



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MARCH 12, 2025**

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

EX OFFICIO: Rebecca Ward, Planning Director; Meredith Covey, Planner I; Jaron Ehlers, Planner I; Virgil Lund, Planner II; Elissa Martin, Planning Project Manager; Alec Barton, Senior Planner; Mark Harrington, Senior City Attorney

1. ROLL CALL

Chair Sarah Hall called the Planning Commission Meeting to order at 5:35 p.m. She is attending virtually, as is Commissioner Christin Van Dine. All Commissioners are present with the exception of Commissioner Henry Sigg and Commissioner Laura Suesser.

2. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Rebecca Ward, reported that there is an online questionnaire related to the General Plan. Community members can provide input on different land use and transportation scenarios. The questionnaire will be open until March 24, 2025, and is on the project website at engageparkcity.org. Director Ward reminded Commissioners about the special meeting scheduled for April 2, 2025. There will be several items discussed.

3. PUBLIC COMMUNICATIONS

There were no public communications.

4. CONTINUATIONS

- A. 1354 Park Avenue (City Park) – Subdivision** – The Applicant Proposes a Subdivision for City Park in the Urban Park Zoning District. PL-24-06247.

Chair Hall opened the public hearing. There were no comments. The public hearing was continued to the April 2, 2025, Planning Commission Meeting.

MOTION: Commissioner Frontero moved to CONTINUE the 1354 Park Avenue and 1400 Sullivan Road application and public hearing to the April 2, 2025, Planning

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

5. REGULAR AGENDA

- A. 176 Main Street – Subdivision** – The Applicant Proposes to Create One Lot from a Metes and Bound Parcel in the Historic Residential – 2 Sub-Zone B Zoning District. PL-24-06337.

Planner I, Meredith Covey, presented the Staff Report and explained that the application is for a Subdivision Plat at 176 Main Street. 176 Main Street is in the Historic Residential – 2, Sub-Zone B (“HR-2B”) Zoning District and is a Historic Landmark Site. The applicant is proposing to create one lot of record from a metes and bounds parcel. The lot is 8,324 square feet. Pursuant to Land Management Code (“LMC”) 15-2.3-4, Landmark Historic Sites are valid non-complying structures. In the Draft Final Action Letter, there is a recommendation that the Planning Commission consider removing Condition of Approval #9. Any additions will be required to comply with the lot and site requirements of the zoning district as well as Historic District regulations. Staff finds good cause for this Plat Amendment because it creates a lot for the existing historic structure and makes the lot buildable. This will allow the property owner to construct an addition and make repairs.

Planner Covey reviewed some of the Conditions of Approval, including conditions that require the applicant to record a 10-foot public utilities easement, a 10-foot snow storage easement, and an encroachment agreement with the Engineering Department for the existing retaining wall in the Main Street right-of-way. Staff recommends the Commission consider approving the Subdivision application based on the amended Draft Final Action Letter, Findings of Fact, Conclusions of Law, and Conditions of Approval. Planner Covey reiterated the suggestion to remove Condition of Approval #9. The applicant representative, Marshall King, introduced himself to the Commission. He noted that this is a fairly straightforward application, but explained that there was an undevelopable lot with the two lot lines. This decision should allow the other application to move ahead.

Commissioner Bill Johnson asked for additional information about Condition of Approval #9. Planner Covey clarified that the condition was from a previous draft. Pursuant to LMC 15-2.3-4, since it is a Landmark Historic Site, it is not required to comply with lot size requirements. As a result, it is possible to have a single-family home on that lot.

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

Commissioner Johnson referenced Condition of Approval #5 in the Draft Final Action Letter. He asked if it should read “for compliance” rather than “from compliance,” which was confirmed. It was noted that an amendment can be made to the language. He asked about Condition of Approval #7 and the 10-foot snow storage easement mentioned. Planner Covey clarified that an updated plat was not received, so there is a condition.

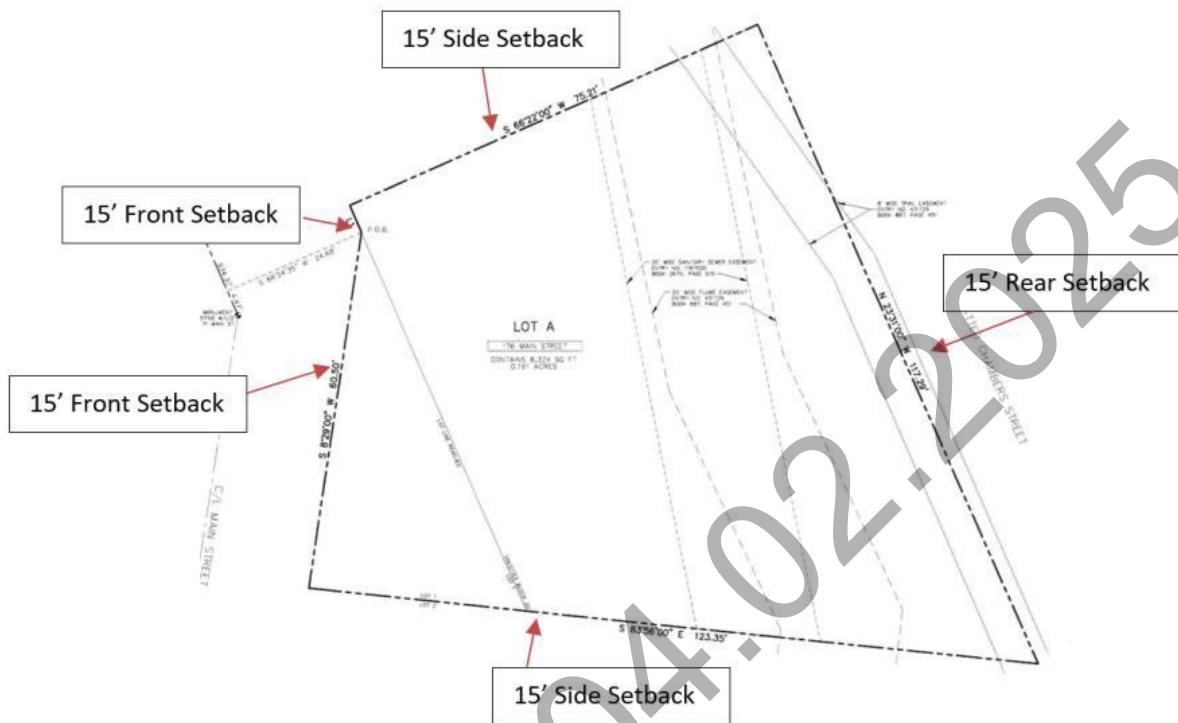
Commissioner John Frontero asked what the intended use would be in its final form. Mr. King reported that there will be a single-family residence. Commissioner Frontero understands this is historical and is exempt from certain parking requirements, but asked what the plan is to accommodate vehicles on the site. Mr. King explained that there is a two-car garage in the back, which will address the parking requirements. There is a curb cut on Main Street that exists currently that will be used to access the garage.

Commissioner Rick Shand noted that the lot has an irregular shape, which is the reason for the 15-foot setbacks. He asked for additional information about that. Director Ward clarified that there are zoning district setbacks. However, because of the unusual lot, what is considered to be the front has been indicated in the Meeting Materials Packet.

MOTION: Commissioner Johnson moved to APPROVE the 176 Main Street Plat Amendment, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact

1. 176 Main Street is a Landmark Historic Structure located within the Historic Residential - 2 Zoning District, Sub-Zone B.
2. The Applicant proposes to remove a Lot Line and create one Lot of Record from a Metes and Bounds parcel.
3. The site is 8,324 square feet and has a maximum building footprint of 2,607 square feet.
4. The existing Structure has a footprint of 1,416 square feet.
5. The proposal creates a five-sided unusual Lot. The Planning Director determined the Setbacks for the Lot are:



6. The Historic Structure encroaches into the Front Setback by 12 feet.
7. LMC § 15-2.3-4 notes that existing historic structures that do not comply with current code are valid Non-Complying Structures.

176 Main Street is a Landmark Historic Structure and a valid Non-Complying Structure.

The maximum height in the HR-2 Zoning District is 27' from existing grade.

The existing structure is 37.2 feet and a Non-Complying Structure.

The existing Structure was previously used as a Boarding House and known as the Durkin Boarding House and the Centennial House.

The Development Review Committee reviewed the proposed Plat Amendment on April 16, 2024, and required Conditions of Approval 6, 7, and 8.

The Development Review Committee reviewed the proposed Subdivision again on December 3, 2024 and have no additional Conditions of Approval.

On May 22, 2024, the Planning Commission continued this item to July 10, 2024. On July 10, 2024, the Planning Commission continued this item to August 28, 2024. On July 29, 2024 the Applicant withdrew the application. On November 7, 2024 the Applicant resubmitted the application with no changes.

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on February 26, 2025. Staff mailed courtesy notice to property owners within 300 feet on February 24, 2025. The Park Record published courtesy notice on February 24, 2025.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because it creates one Lot of record for the existing Historic Structure, so the structure may be repaired and used, and the Lot is buildable.
2. The Plat Amendment is consistent with the Land Management Code, including LMC Chapter 15-2.3, *Historic Residential -2 (HR-2) Zoning District* and § 15-7.1-3(B) *Classification Of Subdivision – Plat Amendment*.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer shall review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and these Conditions of Approval, prior to recordation of the plat.
2. The Applicant shall record this Plat Amendment at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.

3. Any additions to the Historic Structure require a Historic District Design Review and approval from the Historic Preservation Board for Material Deconstruction.
4. Any additional Structures or additions must comply with LMC Chapter 15-2.3 and 15-3 and are not exempt from Setbacks, Height, Footprint, or Parking requirements.
5. Any Conditional Use on the site shall be reviewed for compliance under a Conditional Use Permit and LMC § 15-2.3-7 and § 15-2.3-9 and must comply with parking requirements outlined in LMC § 15-3-6.
6. The Applicant shall record a 10' public utilities easement for existing power and telecommunication lines on the Final Plat.
7. The Applicant shall record a 10' snow storage and public utilities easement off of Main Street Right-of-Way on the Final Plat. Existing historic structures, including deck, decorative light, and other historic designated features and their repair and maintenance are permitted to encroach within the 10' snow storage easement.
8. The Applicant shall record an encroachment agreement with the Engineering Department for the existing retaining wall in the Main Street Right-of-Way.

The motion was seconded by Commissioner Frontero. The motion passed with the unanimous consent of the Commission.

Chair Hall reported that Commissioner Sigg has joined the meeting via Zoom.

- B. 950 Park Avenue – Condominium Plat Amendment** – The Applicant Proposes to Amend the Park Station Condominiums Phase 2 Plat to Include the Footprint of a Planned Pool House in the Historic Commercial Business Zoning District. PL-24-06255.

Planner I, Jaron Ehlers, presented the Staff Report and explained that the application is a Condominium Plat Amendment for 950 Park Avenue. The request is to add a building pad for a pool house in the common area between the Phase 1 and Phase 2 condominium buildings. 950 Park Avenue is in the Historic Commercial Business ("HCB") Zoning District and the Soils Ordinance Boundary. The pool house would include storage for the equipment to maintain the outdoor pool, including pipes and restrooms for pool guests.

A map of the area was reviewed. Planner Ehlers noted that the building pad for the pool house is shown in red. Existing conditions images were also shared with the Commission. Some background information was provided and Planner Ehlers reported that Phase I

was approved in 1981 and Phase II was approved in 1982. Since that time, some improvements have been made to the property, including the pool. The property complies with the HCB Zone, but there are Conditions of Approval that require Historic District Design Review ("HDDR") to ensure compliance with the zone requirements. There is good cause for the pool house because it would allow for the replacement and upgrading of the existing infrastructure. As noted in the Staff Report, the Homeowners Association ("HOA") experts have stated that a standalone pool house is needed.

The applicant representative, Andrew Widin, explained that he is from the Park Station Condominium Board of Directors. One clarification to the Staff report is on Page 4 under Background. It notes that the pool and spa might have been added at a later date, but both were built when Phase II was put in. Other than that, the report is correct. He explained that the pool is 43 years old. There is a spa that leaks thousands of gallons of water per year, which needs to be torn out and replaced. As for the pool, the existing equipment was put into the basement of Building 2, approximately 120 feet away from the pool. That resulted in poor circulation to the pool and flooding in some of the common spaces. There have been bids received from three pool contractors and all three recommended that a pool house be added adjacent to the pool to address the issues. Mr. Widin noted that this will accommodate exterior restrooms and the pool equipment.

Commissioner Shand has been in the basement of Building 2 before and has seen the pool equipment firsthand. He asked if there is anything currently in the proposed pool house location. Mr. Widin denied this. The proposal is for the pool house to be set back slightly more than 10 feet from the property line. It will be located adjacent to the pool. There is one tree that needs to be removed in order for the pool house to be built there.

Commissioner Frontero asked if there is a rendering of what the pool house will look like. Exhibit C was shared with the Commission. Mr. Widin reported that it will be a single story with a low-profile roof because there is an adjacent neighbor. The intention is to be respectful to that neighbor. Commissioner Johnson asked whether there is a snow storage easement along Park Avenue. Planner Ehlers denied this. He clarified that the Phase I Plat will not be amended with this Plat Amendment, so that was not requested.

Commissioner Sigg wanted to know if there is a setback requirement to the north property line. Planner Ehlers clarified that there is no setback requirement in the zone. That being said, this is proposed to be set back approximately 10 feet from the rear lot line. Commissioner Sigg asked what will happen to the walkway that exists and if it will be relocated. Mr. Wider reported that the walkway will either remain or be redone with snow melt. He noted that the latter would make the area safer. It is an exterior walkway commonly used by Town Pointe Condominiums and Park Station Condominiums. He reiterated that the walkway will either remain as is or be repoured in the same location.

Chair Hall opened the public hearing.

Jennifer Holmstead explained that she and her mother, Lisa Holmstead, are at the meeting to represent owners from Park Station Unit #221. She expressed support for the project. The HOA is working hard to make sure that the property is well-maintained.

There were no further comments. The hearing was closed.

MOTION: Commissioner Johnson moved to APPROVE the 950 Park Avenue Condominium Plat Amendment based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Applicant submitted a Condominium Plat Amendment to amend the Park Station Phase 2 Condominium at 950 Park Avenue (Summit County Recorder Entry No. 190313) to add a pool house in the Common Area between the Phase 1 and Phase 2 Condominium Buildings.
2. 950 Park Avenue is in the Historic Commercial Business (HCB) Zoning District and the Soils Ordinance Boundary.
3. The pool house would include storage for the equipment necessary to maintain the outdoor pool, including pipes, and bathrooms for guests of the pool.
4. The Phase 1 Park Station Condominium was recorded with Summit County on July 9, 1980 (Recorder Entry No. 168353) and includes 40 residential units.
5. Phase 2 was recorded with Summit County on April 12, 1982 (Recorder Entry No. 190313) and includes 40 residential units. Over time, several improvements were made in the Common Area between the two buildings, including the existing pool.
6. The Applicant seeks to renovate the property. Among other renovations, the Applicant proposes to replace outdated pool equipment, including pipes in the Basement of the Phase 2 Building.
7. The Applicant states the pool house is needed to modernize the pool and its support equipment.
8. The footprint of the pool will not be expanded.
9. On August 23, 2024, the Applicant applied for a Condominium Plat Amendment to reflect the proposed pool house.

10. On December 10, 2024, the Applicant submitted proof of a two-thirds vote by members of the Homeowners Association (HOA) approving the Plat Amendment.
11. Planning Staff issued a Complete Application Notice to the Applicant on February 5, 2025.
12. The proposal to Amend the Park Station Phase 2 Plat complies, as conditioned, with the Historic Commercial Business District regulations outlined in Land Management Code Chapter 15-2.6:
 - a. Accessory Buildings, such as the proposed pool house, are Allowed Uses in the HCB Zoning District (LMC § 15-2.6-2(A)(12)).
 - b. There are no minimum Setback requirements in the HCB Zoning District (LMC § 15-2.6-3(C)).
 - c. Condition of Approval 7 requires the proposed pool house to demonstrate compliance with Building Height, Building Volume, and Floor Area Ratio requirements in LMC § 15-2.6-5 and LMC § 15-2.6-6 during the Historic District Design Review (HDDR) process.
 - d. LMC § 15-2.6-12(B) establishes that mechanical and bathroom spaces, which is what will be contained in the proposed pool house, are exempt from the Parking Regulations.
 - e. Condition of Approval 6 requires the approval of an HDDR application by the Planning Director prior to issuance of a Building Permit, ensuring compliance with LMC § 15-2.6-13 *Architectural Review* and LMC § 15-12-8 *Regulations For New Residential Infill Construction (and Non-Historic Residential Sites) In Historic Districts*.
13. The proposal to Amend the Park Station Phase 2 Plat complies with the Subdivision Procedures outlined in Land Management Code Chapter 15-7.1:
 - a. LMC § 15-7.1-6(C) requires the Planning Commission to make a finding of Good Cause to approve a Plat Amendment.
 - b. LMC § 15-15-1 defines Good Cause as “Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City Community.”

- c. No public street, Right-of-Way, or easement is vacated or amended with the proposed Condominium Plat Amendment.
 - d. The Applicant states the pool equipment in the Basement of the Phase 2 Building is outdated, at 43 years old, and leaks. To update the equipment, the pool house is necessary. The Applicant has spoken to three pool subcontractors, and they were informed that to allow for proper servicing and to reduce the distance that water needs to be pumped, an adjacent pool house that is level with the outdoor pool is necessary. The pool house will also provide conveniently located restrooms for users of the outdoor pool.
14. The Development Review Committee reviewed the proposal on September 19, 2024, and requires Conditions of Approval.
- a. The Snyderville Basin Water Reclamation District requires that no eaves encroach into the existing Sewer Easement (Condition of Approval 5).
 - b. The Environmental Regulatory Department requested Condition of Approval 4 requiring that “[a]ll work shall comply with the signed Certificate of Compliance and shall maintain compliance with the Park City Soils Ordinance.”
 - c. The Summit County Surveyor requires an Amendment to the Covenants, Conditions & Restrictions (CC&Rs) reflecting this Plat Amendment to be recorded with the Plat Amendment (Condition of Approval 3).
15. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on February 26, 2025. Staff mailed courtesy notice to property owners within 300 feet on February 26, 2025. The *Park Record* published courtesy notice on February 26, 2025.

Conclusions of Law

- 1. There is Good Cause for this Condominium Plat Amendment as it allows for necessary upgrades to outdated Pool equipment.
- 2. The Plat Amendment is Consistent with the Land Management Code, including Chapter 15-2.6, Historic Commercial Business (HCB) District.
- 3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
- 4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of

Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer shall review and approve the final form and content of the Plat Amendment 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.
3. The Applicant must submit the draft Third Amendment to Declaration of Condominium of Park Station Condominiums for review by City Staff along with the Plat Amendment.
4. All work shall comply with the signed Certificate of Compliance and shall maintain compliance with the Park City Soils Ordinance.
5. No eaves for the Pool house will encroach into the existing Sewer Line Easement.
6. Prior to the issuance of a Building Permit, the Applicant must apply for and receive an Historic District Design Review Approval from the Planning Director, ensuring compliance with LMC § 15-2.6-13 *Architectural Review* and LMC § 15-12-8 *Regulations For New Residential Infill Construction (and Non-Historic Residential Sites) In Historic Districts*.
7. During the Historic District Design Review process, the Applicant shall demonstrate compliance with the Building Height, Building Volume, and Floor Area Ratio requirements in LMC § 15-2.6-5 and LMC § 15-2.6-6.

The motion was seconded by Commissioner Shand. The motion passed with the unanimous consent of the Commission.

- C. 1354 Park Avenue (City Park) – Ratification of Development Agreement** – The Applicant Proposes to Ratify the Development Agreement for the Community Center Master Planned Development. PL-24-06246.

Planner II, Virgil Lund, presented the Staff Report and explained that the application is for

1354 Park Avenue. It relates to the ratification of the Development Agreement for the City Park Community Center. City Park includes a basketball court, two volleyball courts, sports fields, a playground, a skatepark, and a 5,000-square-foot recreation building constructed prior to 1987. The recreation building has undergone minor remodels and improvements over the years. However, in order for the site to continue to function as built, the facilities require comprehensive updates, and a new community center is proposed to replace the existing recreation building. Some background information was shared. Planner Lund noted that on December 11, 2024, the Planning Commission approved the Community Center Master Planned Development (“MPD”) and Conditional Use Permit (“CUP”). Ratification of the Development Agreement must occur within six months of the Planning Commission approval. The approval included the following:

- 15,000 square foot community center;
- Outdoor patio area;
- Relocation of the recreation courts and playground.

The Development Agreement complies with the criteria found in LMC 15-6-4. Staff recommends the Planning Commission open a public hearing and consider ratifying the Development Agreement. It was noted that Ken Fischer is available to answer questions.

Commissioner Frontero did not believe there was any new information being presented since the last time this came before the Commission. It seems the Commission is being asked to ratify something that has already been discussed and approved. Director Ward confirmed this. For MPD approvals, there is a six-month period for the applicant to draft and submit the Development Agreement. That agreement ratifies and confirms the previous approvals from the Planning Commission. It will be recorded with the property.

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

MOTION: Commissioner Johnson moved to RATIFY the Development Agreement for 1354 Park Avenue and 1400 Sullivan Road. The motion was seconded by Commissioner Sigg. The motion passed with the unanimous consent of the Commission.

D. 732 Crescent Road – Preliminary Subdivision Plat – The Applicant Proposes to Create One Lot from Metes and Bounds Parcel PC-338-B to Lift and Rehabilitate the Historic Landmark Structure and Construct an Addition in the Historic Residential-1 Zoning District. PL-22-05223.

Planning Project Manager, Elissa Martin, presented the Staff Report and stated that the application relates to 732 Crescent Road. She stated that she will share information about the Subdivision application and Steep Slope Conditional Use Permit (“SSCUP”) application at this time. The applicant is proposing a one-lot subdivision to plat the 732 Crescent Road metes and bounds parcel, rehabilitate and lift the Landmark Historic

Structure, and construct a 4,728 square-foot basement and rear addition on a steep slope.

The Landmark Historic Structure was originally constructed in 1904 with additions completed between 1926 and 1938 by the school superintendent, Carl Winters. In 2017, the Historic Preservation Board approved the removal of the additions constructed between 1926 and 1938. Only Addition A was demolished and the other additions remain. The new property owner proposes to retain the Carl Winters additions and reconstruct the 1938 Addition A. In October 2024, the Historic Preservation Board approved Material Deconstruction to remove 60 square feet of Addition C to accommodate a transitional element and the reconstruction of Addition A. There is an existing access easement for the historic Crescent Tram pathway that crosses over the property. This easement would be maintained and updated with the final plat to preserve that public access.

The parcel next door is currently vacant, but it did have a home on it until 2008. That home burned down and was not reconstructed. Originally, the property was comprised of four metes and bounds parcels with the largest one being the site of the 732 Crescent Road historic structure. In April 2022, the applicant submitted an application for a three-lot subdivision. During the July 2022 Work Session, the Planning Commission expressed concerns with a proposal for three homes. The concerns included the following:

- Vehicular and pedestrian conflicts in the private shared driveway;
- Sufficient emergency service access;
- The amount of excavation and disruption to the hillside and existing vegetation;
- Sight lines on Crescent Road, which is narrow and steep.

In May 2023, a Boundary Line Agreement was recorded. This consolidated the four metes and bounds parcels and adjusted the property boundaries. In July 2023, the applicant submitted a revised two-lot subdivision, which did not include the 732 Crescent Road property. The Work Session scheduled in November of that year was continued to a date uncertain. In January 2025, the applicant submitted a revised plat for one lot, encompassing the 732 Crescent Road parcel. The applicant made a request to put the Subdivision and SSCUP applications for the neighboring parcel, PC-320, on hold.

The Preliminary Subdivision Plat to create a 5,668 square foot lot meets the lot and site requirements of the Historic Residential – 1 (“HR-1”) Zoning District as well as the subdivision requirements in LMC 15-7. The plat would preserve access to the adjacent parcel through a shared driveway easement. The Crescent Tram pathway easement will also be maintained via the plat. A portion of the property is being dedicated as public right-of-way for the future widening of Crescent Tram and 8th Street. The subdivision allows for the rehabilitation of a vacant Landmark Historic Structure that is in poor condition.

Manager Martin shared information about the SSCUP. The proposed addition is on the rear uphill part of the lot, which contains slopes greater than 40%. In addition to the Steep Slope Development Criteria, the proposed addition is reviewed for compliance with HR-1 lot and site requirements, building height standards, and the relevant regulations for historic residential sites. The HDDR application, which is currently being processed by the Planning Department, will cover the full spectrum of requirements for Historic District standards. This will likely result in modifications beyond what is approved for the SSCUP.

The proposed lot is 5,668 square feet, which requires a maximum building footprint of 2,061 square feet. The addition, as illustrated in the plans, has a building footprint of 2,144 square feet. Manager Martin noted that this is a correction from the Staff Report. The building footprint is just slightly over the maximum required building footprint. It could be a matter of the accuracy of the scale, but it is conditioned that the plans be modified or updated to show compliance with the maximum building footprint. Manager Martin explained that this is an irregularly shaped lot. The property has two front yards based on the historic home and orientation to the street. As a result, the required side setbacks are 5-feet. Between both sides, the opposing side being the northeast property boundary which has a 12-foot setback, the total combined side setback is 17 feet. The proposed addition complies with the front and rear setbacks of 13 feet and 12 feet respectively.

The HR-1 Zone height is 27 feet from existing grade. Manager Martin reported that the proposed addition measures 20 $\frac{3}{4}$ -feet at its highest elevation from existing grade. The interior height complies with the maximum height of 35 feet. The historic structure and addition combined complies with the minimum 10-foot horizontal step-back requirement. In addition, each of the contributing roof forms has a roof pitch of 7:12. As for the location of the development, she shared a map of the area and pointed out the rear addition shaded in blue. The lot line that is being proposed in the subdivision is the dashed line. That constrains the addition as far as where it can be placed on the lot. With the lot line proposed in the subdivision, what is shown is the only location for the addition.

The applicant provided a visual analysis of the proposed addition, which can be used to evaluate potential impacts on access, and building mass, and to identify opportunities for screening, slope stabilization, erosion mitigation, and vegetation protection. While the addition is not visible from designated vantage points defined in the LMC, it is visible from cross-canyon and street views. A 3D rendering of the historic home and addition were shared from a cross-canyon perspective and from a street view perspective. Manager Martin next shared information about access. The existing access point and driveway from Crescent Road do not disrupt the natural topography of the site. The shared driveway is encouraged in the Historic District Regulations as well as the Steep Slope Criteria. The single-car-wide garage is located under the historic structure and adjacent to the staircase. It is somewhat visible from the street as viewed from below, but based on the vantage point image shared, the garage is not all that visible from that location.

Manager Martin discussed terracing. The applicant proposes to construct new retaining walls on either side of the addition and reconstruct some of the existing retaining walls on the lower portion of the property. When it comes to building location, the properties on either side of the project site are currently vacant. One is owned by the City and the other is owned by the applicant. The addition is intended to be terraced into the natural topography of the site, but future development of the neighboring parcel will have an impact on open areas. As a result, there will need to be careful planning.

Building scale and form information was reviewed. Manager Martin reported that the addition is broken into two distinct volumes with two contributing roof forms. Those are offset both horizontally and vertically. The transition to the existing historic home provides a stepdown at the front of the lot and then there is a shed roof at the rear. She reiterated that the roof form steps down to a shed roof, which provides a bit of variation. The garage is subordinate to the main building. In terms of setbacks, there is a requirement that attempts to minimize the creation of a wall effect along the street. She explained that there are vacant parcels on either side of the property currently, but there is an existing structure one parcel over. If Parcel PC-320 is developed at some point, there could potentially be a wall effect along the back of the private driveway. The Planning Commission may further limit the volume of a proposed structure to minimize its visual mass and/or to mitigate differences in scale between the existing structures. The proposed footprint occupies 38% of the lot and the massing is broken up between the existing historic structure and the two volumes proposed for the addition.

For building height, the approved building plans for a neighboring property were shared for comparison. Manager Martin reported that the building heights for 732 Crescent Road are 20 $\frac{3}{4}$ -feet from the existing grade and 34 feet for the internal height. Commissioner Johnson asked about the comparison property that was shown. He asked if that site has a Landmark Historic Structure as well. Director Ward denied this and explained that the example image shown is new construction that was approved in 2021.

Upon approval of the Preliminary Plat, the Final Subdivision Plat would be approved administratively by the Planning Director. The HDDR is being reviewed concurrently and is pending approval of the Subdivision Plat and SSCUP. The Staff recommendations were shared for both the Subdivision Plat and the SSCUP, which are as follows:

- Preliminary Subdivision Plat:
 - Review the proposed one-lot subdivision of metes and bounds Parcel PC-338-B to allow for construction of a basement and rear addition to a Landmark Historic Structure;
 - Conduct a public hearing; and
 - Consider approving the Crescent Tram Preliminary Subdivision Plat based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Final Action Letter.
- SSCUP:

- Review the proposed Steep Slope Conditional Use Permit to construct a basement and rear addition to a Landmark Historic Structure;
- Conduct a public hearing; and
- Consider approving the 732 Crescent Steep Slope Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Final Action Letter.

Chair Hall opened the public hearing for Item 5 D and Item 5 E. There were no comments. The hearing was closed for Item 5 D. The hearing for Item 5 E was continued.

Chall Hall asked to review the Draft Final Action Letter for Item 5 E. She was looking for the Findings of Fact related to the update in the Staff presentation. Manager Martin believes she is referring to the building footprint that was mentioned earlier. She confirmed that the Findings of Fact will need to be updated to reflect the accurate number.

Commissioner Johnson stated that he has a problem with the volume, specifically the height of the addition in relation to the Historic Landmark Structure. LMC 15-2.2-6 gives the Commission discretion to reduce and minimize the visual mass to mitigate the difference in scale between the proposed structure and existing structures. The visual representation depicts the new addition massing taking away the historic character of the site. He would ask the applicant to reduce the height or propose a reduction in height to mitigate the impacts of the visual representation of the Landmark Historic Structure.

Commissioner Johnson asked to further discuss his proposal to reduce the height. Commissioner Van Dine agreed and shared a similar concern. Commissioner Sigg also agreed with the comments, because the building seems to overwhelm the historic structure. He is also concerned about the steep slope where the mass is proposed. He has two questions for the applicant, including whether there is an easement for the electrical power lines and whether there is an easement that will cross the driveway.

The applicant representative, Jason Boal, explained that he is from Snell and Wilmer. The project architect and surveyor are attending the meeting virtually and can also answer questions. Mr. Boal confirmed that there is unique topography with steep slopes on the back side of the property. It is important to remember the historical context, which is that there was a building next door. When looking at the historical images, there were numerous buildings closely clustered together. The proposed addition has a maximum height that Staff has identified. There has already been work done to reduce the volume, impact, and height of the project in order to fit in with the historic character.

Bill Van Sickle introduced himself to the Commission and explained that he did the design with Van Sickle Design and Drafting. The reason the massing works on this home is because it has been stepped back and given separation. There was careful consideration given to the streetscape as well. A rendering was shared with the Commission to better illustrate what is proposed. There was communication between the design team and the

Planning Department. The intention is to bring the historic structure forward and provide a sense of separation from the new structure. Commissioner Johnson asked how many floors the addition is. Mr. Van Sickle reported that it is three and a half floors since there is a loft within that roof form. Commissioner Johnson felt it should be reduced because he does not feel the new addition is respecting the Landmark Historic Structure.

Commissioner Shand asked to further review the rendering. The structure meets Code, but what stands out are the blank facades. That accentuates the massing of the new structure relative to the historic structure. He asked if there is a way to soften that. Commissioner Shand understands the comments shared by the other Commissioners because the addition appears to overwhelm the historic structure. Chair Hall noted that there is consensus as far as the massing concerns. She asked if there are proposals from the Commission as far as the Draft Final Action Letter for Item 5 E. Wade Budge suggested that the architect share additional comments about massing before there are discussions about the Draft Final Action Letter. Mr. Van Sickle confirmed that additional windows can be added to create more visual interest and break up the massing.

Commissioner Johnson asked if the applicant would like to have time to rework this or if the applicant would like the Commission to vote on the current application. It is possible to continue the steep slope component of the project. Alternatively, there could be suggestions shared for Conditions of Approval that will reduce the massing. Mr. Van Sickle noted that there could be a Condition of Approval that the massing be reduced slightly and additional windows be added to soften the façade. That is within reason.

Commissioner Van Dine asked how much the HDDR process will impact the design at this point. Manager Martin explained that building height and volume are aspects of the SSCUP criteria and are within the purview of the Commission. When it comes to the HDDR process, there will be discussions about the height in relation to the character and compatibility with the streetscape, but there will also be more attention to detail with the windows, pattern of materials, and so on. There are more details at the HDDR level. It is appropriate for the Planning Commission to consider massing, volume, and height.

Mr. Budge noted that the objective criteria are met, but he wants to understand how to better address the subjective criteria. Commissioner Johnson wondered whether it would make sense to continue the item so the applicant can work on additional options. It was suggested that the SSCUP come back to the Planning Commission at a future date.

Commissioner Johnson thought it made sense to move forward with the Subdivision Plat and continue the SSCUP. Mr. Budge asked if it is possible to continue to a date certain. Director Ward reported that there is a special meeting scheduled for April 2, 2025. It might be possible to add this item to that meeting agenda. Manager Martin pointed out that there is a little more time available on the April 23, 2025, meeting agenda. Mr. Budge believed the item could be reviewed fairly quickly during the April 2, 2025, meeting. Commissioner Van Dine believes it is reasonable to hear the item at the special meeting.

Commissioner Frontero referenced 15-13-2 – Regulations for Historic Residential Sites. It states that additions shall be subordinate in scale to the primary historic structure. What has been presented to the Planning Commission does not meet that standard. He also noted that the footprint of an addition shall not exceed 50% of the footprint of the historic structure. Based on his math, the applicant is presenting a 300% increase to the original structure. What has been presented is not in compliance with 15-13-2. Director Ward clarified that there are transitional element measurements that need to be met to separate the historic home from the new addition. If the addition is less than 50%, there is exemption from a transitional element and it is possible to build the addition adjacent. Something that is 50% or greater requires the transitional element. If the footprint does exceed the 50%, the mass shall be broken into modules. She asked if the Commission is interested in seeing some additional distance between the historic home to break up the massing or if there is a desire to see that in addition to a reduction to the overall height. Commissioner Frontero reiterated his concerns with what has been presented. He is not comfortable making a specific suggestion about what the applicant should do but feels a drastic change would need to be made in order for him to feel comfortable.

Manager Martin provided some clarification and shared a figure from the Staff Report. The peach color and blue color indicate the entire footprint of the basement addition. That is the 2,144 square feet. The portion of the addition that is fully above grade and on the slope is actually 822 square feet. The structure in the 3D renderings that is above grade is the 822 square foot footprint. She pointed out that there is a large basement addition.

Chair Hall suggested that the Commission separate the Subdivision Plat from the SSCUP. It seems that there is consensus to move forward with Item 5 D. There could be a continuation of Item 5 E to the April 2, 2025, Planning Commission Meeting.

MOTION: Commissioner Johnson moved to APPROVE the 732 Crescent Road Preliminary Subdivision Plat, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. On April 5, 2022, the Applicant submitted a subdivision application for a three-lot subdivision that encompassed four metes and bounds parcels: PC-338-B, PC-320, PC-320-B and SA-137-1 (PL-22-05223).
2. A Boundary Line Agreement and Record of Survey was recorded at Summit County on May 23, 2023, which consolidated the four parcels into two metes and bounds parcels: PC-338-B and PC-320 (Summit County Recorder Entry # 1204860).
3. The Applicant submitted a revised Plat in July of 2023 for a two-Lot

subdivision of parcel PC-320 (the plat did not include 732 Crescent at that time); another revised plat was submitted on January 29, 2025, for a one-Lot subdivision of metes and bounds parcel PC-338-B, otherwise known as 732 Crescent Road, a Landmark Historic Site with an existing historic Structure.

4. The Subdivision Plat application is for a Single-Family Dwelling and is therefore subject to the Administrative Subdivision Procedures outlined in LMC § 15-7.5; all other Subdivision regulations in Chapters 15-7 through 15-7.4 apply to administrative Subdivisions unless contradicted by Chapter 15-7.5, in which case, Chapter 15-7.5 shall control.
5. The proposed Preliminary Subdivision Plat complies with LMC § 15-7.1-5 Preliminary Subdivision Plat requirements, LMC § 15-7.3 Requirements for Improvements, Reservations, and Design and LMC § 15-7.5 Administrative Subdivision Procedure.
6. The property is accessed from Crescent Road, an existing Street on the Streets Master Plan; the Streets Master Plan calls for future widening of asphalt and 'Obtaining Right-of-Way' for the portion of Crescent Tram between Empire Ave and Norfolk Ave.
7. Pursuant to LMC 15-7.3-4(I)(2), where a Subdivision borders an existing narrow road or when the Streets Master Plan indicates plans for realignment or widening a road that would require Use of some of the land in the Subdivision, the Applicant shall be required to improve and dedicate at his expense such Areas for widening or realignment of such roads.
8. The proposed Subdivision borders Crescent Tram ROW, a road identified on the Park City Streets Master Plan for future widening and ROW acquisition.
9. The proposed preliminary Subdivision Plat dedicates that portion of land that overlaps with the Crescent Tram ROW to the City as a public ROW.
10. A private shared driveway crosses over 732 Crescent Road to provide access to adjacent vacant parcel PC-320; a 16-foot-wide easement for the shared driveway is included on the proposed plat.
11. The proposed shared private driveway minimizes curb cuts on Crescent Road and is encouraged in the Historic District.
12. A portion of the historic Crescent Tram Trail, a public pathway, crosses over the subject property and is within an existing easement (Summit County

Recorder Entry no.1162188).

13. As conditioned, the proposed Preliminary Subdivision complies with the HR-1 Zoning District Requirements outlined in LMC Chapter 15-2.2.
14. LMC § 15-2.2-4 exempts Landmark Historic Sites from maximum Lot Size regulations; the Subdivision will create one 5,668-square-foot Lot.
15. The proposed subdivision complies with LMC Chapter 15-7.5 Administrative Subdivision Procedures, 15-7.1-5 Preliminary Subdivision Plat Requirements, and 15-7.3 Requirements for Improvements, Reservations, and Design.
16. Staff published notice on the City's website and the Utah Public Notice website on February 24, 2025. Staff posted notice to the property and mailed courtesy notice to property owners within 300 feet on February 26, 2025. The Park Record published notice on February 26, 2025.

Conclusions of Law

1. There is good cause for the Preliminary Subdivision Plat, as the proposed Lot meets the zoning requirements of the HR-1 District and the plat will memorialize the private shared driveway easement to preserve access to adjacent Parcel PC-320 and shared driveways are encouraged in the Historic District. Additionally, a public pedestrian access easement for the Crescent Tram path will be memorialized on the Final Plat to ensure future public access across the private shared driveway. A portion of the Crescent Tram and 8th Street public Rights-of-Way are dedicated to the City, via the plat, for future widening and improvements called for in the Streets Master Plan. No Public Street, Right-of-Way, or easement is vacated or amended with the exception of a Non-Exclusive Pedestrian Access Easement over the Crescent Tram pathway and the dedication of the Crescent Tram and 8th Street ROWs.
2. The Subdivision Plat will allow rehabilitation of a Landmark Historic Structure, which is vacant and in poor condition.
3. The Subdivision is consistent with the Park City Land Management Code including Chapter 15-7.5, § 15-7.1-5 and Chapter 15-7.3.
4. Neither the public nor any person will be materially injured by the proposed Subdivision.

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

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the Plat for compliance with State Law, the Land Management Code, and the Conditions of Approval, prior to recordation of the Plat.
2. The applicant will obtain approval of the Final Plat within one year from the date of Planning Commission approval of the Preliminary Plat. If Final Plat approval has not occurred within one (1) years' time, this approval for the Preliminary Plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Commission.
3. The Final Subdivision Plat shall dedicate a portion of the property that overlaps with the Crescent Tram ROW and fronts the 8th Street ROW to the City as public ROW, for future improvements; the boundary of the dedicated public ROW shall have final approval from the City Engineer prior to Final Plat recordation.
4. The Final Subdivision Plat shall include a Non-Exclusive Public Pedestrian Access Easement for the Crescent Tram public pathway to preserve pedestrian access, as approved by the Park City Trails Division.
5. Four feet of the Crescent Tram pathway that runs through the site shall be constructed with material distinguished from the private shared driveway, and the Applicant install and maintain signage indicating public access is allowed, as approved by the Trails and Open Space Manager, Engineering Department, and Planning Department.
6. The utility pole located in the middle of driveway shall be relocated on-site to a location that does not obstruct views of the neighboring homes or sight visibility from the public ROW, as approved by the City Engineer and Rocky Mountain Power.
7. Neither the shared driveway nor the future residences shall prohibit pedestrian access of a future 8th Street public pathway, located just south of the 802 Empire Avenue Subdivision, connecting Empire Avenue to the Crescent Tram pedestrian pathway.

8. The Applicant or assignees shall not oppose a determination made by the City that a staircase or other form of public access connecting Crescent Tram to Empire Avenue, adjacent to the subject property, is warranted at some point in the future. The Applicant agrees to include an offer of dedication for the connection if requested by the City Engineer on the applicable future application.
9. Prior to Final Plat approval the Applicant shall ensure adequate public utilities are provided to service new development at the site and dedicate utility easements on the Final Subdivision Plat per Public Utilities (for water) and Snyderville Basin Reclamation District (for sewer) specifications.
10. If significant work on the driveway is proposed, the property owner should consider extending public utilities to adjacent Parcel PC-320 at that time.

The motion was seconded by Commissioner Van Dine. The motion passed with the unanimous consent of the Commission.

- E. 732 Crescent Road – Steep Slope Conditional Use Permit** – The Applicant Proposes to Lift and Rehabilitate the Landmark Historic Structure and Construct a Basement and Rear Addition on a Very Steep Slope in the Historic Residential-1 Zoning District. PL-23-05740.

Chair Hall noted that the SSCUP was discussed at the same time as agenda Item 5 D.

MOTION: Commissioner Johnson moved to CONTINUE the 732 Crescent Road Steep Slope Conditional Use Permit and public hearing to April 2, 2025. The motion was seconded by Commissioner Shand. The motion passed with the unanimous consent of the Commission.

The Commission took a brief break before discussing the next agenda item.

- F. Bonanza Park – Land Management Code Amendments** – The Planning Commission will Discuss Recommended Land Management Code Amendments to Implement the Bonanza Park Small Area Plan through a New Mixed-Use Zoning District to Create a Vibrant and Pedestrian-Oriented Mixed-Use Neighborhood. PL-24-06302.

Senior Planner, Alec Barton, presented the Staff Report and explained that the item relates to LMC Amendments for Bonanza Park. He shared a list of components:

- Street Types;
- Vertical and Horizontal Mixed Use;
- Project Enhancements;

- Conventional Chain Businesses;
- Active Uses;
- Frontage Protection Zone;
- Vantage Points;
- Boutique Hotels and Nightly Rentals;
- Parking and Traffic.

Most of the components were reviewed during the Planning Commission Meeting in February. As a result, the goal for the current meeting is to review the updates that have been made to the code based on the past direction received from the Commission.

The Engineering team is recommending the adoption of street types for the internal streets in Bonanza Park. This would include: Shortline Road, Iron Horse Drive, Munchkin Road, and Woodbine Way. Cross-section illustrations were shared to outline what the street types would look like. The goal is to create complete streets for all users, multi-use paths that can accommodate pedestrians and bicyclists, and landscaped buffers to help calm traffic and improve the pedestrian experience in the neighborhood. The Homestake Road cross-section was reviewed, which is currently underway. There are also cross-sections for Munchkin Road East, Munchkin Road West, and Woodbine Way. The final cross-section for Iron Horse Drive has been updated from the version included in the Staff Report. There is the addition of a landscape buffer between traffic and the multi-use path.

Staff has drafted new code sections related to dedicated standards for public streets and requiring access easements for multi-use paths. The following questions were posed:

- Does the Commission find the proposed amendments achieve Plan Goals to:
 - Improve neighborhood connections to create a more walkable, interconnected block system?
 - Establish a future network of pedestrian and bicycle linkages?
- Are there additional considerations the Planning Commission finds are needed to achieve connectivity?

Commissioner Frontero asked to further review the street-type images. For the Iron Horse Drive cross-section, the current right-of-way width is 55 feet and the proposal here is 64 feet. He asked if all of the roads mentioned currently measure at 55 feet because some seem narrower than that. Director Ward explained that the Streets Master Plan discusses width. Iron Horse goes from 50 feet to 56 feet in width at different locations, but the pavement is 25 feet. Within the rights-of-way, the draft code would recommend dedicating the street portion, but the sidewalks and multi-use paths could be easements.

Commissioner Frontero asked if what is proposed is feasible for the streets mentioned. Director Ward explained that it is within the current rights-of-way. There is a portion within the Bonanza Park Small Area Plan that would require dedication of right-of-way, which is the connection of Shortline Road. For the most part, what is proposed is feasible.

Commissioner Frontero pointed out that the recycling center needs to be relocated in order to accomplish what has been outlined. Director Ward shared a map with the Commission. The former parking lot shown is now the engine house location and the power station. The current plan is to extend Munchkin Road from Bonanza Drive to Homestake Road. Recycle Utah is on a City parcel and there is a partnership in place so work can be done to relocate. The relocation will allow the extension to take place. The improvements for Homestake Road are currently in process. What is before the Commission are plans for the improvements to Munchkin Road and Woodbine Way.

Commissioner Frontero expressed support for the street types, as presented. Commissioner Johnson also was supportive of the street types and appreciated the update to Iron Horse Drive. Commissioner Sigg likes the street types and the fact that they are multi-modal. Director Ward reported that a lot of the properties within the neighborhood are platted already, so the rights-of-way widths exist. There will continue to be evaluation of this because there are a few metes and bounds parcels that are not yet platted. Under the subdivision code, there is a requirement to dedicate streets that are planned within the Streets Master Plan. More information about that can be provided.

Chair Hall likes the multi-use path with the park strip and requires the connections. She had a question about the street light that is proposed on Page 6 for Keans Boulevard and Homestake Road. She asked for additional information about Figure 4: Bonanza Park Small Area Plan, Page 74. Director Ward confirmed that this can be provided in the future.

Planner Barton explained that the next section deals with criteria for 100% residential development and criteria for horizontal mixed-use projects. Previous feedback from the Commission was that there is consensus regarding a CUP process for 100% residential development and establishing criteria to guide that process. There was also consensus on criteria for horizontal mixed-use projects. The following questions were posed:

- Does the Commission find the draft code achieves Plan Goal MU1 through vertical zoning standards that ensure active ground-level uses to engage the street and sidewalks?
- Are additional criteria needed to limit residential-only projects within the neighborhood?

Possible Criteria for 100% Residential Development language was shared with the Commission. Commissioner Frontero wanted to understand if there is a desire to hear comments about horizontal or vertical. Planner Barton explained that either can be discussed. Commissioner Frontero noted that he has previously stated he has concerns about 100% residential in a mixed-use zone. He is looking for guidance from Staff on this matter. While he does see a need for 100% residential buildings sparsely placed throughout the zone, there should be some guardrails in the code to prevent over

development of 100% residential buildings. Director Ward explained that if there is consensus from the Commission, there could be some allowances if certain criteria are met. However, it sounds like there may be a desire for a limit. There are some examples in the LMC where there is a buffer area. In this case, there could be a requirement for a certain distance between each 100% residential building. Director Ward reported that Staff can bring back some criteria for consideration at a future meeting.

Commissioner Shand believes the Commission wants to see commercial on the first level of all buildings, with 100% residential proposals as a CUP. A lot will depend on how this area evolves. Director Ward explained that there could be a CUP as well as an additional cap or buffer area. Commissioner Sigg discussed housing affordability. A lot depends on whether or not funding is received. Commissioner Johnson asked if any of the criteria presented would impact potential funding. Commissioner Sigg believes that if the ground floor use is pertinent to the residential units, that would not impact funding. With the Low-Income Housing Tax Credit ("LIHTC"), there is a checklist of items that qualifies someone.

Chair Hall agrees with the general concept of having the commercial on the first floor to make sure the area is vibrant. She would like more information about the language, "All street-facing ground floors must include an active use," at the next meeting. Chair Hall appreciated the data points in the Staff Report regarding the number of potential units. It is important to consider the unintended consequences of potentially adding that density.

Planner Barton next reviewed project enhancements. The feedback previously heard from the Planning Commission was that a tier system is desired, given the reality that not all of the project enhancements are equal. The tier system is intended to reflect the relative value of the different project enhancements. The approval of the project enhancement review has shifted to the Planning Commission. There is also language clarifying the project enhancement requirements. The following question was asked:

- Does the Commission find the draft amendments achieve Plan Goal MU1 to create a Bonanza Park Mixed Use ("BPMX") Zoning District that allows for increased densities when new development provides significant project enhancements?

The Tier A and B Project Enhancement information was shared with the Commission:

- Tier A Project Enhancements:
 - Housing Mix Meets Certain Community Needs;
 - Underground Parking.
- Tier B Project Enhancements:
 - Car or Bike Share Program;
 - Signature Trail Connectivity;
 - Public Transit Improvements;
 - Operational Sustainability Plan;
 - On-Site Childcare or Senior Facility;

- Reduced Rent for Local Businesses;
- Significant Activated Outdoor Public Space.

Commissioner Shand likes the tiers for the different enhancement types. There will need to be some evaluation when an applicant comes before the Commission with different types of enhancements. However, in general, he likes what has been proposed, as it creates some guardrails. Commissioner Frontero likes the framework that has been presented. The list may need to be adjusted over time, so he would like to build in some flexibility so that items can be moved in and out as needed. Commissioner Van Dine agrees that there needs to be some level of flexibility provided. For instance, there could be language to state, "Other enhancements as deemed by the Planning Commission." She wants to be open to some of the other ideas developers might share.

Commissioner Sigg agrees with the other Commissioners that there needs to be some flexibility to avoid too much duplicity of the same types of enhancements. Ideally, there should be a variety of project enhancements in the area. Chair Hall referenced the housing language proposed. She would like to use the language from the Affordable Master Planned Development ("AMPD"). Director Ward explained that allowing for a baseline average of 80% AMI allows for a market rate as well as affordable and attainable. Additional information can be provided to the Commission during the next discussion. Chair Hall suggested reviewing the AMPD in conjunction with this. Director Ward noted that the AMPD criteria require at least 50% of the square footage to be deed-restricted affordable units and the other 50% can be market rate. The commercial is limited to 10,000 square feet. She confirmed that more detail can be provided in the future.

Commissioner Shand asked about unintended consequences related to 80% AMI or reduced commercial rents for local businesses. He wanted to know if what is proposed is unrealistic for the private sector to come in with development. Commissioner Sigg believed that anyone interested in an AMPD or affordable development would seek some sort of funding from the State. Where the developer is incentivized would be through things like height, density, and criteria that can be met to qualify for State financing.

Commissioner Johnson reviewed the Tier B Project Enhancements list. He does not believe reduced rent for local businesses will be probable, but public transit improvements and the car or bike share program option would be more likely. There is some flexibility provided in the list. Commissioner Sigg shared information about lower AMI categories.

Chair Hall would like to incentivize upgrades to support connectivity in the area. Commissioner Frontero asked if the proposal is to move connectivity into the Tier A Project Enhancements section. Chair Hall confirmed this but clarified that it would not just relate to signature trail connectivity, but other critical connectivity pieces as well. She requested additional information about that be prepared for the April 9, 2025, Planning Commission Meeting. Commissioner Frontero liked the suggestion and feels connectivity would be a significant project enhancement. Planner Barton offered to look into this.

The draft code currently states that if a project provides two Tier A Project Enhancements, that would meet the requirement for additional height. There is an additional provision that if two Tier A Project Enhancements and at least one Tier B Project Enhancement is provided, there could be eligibility for reductions to setbacks and open space.

Planner Barton shared information about chain businesses. Based on previous Planning Commission input, there is a desire to create a definition for a local business. There are some suggested criteria in the Staff Report based on the City's prior issuance of Economic Development grants. The criteria have been updated for a CUP for conventional chain businesses so there is additional specificity based on Commission input. He asked if the Commission finds the criteria are adequate to meet the goals of the plan. Additionally, the following questions were posed to the Planning Commission:

- Does the Commission find the CUP process for conventional chain businesses achieves Plan Goal L2 to limit them to prioritize locally owned and unique retailers/restaurants?
- Do the CUP criteria for conventional chain businesses provide the specificity needed for effective review? If not, is a cap needed?

Commissioner Shand referenced the proposed language in the Meeting Materials Packet, which states: "Conventional Chain Businesses cannot exceed 30% of the total commercial square footage within a single development." He asked if that was preferred to a cap. Planner Barton explained that the draft code anticipates a CUP process to regulate the number of conventional chain businesses in the neighborhood. If the Commission feels the criteria are satisfactory, that process could stay in place. It is also possible to look at a cap, which is similar to what is currently taking place on Main Street.

Commissioner Frontero asked what will happen if there is no cap and the decision is made to regulate through the CUP process. He wanted to understand what will happen before the 30% is reached and after it is reached. Planner Barton explained that the 30% figure is based on individual development, so it would not be neighborhood-wide. It simply states that within an individual development, no more than 30% of the square footage can be for a conventional chain business. Commissioner Frontero thought that would be difficult to regulate. He finds the Main Street strategy provides more clarity. Commissioner Shand agrees it is clearer because the spaces are already defined.

Additional discussions were had about the conventional chain business calculation. Commissioner Frontero pointed out that if 15 projects were developed in this area, that means there could be 15 conventional chain businesses in the area. That seems like a high number. Commissioner Shand pointed out that there could even be more than that. Commissioner Frontero referenced the feedback received from the community. There was a clear desire for there to be local offerings. As a result, he wants to see a balance.

Commissioner Van Dine noted that during the last Planning Commission discussion, there were questions about what the definition of a local business is. She likes the 30% that is proposed because there are other criteria that need to be met as well. On Main Street, there are set spaces and there is clarity about what will be there. However, in this area, there is not as much certainty. As a jumping-off point, the 30% amount seems fair, but it is possible to make changes over time. A cap could be considered in the future. Commissioner Van Dine likes what has been proposed, as it provides a bit of flexibility.

Commissioner Sigg thought the 30% number might be a little bit high if the intention is to drive local business. His concern is that if too many national chains are in the area, it will lead to increased rents. That could make rent more difficult for local businesses to afford. Commissioner Johnson asked if conventional chain businesses will drive developments. Commissioner Sigg noted that there might be a developer who needs the conventional chain business in order to support a certain number of workforce housing units. Chair Hall suggested that examples from other areas in the City be shared during the next meeting discussion. Planner Barton noted that there was an inventory done of the conventional chain businesses that currently exist in the neighborhood, which is 16. It is possible to take a look at what exists in other neighborhoods in the City as well. The Commission discussed conventional chain businesses in different areas of Park City.

Senior City Attorney, Mark Harrington, noted that last time, he cautioned the Commission against the CUP process in this section. He suggested that the Commission review the criteria as carefully as possible to make sure the criteria established is as objective as possible. He feels it is best to make this section more numeric and objective. There could also be an incentive included in the Tier B Project Enhancements section for No Conventional Chain Businesses. Commissioner Johnson likes the idea of adding to the Tier B Project Enhancements section. Chair Hall and Commissioner Van Dine were also open to adding to the project enhancements. Commissioner Shand thought the Main Street model with an absolute number of units should be considered. Commissioner Frontero requested that an alternative using the Main Street model be presented at the next Planning Commission Meeting discussion on the LMC amendments.

Planner Barton next discussed active uses. The input received from the Planning Commission previously was to update the list of uses to include public recreation facilities and to exclude private recreation facilities and clubs. The following questions were asked:

- Does the Commission find the updates to the active uses adequately provide the flexibility needed for recreational uses?
- Does the Commission find the language prohibiting private uses from street-level storefronts to be sufficient?

Commissioner Frontero finds the Staff amendments to this section to be reasonable. He expressed his support. Commissioner Johnson and Commissioner Sigg agreed. Commissioner Sigg added that one of the core values of Park City is inclusivity. Chair

Hall was pleased to see the inclusion of more public recreational facilities in this area. In terms of a private club, she felt that should be distinguished from a membership being needed for a location. Commissioner Shand does not have an opposition to a membership format but does for an exclusive club where there is a higher barrier of entry.

Planner Barton noted that the Commission previously asked for a table summarizing updates to the Frontage Protection Zone ("FPZ"). He shared that table and pointed out the existing conditions in the column on the left. The proposed conditions are on the column on the right. Planner Barton summarized the table. The 35 feet from existing grade requirement would remain, but with the FPZ, there would no longer be an opportunity for additional height through an AMPD process. There is some additional language about where mechanical equipment can be located on buildings in relation to the FPZ. There is also a step-back requirement for buildings within the 30-foot to 50-foot FPZ. Planner Barton asked the Commission the following question:

- Does the Commission find the draft amendments achieve Plan Goal MU2 to update the FPZ to ensure the entry corridors remain scenic and awe-inspiring?

Commissioner Johnson feels it is consistent with the Bonanza Small Area Plan. Commissioner Shand agreed. Chair Hall noted that she was in the minority in requesting the 10-foot step back for each story within the FPZ, but she appreciates everything else in the updated provisions. She wants an additional step back beyond the proposal. However, she acknowledged that based on past discussions, her view was the minority.

Commissioner Frontero noted that the proposed FPZ updates appear more restrictive. He asked if that would be a fair interpretation of what has been presented. Planner Barton confirmed this. Commissioner Frontero wondered whether it should be made less restrictive than it is now in order to encourage redevelopment. The Commission discussed the proposed changes. Director Ward explained that when the item comes back to the Commission, there can be a similar table for the AMPD that shows what the restrictions are under the current code and what is relaxed through this code for AMPDs.

Commissioner Frontero noted that the entire project is meant to redevelop and revitalize this area, so it does not necessarily make sense for it to be more restrictive. His concern is that the Commission might be making it overly restrictive. Commissioner Frontero would consider some flexibility from 50 feet to 100 feet with certain conditions.

Commissioner Sigg noted that horizontal spacing creates the viewshed. The step-backs are always discussed moving vertically, but when buildings are spaced apart, there are gaps between the buildings that create corridors. If there was a defined mechanism for building spacing, then it might be possible to preserve the viewshed and allow additional height. Commissioner Shand asked if it would be useful if examples of heights and step backs were presented to the Commission. Commissioner Frontero expressed support. Additional discussions were had about building height and the existing Small Area Plan.

Planner Barton explained that the next part of the presentation relates to vantage points. The Commission had requested some additional specificity to the language regarding vantage points and what criteria would be for the 12 identified vantage points within the neighborhood. The vantage points language was shared with the Commission.

- Does the Commission find the vantage point criteria achieves Plan Goal MU3 to establish development guidelines that are contextual and sensitive to the environment?

Chair Hall believes there were past discussions about the specific locations of the vantage points. When it comes back, instead of showing red dots on a map, she requested that there be more specificity provided. Director Ward clarified that there is more specific information included in the draft, including a table with vantage point coordinates. Commissioner Johnson stated that the update sufficiently addresses previous concerns.

Planner Barton shared information about boutique hotels. He explained that following the last Planning Commission discussion, Staff reviewed definitions for boutique hotels. The Staff report identifies some criteria that could be used to help define a boutique hotel in the code. The Staff Report also includes a review of options for limiting nightly rentals.

Planner Barton posed the following questions to the Planning Commission:

- Does the Commission find that prohibiting major hotels and allowing smaller-scale and limited boutique hotels achieves Plan Goal L1 to grow the residential base for the neighborhood and support a neighborhood for locals?
- Does the Commission find allowing limited nightly rentals achieves the same goal?

Commissioner Frontero stated that for a boutique hotel, 75 rooms or less is a standard that has been seen elsewhere. That seems to be a reasonable number. As for not having kitchens in the rooms, that is a positive suggestion. Single entity ownership of 100% of the rooms is also something that he supports. He feels that could be a Condition of Approval. Somewhere in the Staff Report, there was mention of a cap on boutique hotels at five. He asked why five was suggested, as that seems a little bit high to him. Planner Barton clarified that it was a numerical example rather than a number based on an evaluation of the neighborhood. Commissioner Frontero is not sure there needs to be a cap placed on the use. It might make sense to see if the boutique hotel idea is one the development community believes can be brought into this area. A cap could be considered in the future if it becomes necessary.

Commissioner Shand believed the nightly rentals would apply to the housing units rather than the boutique hotels, which was confirmed. If there are five boutique hotels at 75 rooms each, he believes that provides enough rental options in the area. There is a desire to avoid party houses or party rooms. Housing that has been established for the

workforce should be used by the workforce and not used for a nightly rental. He likes the restrictions on nightly rentals for the residential units. Commissioner Frontero asked if there is a restriction or limit proposed for nightly rentals. Planner Barton clarified that boutique hotels and nightly rentals are different types of uses. The question is whether the Commission wants to explore full restrictions on nightly rentals in the neighborhood or look at some of the options outlined in the Small Area Plan to limit nightly rentals.

Commissioner Van Dine is more in favor of looking at a cap or having a limit on the number of nightly rentals allowed. She expressed support for what is outlined in the Staff Report as far as boutique hotels. She agrees that removing kitchens from boutique hotels makes sense and could benefit the area. Commissioner Frontero believes that if boutique hotels are allowed in the area, that will bring in transient traffic. That is fine, as it will bring some vibrancy, but he would like to restrict nightly rentals in this area. The feedback from the community made it clear that there is a desire for the housing to be for locals.

Commissioner Frontero asked the City Attorney what the options are as far as restricting or eliminating nightly rentals in the area. Attorney Harrington stated that there are some challenges with a complete ban on nightly rentals. A number of non-conforming uses would be created. However, it might be possible to phase out nightly rentals in the area. If there is a desire to have a diversity of stock available, it is important to think about whether a complete ban makes sense here. In terms of legal issues, those can be explored ahead of the next Planning Commission discussion on the amendments.

Commissioner Shand asked if rental restrictions are normally addressed in HOA documents, such as Covenants, Conditions, and Restrictions ("CC&Rs"). Attorney Harrington confirmed that this can happen, but nightly rentals are also addressed in Code.

Planner Barton reported that at the last meeting, the Commission pointed out that redevelopment of Bonanza Park will take time. Staff looked at some incentives that could help with some of the connectivity goals envisioned in the plan for sites that may not redevelop right away. There is some draft code language that would permit a Transportation Demand Management ("TDM") plan to convert excess surface-level parking into the types of uses envisioned in the plan. This includes easements for multi-use paths and trails, sidewalks, transit amenities, or even temporary installations.

- Does the Commission find that incentives for property owners to remove surface-level parking for connectivity improvements until sites are redeveloped achieves Plan Goal UF1 to establish a network of pedestrian and bicycle linkages through the neighborhood?

The draft parking and traffic language was shared with the Commission. Chair Hall would rather there be requirements than attempts to incentivize. Given the level of service ("LOS") F intersections, she would like to prioritize correcting the fundamental issues before adding more density and traffic to currently failing intersections. Commissioner

Frontero agrees with that sentiment. There are a lot of challenges with traffic. As for the details of what has been proposed, he feels this is a good path forward to attempt to ease the traffic issues. Some of the strategies that are listed will work better than others, but a multi-pronged approach will need to be taken to address the current concerns.

Chair Hall opened the public hearing.

Wade Budge thanked the Planning Commission and Staff for all the work that has been done. There are many positive elements reflected in the draft amendments, but there are also some concerns that he would like to highlight. There will be a written submission following the Planning Commission Meeting. He stated that there is support for the connectivity efforts and the desire to see local businesses continue to thrive in the area. There is also support for the focus on vibrancy and the availability of affordable housing.

Mr. Budge appreciates the comments made by Commissioner Frontero about height. He does not want there to be a situation where redevelopment is slowed or impeded. Page 30 was referenced, which includes a depiction of a trail that would go behind their property. There are current conditions that make it so that area is not well suited for public access. There is a large retaining wall, a fence structure, and other items. He would invite Commissioners to see that particular aspect of the site. There would be support for removing that and relying on the improvements along Iron Horse, Homestake, and the connections on Munchkin, rather than trying to cram a public use into an area that is not well suited for it. Mr. Budge noted that underground parking can typically result in higher costs. He also stated that there are concerns about the impacts on rents.

Jamie Peters submitted a written comment to the Planning Commission but wanted to emphasize that nightly rentals are currently an allowed use at the Homestake Condominiums. She does not want to see that go away and would request that the use be grandfathered in for the current and future developments there. When she read through the code amendments, she could not see where it said anything about limiting nightly rentals, though there were mentions in the Staff Report. As for the connectivity, there is something shown on the map that is between two of the buildings at Homestake. She is not sure how well that would go over with the rest of the residents in the area.

There were no further comments. The hearing was continued until April 9, 2025.

Commissioner Johnson referenced the comments made during the public hearing about connectivity. Director Ward reported that under the existing code with an MPD, there is a 25-foot setback. The way the Bonanza Park amendments are drafted, there would be a reduced setback, but it would still be wide enough for the trail. The public input received is regarding some changes to grade from retaining walls. Commissioner Johnson asked if an existing nightly rental would be subject to the proposed changes. Attorney Harrington stated that those would become non-conforming uses. The use would be grandfathered in, but there would be rules and restrictions as well.

MOTION: Commissioner Johnson moved to CONTINUE the Land Management Code Amendments for the Bonanza Park Mixed Use Zoning District and the public hearing to the meeting on April 9, 2025. The motion was seconded by Commissioner Shand. The motion passed with the unanimous consent of the Commission.

6. ADJOURNMENT

MOTION: Commissioner Johnson moved to ADJOURN the Planning Commission Meeting. Commissioner Shand seconded the motion. The motion passed with the unanimous consent of the Commission.

The meeting adjourned at approximately 8:43 p.m.

Approved 04.02.2025

March 12, 2025 | 12:12 p.m.

Thanks for your time and efforts associated with re-envisioning BOPA. Please see my comments attached. Regrettably, I cannot attend the meeting this evening.

Thank you,

PT

PETER A. TOMAI

Approved 04.02.2025

SPECIFIC PERFORMANCE, INC.

TO: Rebecca Ward, Planning Director and the Park City Planning Commission
FROM: Peter Tomai
RE: Public Comment on BPX mixed use code amendments
DATE: March 12, 2024

I applaud the City for embarking upon a Small Area Plan for the area of town that has become known as Bonanza Park or BOPA. Once the “outskirts” of town, BOPA is now central to most of town’s population and activity and represents a tremendous opportunity for redevelopment. The City’s extensive community outreach revealed broad consensus, as articulated in the initial reports, that the community would like to see BOPA evolve into a more connected, inclusive and accommodating mixed-use neighborhood focused upon local residents who can live, work, grow, and thrive in town.

The challenge is that apart from the City’s 5 AC parcel, formerly known as the Arts and Culture District, there is currently only one undeveloped parcel in the area. The remaining area is already fully developed and serving the needs of the respective property owners and patrons.

Fulfilling the dream of BOPA, as the heart of our “complete” community with housing and opportunities for those critical to the vibrancy of our town, will largely require the existing uses to redevelop. Given the relative success of the current uses throughout the district, property owners, including the City, will need to be attracted by the prospect of a material increase in value to risk interrupting the use and success they enjoy today.

As proposed, the Bonanza Park Mixed Use Zoning District is prescriptive in nature. It attempts to dictate not only the placement and shape of buildings, but also the uses, building designs, and parking details. While the proposed regulations seek to achieve admirable goals (open space, connectivity, vibrancy, affordable housing and views) they do so in a fashion that materially raises costs and limits an owner’s ability to exercise their property rights to address evolving market needs.

If we want to see BOPA evolve into our new “locals neighborhood” we must allow, and indeed incentivize, the property owners to improve their properties in a way that not only promotes their economic interest but also delivers the community benefits and facilities sought.

Just like BOPA evolved in ways likely not envisioned when the area was first developed as rail yards, we cannot predict what the market will support going forward. We should provide sufficient design flexibility to allow individual property

owners to envision and pursue redevelopments, which can help advance our goals for the district.

I suggest that we already have many of the tools to do just that in our existing Master Planned Development code the purpose of which reads:

15-6-1 Purpose

The purpose of this Chapter is to describe the process and set forth criteria for review of Master Planned Developments in Park City. The Master Planned Development provisions set forth Use, Density, Height, Parking, design theme, and general Site planning criteria for larger and/or more complex projects having a variety of constraints and challenges, such as environmental issues, multiple Zoning Districts, location within or adjacent to transitional areas between different land Uses, and infill redevelopment where the Master Planned Development process can provide design flexibility necessary for well-planned, mixed use developments that are Compatible with the surrounding neighborhood. The goal of this Chapter is to result in projects which:

1. complement the natural features of the Site;
2. ensure neighborhood Compatibility;
3. strengthen the resort character of Park City;
4. result in a net positive contribution of amenities to the community;
5. provide a variety of housing types and configurations;
6. provide the highest value of Open Space for any given Site;
7. efficiently and cost effectively extend and provide infrastructure;
8. provide opportunities for the appropriate redevelopment and reuse of existing Structures/Sites and maintain Compatibility with the surrounding neighborhood;
9. protect Residential Uses and residential neighborhoods from the impacts of non-Residential Uses using best practice methods and diligent code enforcement;
10. encourage mixed-use, walkable, and sustainable development and redevelopment that provides innovative and energy efficient design, including innovative alternatives to reduce impacts of the automobile on the community; and

11. encourage opportunities for economic diversification and economic development within the community.

Perhaps we should consider broadening the applicability of the MPD code and streamlining the process to encourage existing property owners of developed properties in BOPA to propose redevelopments that best meet the evolving needs of our community.

Regrettably, the proposed Land Management Code Amendments noble attempt to prescribe every detail of an “ideal” outcome for BOPA, seems more likely to kill the very prospect of any redevelopment and rejuvenation in the area. Let’s not miss the opportunity to transform an under-utilized area of town to better serve our community needs and aspirations.

Thanks for your time, effort and consideration,

Peter Tomai