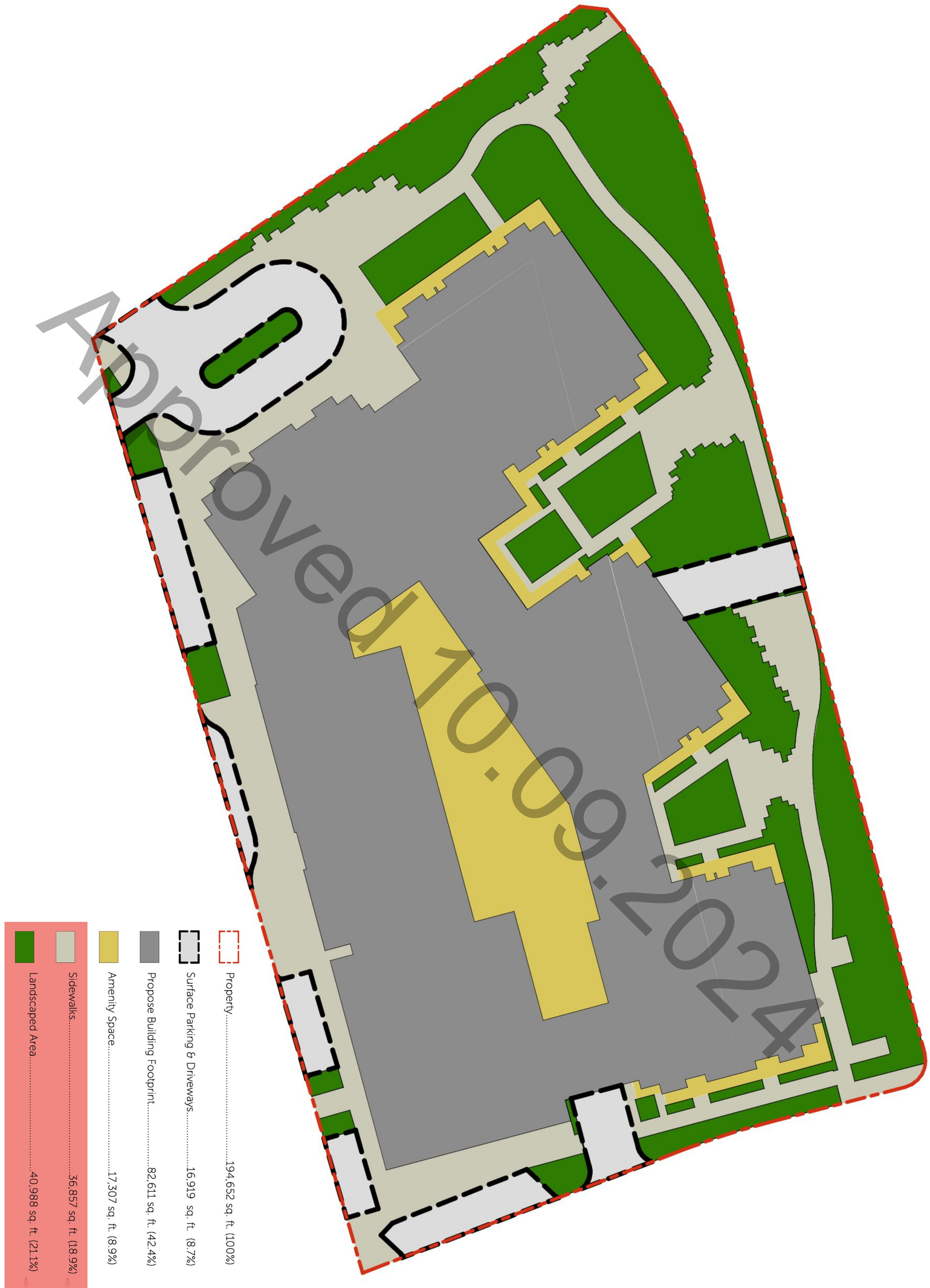
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Park & Kearns Redevelopment

MPD-010

Open Space



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Park & Kearns Redevelopment

MPD-010E

Open Space

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Property.....194,652 sq. ft. (100%)

Surface Parking & Driveways.....16,919 sq. ft. (8.7%)

Propose Building Footprint.....82,611 sq. ft. (42.4%)

Amenity Space.....17,307 sq. ft. (8.9%)

Sidewalks.....36,857 sq. ft. (18.9%)

Landscaped Area.....40,988 sq. ft. (21.1%)

PROPOSED OPEN SPACE: 77,845 (40%)

Approved 10.09.2024

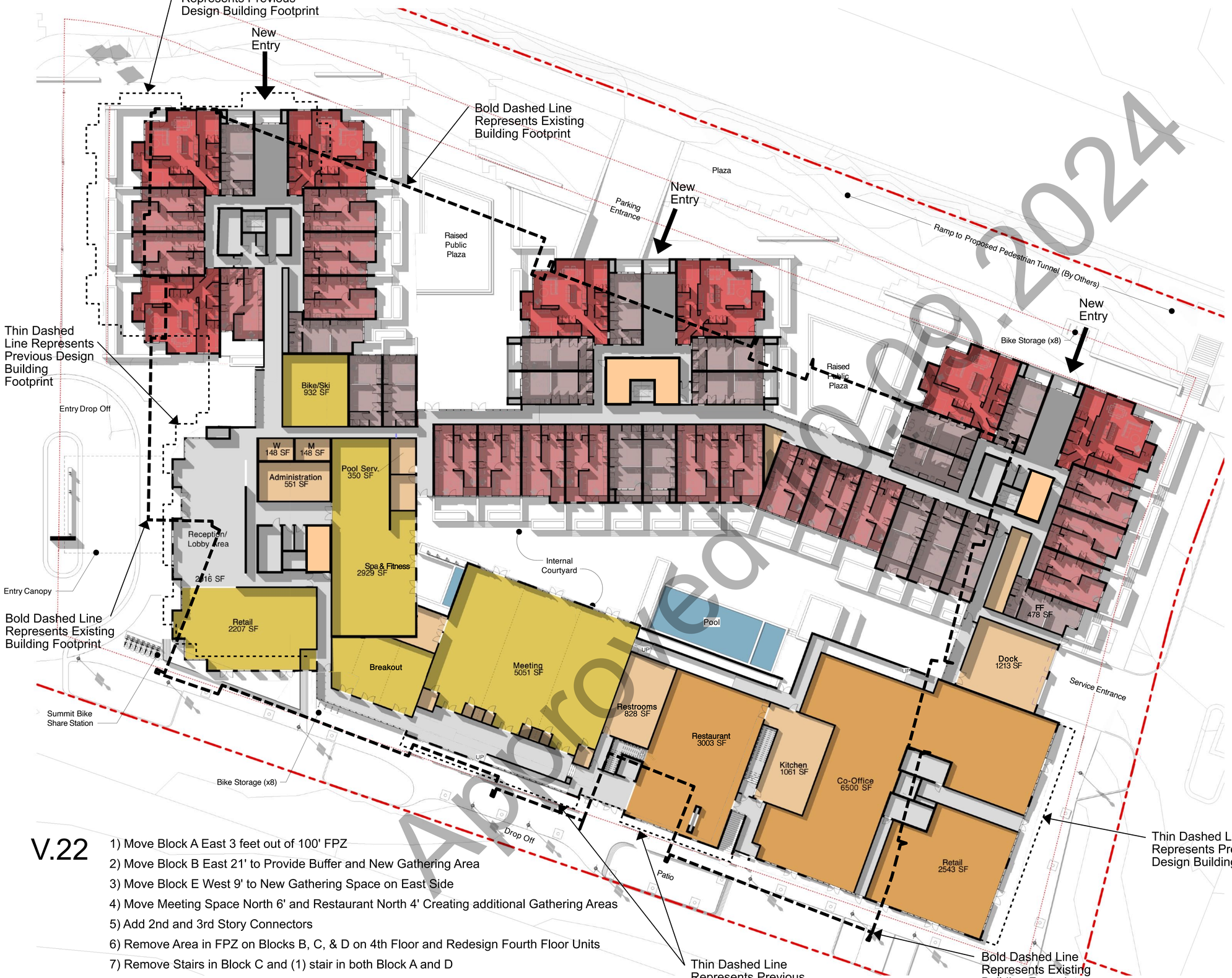
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Park & Kearns Redevelopment

MPD-010E

Open Space



- Amenity
- Commercial
- Service
- Circulation
- 1 Bed
- 2 Bed
- 3 Bed
- Studio

Approved
10.09.2024

V.22

1) Move Block A East 3 feet out of 100' FPZ
2) Move Block B East 21' to Provide Buffer and New Gathering Area
3) Move Block E West 9' to New Gathering Space on East Side
4) Move Meeting Space North 6' and Restaurant North 4' Creating additional Gathering Areas
5) Add 2nd and 3rd Story Connectors
6) Remove Area in FPZ on Blocks B, C, & D on 4th Floor and Redesign Fourth Floor Units
7) Remove Stairs in Block C and (1) stair in both Block A and D

Level 1 - MPD

SCALE: 1" = 20'-0"

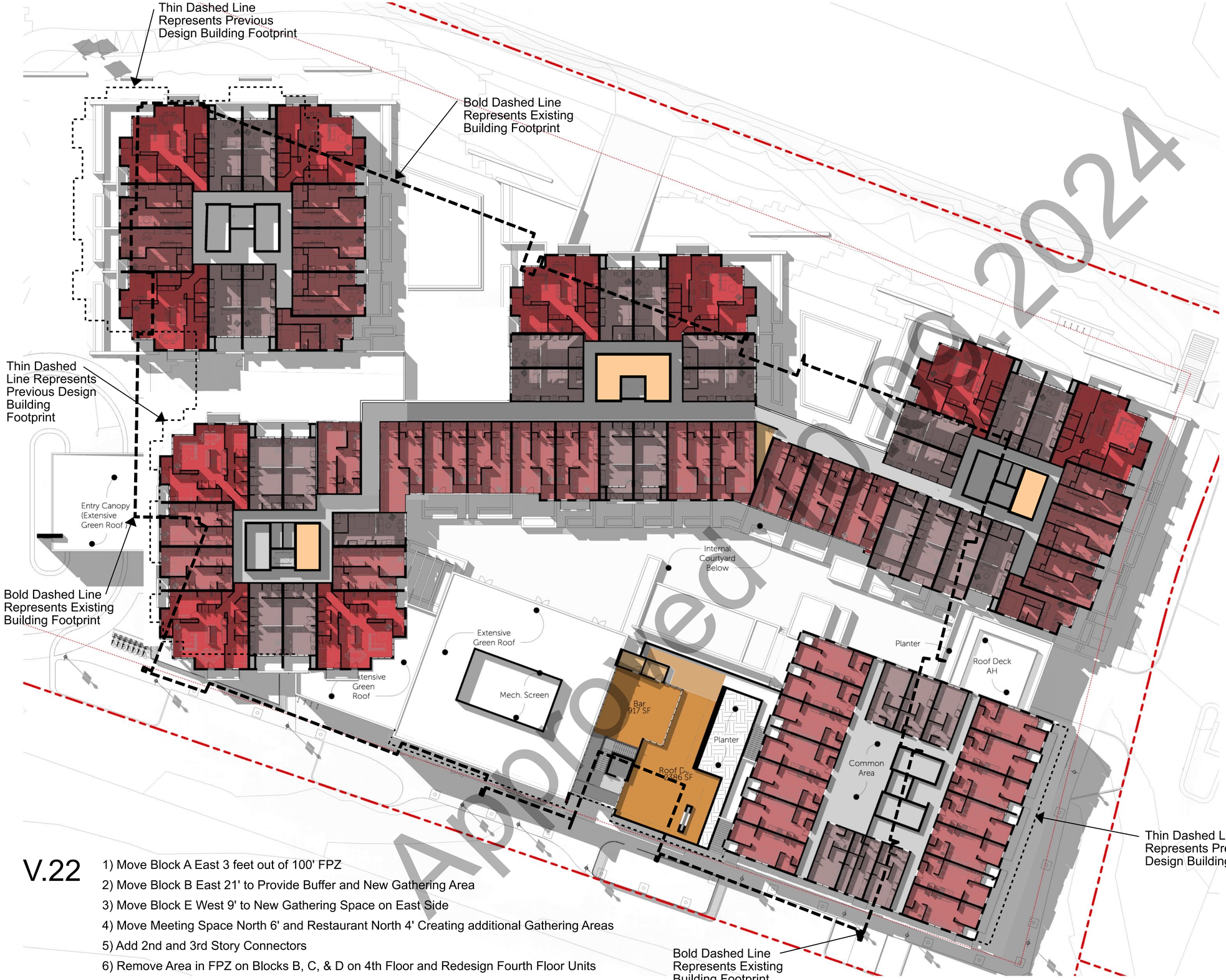
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Park & Kearns Redevelopment

MPD-101

Level 1



Approved
2024

V.22

1) Move Block A East 3 feet out of 100' FPZ
2) Move Block B East 21' to Provide Buffer and New Gathering Area
3) Move Block E West 9' to New Gathering Space on East Side
4) Move Meeting Space North 6' and Restaurant North 4' Creating additional Gathering Areas
5) Add 2nd and 3rd Story Connectors
6) Remove Area in FPZ on Blocks B, C, & D on 4th Floor and Redesign Fourth Floor Units
7) Remove Stairs in Block C and (1) stair in both Block A and D

Level 2 - MPD
SCALE: 1" = 20'-0"

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Park & Kearns Redevelopment

MPD-102

Level 2



V.22

1) Move Block A East 3 feet out of 100' FPZ
2) Move Block B East 21' to Provide Buffer and New Gathering Area
3) Move Block E West 9' to New Gathering Space on East Side
4) Move Meeting Space North 6' and Restaurant North 4' Creating additional Gathering Areas
5) Add 2nd and 3rd Story Connectors
6) Remove Area in FPZ on Blocks B, C, & D on 4th Floor and Redesign Fourth Floor Units
7) Remove Stairs in Block C and (1) stair in both Block A and D

Level 3 - MPD

SCALE: 1" = 20'-0"

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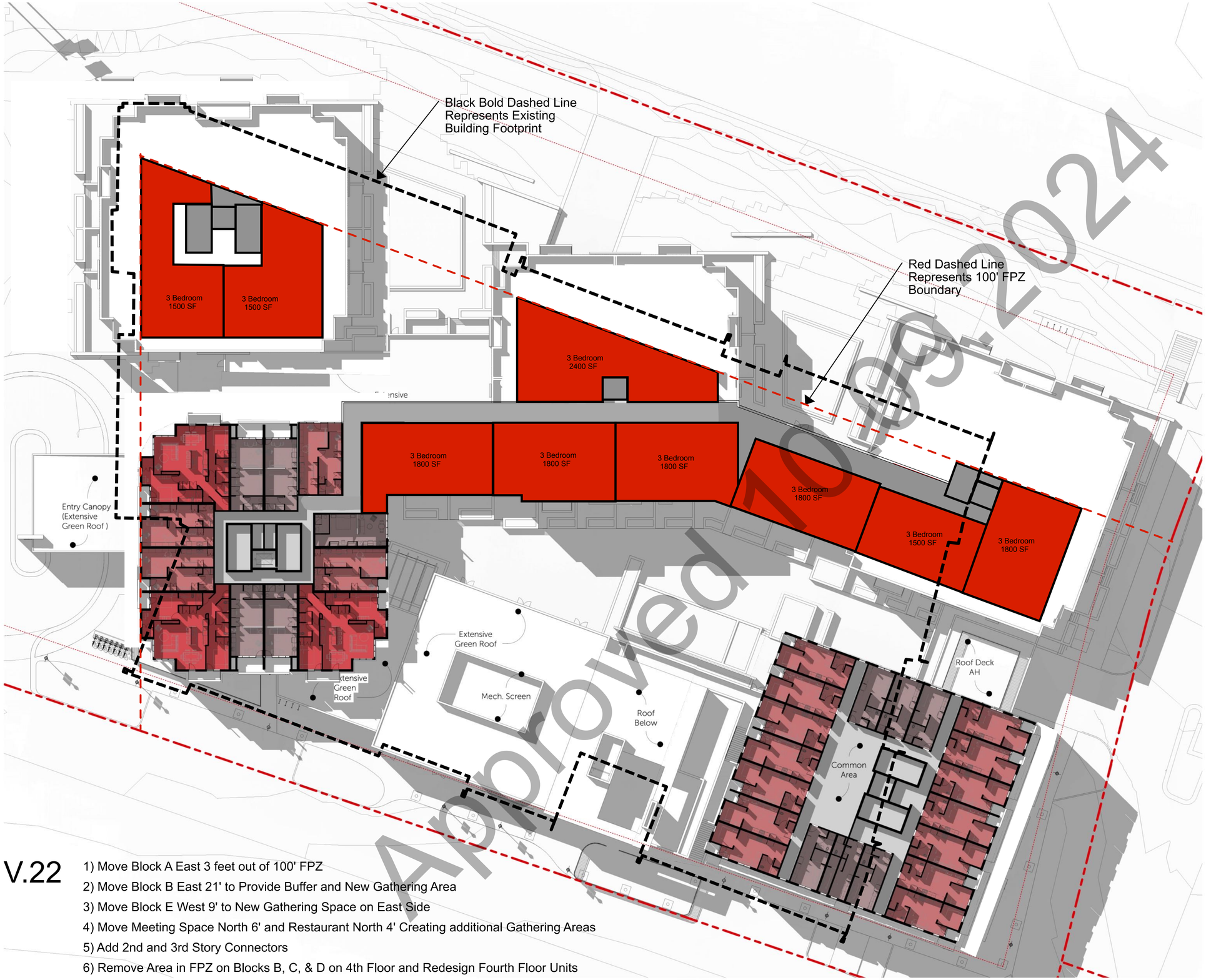
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Park & Kearns Redevelopment

MPD-103

Level 3



Approved
10.09.2024

V.22

1) Move Block A East 3 feet out of 100' FPZ
2) Move Block B East 21' to Provide Buffer and New Gathering Area
3) Move Block E West 9' to New Gathering Space on East Side
4) Move Meeting Space North 6' and Restaurant North 4' Creating additional Gathering Areas
5) Add 2nd and 3rd Story Connectors
6) Remove Area in FPZ on Blocks B, C, & D on 4th Floor and Redesign Fourth Floor Units
7) Remove Stairs in Block C and (1) stair in both Block A and D

Level 4 - MPD
SCALE: 1" = 20'-0"

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Park & Kearns Redevelopment

MPD-104

Level 4

Roof Elevation:	6862'-0"
Grade:	6820'-0"
Roof Over Topography:	**42'-0"**

Roof Elevation:	6851'-1"
Grade:	6820'-0"
Roof Over Topography:	**31'-1"**

Roof Elevation:	6862'-0"
Grade:	6820'-0"
Roof Over Topography:	**42'-0"**

Roof Elevation:	6851'-1"
Grade:	6820'-0"
Roof Over Topography:	**31'-1"**

Roof Elevation:	6862'-0"
Grade:	6820'-0"
Roof Over Topography:	**42'-0"**

Roof Elevation:	6851'-0"
Grade:	6819'-3"
Roof Over Topography:	**31'-9"**

Roof Elevation:	6862'-0"
Grade:	6820'-0"
Roof Over Topography:	**42'-0"**

Roof Elevation:	6851'-0"
Grade:	6818'-10"
Roof Over Topography:	**32'-2"**

Roof Elevation:	6851'-0"
Grade:	6816'-6"
Roof Over Topography:	**34'-6"**

Roof Elevation:	6862'-0"
Grade:	6819'-0"
Roof Over Topography:	**43'-0"**

Roof Elevation:	6835'-0"
Grade:	6820'-0"
Roof Over Topography:	**15'-0"**

Roof Elevation:	6831'-0"
Grade:	6820'-0"
Roof Over Topography:	**11'-0"**

Roof Elevation:	6835'-0"
Grade:	6821'-0"
Roof Over Topography:	**14'-0"**

Roof Elevation:	6865'-0"
Grade:	6820'-0"
Roof Over Topography:	**45'-0"**

Roof Elevation:	6836'-0"
Grade:	6819'-6"
Roof Over Topography:	**16'-6"**

Roof Elevation:	6864'-0"
Grade:	6821'-0"
Roof Over Topography:	**43'-0"**

Roof Elevation:	6837'-0"
Grade:	6821'-0"
Roof Over Topography:	**16'-0"**

Roof Elevation:	6849'-6"
Grade:	6821'-0"
Roof Over Topography:	**28'-6"**

Roof Elevation:	6841'-6"
Grade:	6821'-0"
Roof Over Topography:	**20'-6"**

30'-0"
20'-0"
50'-0"

Elevator Penthouse
Elevator/Mech. Screening
Elevator & Mech. Screening
Elevator Penthouse/Mech. Screening
Solar Panel Ready, behind parapet

10.09.2024
Approved

V.22

1) Move Block A East out of FPZ
2) Move Block B East to Provide Buffer at Intersection
3) Move Block E West to Create Plaza Space on East Side
4) Add 2nd and 3rd Story Connectors
5) Remove Area in FPZ on Blocks B, C, & D on 4th Floor and Redesign Penthouses to Maximize Area
6) Remove Stairs in Block C and (1) stair in both Block A and D

Roof Plan
SCALE: 3/64" = 1'-0"

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Park & Kearns Redevelopment

MPD-108

Roof Over Topography Copy 1

Elevation 1.

SCALE: 1" = 20'-0"

Elevation 2.

SCALE: 1" = 20'-0"

Approved 10.09.2024

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Park & Kearns Redevelopment

MPD-201

Elevations

Elevation 3.

SCALE: 1" = 20'-0"

Elevation 4.

SCALE: 1" = 20'-0"

Approved 10.09.2024

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Park & Kearns Redevelopment

MPD-202

Elevations

F. **BUILDING HEIGHT**. The Building Height requirements of the Zoning District in which a Master Planned Development is located shall apply, except that the Planning Commission may consider an increase in Building Height based upon a Site specific analysis. Height exceptions will not be granted for Master Planned Developments within the HR-1, HR-2, HRC, and HCB Zoning Districts. The Applicant must request a Site-specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings for an increase in Building Height can be made, according to Subsections (1) through (5) below. In order to grant Building Height in addition to that which is allowed in the underlying Zoning District, the Planning Commission must find that:

1. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for Facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;
2. Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site specific analysis;
3. There is adequate Landscaping and buffering from adjacent Properties and Uses;
4. Increased Setbacks and separations from adjacent projects are proposed;
5. The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible;
6. The additional Building Height is designed in a manner that provides a transition in roof elements in compliance with Chapter 15-5, Architectural Review, or the Design Guidelines for Park City's Historic Districts and Historic Sites if the Building is located within the Historic District.

   If and when the Planning Commission grants additional Building Height based on a Site specific analysis, the approved additional Building Height shall only apply to the specific plans reviewed and approved by the Planning Commission. Additional Building Height shall be specified as a Finding of Fact in the Master Planned Development Approval, in the Development Agreement, and on each plat within the Master Planned Development that includes a Building with an additional Height allowance.

Approved 10.09.2024

A. **FRONT SETBACK**. The minimum Front Setback is twenty feet (20') for all Main and Accessory Buildings and Uses. The twenty foot (20') Front Setback may be reduced to ten feet (10'), provided all on-Site parking is at the rear of the Property or underground. The Frontage Protection Overlay Zone (FPZ) requires a minimum landscaped buffer of thirty-feet (30') in width abutting the Street. See Section 15-2.20. The Prospector Overlay allows reduced site requirements for designated Affected Lots. See Section 15-2.18-3(I)

Approved 10.09.2024

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Park & Kearns Redevelopment
MPD-GC1 Front Setback

15-2.20-1 Purpose

The purpose of the Frontage Protection Zone (FPZ) is to:

A. preserve Park City's scenic view corridors,

B. preserve and enhance the rural resort character of Park City's entry corridor,

C. provide a significant landscaped buffer between Development and highway Uses,

D. minimize curb cuts, driveways and Access points to highways,

E. allow for future pedestrian and vehicular improvements along the highway corridors.

10.09.2024
Approved

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15-2.20-4 Lot And Site Requirements

Lot and Site Requirements and Building Heights for all Development Activities and uses within the Frontage Protection Zone must be consistent with the underlying Zoning District and are subject to the following additional requirements:

A. Regardless of the zone Setback and Yard requirements, except as otherwise provided herein, no Structure shall be allowed within thirty feet (30') of the nearest highway Right-of-Way. An exception to this requirement shall be granted for two (2) municipal identification signs, one within the Utah State Highway 224 entry corridor, and the other within the Utah State Highway 248 entry corridor, provided that Park City Municipal Corporation is the Applicant and subject to approval pursuant to Municipal Code Section 12-9-1(L).

B. All Construction Activity, including permanent signs, in the Setback Area between thirty feet (30') and one hundred feet (100') from the nearest Right-of-Way line requires a Conditional Use permit and is subject to all applicable review criteria as stated in Section 15-1-10. Review of projects within the FPZ shall include design review criteria as stated in LMC Chapter 15-5.

C. EXCEPTIONS. Minor remodels and facade improvements for existing Structures within the FPZ, including free standing signs shall require an Administrative Permit with approval by the Planning, Engineering, and Building Departments. Construction of at Grade sidewalks, trails, public plazas, and temporary signs in the FPZ Setback Area requires an Administrative Permit with approval by the Planning, Engineering, and Building Departments.

D. Essential public facilities such as bus shelters, bus lanes, Public Transit Amenity Areas, highways, directional signs, and utility installations within the FPZ shall require an Administrative Permit or Administrative Conditional Use permit with approval by the Planning, Engineering, and Building Departments. Overhead electric bus charging infrastructure is prohibited.

E. To minimize curb cuts, driveways, and Access to Park City's primary highways and Streets, Access to Property in the FPZ shall be from existing City Streets when possible, rather than direct highway Access. Common driveways between adjoining projects shall be used when possible. Driveways must be placed where they create the least interference with through traffic on highways.

F. The Planning Department shall review all proposals for pedestrian and bicycling pathways and trails through the FPZ. Trails and sidewalks may occupy Setback Areas. Open Space, preservation of view corridors, protection and enhancement of Sensitive Lands such as wetlands and meadows, and buffer Areas shall be considered in the review.

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10.09.2024


REID BUILDING
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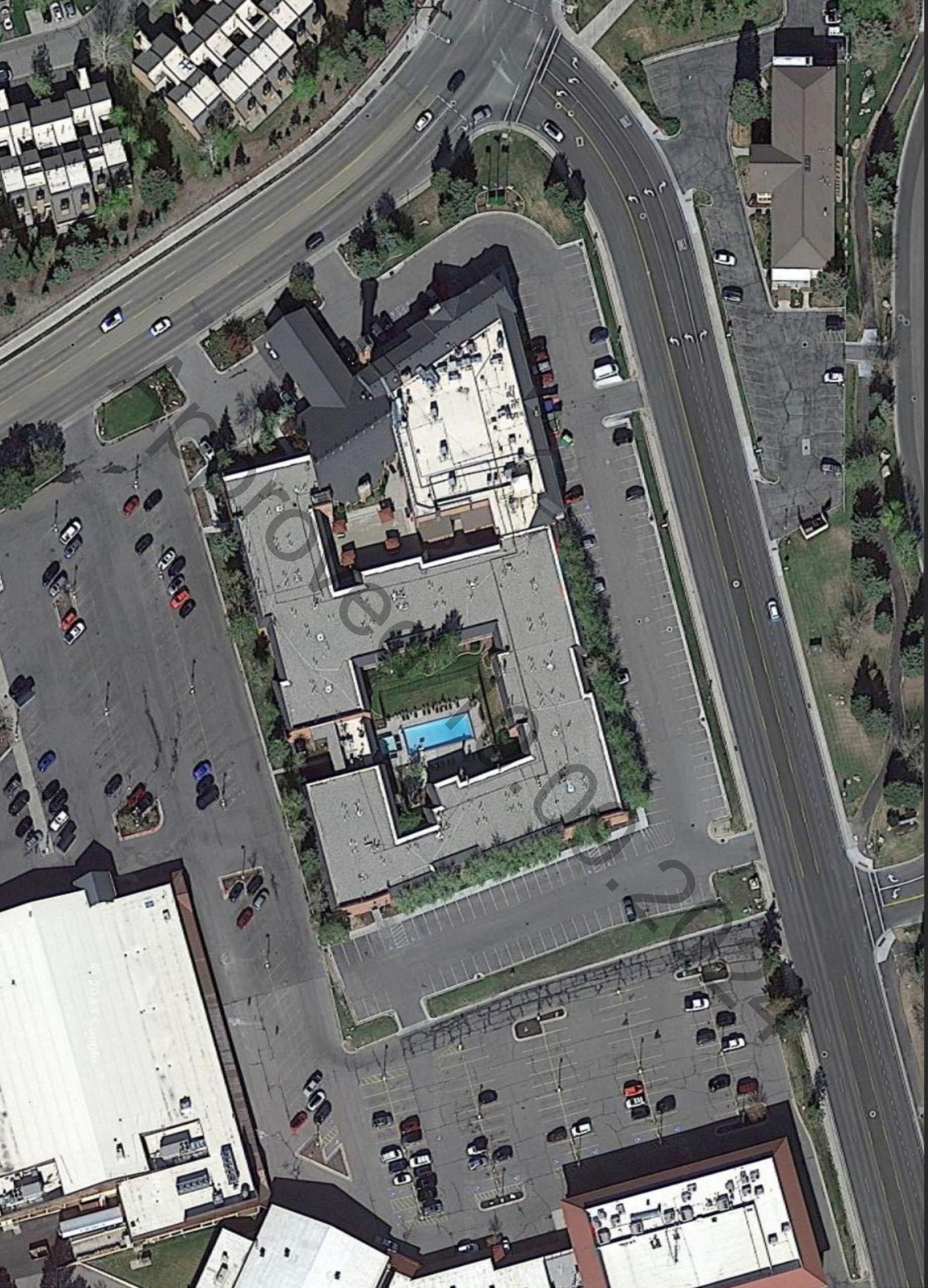
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Park & Kearns Redevelopment

MPD-SP1

Surrounding Property

10/09/2023 (Rev. 09/03/2024)

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