

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
NOVEMBER 18, 2020

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, Sarah Hall, John Kenworthy, Laura Suesser, Doug Thimm, Christin Van Dine

EX OFFICIO: David Everitt, Deputy City Manager; Alexandra Ananth, Planner; Mark Harrington, City Attorney

The Planning Commission meeting was conducted virtually via Zoom.

The public was able to submit eComments during the meeting.

NOTICE OF ELECTRONIC MEETING & HOW TO COMMENT VIRTUALLY:

Chair Phillips read the Public Notice for Electronic Meetings and Exhibit A: Determination of Substantial Health and Safety Risk.

Public Notice is hereby Given that the Planning Commission of Park City, Utah will hold its regular Planning Commission Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060, for the purposes and at the time as described below on Wednesday, November 18, 2020.

This meeting will be an electronic meeting without an anchor location as permitted by Utah Code Open and Public Meetings Act section 52-4-207(4) as amended June 18, 2020, and Park City Resolution 18-2020, adopted March 19, 2020. The written determination of a substantial health and safety risk, required by Utah Code section 52-4-207(4), is attached as Exhibit A. Planning Commission members will connect electronically. Public comments will be accepted virtually as described below.

To comment virtually, use eComment or raise your hand on Zoom. eComments submitted before the meeting date will be attached to the packet as appendices. eComments submitted on Commission meeting days will be read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org/public-meetings.

Exhibit A: Determination of Substantial Health and Safety Risk

On November 18, 2020 the Commission Chairperson determined that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. Utah Code section 52-4-207(4) requires this determination and the facts upon which it is based, which include:

- Governor Herbert declared a Covid-19 State of Emergency on November 8, 2020.
- Summit County has extended its Emergency Declaration and Public Health Emergency Declaration through January 8, 2021.
- Statewide COVID cases and hospitalizations are increasing exponentially. This determination is valid for 30 days and is set to expire on December 18, 2020.

Dated October November 18, 2020.

ROLL CALL

Chair Phillips called the meeting to order at 5:30 p.m. and noted that all Commissioners were present.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Commissioner Thimm noticed that Emir Tursic with HKS Architects was one of presenters for the applicant this evening. He disclosed that he has worked with Mr. Tursic collaboratively on a professional basis over the last couple of years. There have been no financial ties between them or their firms. Commissioner Thimm stated that his association with Mr. Tursic would have no bearing on his comments or decisions on this project.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

- 4.A. Park City Mountain Resort Base Parking Lots - MPD Modification - Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan With a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. This Hearing Will Focus on Revised Plans for Building B. (Application PL-20-04475.)**

Planner Alexandra Ananth stated that this evening they would be discussing the application to amend the 1998 Park City Mountain Resort Development Agreement, and replace the expired Exhibit D, the site plan from 1998, with a new Master Plan. The purpose of this meeting is to lay out some of the changes the applicant has made

to Parcel B, and to briefly discuss the exceptions that the applicant was looking for with respect to setback and height with a focus on the LMC.

Planner Ananth stated that the applicant would make the bulk of their presentation and share their changes to Building B, followed by a public hearing and Planning Commission discussion. Planner Ananth reported that the next special meeting on this project is scheduled for December 16th at 5:30 p.m.

Planner Ananth reminded the Planning Commission that in July of 2020, the Commissioners determined that the applicant's new site plan was a substantive amendment to the MPD and would therefore justify review of the entire Master Plan and Development Agreement. She stated that although the density is vested under the 1998 Development Agreement, the applicant's site plan has been newly applied for and is being reviewed under the current Land Management MPD Code. Exceptions to the setbacks and building height have also been newly applied for and will be evaluated under the current Code, and do not necessarily need to comply with the 1998 Development Agreement.

Planner Ananth presented a table from a previous Staff report that laid out how the project is being reviewed and the relevant Code sections. She thought it was important to mention because there appears to be a perception that the proposed site plan needs to comply with the 1998 Development Agreement. Planner Ananth wanted everyone to understand that the Planning Commission spent a fair amount of time in work session this summer deciding that this was a substantive amendment, and that the Planning Commission could review this project under the current Code, as well as in the context of the surrounding neighborhood. Planner Ananth clarified that she was not saying that the previous approvals should not be considered, but the decision that the application is a substantive amendment afford the Planning Commission the flexibility to look at the project in its entirety and not solely under the lens of the Development Agreement.

Planner Ananth pointed out that the fact that the proposed site plan is different from the 1998 site plan is not a basis for denial. It must be based on the Code.

Chair Phillips asked if the Commissioners could still use the 1998 Site Plan and the Development Agreement as guidance. Planner Ananth answered yes.

Commissioner Kenworthy referred to the General Plan in terms of Resort Development and noted that page 191 of the General Plan specifically called out that flexibility should be employed regarding the execution of the existing PCMR MPD approval in order to facilitate three things: One was public transit and the second was the potential relocation transfer of density. Commissioner Kenworthy asked Planner Ananth to

speak to how the General Plan goal fits in with both the old Development Agreement and the current new Master Planned Development.

Planner Ananth stated that the General Plan is also a guiding document that the Commissioner's should be looking at for review of this site plan, as well as the four critical priorities laid out by the City Council with prioritizing public transit to this site as a very important component under a new site plan. In terms of the potential transfer of density, Planner Ananth noted that the General Plan recognized that that may be helpful in developing a site plan that works for the site given the surrounding context. Planner Ananth noted that the applicant was proposing to move some density off Parcels D and E towards Parcel C. The General Plan encourages a certain amount of flexibility to accommodate the correct site plan for this area.

Commissioner Kenworthy stated that he wanted to make sure the public was aware of the General Plan specifically dealing with that issue.

Planner Ananth stated that since the last meeting in August where they talked about the site design and architecture, the applicant had made significant changes to Building B. One change was to remove a story off the affordable and employee housing that fronts on Shadow Ridge and a portion of Empire Avenue. They were able to reduce this area from six to five stories. They shifted that mass towards the Lowell Avenue and Manor Way facade. The applicant also made changes in the orientation of the building. That area grew by one story, but because of how the site slopes, the impact is not as significant. The mass was pushed away from the surrounding residential neighborhood towards the Resort, which is where it belongs.

Planner Ananth commented on another change that she thought was fantastic. The applicant added eight townhome style units along the Empire Avenue facade. In her opinion, this helps to screen the long parking garage, and it presents a much more residential facade to the Empire Avenue neighborhood and the rest of Park City.

Planner Ananth stated that these were the bulk of the change to Building B. The applicant's architect was prepared to spend a lot of time presenting those changes.

Planner Ananth commented on the setback exceptions being requested. She presented a slide that she had presented in August which highlighted the critical setbacks for the project that will help in maintaining views of the mountain, help with pedestrian circulation, and help the buildings relate to the surrounding residential neighborhood. She had highlighted in green the setbacks that she considered a particular priority.

Planner Ananth stated that the LMC gives the Planning Commission the discretion to decrease the required perimeter setbacks by five feet, from the MPD requirement of 25 feet down to the zone required setbacks of 20 feet, if the Planning Commission is able to find that the setback requests are necessary to provide desired architectural interest and variation.

Planner Ananth reported that the applicant submitted a letter trying to justify their request for setback and building height. She remarked that the basis of their argument is that because the Development Agreement in 1998 allowed for the transfer of density from the Mountain's open space to the base area parcels where the Planning Commission at that time felt the density should be focused. Planner Ananth noted that it effectively requires exceptions to the setbacks as well as the building height. She stated that the applicant was trying to argue that as opposed to covering the entire site with density, their application includes open space in excess of the required 60%, and also that many portions of the site meet the 25-foot setbacks, which were noted in the green lines on the slide. The applicant also argued that in order to build a project with the approved density, some exceptions are necessary. She pointed out that the red lines on the slide indicate where they are not able to completely meet 25-foot setbacks. Planner Ananth clarified that she was not trying to imply that the entire facade of the building where the redlines were shown are flat to the 20-foot setback. There is also variation and the project architect would discuss that in his presentation.

Planner Ananth provided an example of what the applicant was proposing with the townhouses that now front the Empire Avenue facade of Parcel B. She noted that the majority of the footprint was at the 25-foot setback. The garages for these townhomes are at the 25-foot setback; however, there are bump outs for front door entrances, as well as height in the stairwell, that the applicant argues serves as architectural interest and variation. That is a large part of why they were requesting a setback exception.

Planner Ananth stated that the Recreational Commercial District has a zone height of 35 feet, which the applicant is looking to exceed on all the parcels. She noted that the Development Agreement granted these height exceptions because of the transfer of density from the Mountain to the Base Parcel. The applicant has newly applied for height exceptions. She presented a table that attempts to show the proposed maximum building heights on the various parcels in comparison with the 1998 plan. Planner Ananth did not believe the table did justice to comparing the heights. She was prepared to show additional slides at a later time that looks back at the 1998 plan. Planner Ananth emphasized the difficulty in trying to figure out the building heights from the 1998 plan. It is very hard to tell the natural grade, what was graded up, and where parking is above grade or below grade.

Planner Ananth stated that because the applicant was looking for exceptions, the Planning Commission needs to be able to find for the six criteria in the LMC, including that the building height does not result in increased square footage or volume over what would be allowed under the zone required height, unless the increased square footage is from a transfer of development credits; that the heights have been positioned to minimize visual impact on adjacent structures such as shadows, loss of solar access, and loss of air circulation; that there is adequate landscaping; increased setbacks from adjacent properties that the building height results in more than the minimum open space; and that the applicant is able to comply with the architectural review criteria in Chapter 15-5, which they are able to do.

Planner Ananth stated that the slide attempts to summarize the applicant's argument for exceptions in that there was a transfer of density to the base area under the 1998 plan, and that effectively allows for exceptions. They also argue that they have positioned their buildings to maintain views and made height adjustments to minimize impacts on adjacent structures; they are offering landscape buffering; that significant portions of the site meet the MPD required setbacks; and that the applicant is offering architectural variation on their facades; that they meeting the open space requirements; and that they will comply with the architectural review requirements.

Chair Phillips noted that number two of the criteria mentions potential problems on neighboring properties caused by shadows. He asked if a study had been done on the impacts of shadows on properties as a result of the additional height. Planner Ananth stated that the applicant has started to look at that. She suggested that they show the Planning Commission the new architecture on Building B to make sure they were going in the right direction before going too far into the details. Chair Phillips assumed that was something the Planning Commission would need to check later if the Commissioners thought they were headed in the right direction. Planner Ananth answered yes. That detail was not necessary in this conceptual stage, but it would definitely need to be included and reviewed before any vote could be taken.

Commissioner Suesser asked about building heights in the 1998 and the proposed plan. She recalled that the May 27th Staff report had a different determination regarding building heights. Planner Ananth thought the building heights were within the realm of what the 1998 Plan proposed; however, they may be on the lower side because she cannot always tell what they were measuring from, nor can she tell if they were measured from how height is measured today.

Planner Ananth outlined points she would like the Planning Commission to think about during the applicant's presentation this evening: 1) is the applicant moving in the right direction with their changes, and have they been responsive to earlier Planning

Commission and public input; 2) are the changes enough for the Planning Commission to consider granting exceptions to building height and setbacks; 3) what additional analysis would be needed to help the Planning Commission in its determination that the project does or does not meet the criteria.

Chair Phillips referred to page 5 of the Staff report and the list of bullet points that the Planning Commission identified as important issues at the August 26th Planning Commission meeting. He asked if Planner Ananth thought any of those points were still outstanding. He was particularly interested in the cross sections showing the amount of below grade excavation. Planner Ananth replied that the applicant has attempted to address many of the concerns the Planning Commission had raised. However, at this point they have not been able to address the full list. For example, the Planning Commission was very focused on potentially getting more of the parking below grade, as well as consideration for having less than 1200 parking stalls on site, and that has not yet been addressed. Regarding views of the Mountain from 14th street, Planner Ananth thought the applicant was trying to maintain those views. The Staff requested more eye-level vantage point visuals, which she believed would be presented this evening. Planner Ananth noted that in her presentation she tried to give a comparison of heights to the 1998 plan. She understood that the applicant would be showing cross sections in their presentation; however, they had not been submitted for Staff review at this point. Planner Ananth thought the applicant intended to speak more about the amount of below grade excavation and what they can and cannot do. Planner Ananth reported that the applicant had submitted a letter putting the context of their requests into the language of the Code.

Commissioner Suesser asked whether the applicant had addressed the concern regarding the lack of connectivity through the Building B parcel to the Resort. Planner Ananth replied that it has been difficult for the applicant to address that concern based on their need for parking.

Robert Schmidt, representing PEG Development, stated that they have spent a lot of time and effort to listen and incorporate as much of the feedback as possible. They recognize the concerns and tried their best to address them.

Mr. Schmidt provided an update on some of the feedback they heard from both the Planning Commission and the public. He wanted everyone to know that they were working on trying to address these issues. He noted that there were concerns about the roundabouts and noted that the applicant had presented an option for a signalized intersection at Lowell Avenue. Regarding concerns about the heights on Building E heights, the architect will be presenting options this evening, along with Building B. Mr. Schmidt commented on the concerns related to the dock locations on Parcel E and

noted that the applicant was still reviewing potential options. Regarding ingress and egress at Building E off of Silver King Drive and relative to Three Kings Drive, the applicant was working a solution that will be submitted to the Staff for their review and input. Mr. Schmidt remarked that the specific pedestrian access along the west side of Building E for access from Three Kings Drive, the Snowflower, and the bus stop on Three Kings was implemented early on based on input from the neighbors. Resort Center parking, garage access, and road realignment was the realignment of the access to the Resort Center parking and aligning it with Shadow Ridge was on their engineering implementation list. The applicant has already made that commitment. Mr. Schmidt stated that they have continued to explore pedestrian crossing options. They explored a bridge and a tunnel, and their assessment is that those are not feasible. However, they are exploring doing a detailed people-based analysis looking at how many people are coming to and through the site, how do they arrive, and how do they move through the site. Mr. Schmidt stated that Building B will be the focus this evening in terms of height, setbacks, and view corridors. Regarding the bus stop, the applicant has presented a couple of options for transit center ideas. That conversation continues and Mr. Schmidt anticipated additional progress. He referred to comments about providing taller parking within the garage areas for taller vehicles in certain locations and they were continuing to explore it. They heard comments about needing day lockers and season lockers and those have been provided and implemented into their plans. Mr. Schmidt stated that another comment was access modifications to allow NAC access to their future building. He reported that an easement has been drafted that involves multiple parties. It is in internal review and the applicant will be sending it out to the relevant parties within the next week or two.

Emir Tursic, with HKS Architects, noted that the last time they presented an architectural design was in August. At that time, they were trying to explain the architectural concept and architectural design guidelines. Their presentation this evening will focus on the Parcel B updates since the August meeting. Mr. Tursic also intended to focus on the building height exception, as well as the setback exception; specifically, the requirements in the current Land Management Code and how they have addressed it.

Mr. Tursic spoke briefly about the overall high-level architectural concept, and some of the influences starting with the Mining Architecture. They had studied the Mining Architecture and were inspired by the simplicity of the forms and the large openings. They also studied the historic Main Street architecture. They would like to incorporate certain elements of Main Street into this project, but in a more contemporary abstracted way. Mr. Tursic remarked that they would like to take the historic Park City architecture

and execute it in a more contemporary way that reflects this era and not something that was built a hundred years ago.

Mr. Tursic stated that they began their analysis with the existing context. There are two parts to the Park City base, the upper and the lower. The Marriott Mountainside was the first phase of this project. He pointed to a collection of other existing buildings that were built over time in both the upper and lower base. Most are a collection of primarily condominium buildings that reflect the era they were built. Mr. Tursic remarked that PEG's goal is to develop an architecture language that develops some cohesiveness and some identity to the Resort. Even though it is early into the master plan level, the intent is to create some type of consistency.

Mr. Tursic stated that he would be spending time this evening talking about the architectural articulation and horizontal and vertical modulation of the buildings not only to create architectural interest, but also to reduce some of the perceived scale of the buildings.

Mr. Tursic commented on the Parcel B design updates. He walked through the concept plans and explained the changes made in the revised plans. Based on feedback from the community and the Planning Commission, they shifted the parking structure 25' to the south, all the way to the 20' setback along Lowell. It allowed them to create townhomes along Empire that would not only conceal the garage, but also create a much more contextual expression that relates in use as well as in scale and height to the adjacent existing context and the primarily single-family homes across the street. Mr. Tursic stated that going along Shadow Ridge, they continue to use employee housing to conceal the garage. He noted that the requirement to provide employee housing in the first phase of the project is partly a reason for pushing density on this particular site. Mr. Tursic pointed out how the townhomes step down on the second level along with the employee housing. He noted that the townhomes are three-stories high, and they terminate at the deck of the garage. Mr. Tursic noted that they originally had two story condos sitting on top of the parking structure along Empire; however, those condos were removed in an effort to step down the building and step down the scale. Some of the density was transitioned into the condominium building along Lowell. In addition, an entire floor of the affordable housing was removed and transferred into the condominium building along Lowell Avenue. Mr. Tursic pointed out that the changes allowed them to maintain the majority of the building height on Parcel B at approximately six stories, with the exception of the townhomes.

Mr. Tursic presented a slide looking at the townhomes from Manor Way. The townhomes have a garage with two stories of living space above it and they step down with the grade. He presented another view to show how they articulated the

townhomes. Mr. Tursic stated that the majority of the townhomes are set back 25' or more from the property line; however, certain elements come up to 20' in order to create the architectural variation required by the LMC and to reduce the perceived scale of the buildings. Mr. Tursic explained that a flat wall at a 25' setback, the building is perceived to be longer and taller than it is when they add variation. He intended to demonstrate this point when they get deeper into the setback and building height discussion.

Commissioner Suesser asked for the square footage of the townhomes. Mr. Tursic replied that the total is 2300 square feet, including the ground level garage which has no occupied space. On average, the townhomes are approximately 1500 square feet.

Planner Ananth asked Mr. Tursic to talk about the height of the townhomes. Mr. Tursic recalled that the height was approximately 30' to 35', including the gable of the roof. He would show the building heights when he goes into the elevations of the townhomes in his presentation. He noted that the townhomes also connect to the amenity deck in the back.

Commissioner Suesser asked for the width. Mr. Tursic replied that they are approximately 25' wide. He thought the townhomes were large enough to be livable. Mr. Tursic stated that the challenge with the townhomes is that they basically face the garage to allow for daylight on an entire side. By making the townhomes wider and taller, they were able to create a manageable layout to make the townhomes saleable. Commissioner Suesser was concerned about all the driveways coming out onto Empire. Mr. Tursic believed they were meeting the required separation, but they would review it with transportation as they get closer to the intersection with Manor Way. He was willing to look at potentially slightly reducing the width of the driveway. Commissioner Suesser asked about the length of the driveway. Mr. Tursic replied that the length of the driveway would be equivalent to the setback. It would be approximately 26' from the property line to the garage door. He recalled there was an additional 9' park strip buffer between the curb and the property line itself.

Planner Ananth pointed out that the townhouses are similar to a typical Old Town lot being 25' in width. She noted that a typical Old Town lot is 25' x 75'. These townhomes are significantly deeper, but she thought the comparison might give the Commissioners a sense of the rhythm on the street.

Chair Phillips asked for the number of curb cuts on the Empire side. He was told there were eight curb cuts plus the garage entrance. Mr. Tursic noted that the applicant had done a test fit study to make sure these townhomes would be livable, and saleable, which is the reason for some of the increased width. He pointed out that the increased

width also helps with the separation of driveways. Mr. Tursic reiterated how they pop up on top of the amenity deck, which allows them to connect to the condo amenities and bring some of the daylight into the townhomes via skylights to alleviate the solid wall effect. He stated that by shifting the garage, making them wider, and creating an access to the amenity deck resulted in creating nice townhomes that would be a hot commodity in this location and very relatable in scale to the existing context across the street. Chair Phillips asked if all the townhomes have a private space on the upper deck. Mr. Tursic replied that they were not private spaces. The townhomes will be for sale and considered as condos so they will have access to the amenities deck. They have their own individual entrances that allow them to access the clubhouse as well as the deck itself.

Commissioner Suesser did not recall seeing the amenity deck. She did not have a clear understanding of what it looks like and what is included. Mr. Tursic offered to provide views of the amenities deck itself. However, it would be primarily a combination of green space and other amenities for condo tenants and owners.

Commissioner Thimm asked if there was a front door presence for each of the townhomes along Empire Avenue. Mr. Tursic answered yes. Commissioner Thimm clarified that in addition to a garage door, there is also the appearance of a front door. Mr. Tursic pointed out the actual entrance to the townhome. The idea was to create a residential neighborhood feel with the addition of the townhomes on Empire.

Commissioner Kenworthy asked for the setbacks of the homes on the east side of the street. Planner Ananth had not measured it; however, the typical required setback would be 20'. She was not able to verify the measured setback this evening. Commissioner Kenworthy clarified that he was looking for continuity.

Commissioner Suesser asked about the proposed landscaping buffer between the road and the sidewalk. She was concerned that it was not as practical in terms of pedestrian access around the lot as a sidewalk more adjacent to the curb. Commissioner Suesser referred to the landscaping buffer that separates the curb from the sidewalk and suggested that giving more greenspace to the townhomes and putting the sidewalk against the curb was more practical for pedestrian access. She pointed out that there was no access to the sidewalk from the east side of Empire, which would be particularly problematic in the winter.

Planner Ananth thought Commissioner Suesser made a good point about flipping the landscape buffer closer to the townhouses rather than closer to the street and having the sidewalk against the curb. Planner Ananth stated that her priority would be a generous wide sidewalk. She assumed the applicant would be willing to relook at the

sidewalk and the landscape buffer. Planner Ananth could not see where the driveways were shown.

Chair Phillips agreed that the driveway cuts would need to be factored in with the sidewalk going through those. He did not believe there would be much of a conflict with pedestrians and sidewalks and vehicles going in and out, but he was curious if that had been considered. Chair Phillips stated that his biggest concern was having eight driveways where cars need to be backing out into traffic. He was personally looking at vehicle access to those units and how that may conflict with the flow of traffic.

Commissioner Suesser had a concern about the driveways being able to accommodate an SUV and not interfere with the sidewalk, particularly if it is parked in the driveway. She questioned whether 26' from curb to garage door was enough.

Mr. Schmidt stated that he has a Suburban and an F-150, which is 6" longer than the Suburban. He noted that the F-150 fits into a 21' stall. He thought 26' should be adequate to park a larger vehicle in the driveway. Mr. Tursic stated that the setback dimension was measured to the property line. There is approximately 26' feet from the garage door to the property line, plus an additional 9' of buffer space. He noted that relocating the sidewalk closer to the street would also create more space. Mr. Tursic thought the driveway would be long enough to accommodate an SUV.

Mr. Tursic pointed out that the objective this evening was to find out whether the Planning Commission thought they were going in the right direction architecturally. If the conclusions at the end of this meeting is that they are going in the right direction, they were willing to explore implications on traffic, number of curb cuts, proximity to the intersection, and other related issues.

Commissioner Hall had a strong preference for the landscaping buffer for the safety of pedestrians walking, and to create a buffer where snow removal occurs. Commissioner Hall asked if it was possible to only have one curb cut for all the driveways rather than several separated curb cuts. Chair Phillips thought one curb cut was unlikely. He agreed that less curb cuts would be better, but they need to decide on the tradeoffs. Chair Phillips liked the massing better and the scale of the streetscape.

Commissioner Suesser asked if consideration was given to providing parking to the townhouses underground or as part of the rest of the facility instead of having curb cuts. Mr. Schmidt replied that they had considered that option. However, the townhouses are independent of the garage and it was difficult to find a way to line up parking stalls and get people from the parking garage to the units because the unit steps with the grade. They looked at providing a hallway in the back with stairs and an elevator, but each unit

steps independent of the other and it became a challenge to get that access from the backside of the garage. Mr. Tursic recalled that each unit steps down 18" relative to the one next door which creates accessibility challenges. He pointed out that ramps also require additional space, and that space would need to be taken out of the townhomes that already have a limited depth.

Mr. Tursic appreciated the questions and comments. He would follow up on the curb cuts and provide additional information.

Mr. Tursic moved on to the corner of Empire and Shadow Ridge. He presented a slide showing the opposite side of Empire Avenue and the revised massing of the affordable and employee housing that was stepped down an entire floor. He noted that they increased the setback in the corner significantly and took some of the mass away from the street to minimize the impacts, shadows, and solar access that was previously discussed. Mr. Tursic pointed out the articulation vertically and horizontally. He indicated the only portion of the facade along Empire and Shadow Ridge that is currently at 20' where they were seeking an exception. At the center part of the building he pointed out how the entrance ground level was recessed back and provides a minimum 25' setback, and more in some cases. The upper portion of the affordable housing units were also at the same elevation and have a significantly higher setback. Mr. Tursic remarked that this is important because if they had a six-story wall that was 25' feet, architecturally the wall would be perceived taller and longer, which is the intent for articulation in the LMC. In addition to adding architectural interest, articulation provides a sense of scale. Mr. Tursic thought it was important to articulate not only vertically, but also horizontally, which requires the setback exception.

Mr. Tursic presented a view of the opposite corner where they added another story at the corner of Lowell and Manor Way and transferred some of the affordable housing and condos from Empire and Shadow Ridge. He pointed out that it was still a six-story building that steps up and down with the adjacent grade, but he thought the visual impact was minimized. Mr. Tursic stated that from a massing perspective, at every corner on every parcel they stepped the massing and the building heights down closer to human scale to minimize the impacts of the shadows on the street and the sidewalks, and to reduce the actual and the perceived scale of the building.

Mr. Tursic reminded everyone that they were not looking at the final architecture. What he was showing were advanced master plan concept massing diagrams. Even though they were materialized to show the intent and to give the Planning Commission a better understanding, these were not the final images. They still needed to go through the conditional use and building permit processes. Mr. Tursic anticipated another year of

design on Parcel B alone refining the architecture. He emphasized that at this point they were only trying to demonstrate the intent and compliance with the LMC.

Commissioner Suesser clarified that the first three stories in the slide were parking levels, and then two additional parking levels below those. Mr. Tursic explained that the parking structure cannot be seen from anywhere on the street. They were cladding every level and part of the parking structure with units, with the exception of the entrances in and out of the garage, and a small portion of the parking garage wall that is exposed at the entrance on Manor. Mr. Tursic stated that Commissioner Suesser was correct in assuming that she was seeing the first level, the entrance into the parking garage and three additional stories on top of it. He pointed to the "transfer deck" which is where the parking structure terminates, and they begin building on top of the parking structure as it goes deeper into the site itself.

Commissioner Suesser commented on the employee housing that was transferred. She understood they took off a level of the employee housing side near Shadow Ridge and Empire and put it on the Lowell and Manor side. She asked if the transferred units were still employee housing or if it was added to the market price condo units on the Lowell and Manor side. Mr. Schmidt replied that it would still be affordable housing. He remarked that there are two components of the affordable housing; one is for-sale and one is for rent. The intent would be to transfer the for-sale component of affordable housing into that building.

Mr. Tursic presented a building section to address some of the questions the Commissioners had raised. It puts Parcel B into context, and he thought it would help them understand the relationship of Parcel B to the adjacent buildings. Mr. Tursic stated that the section was cut approximately through the last townhome and very close to 14th Street. He noted that they had estimated some of the existing buildings from Google Maps so the heights were probably not exactly correct as shown. He pointed out that he was scanning through the building as if they were standing on Manor looking north. It was the east-west section looking north. Mr. Tursic believed this section demonstrates relationship to the context. It also shows the garage and the depth of the garage. He pointed out that the garage appears to be a one-story garage on one side, but it is actually a three-story garage on the other side. The levels will vary with the grade, depending on where they cut the section. On the Lowell side there are three stories below grade and one story above grade. Day skier lockers in lobbies conceal the parking. On the opposite side are the townhomes. Mr. Tursic remarked that the section also demonstrates that the grade between Empire and Lowell is practically two stories high. In order to create the connection through the site itself, they would need to provide stairs that climb two stories, which is 20' and forty steps. In accordance with the Code, they could not just put in the stairs. The Code requires an elevator or ramps,

and the ramps would be significantly longer. Mr. Tursic remarked that there are significant challenges with providing the connection through the site itself from the standpoint of grading. Mr. Tursic stated that it would start cutting through the parking structure and effectively they would be able to maintain a single parking continuous parking level. All the other parking levels would be discontinuous. That means they could not have internal ramps to help with external circulation, and they would lose a significant amount of parking that would need to be located elsewhere. Mr. Tursic stated that the last point is that the shortcut through the site itself would drop off at an area where no one should be crossing the street. It would lead straight into the transit stop which are safety concerns that have already been discussed, and the desire to separate pedestrians and drop-off from transit. Instead, they would like to take the newly proposed sidewalks to two designated pedestrian crossings. Mr. Tursic explained that rather than cutting through the site and ending up in a location where they do not want pedestrians to be crossing, they were trying to guide people to designated crossings on Lowell. They were also providing a more pleasant experience with a 12' sidewalk where currently there is no sidewalk, with a 9' green buffer on each side and highly articulated architecture that will reduce the size of the building.

Mr. Tursic stated that going deeper with the parking is considered infeasible. Salt Lake tries to limit all developments to two underground levels. Anything beyond that is not financially feasible. For this project, the parking is three stories. They also have the challenge of balancing all the excavation and cut and fill. Mr. Tursic stated that there are multiple challenges with going deeper or cutting through that will have a great impact on the parking count that is greatly needed.

Mr. Schmidt pointed out that the bottom floor of the parking structure is approximately the same elevation as what was proposed in 1998. He noted that there were three levels of parking in 1998 and those were cut back. There were also three separate access points with no internal ramping. Mr. Schmidt stated that the recorded version of the 1998 plan does not specifically say how many stalls were on Parcel B; however, based on his calculation, approximately 600-700 stalls were on Parcel B in 1998. He noted that this proposal provides more parking. With the addition of the townhomes, the scale, and addressing the exterior of the building, they were trying to meet the intent of the Code and gain the support of the Planning Commission.

Mr. Tursic pointed out that the section shows approximately 35' from the garage doors to the curb. Mr. Tursic used the same slide to show the setbacks and the stepbacks on the section. He also moved to another slide to show the setbacks and stepbacks on Shadow Ridge. Mr. Tursic pointed to the portions where they were seeking an exception and noted that it was only in isolated locations.

The Commissioners had no further questions on Parcel B at this time.

Mr. Tursic moved to Parcel E. He noted that the applicant took a similar approach on Parcel E and evaluated how to step the massing that is adjacent to existing condominiums and the residential buildings. Mr. Tursic pointed to the portions where they modified the design to step the massing. Relative to the property line, the minimum setback was at 28'. As it steps up, the building goes from 33' to 38.5, and up to 66'. Mr. Tursic presented another section showing how the Parcel E parking that accommodates the remainder of the day skier parking is almost completely below grade under the plaza. The only area where the grade drops is in the opposite direction where the first level of parking is basically at grade level. Mr. Tursic clarified that they were dealing with the same constraints on Parcel E in terms of excavation and depth that were discussed on Parcel B. He reminded everyone that as with Parcel B, what he was showing were advanced massing diagrams and not the final architecture. They were only demonstrating how they reduced the scale and comply with the current Code.

Commissioner Suesser pointed out that the image was not showing a sidewalk along Three Kings and the accessway on the west side of the building to the Resort Base. Mr. Tursic replied that it was not shown; however, there is a sidewalk that basically follows the street. He indicated an area identified in green, which was the current access to the Mountain. Mr. Schmidt clarified that the applicant has agreed to provide access on the west side of Parcel E. Not all the sidewalks were added into the massing models, but they would be provided.

Commissioner Suesser wanted to understand the proximity to the next residential building because there are a lot of concerns on that side. She thought it would be helpful to have some perspective on how close this building gets to the existing neighboring properties on Three Kings. Mr. Schmidt stated that there was a minimum of 32' on the ground level from the Snowflower building. He believed they could show the separation from Three Kings in a plan view across the City right-of-way, plus the Three Kings setbacks. He thought there was a fair distance between the buildings.

Commissioner Suesser asked if there was any change to the loading dock or the service entrance to Building E. Mr. Schmidt replied that they were still addressing that concern but had not yet arrived at a solution. He hoped to have a solution finalized shortly to present to the Planning Commission.

Commissioner Kenworthy asked Mr. Tursic to point to the entrance and the exit to the parking on the slide. Mr. Tursic indicated the location and noted that it would be both the entrance and exit for the parking garage. He pointed to a secondary entrance to the ground level, which would be the drop-off area for the condos and the ski club; as

well as a secondary entrance and exit point. Commissioner Kenworthy asked how many parking spaces the exit provides. Mr. Schmidt replied that the public day skier parking is 440 stalls. The other one is 100 stalls. Commissioner Kenworthy noted that 540 spaces would be coming out. He recalled that it was directly from the access into the Three Kings/Thaynes neighborhood. Mr. Tursic provided a plan view showing the intersection of Three Kings on the north. Mr. Schmidt pointed out the relationship of the driveway to the parking garage and to the porte cochere. He stated that they were working on a solution that would channelize traffic and reduce the conflicts at that location. Commissioner Kenworthy stated that personally he felt this was more problematic than the eight townhomes coming out onto the street. The General Plan calls for protecting these primary neighborhoods and channeling 540 parking spaces onto those streets is a major concern. Mr. Schmidt understood the concern and hoped to have a proposal finalized soon. If they need to make alterations, they can explore other ways to get vehicles in and out of this parking structure.

Commissioner Suesser wanted to understand where skiers come out once they park in the garage. She thought it would apply for summer recreation as well. Mr. Tursic noted that there are two exit points from the garage driven by egress requirements. He showed where one access comes out onto the plaza in one location, and a second access comes up onto the plaza near ticketing. He stated that a lot of time was spent making sure that people come out in convenient locations.

Mr. Tursic believed his presentation had covered all the updates to the massing on Buildings B and E.

Mr. Tursic continued his presentation talking about building height and setback exceptions. He stated that part of the intent this evening is to begin looking specifically at what the LMC requires for a building height exception, and to demonstrate how this project complies. Mr. Tursic stated that the additional building height cannot result in additional volume, area, or density, unless the increased square footage of the building is from the transfer of development credits, which is applicable to their project. Mr. Tursic intended to talk about the siting of the buildings, adequate landscape, setbacks, and open space. At the very end as they get into setbacks, he was prepared to show how the current design on each parcel complies with the 15-5 Architectural Design Guidelines.

Mr. Tursic commented on the density. He stated that with the current and existing setbacks and the 35' building height, they would never be able to achieve the densities that the Development Agreement currently allocates to the site. For that reason, they need an exception to increase the building height. Mr. Tursic noted that is a new plan and they were using the existing plan for reference in trying to understand how it was

done. There has been a lot of focus on Parcel B and building heights and the applicant understands the concerns because Parcel B is in the heart of the residential neighborhood. However, if they compare the original 1998 Master Plan to the current design, they want to make sure they are comparing apples to apples, specifically regarding building height. Mr. Tursic stated that the original 1998 Master Plan also required 20' setbacks along Empire and Shadow Ridge. The building was broken into four different components; B1, B2, B3 and B4, and volumetrics were developed for each of the four components with a specified building height. Mr. Tursic thought it was unclear as to how the building height was measured. He measured the building height for the new proposed plan in accordance with the current definition of building height in the LMC, which goes to the grade. He stated that in looking at the original 1998 Master Plan, the height was not measured to the grade. It was measured to an established datum, which he recalled was the ground level elevation. In this case, portions B1 and B2 measured the building height from elevation 6951. Buildings B3 and B4 measured the building height from elevation 6941. Mr. Tursic provided an example showing that the building heights on a specific corner of the new proposal was measured from 6921, which is a 20' different in elevation.

Mr. Tursic understood that it was complicated, but he thought it was important information to have when they start comparing the building heights and how the original master plan was accomplishing those building heights. Mr. Tursic had overlaid the existing grading, but the footprints of the original buildings could still be seen. He reviewed the overlay to show the heights of the building under the 1998 plan for Buildings B1 and B2 measured from the 6951 elevation. He indicated areas where the grade drops significantly and by the time it reaches Empire, B1 is anywhere from 7' to 11' taller. Building B2 is anywhere between 10' and 16' taller. Buildings B3 and B4 have as much as 20' difference in the corner between what he considers the building height and how the building height was measured. Mr. Tursic stated that as they look at the volumetrics of each B component, the heights shown as 65', 49', 39' are not measured to grade. They are measured to 6951 elevation. Mr. Tursic remarked that the buildings heights are somewhat deceiving in how they were being presented today, and it is not a true comparison. He pointed out that what was showing as 75' could easily be a 95' building height. He specifically noted that at the corner of Shadow Ridge and Empire, what was labeled as a 30' ridge height is actually a 50'+ ridge height.

Mr. Tursic stated that he did a quick overlay comparison of the currently proposed building heights. There was a range in heights because of how the grade drops. Mr. Tursic explained how he measured the heights and also adjusted some of the original 1998 building heights for comparison. Mr. Tursic clarified that these were ranges and at this point nothing was exact. However, in general if they start measuring the building height the way height is measured today, it becomes apparent that the building heights

in the original Master Plan are not too far off from what was being proposed. In some cases, the buildings in the original plan are taller. Mr. Tursic remarked that the major difference between the building heights was stepping. The original master plan created a lot of vertical modulation and stepping of the roofs, and the new proposed design simplifies some of that for the architectural reasons that were previously explained.

Mr. Tursic stated that the way PEG Development is siting the density, volume, and building height is not too dissimilar from the original master plan. They were trying to place it in the areas furthest away from the street. They were also trying to increase the building heights that are not close to the street; but that becomes more challenging on Parcels B and Parcel E due to the density requirements, complex programming, parking, and affordable housing. The difference in Parcel E is the alignment of Lowell.

Mr. Tursic thought the diagram presented demonstrates compliance not only for the transfer of density, but also for the siting of the project and how the current massing had considered a great deal of topography, grading, adjacent uses, programming, and how it could be accommodated.

Commissioner Thimm understood that the before and after height elevations shown were based upon the same relative datum. Mr. Tursic replied that he was correct.

Chair Phillips thought that was the best way to measure the two side by side. Instead of height of building, he thought actual building elevation was more important. Chair Phillips was interested in seeing a comparison of the maximum building elevation in relation to each other. If they can reach an agreement, they will need to have something more specific because currently they are working with conceptual drawings that will eventually come back through a CUP process. He wanted to make sure that whatever they agree on, that they can accurately hold it up to any CUP application that comes through. Chair Phillips understood what Mr. Tursic presented with the elevations.

Chair Phillips commented on the importance of making sure that anything that is agreed on is put into very clear language.

Mr. Schmidt understood that Chair Phillips was asking for more detail of the proposal so there is something to compare with at the CUP process. Chair Phillips stated that in terms of height, he wanted it clearly defined as to what they were measuring it from and for everyone to understand the difference if there is eventual agreement on the final heights. Chair Phillips thought the previous plan was confusing, and he thought it was better to just say that different portions of each building do not exceed x-maximum elevation, which can be derived from the information provided. Chair Phillips stated that

regardless of what they agree on, everyone will need to work together to define it. His concern was allowing an exception for a setback, when the applicant was representing that what was shown this evening was conceptual for certain elements. He clarified that the requested exceptions would need to be very well defined so any future CUP application can be held up against what they agreed upon.

Mr. Schmidt presented a drawing that depicts the ridgeline elevation in terms of mean sea level. It identifies what grade contour it was being measured against and the resulting height in subtracting the ridge height from the natural grade. Chair Phillips stated that elevation in relation to sea level is important.

Mr. Tursic stated that they developed four or five different building height diagrams trying to find the best way to get a good handle on it. In the end, tying the ridge height to the sea level elevation is the best way because of so many grade changes.

Chair Phillips pointed out that the original Development Agreement and the associated exhibits do not necessarily reflect what is really the existing grade. Chair Phillips thought the applicant was on the right track for what he was looking for in the end. They would still need to work through and determine what heights to agree on.

Mr. Tursic pointed out the average building heights that vary between 35' to 45' along Empire and 65' to 75' along Shadow Ridge and Empire. The volume had increased in height because it was raised by a floor. Mr. Tursic noted the stepping as it gets closer to the intersection. On Parcel C, part of the building goes up to 85', which is the tallest ridge height as measured relative to the existing grade. The building starts stepping down as they get closer to the intersection and to adjacent residential areas. Mr. Tursic stated that Parcel D steps down as it gets closer to the street and the sidewalk and adjacent buildings. He noted that he had already identified the building heights for Parcel E earlier in his presentation as they looked at the setbacks and some of the revised massing.

Mr. Tursic reviewed the landscape buffers, which is the next requirement for building height exceptions. He presented the landscape plan that was submitted with PEG's initial master plan submissions. Although changes were made, the general intent remains the same. Large landscape buffers are being provided at each corner and along the streets. They are proposing a new pedestrian path on Parcel C that drops down with the grade to get to the ski resort. There is a landscape buffer against the street, and a landscape buffer along Lowell as well as on the large setback area of the porta cochere. On Parcel D they were creating a landscape buffer against the existing building. Some will need to be coordinated with the fire department access. Also, there have been subsequent discussions because this will need to be drivable to meet Code.

They will need to be cautious in terms of types of trees and location. Mr. Tursic remarked that the intent based on the plan submitted is to provide significant landscape buffers at each existing building, sidewalks, streets, and other places of that nature in accordance with the LMC requirements.

Mr. Tursic stated that the next requirement for a building height exception deals with setbacks. In focusing so much on Parcel B, he thought they might be losing sight of the remaining parcels where the setbacks are a lot larger. On Parcel C the setbacks were approximately 52' at some point, 100' away from the ski resort, 56' feet on the corner. The entrance to hotel itself is set back 126'. Mr. Tursic stated that the building stepping and massing on Parcel D had been modified. In the drawing shown, it was depicted at 35' and 40'; however, in reality it is quite a bit larger because it is not parallel to the property line. He indicated areas where large open spaces would be provided. Mr. Tursic remarked that in general the applicant was requesting an exception in very limited areas, but for the most part large amounts of increased setbacks will be maintained around the rest of the parcels.

Mr. Tursic noted that 60% was the minimum open space requirement. The building height exception asks the applicant to provide more open space. He remarked that the type of open space and what they were proposing is what they believe would be the best use. However, if the proposed uses were not appropriate or the Planning Commission suggests additional uses, they were willing to consider those suggestions as well. Mr. Tursic assumed everyone understood that the transfer of density begins with the 11.4 acres of open space. The intent was to extend that open space and provide open space in areas where it is most meaningful. Mr. Tursic noted that the open space continues between Parcels C and E where they were creating a new plaza, a new epicenter of activity, and a new identity for the Resort that is currently lacking. He pointed out that it continues across the street on Parcel D where they were providing another large open space as a transition to the residential area. Since this will be a condominium with retail at the ground level that they see as serving the neighborhood. The open space will also serve the neighborhood. Mr. Tursic stated that it also allows them to create a sense of arrival. He presented a sketch-up to give a sense of scale and an idea of what the vantage point looks like, as well as the size and continuity of the open space. The idea is to accommodate public gatherings outside during the ski season and through the summer months. Mr. Tursic presented an image closer to the plaza itself which provides a sense of scale, the opening, the activation of the hotel on one side and retail on the opposite side.

Mr. Tursic stated that between the 11.4 acres and the additional open space being provided, the total open space is approximately 75%, which exceeds the minimum requirement of 60% open space.

Commissioner Kenworthy wanted everyone participating in this meeting to be clear about the open space. He asked Mr. Tursic to pull up the slide showing the 11.4 acres. He noted that citizens do not like the word sprawl. He wanted it clear that the applicant was proposing to combine the density to maintain open space. He asked Mr. Tursic to show that to the public who was participating. Mr. Tursic explained that they were able to transfer the density to the other site in order to maintain the alpine terrain and preserve that portion of the Mountain from being developed. Mr. Tursic stated that the densities being transferred to Parcels B, C, E and D were densities that could have been on the side of the Mountain.

Planner Ananth stated that there are two areas of open space that were restricted in the 1998 development. One is the open area shown on the plan that contributed to the transfer of density to the base area parcels. The second is the alpine terrain higher up the mountain where development rights were taken off the mountain and put towards the base. Planner Ananth pointed out that the concept has always been to not sprawl up and around the mountain, but to concentrate density around existing services and transportation. Commissioner Kenworthy thought it was vital for the public to understand this.

Mr. Tursic commented on the setback exception. He pointed to the requirement that every master planned development must maintain a 25' setback. However, the Planning Commission has the authority to allow them to reduce it to the zone setback, which in this case is 20'. Mr. Tursic reviewed the elevations and some of the massing. He noted that they were actually complying with the 25' setback on Manor Way at the ground level. As the building steps down the setbacks go to 27' and 33'. Mr. Tursic remarked that there is some overlap between the building height requirements and the setback requirements. The overlap is that in order to get the building height, they need to comply with the building massing variation, which requires them to create setbacks vertically. He thought it was important to understand that the portions of the setback exceptions they were seeking apply to a very small portion of Parcel B. As they go around the site starting with Empire, he indicated the areas that were 20'. The building is recessed an additional five feet on the ground level. Moving down, he noted that the center portion of the building is at 20', but as it angles back, the approach is 20' and 30'. Mr. Tursic stated that the applicant was trying to comply with the LMC Code as currently written by providing not only vertical articulation, but also horizontal articulation. In order to do that, certain parts of the building on Parcel B and a few other instances are requiring a setback exception of 20'.

Mr. Tursic presented the Shadow Ridge elevation. Starting at the ground level the setback was 25'. The portion of the building along Shadow Ridge at 20' was shown in

white. Everything beyond that point is set back the required 25', and more in some cases. Mr. Tursic noted that the upper portions of the building vary anywhere between 27' to 25'. The LMC requires vertical recesses or setbacks every 120'. The elevations showed that they were creating that separation more frequently in an effort to increase the architectural interest and to reduce the perceived scale, height, and length of the building. Mr. Tursic reviewed the Lowell elevation and noted that a part of the building on the ground level requires a 20' setback. This was driven by shifting the garage south which pushed against the setback line at 20'. He stated that as the building goes up and steps back, the setbacks vary from 24' in one location to 31' at the top levels. Mr. Tursic pointed out that they were changing the roof heights as well, which as calculated, can be added. He thought the elevations demonstrated that the applicant was going above and beyond what the Code requires in terms of architectural variation in order to comply with the building height exception.

Mr. Tursic presented the Parcel C south elevation, which is across the street from the existing condos. He thought this one was deceiving because it is not perfectly parallel to the property line, but the average setback is 59'. In some areas it is 60' and 68'. The building closest to the street averages 59' feet away. The vertical recesses are further back.

Mr. Tursic reviewed the south elevation for Parcel D, which was similar to Parcel C. The average setback is approximately 42 feet'. Additional setbacks range as high as 58' to 60'. Mr. Tursic pointed out the portions of the buildings that were approximately 40' away from the property line. He pointed to the horizontal and vertical recesses that are further back.

Mr. Tursic reviewed the elevation for Parcel E. He did not believe the applicant was seeking an exception along Silver King. The setback on the ground level starts at 35'. As the building steps back and goes higher, the setback goes to 43-1/2'. Mr. Tursic had created an additional elevation due to the sensitivity of facing the Sunflower Condominiums. He remarked that the base of the building is at 28'4". As the building steps back, it increases to 38' and goes as far as 44'.

Mr. Tursic offered to submit the information and drawings presented this evening to the Planning Staff for their review in terms of compliance with the LMC for the building height and setbacks exceptions.

Robert McConnell, legal counsel for PEG Development, asked Mr. Tursic to speak about efforts to mitigate in terms of shadows, loss of solar access, and loss of air circulation. Mr. McConnell noted that Mr. Tursic had skipped item 6 in his presentation.

Mr. Tursic noted that there was a lot of overlap in terms of the additional building height and setback exceptions. He thought his review of the different setbacks, variation in building height, and roof elements on each individual parcel sufficiently addressed item 6.

Mr. Tursic thought he spoke in a general sense of how the buildings were positioned on site. Wherever there was space, they tried to take the tallest portions of the building away from the street and away from the existing developments. The buildings were stepped down closer to the human scale as they approach the intersections, so the height of the building is not overpowering. He stated that the next step will be to provide solar studies to determine whether or not the building heights impact the adjacent buildings. They need discuss that further with the Planning Staff to make sure they understand the expectations.

Mr. McConnell requested feedback from the Planning Commission with respect to specific details on any of the points so the applicant has the opportunity to address them. They intend to follow up on their concerns or any concerns raised by the public.

Mr. Schmidt stated that this concluded their presentation; however, he would like to reserve time to respond to public comments following the public hearing.

Chair Phillips opened the public hearing.

David Everitt, Deputy City Manager understood that one group had prepared a presentation for their public comment period.

Jessica Nelson reported that Nikki Deforge and two others representing RRAD were prepared to give a presentation this evening. In addition, three hands were raised on Zoom from the public wishing to make comment. She had received one eComment at this time.

Nikki Deforge stated that she was representing the Park City community organization known as the Responsible Resort Area Development (RRAD). RRAD is committed to ensuring that the base resort development proceeds in full compliance with the Land Management Code and the Development Agreement. Ms. Deforge stated that the currently proposed plans do not comply with either in many ways. She noted RRAD had prepared a lengthy letter that was included with the comments initially, and she encouraged the Commissioners to read through that letter and others that were submitted. Ms. Deforge stated that RRAD also submitted an additional letter yesterday in response to the last-minute comments and the new Parcel B plans that were submitted by the developer. She encouraged the Planning Commission to go back and

look at both submittals because they go into more detail than what she had time to address this evening as to the problematic areas in this development. Ms. Deforge stated that her comments would focus on the legal framework they should be looking at to evaluate this application. She would then turn the time over to Deb Refrow and Doug Lee, RRAD members, who would talk about the more specific issues related to resident concerns and non-conformity.

Ms. Deforge stated that to the extent that she understood the Planning Staff correctly that this Development Agreement and the original Master Plan is not in play, she strongly disagreed with that from a legal perspective. She stated that it might be the case had the development agreement not been acted upon, that no construction had ever taken place, and it had simply expired on its terms, but that is not the case. She remarked that this was an unusual project review as far as the governing law is concerned. Ms. Deforge understood that the LMC ultimately governs the review, but there is also a 1998 Development Agreement in play, and exhibits were included in that development agreement. The exhibits included the original master plan, and also the City's approval conditions for the entire master plan of the entire project. Ms. Deforge stated that those exhibits were expressly referred to repeatedly and incorporated into the development agreement. Those conditions are part of the conditions of approval for this entire site and are considered part of the development agreement. Ms. Deforge remarked that the development agreement is effectively a contract between the City and the Developer that runs with the land. The original developer exercised its rights under the development agreement when it constructed a hotel on one of the parcels that were subject to the development agreement. Doing so triggered ongoing performance obligations and requirements under that development agreement for any future development. Ms. Deforge was aware of the employee housing requirements that were triggered by the commencement of construction that were never complied with; however, she disagreed that it triggered only 23 affordable housing requirements. It actually triggered the full 80. Ms. Deforge stated that the original developer did not timely complete construction on these remaining parcels, and therefore the entitlements to build under the CMP for those parcels absolutely expired. However, the conditions and the restrictions that were imposed in the greater development agreement for the construction, including further construction of these parcels, did not expire. That means that the Planning Commission is not bound to approve any of the variances that were approved before and cannot approve them now if they do not comply with the current LMC, but the Planning Commission still must enforce the conditions for further development that were included in the development agreement and the CMP, and that the developer took advantage of in commencing construction. Having commenced construction under that contract and availed itself of the benefits of the contract, the developer cannot now wash its hands of the contract and conditions imposed for construction of the remaining parcels on the site simply by not timely completing

construction. Those plans must reflect the maximum that can be built unless an amendment is approved. And amendment should not be approved unless more is given by the developer, and that is not the case here. Ms. Deforge thought it was important to keep in mind that the development agreement was a negotiated deal between the City and the developer. The City made certain concessions to the developer in exchange for certain concessions from the developer. The developer now wants to renegotiate that deal by asking for more concessions without giving anything more to the City. Instead, it points to what it already gave for what it already received, and demands more based on what it already gave, and expects to be relieved of the conditions that were imposed for what it received. This is simply not the law, it is not a logical conclusion, and it is not proper. Ms. Deforge stated that having already made more than enough concessions to the developer in the development agreement, the City should not agree to a single additional concession without getting something more valuable in return for the residents of Park City. Now is the time to enforce the deal that was already made. It is not time to give the developer an even better deal than it made previously.

Ms. Deforge stated that what she heard tonight throughout the presentations was cherry-picking. They want the benefits of the development in certain areas, but they do not want to follow any of the conditions that go along with it. For example, the developer makes it clear that everyone considers the 11+ acres of open space that they gave in connection with the development agreement as a whole and decided as a whole, but they do not want to be held to the prohibition on reallocation of any of the density between the parcels. She pointed out that this was only one example of many that the developer showed in his presentation. Regarding the building height and setback variances being requested, Ms. Deforge pointed out that the Planning Commission does not need to grant those based on what was originally offered in the development agreement or the CMP because that has expired and the variances have expired. She stated that the variances can only be granted if they are done in strict compliance with the Land Management Code, but also with the conditions that were already imposed upon the project in the development agreement. Ms. Deforge referred the Commissioners to the letter that was submitted yesterday for additional detail.

Starting with the setbacks, Ms. Deforge stated that reductions for MPDs such as this can only be granted back to the underlying zone setbacks. In this case, the perimeter setback for MPDs is 25' and the perimeter setback for the underlying zone is 20'. She noted that the developer's most recent plans for Parcel B shows setbacks smaller than 20' on every level and on almost every side of this huge development on Parcel B. Ms.

Deforge scrolled through a few pages of the plans and noted that she had circled the places that go past the 20' reduction. She commented on the inconsistencies in the

setback and thought it would be helpful to get a consistent dotted line comparison where they can easily see what exceeds 25' and what exceeds 20'. Ms. Deforge stated that if it reduced to less than 20', as a matter of law under the LMC provision the Planning Commission cannot grant it because it is below the underlying zone setback. Ms. Deforge walked through some examples on the plans. She pointed to the third level of the building on Lowell Avenue and what appeared to be tandem parking spaces that go almost to the property line. She noted that the second dotted line is the 20' setback and the other dotted line was the property line. Ms. Deforge stated that if she went through each parcel they would show the same setback issues.

Ms. Deforge commented on the setbacks that were potentially within the underlying zone setback of 20'. She remarked that the Planning Commission could not grant those unless they are shown to be necessary to provide desired architectural interest and variation. She stated that in this case the developer was admittedly requesting setback reductions simply to meet the LMC requirements for parking, affordable housing, open space, etc. On the plans they looked at earlier, the places where the reductions are requested are primarily in places where they need more space for the parking. It has nothing to do with architectural and variation. It is solely for the purpose of trying to squeeze as much parking as possible onto these parcels. Ms. Deforge stated that as laudable as that may be, it is not a reason for granting the setback requests under the LMC. She believed the same applied to affordable housing. The applicant argues that the Planning Commission should consider the fact that they were putting all the affordable housing on site. She pointed out that under the development agreement the affordable housing was supposed to be off site. Regardless, even if the City wants it to be on site, that is not a reason for granting a setback reduction request. The same applies to open space. Ms. Deforge stated that the reality is that these setback reductions are almost without exception requested in order to get as much parking as they can, particularly on Parcel B, and to get all the square footage they claim they are entitled to get under the development agreement.

Ms. Deforge commented on the building heights. She agreed that there are six numbered factors that must be met to warrant the height increases. However, for each of those six factors there are multiple subfactors within each. She thought the Planning Commission needed to pay close attention to these subfactors because the applicant has the burden to satisfy all of the conditions, not just one condition in each of the six factors. Ms. Deforge noted that the letter they submitted goes through each of the subfactors and she again referred the Commissioners to that letter. Ms. Deforge highlighted a few of the subfactors. She noted that they talked about the building height requests not resulting in an increase in square footage. She thought this was a good example of the circular reasoning with respect to the development agreement where the applicant cherry picks what they want and ignores the rest. Ms. Deforge stated that the

developer was claiming all of the square footage they were entitled to under the development agreement, as well as another 18,000 additional square feet beyond the development agreement. The developer is saying they were not requesting any more square footage than what they would get under the LMC. She believed this is a situation where the developer looks to the development agreement when it benefits them, and back to the LMC if not. They cannot have it both ways. They either need to use the square footage in the development agreement or what they are entitled to under the LMC. Ms. Deforge stated that if the developer is going off what they were entitled to under the development agreement, in order to get the building height reduction, the square footage cannot increase if it is a result of the building height increases. She noted that the same applies to the transfer of density credits. The transfer of credits came from the open space that was in the development agreement, and in exchange for that the developer was allowed an x-amount of square footage. However, the developer was requesting almost 20,000 additional square footage than what the transfer credits allow. Ms. Deforge stated that another example and a guiding principle under the analysis for height increases is that you cannot increase height and at the same time reduce perimeter setbacks. Setbacks and separations need to be increased in order to get more height, but the applicant was doing the opposite. She explained why she believed the applicant was playing a shell game with the heights and setbacks. Ms. Deforge outlined other principles that play into these factors. One is that they cannot go higher without mitigating the impacts on the neighboring properties. She pointed out that there is no evidence regarding increased shadowing and the applicant has said they are not aware of any. Ms. Deforge remarked that not being aware does not meet the burden. In terms of mitigating impacts, they need to look at the adjacent neighbors, and adjacent means more than just those who abut your property.

Ms. Deforge emphasized that the developer has not met its burden of showing that any of these requirements have been satisfied to either reduce setbacks or increase height in the buildings. She reiterated that the height increases are directly prohibited under the development agreement and she quoted directly from the development agreement to support her comments. Ms. Deforge thought the Parcel B plans shown today were an improvement over what they saw in the first iteration, but they still do not come close to complying with what was originally proposed, and what was originally approved. In addition, they certainly do not comply with the LMC.

Doug Lee, a resident at 1356 Empire Avenue, stated that he has owned the house since 1980 and they have seen a lot of things come and go in the Resort Center area. Mr. Lee remarked that he and his colleagues were speaking this evening on behalf of RRAD, which is a group of more than 160 concerned Park City citizens. Mr. Lee provided a brief summary of background. He spent 30 years in real estate starting as a

licensed architect in Washington DC where his focus was on building new buildings in historic districts. He currently has his own real estate investment firm. Mr. Lee believed he was well-qualified to speak to the issues.

Mr. Lee presented several exhibits he had prepared. Mr. Lee clarified that RRAD is not an anti-development group. They were seeking to promote thoughtful development that benefits the whole community. RRAD thinks the base area represents a unique and historic opportunity to reset the future not just at the Resort Center but of the entire City. They feel the base area can be developed in a way that satisfies all of the functional concerns of the developer and the long-term objectives of the City, while being highly sensitive to the quality of life and life safety concerns of the neighbors and the community. Mr. Lee stated that RRAD has serious concerns about numerous aspects of the project, especially the impact of additional building height, reduced setbacks, density, and traffic generation. They believe the project is non-compliant with the development agreement and the LMC in many respects.

Mr. Lee stated that he would be speaking primarily on the design aspects of the project. Mr. Renfrow was prepared to talk about traffic and circulation. Mr. Lee stated that in looking at the numbers and adjust them for above grade parking, they see a total GLA of 822,000 square feet, which is 16,000 square feet over the allowable square footage.

He remarked that aside from the overage in square footage, the issue is the effective FAR on each parcel. As a result of shifting density from the development restricted area on the Mountain to these parcels, he thought it was clear that looking at the adjusted FAR on Parcel B is 2.8 times. In a zone that is a 1.0 zone, trying to put 2.8 times on that site is a problem for the community, the neighbors, for traffic, and for quality of life. Mr. Lee believed it was important to comply with the terms of the development agreement, which says they should not build in excess of a specific square footage number for each parcel. He presented a slide showing that three of the four parcels were materially over the maximum square footage permitted per the DA. Mr. Lee cautioned everyone to be careful of the distortions that occur. When they talk about open space, he thought it was important to keep in mind that the effective open space on these parcels is not 75%. Similar to his square footage study, when calculating the actual open space on these parcels it is actually 49% open space. He pointed out that it was the derivative of moving too much density and giving the developer too much leeway on the base area parcels.

Mr. Lee stated that RRAD does not believe the height variances were justified. The building mass needs to at least consider what was approved in the original DA and CMP. There was a tremendous amount of human scale, detail, and stepping down to street level. Mr. Lee noted that the architect said several times that they had stepped down to the corners. He pointed out that they had only stepped down on three corners.

Mr. Lee emphasized that they had not stepped down on the Shadow Ridge and Empire Corner where there are one and two-story single-family homes across the street. He also noted that per the development agreement, the architectural design guidelines are considered as important as the square footage, volumetrics, and UEs. Mr. Lee did not think it was fair to disregard the architectural guidelines that were previously developed, because as far as the neighborhood is concerned, they were materially more favorable than what they are seeing in this current plan. Mr. Lee remarked that the height and density in the CMP was located in the center of the block. On the blocks that border the mountain it was located on the slope side of the site rather than on the street side of the site. He pointed out that this was not how it was developed in the PEG plan. Mr. Lee stated that in comparing the two site plans, most impartial observers would say that what was shown on the right is called a mega block in architecture. He stated that a mega block is the least appropriate for Old Town Park City. He looked at Vail Village and Zermont and there were no buildings in those village longer than 200'. Mr. Lee pointed out that the Empire side of Parcel B is almost 500' long. That is the reason why the CMP for Parcel B was so important in breaking down the scale and the mass and relating to human scale and detail.

Mr. Lee noted that Ms. Deforge had covered most of his comments regarding setbacks reductions.

Mr. Lee stated that according to the development agreement, all the architectural design guidelines are integral to the plan. He believed the architectural guidelines are still in place today and did not expire with the original plan. These include no monolithic structures and maintaining a gateway entrance to PCMR. The community believes that was better represented in the 1998 plan than in the current plan. Mr. Lee presented slides of drawings comparing old versus new and explained why they believe the architecture from 1998 was more appropriate. Mr. Lee noted that the CMP and the DA are very specific about Parcel B. He stated that Parcel B was mandated to be at least four separate buildings with semi-private courtyards accessible to the public, and the scale would be moderated by steps and cascading roofs. In order to minimize the height and shadow wall, there were ample setbacks on Empire far in excess of the Code. Mr. Lee thought it was evident why RRAD believes the project as proposed is a quality of life concern for the neighborhood. They prefer the scale, the pedestrian access, the cascade of roofs, the setbacks in the original plan.

Mr. Lee commented on the view corridors. He acknowledged the work by PEG to try to maximize the view angle in the plan to make it roughly the same as the 1998 plan for Empire and Silver King. However, the architectural style and massing shown on the left of the screen was preferable to the current proposal on the right. Instead of blockiness, dorm-like, and hotel-like they prefer alpine village because it is more appropriate, and it

was written in the CMP. Mr. Lee commented on the 14th Street corridor. He stated that he has been walking this exact access for 40 years. The access from 14th street today for most of the people who live east of the project is straight across the parking lot, straight across the bus stop and into the lower plaza by the skating rink, and up to the upper plaza. It is tremendously beneficial to the neighborhood, to the retailers, and to the community. It is vibrant and active, and not to maintain that access would be a fatal flaw of the project. Mr. Lee thought they could make the case that the access is grandfathered given the heavy use of the site. Mr. Lee stated that earlier in the process, the developer claimed that they were trying to open up some space for a view corridor. He noted that they had not made that claim this evening, but he was prepared for it. Mr. Lee stated that standing on the street bed at 14th and Empire, the elevation is 6922. The townhouses will be 35' high 30' in front of you. Given that limited view angle, people will be unable to see anything on the Mountain. Mr. Lee stated that besides not having pedestrian access, people will lose their visual access. Mr. Lee referred to the far right site plan where the dotted line crosses the green building. He noted that building was added when they removed the top floor of the Shadow Ridge building. He thought there was slightly better light and air before they moved it to the 14th Street corridor and made that change.

Debra Rentfrow, also representing RRAD, started her presentation with the parking garages. She pointed out that the Park City Council, Planning Commission, and the community are not held by the developer's contract with Vail. She stated that the Vail contract with the developer is to maintain 1200-day skier parking spaces. The developer has said they do not want to go underground due to time and money. Ms. Rentfrow stated that in the residents asked that question in the last community outreach meeting and the developer said if they were required to go underground they would request additional density and the same or higher building heights to develop additional market rate residences to cover their costs.

Ms. Rentfrow stated that the 1998 DA states that if the developer does not provide enough parking to properly handle peak day parking requirements, the City will have the opportunity and the authority to limit ticket sales to the Resort. In addition, the CMP and MPD states that parking will be spread out equally between parcels and below grade in underground structures. Ms. Rentfrow pointed out that in the new master plan, the parking will be predominantly above ground, especially on Parcel B. There are 400 less day skier stalls and almost 1,000 less spaces for retail and other uses. She noted that the developer had not submitted a parking management plan and the day skier parking is not currently spread out throughout the Resort. Ms. Rentfrow stated that specific to Parcel B there are 388 surface lot spots which represents approximately 33% of all the day skier and resort parking today. The new master plan calls for 815 stalls, which is approximately 65% of the day skier parking and 50% of the rest of the

Resort. She remarked that Mr. Lee and the developer already pointed out that there are four stories of parking and three to five stories of residential living, depending on what corner. She stated that there is limited access due to the one-way loop to enter this garage. The one entrance/exit is directly across from single-family homes on Empire. There is no designated employee parking. There is also no short-term parking for management of service vehicles. Ms. Rentfrow pointed out that the 56 townhomes and condos in this building are eligible for nightly rentals. There is also affordable and employee housing on site. All combined create major concerns. Mr. Rentfrow stated that in 2019 the City's average vehicle occupancy was rated at 2.7; however, the developer has said it was more like 3.7. Calculating with the current 388 stalls, 1436 pedestrians are unloading from vehicles. With the 3.7 calculation, 3,000 pedestrians will be unloading from vehicles to cross over Lowell. This is over 2 times the current vehicle pedestrian unloading. This does not take into account locals walking to the resort, shuttle drop-off on the east side of Lowell, affordable housing and employees living on site, or the owners and guests staying in the market rate condos or townhomes. She asked the Commissioners to imagine that volume of pedestrian traffic going across Lowell.

Ms. Rentfrow stated that there are parking garages on Parcels C and E. She noted that the existing lower lot has 584 current stalls. The new master plan calls for 720 stalls. She thought that number might have been adjusted with the new changes to Parcels B and E. She believed they had picked up a few in Parcel B and moved some to Parcel E. Mr. Rentfrow remarked that the CMP from 1998 said that Parcel C was going to be skier services and parking, but now it is a 249-key hotel. It has no day skier parking and all of the parking it does have is valet only for hotel guests. Ms. Rentfrow noted that Parcel E has 414 day-skier parking stalls, and the rest is for the ski club and the condos. She stated that it accounts for 35% of day skiers and 32% of all resort parking. Mr. Rentfrow was pleased to hear that the garage entrance was located on Silver King. She noted that CMP recommends restricting left turn traffic out of that garage to avoid traffic going through Three Kings.

In terms of traffic circulation, Ms. Rentfrow stated that the 1998 CMP suggests turning Lowell Avenue into a one-way street. With the new master plan, the developer has proposed a roundabout at Silver King, Empire, and 15th Street. Once reaching Lowell, cars will need to turn left, which becomes one-way and continues one-way all the up to Shadow Ridge, Manor Way, and then back north on Empire. Her biggest concern with that plan is that all the traffic will be going one-way on Lowell. With Uber, Lyft, Black Car, shuttle and skier drop-off points, multiple ground level pedestrian crossings, garage access points, hotel condo vehicle access points, a loading dock access point, the National Abilities Center, and the transit center stop, there is a lot on that street, which is not even a quarter of a mile long. In addition, the residents on Lowell, Kings

Crown, North Star and Empire will need to travel through that street to get to their homes and this will add to the congestion for the Resort. Ms. Rentfrow pointed out the potential for emergency vehicle delays responding to those areas. No other alternate access routes will be available. Ms. Rentfrow stated that the developer has not addressed the current traffic issues at the intersection of Park, Empire and Deer Valley. The developer has not provided justification for the creation and effectiveness of a roundabout at Empire, Silver King, and 15th Street. The developer has said they know it works; however, she would like some documentation that proves it will work. Ms. Rentfrow anticipated traffic jam potential at the new light at Silver King and Lowell because cars will be headed to the garage in Parcel E that is beyond Lowell, oncoming traffic will be coming from Three Kings Drive, as well as pedestrians, and there is a light. If the light is not timed just right the traffic will be backed up to the roundabout and to the Park and Empire intersection and out to SR224. Ms. Rentfrow reminded everyone that the Resort guests are not hostages. They will be pursuing other activities away from the Resort, which creates additional vehicle and pedestrian traffic to and from the Resort. Ms. Rentfrow commented on diverting traffic away from Payday, Thaynes, and Three Kings. The changes the developer had made were an improvement on Parcel E, but they also need to consider what else can be done coming from the north. Ms. Rentfrow did not believe the developer had provided a TDM analysis and she thought that would be very helpful.

Ms. Rentfrow commented on pedestrian circulation. She noted that under the 1998 CMP, there is supposed to be a pathway that cuts through Parcel B. She outlined the dangerous journey for pedestrians using 14th Street who must cross Empire with no crosswalk. Also, there is no 14th Street pedestrian access through Parcel B. Therefore, pedestrians must cross garages entrances/exits and townhome driveways around Parcel B before crossing Lowell via only one of two crosswalks. Regarding Parcel E, the developer mentioned that there is a sidewalk they put in a long time ago. She did not see it on any of the slides, but she was sure they were working on it. Ms. Rentfrow thought that was a good improvement because it was recommended in the CMP, and without it people will need to walk along North Silver King and cut across Lowell and walk all the way up to the old Resort Center.

Ms. Rentfrow stated that the 1998 CMP required sidewalks be a minimum of 15' wide, unless existing buildings or setbacks do not permit. She noted that the developer was proposing that most sidewalks be only 8 to 10 feet wide, and they are generally located on only one side of the street. With the exception of Parcel D, with Silver King condos and Shadow Ridge adjacent, there are no existing buildings that would preclude the developer from building 15' wide sidewalks for pedestrian safety and easier access to all points of the Resort, including the two new plazas. Ms. Rentfrow presented a map from the developer that showed their pedestrian routes. She noted that the routes were

identified in green and the people shown in a circle was the crosswalk. Ms. Rentfrow had overlaid the drawing with red arrows to show that there is no crosswalk on 14th Street. She outlined the unsafe routes where pedestrians would need to walk without additional crosswalks.

Ms. Rentfrow commented on open space. She stated that the CMP provided two significant pockets of open space on Parcel B; however, the developer's plan provides no open space at all on Parcel B. Ms. Rentfrow noted that 11.4 acres of the Mountain is reserved for open space and the developer is getting the benefit of that. Subtracting out that acreage, the developer is only contributing 49% which is below the required threshold. She stated that the lack of open space throughout all the parcels creates a sense that this development is too big and too dense.

Ms. Rentfrow commented on employee housing. She stated that the 1998 DA said the developer needed to provide housing for 80 PCMR employees by October 2003. The new master plan has onsite employee housing. The DA also said if the employee housing was not completed by that date, the other parcels could not be developed until that criteria was met. Ms. Rentfrow pointed out that the new master plan proposes that onsite employee housing will not be complete and available for occupancy until the Fall/Winter 2023.

Regarding delivery, Ms. Rentfrow stated that the 1998 DA required that the final site planning shall be oriented away from existing residential uses. She noted that there is a loading dock off of Silver King between Snowflower condos and Parcel E near the intersection of Three Kings. She noted that the developer had stated that they were working on that. Ms. Rentfrow stated that there also appears to be a loading dock off of Lowell Avenue at Parcel C for hotel delivery and service. She thought it was skipped over in the presentations, but it is near the Uber/Lyft/Black Car skier drop-off and adjacent to the crosswalk and pathway for pedestrian traffic from the plaza and east of Lowell. On Parcel B there is a trash and mechanical facility servicing Parcel B on Empire. She noted from the drawing that it is just north of the garage entrance and there is a driveway. It is identified as trash. She imagined a big garbage truck trying to back in against one-way traffic to take away the trash. Ms. Rentfrow pointed out that it was also directly across the street from single-family homes.

Ms. Rentfrow commented on mass transit. She noted that the DA said that the bus drop-off area must be greatly improved. However, the new master plan only provides for four bus spaces. AECOM, the City's traffic consultant, has said that at least 8 spaces are needed. In an earlier meeting the Planning Department concluded that the bus stop and mass transit plans are woefully inadequate. Ms. Rentfrow pointed out that the one-way loop will cause a loss in the existing bus stops.

Ms. Rentfrow thanked the Planning Commission for their time. She stated that RRAD appreciated the opportunity to share some of their concerns and to share their screens for this presentation. She asked the Commissioners to take their comments and concerns into consideration.

Planner Ananth asked Ms. Deforge, Mr. Lee, and Ms. Rentfrow to email her the slides used in their presentation as a PDF for the public record.

Commissioner Kenworthy noted that the main focus of Ms. Rentfrow's presentation was transportation and parking. He encouraged her to come back on December 16th when transportation and parking are on the agenda. Commissioner Kenworthy pointed out that this meeting was focused on height, setbacks, and density issues.

Nancy Lazenby thanked everyone for the efforts they were all putting forth on this massive project. She stated that the Planning Department is working incredibly hard, the Planning Commission is working hard, and the last three presenters from the public did an incredible job explaining their position. Ms. Lazenby stated that she is not an attorney or a developer, but she is a concerned citizen. She wanted to present what this feels like to be a local who cares about Park City and is looking at this project from the lens of someone who actually uses the ski resort. When they talk about volumetrics, sea level heights and datum used most of it goes over her head, but she does have common sense. Ms. Lazenby stated that she has the ability to look at this from the big picture and from somebody who will be a Park City ski resort user. Ms. Lazenby appreciated everything the developer has done to Parcel B to make it better. The view they showed tonight were very nice from the corner of Manor Way and Empire, and from the corner Empire and Shadow Ridge. However, she never saw a view from 14th Street, which is a corridor they have been talking about throughout the process and is an important view corridor. Ms. Lazenby stated that they needed to consider what that will look like to all the locals coming up 14th Street and anyone accessing the Resort on the east side of Empire. She appreciated the townhomes, but they were still looking at this 500' massive structure. There is no stairway and no access. It is a giant 500' building that people will be walking into. Ms. Lazenby wanted everyone to look at this from the point of view of the people who use the Resort. She stated that coming up 14th or from the east side of Empire, there is no crosswalk. There is no access across to the sidewalk on the west side of Empire. The closest crosswalk from 14th Street is down at the golf course and down at the roundabout. Ms. Lazenby remarked that option 1 for people coming up 14th Street will be to walk all the way down to the roundabout at the golf course to cross over to get to a sidewalk. She stated PEG is talking about proposing putting a crosswalk at Manor Way and Empire although it is currently not part of the plan. If they build it, option 2 would be for pedestrian families to

go up Empire to the crosswalk at Manor Way. However, there is no sidewalk on that side of Empire. People will have to walk in the street up to a proposed crosswalk, cross over to the sidewalk on Empire, and go up Manor Way. Ms. Lazenby stated that option 3, was brought up at a community meeting with PEG over a week ago. One of the representatives for the developer said what they think will happen is that people will jaywalk across Empire and there will be a man door next to the exit of the parking structure on Empire. People can go in through the man door, walk through the parking structure, go to the elevator, go up the elevator and end up on Lowell. It is not official, but that is what PEG expects the pedestrians to do because it is the path of least resistance. Ms. Lazenby stated that the greenspace PEG talked about on Parcel B is private space and not accessible to the community. She asked if it was included in the open space calculation. Ms. Lazenby understood that traffic would be discussed at the next meeting, but she wanted to reiterate that if they were trying to get traffic to flow through the resort and they have pedestrians and traffic on the same streets, it will stop the flow of traffic. As an example, Deer Valley has parking shuttled into Snow Park. The shuttles go through Snow Park and up to the Resort. They do not drop off the pedestrians to cross over the main street at Deer Valley so they can keep the flow of traffic moving. In contrast, the PEG plan has pedestrians crossing where traffic is flowing. Ms. Lazenby appreciated the plan and what PEG was doing, but in five or six years when this project is done, PEG will move on to their next project and the people in Park City will have to live with whatever plan is approved. She wants to make sure that the approved plan is something they can all live with for generations and decades to come because PEG will move on and Park City will be living with the repercussions.

Ed Parigian stated that he has been a full-time resident for 14 years and he congratulated PEG on their latest submission. It is a far cry from the initial submission and the project is moving a little towards the desired goal. Mr. Parigian agreed with all the comments from the previous speakers. Mr. Parigian reminded the Planning Commission that this a large project and it ultimately comes down the developer wanting to make as much money as possible; however, that should not have any bearing on whether the Planning Commission decides to give them a variance. Mr. Parigian stated that if the developer wants more height it is because they need more space to make more money. Mr. Parigian remarked that his biggest issue with this particular plan presented today is the northeast corner of Empire, as well as the corner of Silver King and Empire on Parcel B. He noted that the height is 75 to 85 feet and there is virtually no setback. People coming up Empire will hit a big wall on Lot B that is 8 stories tall. Mr. Parigian reiterated that the developer was trying to get as much as they can out of the Planning Commission because they owe Park City nothing. The residents are the ones who need to live with the outcome. Mr. Parigian emphasized that the LMC should rule in all cases. The Planning Commission owes the developer a full hearing and a fair review of what they present, and they need to determine what is

best for this town. He was interested in how this will all play into the discussion next month regarding traffic. Mr. Parigian thanked everyone for all their efforts.

Deborah Hickey, a resident at the Silver King Condominiums, asked the Planning Commission to include the residents and owners who live at the Silver King and the Shadow Condominiums. They are homeowners and should be connected just like the areas of Three Kings, Old Town, and the Empire Avenue residents. She stated that the Commissioners should take into account that people who have ownerships in those condo developments are just as important and just as concerned about the amount of traffic, congestion, etc. Ms. Hickey was interested in having the Planning Commission include how the 2020 Vision Plan will be impacting this entire project. She, as well as the entire town, participated in the Visioning and a lot of effort and energy went into it. She imagined certain things will be necessary. Ms. Hickey commented on the Green Initiative to make the town efficient and she could not see how massive amounts of truck diesel fumes generated from all phases of the construction will be consistent with reduced emission that are projected to keep this beautiful mountain town of Park City as clean and pristine as it is.

Chair Phillips informed Ms. Hickey that the Planning Commission will look at that issue very heavily at a future meeting.

Ms. Hickey stated that recently King's Crown has been digging for their final phase and there is a significant amount of trucks coming down Empire Avenue and up Lowell continuously all day long. Chair Phillips reiterated that this issue would be addressed at future meetings and he encouraged Ms. Hickey to watch the agendas to know when it will be addressed. It will be better for the Commissioners to hear her comments when that specific topic is discussed.

Ms. Hickey asked PEG to provide better scaled maps to better show the relationship between the existing buildings and the buildings they are creating. From what was presented she could see no scale, how it relates, or the exact heights of the existing buildings comparative to the buildings they are proposing. She thought the town and the local citizens deserve to be able to see that clearly. She requested that they make the maps to scale from standing at the street level like a normal person would be standing. The aerial views they presented were not helpful. Ms. Hickey thought it was important to have a true perspective of the building heights and their relationship to the surrounding buildings. Ms. Hickey thanked the Commissioners for their time. She agreed with all the comments by the previous speakers. The RRAD Organization is very strong and knowledgeable, and they are helpful in setting the tone for what the local community is looking for from this project.

Sherie Harding stated that she has lived in Park City for 32 years, and she thought it would be nice to be the funky little ski town that they were in the 1980s and 1990s. Ms. Harding stated that somehow Crested Butte has managed to maintain their small-town feel. She recognized that Crested Butte is remote, and Park City is not remote, but they can attempt to meet that challenge. Ms. Harding stated that for this project, she looks at design comparisons between the 1998 plan and this 2020 plan. She recalled that Park City embraced the 1998 plan. It took a lot of time and a lot of thought went into it before it was approved. She believes it has very appealing characteristics and it supports the 2020 Vision. Ms. Harding thought they were moving too far away from the 1998 plan and she did not believe it should just be tossed aside. Mr. Harding stated that according to the 1998 CMP, development must fall within the spirit of the spirit of the guidelines. She asked if "the spirit" means project an image that responds to the character of Park City, a rustic mining town, a destination resort. Ms. Harding provided other comparisons. The 1998 CMP, at the intersection and Empire Avenue and Silver King, represents the first point of entry for the arriving visitor to PCMR, and per the 1998 plan, there should be an entry or gateway feature. She noticed from the presentation this evening that the developer was planning something in front of Parcel D. She thought the plaza appeared to be framed by high rises and it does not accomplish what the 1998 plan had hoped for. Secondly, the 1998 CMP says that building heights shall step up from major roadways, public plazas, and so forth. Ms. Harding believed the developer attempted to do that, but something was wrong. She thought Mr. Lee described it best when he pointed out that the 1998 plan had cascading roof lines. Ms. Harding stated that in the 1998 plan, the overall building volumes were broken up. She noted that there were three separate building on Parcel B. Ms. Harding remarked that the 1998 CMP states that excessive repetition without vertical and horizontal counterpoints will not be allowed. Mr. Harding stated that the 2020 design has numerous monotonous, blocky buildings.

Ms. Harding did a quick case study looking at Parcel E. She stated that the 1998 plan had skier services as a building on Parcel E. It is not part of the 2020 plan, and she thought that was unfortunate. Ms. Harding noted that the 1998 plan shows a nice hexagonal building as the iconic gateway feature. She stated that in the 1998 CMP, across from Three Kings, the massing is broken into single-story residential units. Ms. Harding stated that the 1998 CMP provides a covered pedestrian link from Silver King Drive on the west side of Parcel E. She believed the 2020 plan showed moving vehicles and she wanted to know what happens to the pedestrian link. Ms. Harding stated that the 1998 plan limits bulk and shadow impacts along Silver King Drive, and the taller portions need to be away from the road with cascading roof lines. She pointed out that the 1998 plan notes on several occasions that the loading dock would be relocated. In 2020 the developer keeps saying that the loading dock will be relocated and she was waiting to see where it would be located. Ms. Harding

commented on the shadow studies. She stated that the planners in 1998 knew the sun is on the south side in the winter and they designed it with a lot of down to the south rooflines for solar panels. She was not seeing a lot of down to the south rooflines in the current plan to accommodate solar panels. Ms. Harding was still waiting for the shadow studies. Ms. Harding appreciated the Planning Commission and she thought they were asking great questions.

Dana Williams stated that he went to almost every one of the 1998 development meetings. At the time they had CARG, Citizens Allied for Responsible Growth, and they participated in that process. Mr. Williams remarked that one of the major concerns were the two large open space areas because they provided view corridors through the Resort and up to the mountains. He noted that those view corridors are absolutely gone. He was still trying to figure out the greenspace and understood that the amenity deck is not part of the open space. Mr. Williams stated the staggered rooflines in the 1998 design gave them the funky resort and a lot of the characteristics are still there. He heard the project architect refer to the project as respectful of the historic agriculture with a contemporary vein, but he was unsure where that vein is. When he looks at this and it is reminiscent of Vail and Beaver Creek with massive amounts of density clustered around an area. That is not Park City. Neither Vail nor Beaver Creek were old historic towns, and the current plan is not respectful of that for Park City. Mr. Williams did not believe the current plan was anything close to what was envisioned in 1998. He recognized that the developer did not need to follow the 1998 plan, but he thought there was a lot of effort that was still worthy of being contemplated in their decision. Mr. Williams commented on the presentation this evening. He stated that putting the townhomes in front to create a 50' buffer that is only 30' is not in the spirit of stair stepping. The drawings did not show the driveways and he found that troublesome in terms of the amount of road cuts. Mr. Williams thought the fact that people would be backing out onto Lowell Avenue was ludicrous. He stated that if the applicant intends to keep with that plan it needs to be internal, and the townhouses need to have enough room to be able to go into one street cut that some out of there. Mr. Williams noted that someone had said that some of the heights were not fundamental different from the 1998 plan, and that it was hard to figure out exactly what they were taking about in 1998. Since the majority of the City Council and the Mayor still live in Park City, Mr. Williams suggested that they talk to those people if they have questions about intent.

Mr. Williams referred to Commissioner Kenworthy's comment that the huge access to the parking lot is right off the roundabout on Three Kings, and he found that to be extremely troublesome because they did not want to make Three Kings a major road. Mr. Williams pointed out that in the 1998 design the cascading roof lines were set back and separate. The buildings were not clustered as tight as they are now which allowed

more views. Mr. Williams stated that Snowflower was one of the most successful projects with a lot of individually owned properties that will now have a six-story building 32' from their property line. Mr. Williams thank the Planning Commission for their efforts.

Commissioner Kenworthy understood that Mr. Williams was involved from 1998 to when the new General Plan came in. After seeing that the development had failed and did not have momentum, the General Plan clearly states that it encourages flexibility on the existing approved MPD. He asked Mr. Williams to define that, as well as his elevated view of how they got from the 1998 Development Agreement to that position in the General Plan. Mr. Williams was not prepared to specifically answer his question this evening. However, during that time and throughout his tenure in office as Mayor, they talked about the Resort and how they wanted to maintain a charming entrance. He did not believe a 500' facade was a charming entrance to the Resort. Mr. Williams offered to think about Mr. Kenworthy's question and get back with him.

Jessica Nelson read an eComment that came in from Moira Howard.

Ms. Howard wrote - Who is going to be responsible for and pay for the ongoing future maintenance of the parking garages once PEG moves out. This has become a great expense for owners of the Lodge at the Mountain Village. The garages are the foundation of the buildings so a lot is riding on them. If someone qualifies for affordable housing, I question if they will be able to afford the high homeowners' dues which this project is likely to require. Will their HOA dues be subsidized and if so, by whom? To whom do parking garage fees go. As I previously emailed, the buildings as proposed, even with the new plan, are far too tall and dense and dwarf the surrounding properties. Setbacks, sidewalks - insufficient. Pedestrian/traffic conflicts a nightmare. Thank you for your work and consideration.

Chair Phillips closed the public hearing.

Chair Phillips thought it was important to have and clarity on how the Planning Commission was viewing this application against the 1998 MPD and Development Agreement. He thought it would be helpful for everyone to have the same understanding. The question is whether the Planning Commission was looking at this as an amendment or an open MPD.

Commissioner Thimm went back to their discussions over the summer on whether this could be a new submittal or a complete review of the existing 1998 plan. He recalled that the decision was to look at this as a complete review of the existing plan rather

than it being a new application. In his mind, the Planning Commission was looking at this through the lens of the 1998 approval.

Commissioner Suesser thought it also needed to comply with the Development Agreement. Commissioner Suesser clarified that the Development Agreement was part of the 1998 approval. Commissioner Suesser thought it should be emphasized that the Planning Commission was looking at a new MPD through the lens of the 1998 approval, and it also needs to comply with the Development Agreement.

Commissioner Van Dine was confused because at the beginning of the meeting they were told that the project did not need to comply with prior Development Agreement.

City Attorney Harrington thought it was a combination of the two. It needs to comply with the original approval, except where they consider and agree to amend it. He pointed out that there needs to be a basis in the current Code to amend it. Mr. Harrington stated that PEG Development was proposing to amend the 1998 approval in a number of areas. However, by definition, those areas will not comply with the 1998 agreement because they are proposing to amend those sections. Mr. Harrington remarked that the clearest amendments are heights and setback, and the Planning Commission was looking at those anew under any scenario proposed. They need to apply the current Code standards in the LMC to building heights and setbacks. Mr. Harrington stated that the other issues still need to be Code based for the performance zoning standards that are enabled by the Master Plan Development chapter. He clarified that it is not just a give and get for the community benefits. If they modify anything beyond the original approval, it must be tied to the standards in the MPD chapter. Mr. Harrington stated that this is a unique situation. The Planning Commission usually has a vested or non-vested, or an expired or non-expired situation. He pointed out that this was uncharted territory, and the Commissioners should not feel bad if there is confusion. Mr. Harrington emphasized that anything being changed either needs to be approved anew under the LMC or needs to comply with the original approval.

Commissioner Kenworthy stated as he has mentioned several times, for years the General Plan encourage flexibility on the existing approved MPD. He was not sure where that came from over the years, but he recalled that the City wanted to see PCMR become more competitive in the resort communities. It was compared to other resorts around the Country and they saw this development as a potential boost for the City. Commissioner Kenworthy wanted to keep with that intent, and he believed from the comments that the public also wanted that to a certain degree. Commissioner Kenworthy referred to recent public input from Trent Davis where he indicates that the retailers want this development to continue after a 20-year hiatus. Mr. Kenworthy

believed that was the thinking of the majority of the Park City citizens at some point. The question is how they got to that point and where it fits in with this discussion.

Commissioner Hall noted that City Attorney Harrington said the Planning Commission would either approve new amendments that comply with the current LMC, or it will comply with the previous Development Agreement. She understood that the application before them had amendments to the Development Agreement that do not currently comply with the LMC. Chair Phillips hears something similar, but also understood that it would fall under the new Land Management Code. City Attorney Harrington explained that they either need to find compliance with the existing master plan approval or the current Code for an express amendment. If neither of those are the case, they should be looking at either revisions or giving direction for findings of noncompliance.

Chair Phillips stated that he was very concerned about the 14th Street view corridor. He could see some difficulties in making that physical connection, but it was still not working, and it has not been figured out. Chair Phillips stated that he previously asked specifically for an eye-level perspective from across the street, and he would still like to see that. Chair Phillips stated that if they do not get the full connection, he would be looking at the view corridor. He was concerned about coming up 14th Street, especially with it being a connection in the previous drawings and being an important factor in the original development agreement. Chair Phillips thought the project had come a long way in other aspects that were presented this evening, but he was having a hard time with view corridor as currently presented.

Chair Phillips stated that whether it come from Staff or the applicant, there needs to be more clarity in the height. From the presentation this evening, he thought the requested height exception may not be as much as he originally thought. However, he needed to look at the analysis a little closer, especially in relation to the sea level comparisons.

Chair Phillips referred to the west elevation view from the 1998 plan that was in the RRAD presentation. He did not need to see it right now, but he thought it would be a good reference because it clearly shows the visual corridor up 14th Street.

Chair Phillips referred to his earlier comments about curb cuts and backing onto the street. He thought it would function better if the applicant could find a way to make it happen from the garage. He noted that the applicant will have the opportunity to show how it works in a future meeting.

Commissioner Thimm stated that with respect to building heights, as Commissioner Kenworthy mentioned earlier, transfer of density off of the mountain has already occurred and they need to acknowledge the additional height as it was acknowledged in

the 1998 approval. Commissioner Thimm thought it was important that height and mass be located in the right place, which he believes it towards the west, with sensitivity and buffering into existing neighborhoods. Commissioner Thimm was concerned about the height at the intersection of Shadow Ridge and Empire, as well as the east ends of Buildings D and E as presented this evening. Commissioner Thimm thought what was done to refine Building B and the Empire face with the townhomes was a major gesture. Establishing obvious permeability with front door presence along Empire Avenue is important. Commissioner Thimm stated that if the design continues along that path, he preferred a park strip solution rather than a curb edge sidewalk. It is a better solution and encourages buffered pedestrian activity and crosswalks rather than mid-blocks. Commissioner Thimm was concerned about eight additional driveways. He suggested a design that would achieve four shared driveways.

Commissioner Thimm noted that with respect to parking structure design, Thimm there was talk about how much square footage of parking structure is above grade versus not above grade. He remarked that if there is programmed area along the street or sidewalk, having more parking area above grade would be acceptable if it is completely hidden behind units or commercial space. Commissioner Thimm stated that on other projects they talk about the amount of truck traffic that would occur during construction taking thousands of yards of material out of the City. He pointed out that the amount would be reduced by staying one or two floors up. Commissioner Thimm believed that buffering it with building program was a good solution.

Commissioner Thimm commented on some of the circulation that was discussed. He thought the circulation into and out of Building E needed to be resolved. He stated that too many driving decisions need to be made and there are potential conflict situations in a small area. He thought that should be addressed in the traffic analysis. Commissioner Thimm stated that the traffic analysis should also address driveways off of Empire Avenue from the townhomes.

Commissioner Thimm noted that questions were raised, and differing numbers were presented this evening. He requested that the Planning Staff address open space requirements and whether the proposed open space is 75%, 49%, or somewhere in between. He asked if there is more or less square footage in total being requested. He recalled that it was less. However, it may have to do with parking above or below grade and he had already voiced his opinion on that issue. Commissioner Thimm notice from looking through the plans that there appears to be a parking level or portion of a parking level that extends into the building setback. If it is completely subterranean, he would like the Staff to address whether or not it is allowed by the LMC. Commissioner Thimm stated that in order to understand all of this in terms of setbacks, he would like the applicant to provide a depiction of all floors with respect to property lines/setbacks,

taking into account the property lines as they bend around intersections. Commissioner Thimm stressed the importance of providing a shadow study for all hours of the day and for all seasons of the year. Commissioner Thimm stated that the 14th Street corridor was another sticky issue that was pointed out this evening. He personally is more concerned about a mid-block connection along a 500' face of a building than he is about the view corridor itself. However, he believes the view corridor is important and needs to be addressed. Commissioner Thimm acknowledged that the applicant has been listening and has tried to address their comments. He pointed out that what they have before them is a work in progress and he appreciated the applicant's willingness to work with them. Commissioner Thimm noted that as a group, the Planning Commission pledged to work with the applicant to achieve a solution that is best for the City.

Commissioner Suesser asked the applicant to clarify the trash collection aspect of Building B that may come out onto Empire to give the Commissioners a better understanding. She was not inclined to provide the setback exception; however, if the applicant provides the analysis of Building B as Commissioner Thimm described with the articulation to show specifically what would be into that setback, it would be helpful. Commissioner Suesser was very concerned about the driveways coming on to Empire. She might reconsider if it could be reduced to four shared driveways. She stated that her biggest issue with Parcel B is the lack of pedestrian access through the lot. It was a major component of the 1998 plan with good reason. She pointed out that the City recently designed Woodside Park I and Woodside Park II with accessway up to that section of Empire. In her opinion, the issue has not been adequately addressed and it was still a major concern. Commissioner Suesser thought there should be 15' sidewalks as proposed in the 1998 plan around each development parcel of the entire project. She could see no reason not to have a sidewalk around each section. They are trying to encourage pedestrian safety and connectivity, and she thought it was absolutely necessary to have broad sidewalks that encourage and provide safe pedestrian access through the Resort.

Regarding circulation, Commissioner Suesser did not think the roundabout at Empire and Silver King will be safe for pedestrian and bike access to the Resort. She stated that roundabouts are very dangerous for pedestrian and bike access, and she was concerned about having a roundabout there. Commissioner Suesser thought that if the City would provide the property, a roundabout at Silver King and Lowell made more sense, and pedestrian and bike access could be beyond the roundabout over to the Resort. Commissioner Suesser noted that Trent Davis previously mentioned that keeping Empire two-ways might be a better solution for the Town and the Resort. She thought it should still be considered. She suggested keeping Shadow Ridge and Manor one-way and look into keeping Empire a two-way street. Commissioner Suesser was

concerned about the reduced parking being proposed. She was unsure whether that was adequately addressed by the applicant and she would like to look again at the 600 parking stall reduction to determine whether it will be adequate for the Resort.

In terms of building height, Commissioner Suesser agreed with Commissioner Thimm about looking at this through the lens of what was approved in 1998. However, after the presentation this evening, she did not have a clear understanding of exactly what they are talking about. She needs a better analysis from Staff in terms of what was in the 1998 plan and what is being proposed, as well as the height differential. She understood the ranges but thought they needed to be more specific about the building heights that were in the 1998 plan versus what was being proposed. Commissioner Suesser commented on the additional square footage. She could not see justification for the 20,000 square feet excess in Building B, especially with the other concessions the applicant was requesting.

Commissioner Van Dine noted that Ms. Deforge had mentioned the underlying zone restrictions and the setback exceptions. She requested that Planner Ananth either comment on that now or come back with an explanation. If they intend to go with the current LMC, she asked if they would be able to grant those exceptions. Commissioner Van Dine was interested in hearing a response from the developer in terms of concessions versus restrictions that were identified in the letter submitted by RRAD. Commissioner Van Dine agreed with the importance of the shadow studies and possible changes to the curb cuts along Empire.

Commissioner Van Dine appreciated the changes the applicant made to Building B, and she believed there was an effort to make it something that fits better in the community. However, she goes back to everyone focusing on the 1998 Development Agreement and how those buildings looked. While it is quaint and reflective of the town, she thought there was a certain aspect of moving forward and still keeping it their town, but also making it a viable development. Commissioner Van Dine was unsure whether they could get enough density to make this development happen if it is looked at the same way it was looked at in 1998 approval.

Commissioner Hall echoed the comments from her fellow Commissioners. She had no desire to allow for a setback reduction. She thought it was imperative to have 15' wide sidewalks around all the buildings with the addition of a landscape snow buffer and a curb to provide a safe walkway for pedestrians. Commissioner Hall appreciated that the developer was trying to think creatively in terms of having a better streetscape for Empire. However, she shares the concerns about the eight curb cuts for the main exit for all of PCMR. She did not believe it was the right location. Commissioner Hall also shared concerns regarding the 14th Street access. She thought there was a lot of effort

to improve connectivity and taking away the 14th Street access will cause logistical issues. In conjunction with that was also connectivity from Parcel D to the PCMR base with either an underground passway or a bridge. At the same time, in looking at the transit area for Parcel B, she would like to increase the bus area. Commissioner Hall stated that if they can funnel all the pedestrians either underground or overhead, it would hopefully free up some of the bus area, especially with increased traffic. She believed it is crucial to be able to funnel pedestrians safely to the Resort. Commissioner Hall stated that she was still confused about how the grading is measured for the height, and she shared the same concerns expressed by the other Commissioners. She liked the variation in the height, but she was confused on what was approved and what it will look like. Commissioner Hall noted that when they did the site visit this summer, she thought the balloons seemed very high. Commissioner Hall understood they were primarily looking at Parcel B; however, the decrease in parking was not a desirable feature for this development.

Commissioner Kenworthy agreed with most of the comments. His main concern were the height differentials, and he would like to see that on a simple spreadsheet. Using elevations was fine, but they need to know what Planner Ananth would validate as the 1998 Development Agreement height, and the current one being proposed by PEG. Commissioner Kenworthy thanked Mr. Schmidt and he appreciated that PEG was listening. He thought the advancements they shared this evening were great, and he hoped it would continue.

Commissioner Kenworthy noted that there was very little discussion about Parcel C. He thought he could be flexible with the density on Parcel C. He understood that it was the hotel piece, but he asked Mr. Schmidt to look at additional seasonal or affordable units in that piece that would add density there to help with height and density on the other parcels. Regarding setbacks, Commissioner Kenworthy was not bothered by the pop-outs that encroach. He agreed with the other Commissioners about the street level. He believes that snow storage, sidewalks, walkability, pedestrian/bicycling is desperately needed around the Resort. Commissioner Kenworthy stated that it would be difficult for him to give any encroachment on the actual street floor plan.

Commissioner Kenworthy asked Planner Ananth to confirm that the December 16th meeting will focus on transportation and they will be able to readdress the issues with Snow Engineering. Planner Ananth reported that the applicant had been working on getting numbers to the City regarding transportation, and she just received a lot of what they asked for last week. Planner Ananth stated that the Staff will not be ready to discuss transportation in December. Her inclination was to continue with architecture and go back to sustainability if possible, and push transportation to January. Commissioner Kenworthy appreciated the update. He thought it was important to make

that known to the public because parking and transportation is a main concern for the community, as well as for the Planning Commission. Since it was being pushed to January, Commissioner Kenworthy noted that he was still not hearing anything regarding public/private transit. He stated that it is the General Plan and in many other documents. Commissioner Kenworthy did not think that was being adequately addressed. He requested that Julia Collins attend the meeting in January to have someone from the City with expertise sit with Snow Engineering to add the City's perspective. Commissioner Kenworthy thought the transportation meeting would be a wonderful opportunity for the public to hear all the pros and cons and get answers to their questions.

Chair Phillips acknowledge the efforts PEG has put in and each time he feels they are moving in the right direction. What he heard from all the Commissioners comments, as well as input from the Staff and the public, is that 14th Street is a big deal. He remarked that the primary focus this evening was on Building B because it is the biggest challenge for the Planning Commission and for the applicant. Chair Phillips urged PEG to continue to look at ways to make the pedestrian access work. He stated that aside from coming up with very good mitigation, it will be hard for him to reach a resolution.

Mr. Schmidt wanted to hear what alternatives might be acceptable. Chair Phillips stated that for him personally, he would favor a way to create pedestrian access through that garage. In his mind, he pictured coming up the stairs and having a civilian entrance into that part of the building. It would be a step into the Resort where people begin to see support for skiers, even if it is only one small shop at that entrance that funnels people in that direction. Chair Phillips was concerned that people will arrive, see a large building, and not know which way to go. If there is a way to make a connection that goes through the parking, it would function well for the people who park there, and ideally, it would pop-up across the street where the transit drops off. Chair Phillips understood that there are challenges to accomplish that and that it might not be plausible.

Mr. Schmidt wanted to know what trade-offs the Commissioners would be willing to accept to achieve that. Commissioner Suesser did not think the trade-offs would necessarily need to be aligned with 14th Street. It could be somewhere along Empire where there is an accessway through. She personally thought that would be a reasonable trade-off.

Chair Phillips stated that if there is a way to come underground so all the pedestrians from the parking and from 14th Street do not cross the road, it would be a major improvement for circulation.

Mr. Schmidt presented the cross section of Parcel B just north of the 14th Street intersection from the 1998 plan to demonstrate how they accomplished the pedestrian access. He noted that they stepped the garage portion back. They had three levels of parking garage, and in the east-west direction they cake-layered it. He noted that steps went up and over those cake layers of the parking garage in certain locations. Mr. Schmidt stated that it resulted in three different accesses into the parking garage at three different levels with no ramps in between because of how it laid out horizontally. He noted that they could accomplish the step-up through the site with a series of stairs. Mr. Schmidt remarked that 20 feet of grade and a 6" inch step was 40 steps. Mr. Schmidt stated that under the current Code, they need to have a ramp as well as stairs for ADA access. A ramp would be need to be 240' long. The width of the parcel is 290'. He pointed out that a ramp would have to run the whole length. Mr. Schmidt clarified that the current Code would not allow them to build the plan the way it was envisioned in 1998.

Mr. Schmidt stated that if they were able to do a similar scheme and step the garage back in a cake layer fashion, the stalls they would lose would need to be placed somewhere else. The only place they have to put those stalls is on Parcel D. If they move the stalls, they would also have to take density and square footage to do a "hide the parking structure" scheme on Parcel D. The trade-off would be a loss of open space and view corridor on Parcel D. Mr. Schmidt stated that if they were talking about not providing physical access but maybe open up a wider corridor for view purposes, if the Planning Commission would be comfortable adding the density they shift to the west side of Parcel B as a trade-off.

Commissioner Thimm reiterated that he personally was less concerned about a view corridor and more concerned about a mid-block path. Commissioner Thimm asked if there was a way to create a sense of arrival with an elevator and stairs, and then go across the top and create another sense of arrival on that end with a path through.

Chair Phillips concurred. He realized that his earlier comments were directed towards the view, but it was assuming that they would not get a path.

Mr. Schmidt thought this was a good conversation to help him understand what the Commissioners were thinking. He noted that PEG had not considered the idea of a staircase and elevator, and a sense of arrival. He thought that was more doable because it is easier to put in a staircase and elevator than to build another 200-car parking structure on a different parcel. Mr. Schmidt believed they could find a way to solve the issue, but he did not want it to be the pin that pops the balloon. They need to provide a certain number of stalls, and the physical constraints will need to be addressed.

Commissioner Kenworthy asked Mr. Schmidt to pull up the plaza level slide from their presentation this evening. Commissioner Kenworthy asked if there was a way to connect the proposed thoroughfare across that plaza level.

Mr. Tursic stated that they had actually looked at doing that. However, if they go across the plaza level, by the time they get to the opposite side they will need to create stairs and another elevator doing down. Mr. Tursic pointed out that in order for that to be a true mid-block connection, it would technically need to go right through the middle of the garage. He had not heard anyone on the Planning Commission describe that experience. Mr. Tursic stated that the alternative would be to create some type of arrival with a stair and elevator coming through the plaza and then back down again to the lower elevation.

Commissioner Kenworthy asked about a bridge. He thought a pedestrian bridge to the Resort Center that is already one story up would be very helpful in stopping the pedestrian traffic across the street. Mr. Tursic stated that the challenge would be the length the bridge would require in order to be accessible, unless they provide elevators on to the opposite side. He asked Mr. Schmidt to speak to the development rights in that area. Mr. Tursic was not sure that land was part of the project. Mr. Schmidt asked Mr. Tursic to point out where PEG has suggested at-grade crossings. He noted that this is what they were evaluating in their people-based analysis. They tried to determine the number of people walking, where they are walking from, and where they are walking to. Mr. Schmidt stated that part of the conversation is how many people come up 14th Street, how many people will need to get across Empire, and how many people will be going to the Resort from Empire Avenue. Mr. Schmidt clarified that currently the applicant was proposing two at-grade crossings. For the volume of people anticipated, he was unsure whether a bridge would be sufficient to get that number of people across the street from the parking garage.

Commissioner Thimm thought the designers needed to look at it and come back with a proposal. Mr. Schmidt agreed. He reiterated that it was helpful for him to understand their thoughts and what they were willing to adjust before they spend time on a pathway that could end up fruitless. He appreciated their feedback.

Commissioner Hall stated that her concern was not just the people off of 14th and coming down Empire. She was also concerned about the number of people coming off of Shadow Ridge, from all the condos, and all the parking that will be dumped onto Lowell, in addition to the bus traffic. If it is the main corridor for people to be driving through, it could be a nightmare even with one or two pedestrian walkways across Lowell. Commissioner Hall stated that it will be a challenge for moving traffic on a busy

ski day. She was unsure whether an underground passway or overhead bridge was feasible, but she thought it was worth exploring.

Commissioner Suesser stated that spreading out the parking throughout the whole development was required in the 1998 plan. She liked the idea of moving some of the stalls to Parcel D to spread out the parking. Chair Phillips was not opposed to that option if the rest of it works.

Mr. Schmidt stated that regarding the square footage and the parking on Parcel B, his take on the above grade parking is that it does not count towards the overall square footage. Mr. Schmidt pointed to Table 3.2.1 of the Development Agreement, footnote #2, and read, "building square footage does not include resort and accessory uses, mechanical, maintenance or storage space that may be located below grade, or parking as shown in the concept master plan. Mr. Schmidt returned to the 1998 cross section that showed the parking in a similar configuration as what they were proposing. Since they were still in a substantive review, Mr. Schmidt believed the Planning Commission has the purview to approve the parking plan and that square footage would not count towards the square footage of the development. In terms of the other square footages and unit equivalents they would work with the Staff. He noted that PEG provided detailed tables and analysis on the square footage and calculations. He was comfortable that what they were proposing is less than allowed, and substantially less than what was allowed in the Development Agreement.

Mr. Schmidt referred to a previous comment about what the applicant was offering in terms of trade-offs, and he believed less density and less square footage was part of that. Mr. Schmidt stated that right or wrong they attempted to comply with current housing guidelines and the Housing Resolution to provide a substantial amount of affordable housing onsite.

Chair Phillips asked Mr. Schmidt and the Staff if they needed additional direction or comments, or if they heard enough to move to the next step. He felt that each time the applicant comes back they make more progress.

Commissioner Hall asked Planner Ananth to pull up the first slide with the three main questions that she was hoping to accomplish with this meeting tonight. Planner Ananth heard what they were saying this evening and it was very helpful for the Staff as well as the applicant. She stated that one of the questions she was wrestling with, is if the applicant is not able to depress the parking but they are able to get some type of cut-thru through the building, and provide more articulated massing, whether that is enough for the Planning Commission to consider this project approvable. That was her

fundamental question on Building B. Planner Ananth favored the changes to the architecture, but she questioned whether they were enough.

Chair Phillips thought the project was headed in the right direction and he thought the other Commissioners felt the same based on their comments. However, the Commissioners were asking for more clarity to better understand the heights.

Commissioner Suesser remarked that they know the 1998 proposal said that all the parking in Building B would be underground. When the applicant showed the section cut it was likely that it was not all underground in the 1998 proposal. It was also possible that on Lowell Avenue there was only one level of surface parking and everything else was below. Commissioner Suesser asked someone to confirm that the current proposal was one level of surface parking from the Lowell Avenue section with two layers under that. She thought it looked like three levels of above ground parking on Empire Avenue. She understood it would be enclosed and she thought the applicant had done a great job in covering the parking from the exterior. Commissioner Suesser stated that the 1998 proposal was so clear that there was no above ground parking and everything needed to be underground; however, Mr. Schmidt had indicated that it was not something they could do in 1998 and it cannot be done now. She wanted clarification that the parking in 1998 was not necessarily all underground parking.

Planner Ananth stated that the 1998 plans are extremely difficult to interpret, which has been a major challenge with this project. In addition, some pictures do not always match up with what the document is saying. Planner Ananth stated that she would continue to do her best to try to understand the 1998 plan.

Mr. Schmidt pulled up a section of Parcel B in the north-south direction cut right in the middle of the parcel. He pointed out that the bottom floor of their parking structure is at the same elevation as the parking structure shown in the section from 1998. Mr. Tursic pointed out that it also coincides with the Shadow Ridge grade elevation at 6920.

Planner Ananth stated that if it actually is at the same base elevation, the visual was not particularly accurate. Either they were grading up the site to appear to be hiding more of the parking, or it was an inaccurate depiction. Mr. Schmidt stated that it is a graphical representation that the parking structures are hidden, but in reality, it is not like that if there is a sidewalk and landscaping. Mr. Schmidt stated that PEG's position is that they are doing something similar on Parcel B; however, the premise is that parking does not count towards the square footage. He referred to the section in the Development Agreement that he previously read to the Commissioners.

Commissioner Kenworthy asked if Planner Ananth agreed with Mr. Schmidt. Planner Ananth stated that she agreed that the 1998 numbers do not include above grade parking, and that it is close to impossible to figure out how much above grade parking is not represented in those numbers.

Chair Phillips stated that it is very important for this Planning Commission not to make the same mistake and to make sure that whatever they decide is clear and consistent in both the images and the written documents. Chair Phillips stated that whatever exceptions they agree to, particularly on the building height and setbacks, will especially need to be quantified to make sure there is no ambiguity when the CUP comes through, especially on those items.

Commissioner Hall felt strongly about not reducing the setbacks unless there was an internal corridor within Parcel B and/or some type of bridge or safe connectivity to the ice rink area. Commissioner Hall felt strongly about the need for wide sidewalks with buffer, but she was open to a creative option. She really struggled with the 8 curb cuts on the main exit. Planner Ananth stated that if the traffic circulation stays one-way, she would be less concerned about 8 curb cuts. In looking across the street, all the residences on Empire also back out of the garage onto Empire. As far as she knows, there have been no traffic issues resulting from those homes backing out onto Empire. Planner Ananth clarified that 8 additional curb cuts that will not have a lot of activity because those people are already at the Resort are not as troubling to her as other aspects of the project. Chair Phillips pointed out that less curbs cuts would not mean less cars backing out of those eight units.

Planner Ananth clarified that if they could work out the setbacks, the massing on Parcel B is getting significantly better and was moving in the right direction. She asked if the Commissioners still had concerns with the massing on Parcel B.

Commissioner Thimm stated that he was less concerned with the massing on Parcel B than he is with the massing at the east end of Buildings D and E, and at the intersection of Shadow Ridge and Empire. Regarding setbacks, Commissioner Thimm noted that the LMC states that reduction can be considered if desired architectural interest and variation is achieved as a result. He was open minded to looking at the setbacks through that lens if they end up with a better project in the end. Commissioner Suesser pointed out that the LMC says "necessary", and it was not clear to her that the reduction is necessary. Commissioner Thimm agreed, which is why he said they should look at it through the lens of whether it is necessary to provide the desired architectural interest and variation. Commissioner Hall stated that she could be comfortable allowing for a wider footprint on the second story if the applicant provided a covered walkway along some of the main streets through architectural variation. She was not opposed to

allowing for a wider footprint as long as it is not on the main level where people will be walking.

Chair Phillips commented on the visual mitigating strategies such as stepping back of the levels. He stated that if the Planning Commission agrees to give some exceptions, it will be key to lock in the strategies the applicant was implementing into clear language.

Commissioner Suesser stated that if Planner Ananth could do the analysis with respect to the setbacks reduction it would be very much appreciated.

Commissioner Hall appreciated having a PEG specific agenda item. It allows the Planning Commission to work through the process with enough time to really focus. She thanked Planner Ananth for scheduling this special meeting.

Chair Phillips noted that the public comments addressed issues that were not related to the specific topic this evening. He asked Planner Ananth to see if there is a better way to make the specific topic clear for a particular meeting to help guide the public comments.

MOTION: Commissioner Thimm moved to CONTINUE the Park City Mountain Resort Base MPD Modification to December 16, 2020. Commissioner Suesser seconded the motion.

The Planning Commission Meeting adjourned at 10:35 p.m.

Approved by Planning Commission: _____