PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
OCTOBER 28, 2020

COMMISSIONERS IN ATTENDANCE:

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

EX OFFICIO: Planning Director Bruce Erickson; Alexandra Ananth, Planner; Rebecca Ward, Planner; Mark Harrington, City Attorney

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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 all the times as described below on Wednesday, October 28, 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.

Exhibit A: Determination of Substantial Health and Safety Risk

On October 23, 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:

• Summit County has extended its Emergency Declaration and Public Health Emergency Declaration through January 8, 2021. • Statewide COVID cases and hospitalizations are increasing. This determination is valid for 30 days and is set to expire on November 23, 2020.

Dated October 23, 2020.

ROLL CALL

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

APPROVAL OF MINUTES

October 14, 2020

Commissioner Kenworthy referred to the motion on the last page of the Minutes and changed Commissioner Kenworthy to correctly read **Commissioner Kenworthy seconded the motion.**

MOTION: Commissioner Suesser moved to APPROVE the Minutes of October 14, 2020 as amended. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS
There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Bruce Erickson reported that the Planning Department was preparing for two special meetings for the PEG Development project, one in November and one in December. Planner Ananth would provide those dates during her project presentation.

Chair Phillips disclosed that he would be recusing himself from the 327 McHenry Avenue Plat Amendment on the agenda this evening due to a prior working relationship with the applicant. Chair Phillips stated that he has been recusing on applications from this applicant for the seven years he has been on the Planning Commission. Since he has not had a working relationship with the applicant for nine years, he will consider waiving recusals in the future if the applicant is comfortable with that decision.

WORK SESSION

7A. Off-Street Parking Standards and Maximum Building Height for Master Planned Affordable Housing Developments.

Planner Hannah Tyler reported that the Planning Department was working on Affordable Housing Land Management Code Amendments, which will affect Master Plan Developments for affordable housing. Planner Tyler noted that Planner Rebecca Ward and the Affordable Housing Development Management, Jason Glidden, were on the line to answer questions. In addition, Dave Thacker, the Chief Building Official was also available to answer Building Code questions. Johnny Wasden, who oversees the Parking Department, was also on the line.

Planner Tyler stated that the overall purpose of this work session was to review the Cascadia Partners memorandum, which outlined best practices for affordable housing land use codes. They asked Cascadia Partners to look specifically at maximum building height and off-street parking. Planner Tyler stated that the intent of the memo was to identify ways to reduce the financial barriers for developing affordable housing through amendment to the Code looking at height and parking as part of the density bonus program.

Planner Tyler noted that a separate work session would be scheduled to discuss the framework for the density bonus program. Therefore, the discussion this evening should focus on height and parking. The Staff was requesting direction on possible LMC Amendments specifically for master planned affordable housing developments. Planner Tyler clarified that it would be specific to projects eligible under the Master Plan Affordable Development Code. It would not be applicable to all MPDs.

Planner Tyler explained that currently the Code requires 100% affordable housing in a project to use the Affordable Housing Code. In 2018 they came to the Planning Commission with a proposal to reduce that threshold to 50% as an effort to encourage private developers to build more affordable housing that what is obligated in their project. Planner Tyler noted that in 2018 the Affordable Housing and Planning Departments proposed LMC amendments to incentivize affordable housing through a density bonus program specific to the Affordable Housing MPD chapter, which is different than the regular MPDs. The concept was if the development, public or private, built more than 50% of a project as deed restricted affordable housing, they would be eligible to receive a density bonus. They were looking at scaling that density bonus based on the Area Medium Income level served for the affordable housing units. At the direction of the City Council, the Staff was seeking to shift that percentage to incentivize more development of affordable housing. Planner Tyler stated that the proposed 2018

LMC Amendment restructured almost the entirety of the Affordable Housing MPD section. The amendments ranged from applicability of the threshold up to the different requirements within the MPD. She noted that in 2018 the Planning Commission forwarded a positive recommendation to the City Council to reduce the threshold. However, the Council did not pass the proposed ordinance because they did not feel confident that it would incentivize affordable housing development by private developers.

Planner Tyler reported that at the direction of the City Council, in 2019 the Staff retained Cascadia Partners to assist in determining whether the proposed LMC Amendments would move the needle to incentivize development by both public and private. Planner Tyler stated that the main issue identified by Cascadia was that while a density bonus program can incentivize construction of affordable housing, most developments in Park City specifically could not actually achieve a density bonus because of how the LMC in each zone was structured. Planner Tyler remarked that Cascadia Partners Code audit identified areas of the LMC that could be amended to help incentivize development using the proposed density bonus framework. She clarified that Cascadia Partners was not looking to restructure the framework. They looked at how to change specific sections of the Code where they could actually achieve a density bonus. Planner Tyler stated that without the recommended LMC amendments by Cascadia Partners, the density bonus would not be achieved in its entirety, or at all in some cases. Therefore, the density bonus program the Staff had proposed would not work.

Planner Tyler stated that on December 5, 2019 the City Council reviewed Cascadia Partners final report and directed the Staff to pursue the Land Management Code Amendments. The Staff broke it into two phases. They accomplished Phase I, which the Planning Commission and City Council reviewed in January 2020. Phase I reduced the boundary setbacks for all affordable housing MPDs, as well as open space reduction. They also matched the parking requirements of affordable housing to the requirements of regular MPDs. She noted that the parking requirement was greater for affordable housing than regular MPDs and the intent was to even the playing field.

Planner Tyler emphasized that the discussion this evening only relates to the increase in maximum building height, and the parking reductions or alternative parking requirements. She provided a graph that was included in the first report produced by Cascadia Partners which helped illustrate the financial impacts of the recommended Code amendments. The far left identified what a developer would be able to achieve under the original proposal. The middle identified what would happen if they just took the recommendations for the AMPD standards and did not give a one-story addition over what the density bonus would give. The far right was the baseline standards for the topics this evening, and also looking at adding an additional story 4th story. Planner Tyler remarked that there is a clear financial incentive by allowing people to achieve the density bonus through these creative LMC amendments.

Planner Tyler stated that the objective this evening was to review the final report for the Phase 2 topics, which is the Best Practices Memorandum. Planner Tyler stated that in the memorandum Cascadia gave in 2020, they provided case studies from several similar communities, as well as over 30 different communities in their codes. The case studies they were able to find in similar communities were from Ketchum, Truckee, Mammoth Lakes and Bend. Their broad recommendation was that the City right-size the parking requirements and increase the maximum building height from three to four stories.

Planner Tyler began her presentation with parking. Cascadia Partners recommended five Code changes to what they refer to as right-size parking requirements. The first recommendation is to scale parking requirements by affordability and unit size. Planner Tyler noted that Park City currently regulates off-street parking for residential units by unit size. For multi-unit dwellings, the current LMC requires at least one parking space for all units, and the requirements increases as the unit size increases. There are also requirements for single-family and duplex dwellings. Planner Tyler reported that Cascadia was recommending two options. One would be to reduce the requirements for all units whether market rate or affordable. The second option would be to reduce the parking for affordable units. Planner Tyler presented a graph showing the current requirements and what Cascadia recommends based on the type of unit. She noted that Cascadia Partners ultimately recommends reducing the parking completely for affordable units that are less than 750 square feet, and progressively more after that. For market rate, Cascadia Partners gave a baseline requirement for the smallest unit, but they did not give a total reduction in parking for the market rate units.

Planner Tyler stated that the Staff was able to flush out a little more research specific to Park City with the help of the affordable housing group and through the Census. The Staff conducted their own research on vehicle ownership and availability in Park City and Summit County. Based on that research, the Staff had concerns about the affordable housing population’s access to vehicles and the reduction in parking. It is possible, but they want to be surgical in how they approach it to avoid unmitigated impacts in the right-of-way to public facilities or to the community at-large with overflow. Planner Tyler stated that in 2020 the Affordable Housing Department added a question about vehicle accessibility and ownership into the survey they sent out for compliance. To date, 67% of the City’s affordable housing household had responded. Planner Tyler clarified that the information presented this evening was only based on those had responded because the survey deadline has not passed. Based on the available information, 48% own two vehicles and 30% own one vehicle. Of those who responded, only one person does not have a car. They Staff also researched the Census data for Summit County and found that it aligns pretty well with the affordable housing community in Park City. Planner Tyler stated that the Staff was not confident that a majority of the lower income households, which are below 100% AMI, do not have a vehicle and do not have access to a vehicle. Planner Tyler pointed out that knowing there is a financial barrier, reducing parking is a great way to achieve affordable housing; but they will be surgical in their approach.

Planner Tyler thought Option Two was a great first step because it still provides parking for most of the residents of a development. However, the challenge is trying to find a nexus between the smaller unit size and lesser access to a vehicle. Planner Tyler stated that in combination with some of the other strategies in her presentation, they believe this can help reduce the impact by implementing some of the other recommendations in addition to potentially reducing parking. The Staff also believes there is another level where the City Council will need to provide policy direction regarding other potential mitigation strategies, such as a City-owned satellite parking lot. Planner Tyler remarked that there were other layers to look at on how to take the burden off the public right-of-way if there is spillover.

Planner Tyler stated that the next recommendation by Cascadia Partners is to provide additional reductions for small sites specifically. They recommended two approaches. The first is to reduce 5,000 square feet per floor for the sum of the total floors. She explained that for every floor in a building, the developer could reduce a certain square footage away from the parking calculation. It would help people with smaller buildings achieve a great reduction. Planner Tyler stated that the second recommendation is to reduce the parking altogether for lots that are 5,000 square feet or less. Just to give some context of size, Planner Tyler noted that a 5,000 square feet parcel is approximately 2-3 Old Town lots. Cascadia Partners was proposing to reduce the parking completely on that size of development.

Planner Tyler noted that both options help incentivize the use of the MPD process because of the high financial impact of off-street parking. She reviewed examples of the cost of different parking types as provided by Cascadia. Planner Tyler stated that these were generic numbers, however, when talking about a parking obligation of 70 spaces, it can be a financial barrier for any development, both affordable and market rate.

Planner Tyler stated that Cascadia Partners recommended allowing a credit of one parking space for every on-street public parking space that abuts a site. It is a clear incentive with large benefits for smaller projects, because in some cases the developer could achieve the majority of an off-street parking requirement through the use of on-street parking. Planner Tyler noted that public parking is not dedicated or reserved, even if someone has a parking pass. They need to be thinking about where that person will park in the event the space in front of their house is taken.

Planner Tyler stated that another issue is how development is impacting the public-right-of way. In any instance, whether snow removal or parking, the City likes to keep the development impacts to within their own boundary. She pointed out that they will now be pushing the impacts of a project onto the right-of-way. Planner Tyler stated that another concern is what if the City removes that parking in the future. A lot of the community plan is to shift modes and to look at making the streets complete streets. She noted that the City Council recently considered this in reaction to Vision 2020. The Staff has concerns about gifting someone public parking that counts towards the parking requirement and what to do if the parking is removed in the future because the community goals shift. Planner Tyler stated that if the City were to consider this, the Staff would prefer that it occur in areas with a parking management plan, which would include permitted and patrolled parking. The last concern was the impacts of snow removal and other public infrastructure and utility concerns.

Planner Tyler stated that the Staff would like direction on whether the Planning Commission would like to consider a credit for off-street parking spaces that abut a development site.

Planner Tyler reported that Cascadia Partners was recommending allowing a one for one credit for every parking space provided in an off-site location. It would be with clear agreements and dedication of that space to the development. Cascadia recommends that the off-site location be within 800 to 1,000 feet of the development. Planner Tyler stated that the Staff had no issues with this recommendation as long as the distance to the off-site location is reasonable and there is a clear agreement in place. It is a good option and something the community would probably want to consider.

Planner Tyler stated that the last recommendation was providing “by-right reductions” for projects that take measures to reduce parking demand. She noted that what Cascadia means by “by-right” is to make these reductions an allowed use. Park City uses the term “allowed use” which is consistent with Utah State Code. Planner Tyler clarified that anytime Cascadia uses the term “by-right”, the Staff will refer to it as an allowed use. Planner Tyler explained that Cascadia recommended creating a framework for allowing a reduction in off-street parking based on specific measures taken to reduce the parking demand by providing other transit and travel options for residents and guests. Planner Tyler stated that because the City’s current process is discretionary and requires the submission of a parking analysis or study prior to receiving a reduction, many developers do not go down this road due to the cost and time to do the study, and also because there is no guarantee the Planning Commission will grant a reduction. For that reason, Cascadia was recommending a clear list of measurable strategies that would be predictable and more straightforward for the Staff to regulate and apply. Cascadia believed the developers are more likely to use a clear set of criteria rather than a discretionary process.

Planner Tyler stated that the Staff was supportive of the concept behind the sample code language and the intent of a clear list of measurable strategies. However, they would like to sift through the recommended percentage reductions to get a better understanding of the offset. The Staff would like direction from the Planning Commission before pursuing that. For example, Cascadia recommends that being close enough to transit results in a 20% reduction. The Staff was trying to find the nexus between the 20% reduction and the distance to transit. Planner Tyler remarked that another option would be to create a similar list, and rather than give a percentage reduction for the tactics and measures, they could require these types of tactics for projects seeking to get the reduction identified in Recommendation 1, which is the recommended reduction in parking. It is based by unit size and the chart would identify the parking requirement if specific types of parking demand reduction measures are provided. It would be a good trade and ultimately help reduce the impact of reducing the parking.   Planner Tyler stated that transit, carshare, motorcycles, and bicycles would not give a reduction. They would simply be the mitigation strategies to address the new parking requirements in the initial parking chart.

Planner Tyler remarked that looking at the initial chart and the reductions as proposed by Cascadia, many projects would be cutting their parking requirement in half or more; however, the Staff was not seeing the nexus between the behaviors of the residents and the parking demand strategies. The Staff preferred to look at implementing the chart and require these parking demand strategies in order for people to be eligible to use the chart. They did not believe the strategies alone should give an additional reduction.

Planner Tyler stated that another piece Cascadia recommended and the Staff supports is that no matter what parking reduction the Planning Commission directs the Staff to pursue, the still want to give projects an outlet to still see an additional parking reduction if they provide a parking study. It would still require review and approval by the Planning Commission, but if the developer wanted to go above and beyond any parking reduction, they should be given the opportunity to submit a study and have the Planning Commission be the review authority.

Planner Tyler requested feedback and direction on the parking portion of the presentation, and what they would like the Staff to research and come back in Code form.

Commissioner Suesser referred to Carshare under Section 5 on page 56 of the Staff report, which states, "Site has dedicated parking spaces for carshare vehicles". She asked for the definition of a carshare vehicle. Planner Tyler used Enterprise as one program. Enterprise will park a car in a dedicated space. Anyone can download the Enterprise app and become a registered driver for Enterprise. This enables them to borrow the car to run an errand or go to the grocery store. When finished, they will either park the car in the same space, or when there are a lot of carshares, the car can be parked in another designated location. Planner Tyler clarified that a carshare is a car that is available for anyone to use.

Commissioner Kenworthy recalled that the City had a goal of 220 affordable homes by the end of December. He asked Mr. Glidden where that numbers falls on December 31st. Mr. Glidden replied that they would not make the 220 goal, but he needed to look up the exact number. Commissioner Kenworthy asked if they would reach 100 homes. Mr. Glidden answered yes. It would be more than 50% of the goal. Commissioner Kenworthy stated that he was trying to see how desperate they were to make this work because they have not hit the goals. He noted that the City has still not been able to implement public/private. Commissioner Kenworthy wanted to know the exact number before voicing his opinion.

Mr. Glidden commented on the overall goal of 800 units by 2026. He stated that as far as finished product they will not hit the 220 goal by the end of this year; however, there are projects in the pipeline, and housing requirements are coming through with private developments. Mr. Glidden remarked that of the 800 units, forecasting was showing they were approximately 250 to 300 units short on units. These units are not identified, which means they have not already been developed or they were not seeing them in a pipeline or a requirement for private development. Mr. Glidden emphasized that there is a shortage that is significant for reaching the goal. He offered to look up the number Commissioner Kenworthy requested.

Commissioner Thimm referred to the parking reduction table on page 27 of the Staff report, and the idea of Option 2 for affordable units. He was comfortable with that option, however, he suggested changing the 750 square foot threshold to 600 square feet on the top two lines. It would keep the option in a studio realm rather than a one-bedroom realm, which he thought was more appropriate. With regard to the reduction of 5,000 square feet per floor, Commissioner Thimm thought it was important to find out whether the square footage is net rentable or gross. Commissioner Thimm suggested that it be net rentable, and that there be a minimum of 15,000 square feet net rentable on a floor to achieve a 5,000 square foot per floor reduction.

Commissioner Thimm commented on off-street parking for units of 5,000 square feet or less. He suggested starting with one space for lots less than 5,000 square feet, except where there is a TDM that would support zero because of proximity to public transportation or transit, carshare, motorcycle and scooters. With regard to credit for on-street parking, Commissioner Thimm thought they should take baby steps and leave it the way it is, especially due to the concerns expressed in the Staff report. Commissioner Thimm stated that he could support off-street parking within 1,000 feet of the development, as long as an irrevocable permanent use of that parking is established. Commissioner Thimm was in favor of creating a set of criterion measures to reduce parking. He was not completely convinced it was the right thing, but he was interested in looking into it.

Commissioner Thimm was interested in Staff research to find a nexus between the recommended mitigation and reduction in parking. He was open to the idea of an option for developers to submit a parking analysis to request further reduction in parking, provided that there is a qualification that the developer will fund a third-party analysis that finds support to the analysis provided by the developer.

Chair Phillips thought the Staff was headed in the right direction. He agreed with Commissioner Thimm's comments and suggestions.

Commissioner Hall referred to the Cascadia report and asked whether Cascadia quantifies how many more units would potentiall be available if the City agreed to all of their parking strategies. Planner Tyler answered no. Cascadia could have expanded their scope, but the City did not want to spend the money for an analysis on a site by site basis because it would probably shift depending on the zone. Planner Tyler thought the initial chart helped identify that there will be some level of increase compared to what the Code says now. Commissioner Hall believed there would be more options and more incentives. She noted that Cascadia provided some specifics. For example, one diagram showed the ability to have four units instead of three units with less parking.

Commissioner Hall stated that in general she was supportive of Cascadia's recommendations. However, she believed the City needed to take drastic measures if they have any hope of meeting their affordable housing goal. The City hired experts to tell them how to achieve those goals and they should heed their advice.

Chair Phillips thought they should look into on-street parking along the frontage to see if they can find ways to mitigate it from causing a problem. He stated that there are certain areas where on-street parking is readily available, but there are areas where it is being used possibly because of its proximity to businesses on Main Street or in other areas where parking is used heavily. Planner Tyler stated that she would meet with the Parking Department to try to identify locations where it might work. Chair Phillips stated that if there is a particular site where it is apparent that the parking is not being used, he could see no issues with allowing that to be factored in.

In response to Commissioner Kenworthy's earlier request for the exact number of units, Mr. Glidden stated that they were currently at 133 units of the 220 goal by December 31st. There might be a few more units before the end of the year but it would be less than ten.

Commissioner Kenworthy stated that based on the shortfalls, he recommended following the Cascadia report and do as much as possible to encourage the public/private partnership. He agreed with Commission Hall. His answer was yes on all the credits and yes to all the recommendations.

Planner Tyler asked if the majority of Commissioners would like the Staff to follow the Cascadia recommendations and bring back some code.

Commissioner Suesser stated that she was not on board with all of the Cascadia recommendations. She supported the Staff doing further research to find a nexus between the recommended mitigations and reduction in parking. Commissioner Suesser did not agree with the recommended requirements outlined in Figure 6, which is the chart recommended by Cascadia. She thought the reduction was too drastic. Commissioner Suesser stated that she knows people who live in those developments around town and parking is an issue for everyone who lives there. She understood the purpose of the recommendations is to spur developers to build these projects, but she was concerned that the result would be a lot of unhappy people living there and significant parking issues. Commissioner Suesser thought the recommendations needed to be studied further. She did not think there was enough of a nexus between what was recommended and what is needed.

Commissioner Suesser was opposed to giving credits for parking along the frontage of the site. She did not think they should give credit for parking spaces that abut a development site. She was comfortable giving credit for off-site parking spaces that are dedicated for use by the subject property. Commissioner Suesser favored setting criteria to establish measured reduced parking demand and assign off-street parking reductions to each measure. She was comfortable with the option for developers to submit a parking analysis and study to request additional parking reductions.

Chair Phillips agreed that the Cascadia report was fairly aggressive. He was concerned about the consequences of swinging the pendulum too far and too fast. Chair Phillips suggested taking an aggressive approach to see how it works without creating irreversible impacts. Chair Phillips clarified that he still stood behind his previous comments.

Planner Tyler asked if there was consensus for reducing the off-street parking as identified in the chart. Commissioner Suesser answered no. Commissioner Thimm answered yes, based upon the 600 square feet amendment he had suggested. Chair Phillips and Commissioner Van Dine agreed with Commissioner Thimm.

Commissioner Hall asked Mr. Glidden for the number of current units under 600 square feet. Mr. Glidden noted that some of the survey information Planner Tyler presented was skewed because a lot of the affordable housing is not under the 750 square feet; however, the trend is moving that way. Mr. Glidden stated that much of the affordable housing proposed and what the City is looking at are smaller studio units. He did not believe there was enough data to support how car ownership relates to smaller units. Based on current data, it is likely a resident would own at least one car.

Chair Phillips thought the incentive of reduced parking would help procure smaller units if that is becoming the goal. He was concerned about having no parking spaces. Chair Phillips understood that currently at least one space is required for an affordable unit. He favored reducing the unit size to 600 square feet, but he thought the parking should be .5 spaces for the affordable units, which is still a reduction.

The Commissioners had no further comments on parking.

Planner Tyler requested direction on the concept of a deduction for the 5,000 square feet of floor area for small lots.

Commissioner Thimm clarified that the recommendation was for a 5,000 square feet reduction per floor. Planner Tyler replied that he was correct. Commissioner Thimm could support the reduction of 5,000 square feet provided there is a net rentable square footage total of 15,000 square feet on the floor. He suggested that they define the type of square footage and establish a minimum to avoid taking 5,000 sf. From 5,000 sf. and end up with zero cars.

Commissioner Suesser stated that her answer was no on Recommendation 2.

Commissioner Van Dine concurred with Commission Thimm. She also agreed that there needs to be a definition for the reduction.

Chair Phillips agreed with Commissioner Suesser and answered no on Recommendation 2.

Commissioner Kenworthy agreed with Commissioner Thimm and a definition of 15,000 square feet per floor. Commissioner Hall also agreed with Commission Thimm.

Planner Tyler asked for direction on a complete off-street parking reduction for small 5,000 square feet lots.

Commissioner Kenworthy was comfortable with that recommendation.

Commissioner Suesser answered no on the second point of Recommendation 2.

Commissioner Van Dine answered yes on the recommendation for smaller lots.

Chair Phillips was in favor of the recommendation; however, he thought it should be tied to some of the other mitigation strategies.

Commissioner Thimm preferred one space for lots less than 5,000 square feet unless there is a parking demand analysis that supports zero spaces.

Planner Tyler asked for direction on the off-site parking with a very clear agreement of one for one trade. Commissioner Hall asked if the parking needed to be within Park City limits. Planner Tyler stated that Cascadia recommended no more than between 800 and 1,000 feet away from the development.

Chair Phillips was comfortable with the recommendation up to 1,000 feet, as long as the spaces are tied to the land.

Commissioner Suesser was comfortable with the recommendation with those conditions. Commissioners Thimm, Van Dine, and Kenworthy agreed. Commissioner Hall stated that this was her favorite solution.

Planner Tyler requested direction on the recommendation for on-street or abutting public parking.

Commissioner Thimm was opposed to an on-street parking credit. Commissioner Suesser agreed.

Chair Phillips was in favor of having the Staff study it further as discussed earlier in the presentation.

Commissioner Kenworthy favored the recommendation.

Commissioner Van Dine agreed with Chair Phillips regarding additional information, especially in specific areas and zones in town.

Planner Tyler requested direction on Recommendation 5 to provide by-right reductions for projects that take measures to reduce parking demand. She noted that Cascadia recommended a 20% reduction for being close to transit. Planner Tyler asked if the Commissioners were willing to give a reduction for any of the bullet points listed in the recommendation, or if they wanted to use them as tools that do not give a reduction, but are used to mitigate the further reduction in Recommendation 1.

Commissioner Thimm suggested an alternative, which was to pair them with tools that could be used for a parking analysis.

Commissioner Suesser asked Planner Tyler to clarify her question. Planner Tyler explained that Cascadia recommended giving a reduction for any of the four bullet points. The Staff was recommending that they create a set of similar criteria that could be used to offset the impacts of the initial chart. They would require some of the parking reduction tactics via transit, carshare, etc., in order to use this chart.

Commissioner Hall liked the solutions that were presented for allowing the reduction. She thought that having it concrete enables a developer to calculate whether or not a development will pencil out to add affordable housing. Commissioner Hall preferred to provide clarity, even if it is only a range.

Commissioner Kenworthy concurred with Commissioner Hall.

Commissioner Suesser agreed with having criteria to establish the measures to reduce the parking demand. Commissioner Thimm stated that based on their comments he was persuaded to agree.

Planner Tyler asked if the Planning Commission wanted to allow an applicant to come with a parking analysis to request an even greater reduction, which would require review and approval by the Planning Commission.

Commissioner Suesser asked if that was suggesting an even greater reduction than what Cascadia was proposing. Planner Tyler answered yes. She clarified that it would require the development to come to the Planning Department with a study that proves whatever they were proposing was less impactful. She noted that Commissioner Thimm also recommended that the developer pay for a third party selected by the City to review their parking analysis. Commissioner Suesser understood that this would assume that the City adopted the Cascadia Partners recommendation, and this would allow the developers to provide even less parking based on submission of a parking analysis and approval by the Planning Commission.

Planner Tyler explained that current Code requires the developer to do a parking analysis if they want to provide less than the current parking requirement. Chair Phillips clarified that the process is the same. The difference is that the developer would also be required to pay for a third-party review of their analysis.

Commissioner Kenworthy was comfortable with leaving it in because it is hard to predict future technology or modes of transportation. He was not opposed if a developer wants to prove that they need less parking than what the Code requires. Commissioner Kenworthy stated that the goal is to get cars out of the community but that will not happen for a long while.

Chair Phillips was comfortable allowing the developers to submit an analysis to prove there are other transportation options or reasons to reduce the parking further. Commissioners Suesser and Van Dine agreed.

Commissioner Hall agreed. She also agreed with Commissioner Thimm's suggestion for the developer to pay for a third-party review. Commissioner Hall was open to listening to creative ideas from a developer as long as there is a study to support it.

Planner Tyler commented on the length of the agenda this evening. She asked if there was any interest in continuing the discussion on height to the next meeting. The Commissioners all favored continuing the height discussion to the next meeting. Planner Tyler noted that the Staff report would be the same for discussion at the next meeting. She would work with Director Erickson to make sure the item is properly noticed.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

5.A. <u>1117 Park Avenue – Plat Amendment – The Applicant Proposes to Combine the North ½ of Lot 3 and all of Lot 4 of Block 5 of Snyder's Addition Into One (1) Lot of Record which Contains 2812.5 Square Feet.</u> (Application PL-20-04634)

Director Erickson presented the application this evening on behalf of Caitlyn Barhorst.

Director Erickson reviewed the request for a plat amendment at 1117 Pak Avenue. The property line runs through the middle of an existing house on the lot. The applicant would like to combine ½ of Lot 3 and all of Lot 4 into one lot of record to remove the property line in the middle of the house. The applicant was not proposing additional development.

Director Erickson noted on the site plan that the existing house takes up most of the lot. He did not anticipate a new house being any larger.

The Staff recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council for their consideration on November 19th for the plat amendment at 1117 Park Avenue, in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance.

Chair Phillips thought this plat amendment was clear and straightforward.

Chair Phillips opened the public hearing.

No eComments were submitted and no hands were raised on Zoom.

Chair Phillips closed the public hearing.

MOTION: Commissioner Kenworthy moved to forward a POSITIVE recommendation to the City Council for their consideration on November 19, 2020 for the 1117 Park Avenue plat amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

<u>Findings of Fact – 1117 Park Avenue</u>

<u>Background</u>:

1. On September 22, 2020, the Planning Department received a complete Plat Amendment application.
2. The applicant is proposing to combine the North ½ of Lot 3 and all of Lot 4 of Block 5 of Snyder's Addition into one (1) Lot of Record.
3. The property is located at 1117 Park Avenue.

<u>Zoning District</u>:

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

Public Notice Requirements:

5. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on October 14, 2020. Staff mailed courtesy notice to property owners within 300 feet on October 13, 2020. The Park Record published notice on October 14, 2020.

<u>Lot and Site Requirements</u>

6. All future development on the proposed Lot complies with the HR-1 Zoning District Requirements outlined in LMC § 15-2.2:
    a. Minimum Lot Area is 1,875 square feet. The proposed Lot contains 2,812.5 square feet.
    b. Minimum Lot Width is 25 feet. The proposed Lot Width is 37.5 feet.
    c. The Lot Depth is 75 feet.
    d. The Maximum Building Footprint is 1,200.7 square feet. Any development will comply.
    e. The Minimum Front Setback is 10 feet. Any development will comply.
    f. The Minimum Rear Setback is 10 feet. Existing: Approximately 9'-2". Any development will comply.
    g. The Minimum Side Setback is 5 feet. Approximately 5'-7" North Side to 3'-10" South Side. Any development will comply.
    h. The Maximum Building Height is 27 feet. Any development will comply.
    i. Parking Regulations – Single Family Dwelling – 2 per Dwelling Unit. Does not comply. Existing: 1 Parking Space at approximately 14ft x 23ft.
7. The existing structure straddles the common lot line between Lot 4 and Lot 3. The existing structure is an existing Non-Complying Structure for Single-Family Dwelling Parking Requirements and Side and Rear Setback compliance. Per LMC § 15-9-6 Non-Complying Structures: If the Property Owner has voluntarily demolished, or is required by law to demolish, more than 50% of the Gross Floor Area of the Non-Complying Structure, the Structure shall not be restored unless it is restored to comply with the regulations of the Zoning District in which it is located.

<u>Subdivision Requirements</u>:

8. The proposal complies with LMC § 15-7.1-6.
9. The proposal complies with LMC § 15-7.3-1(A-E) Conformance to Applicable Rules and Regulations.
10. The proposal complies with LMC § 15-7.3-2(A-N) General Subdivision

Requirements.
11.The proposal complies with LMC § 15-7.3-3(A-K) General Lot Design Requirements.
12.15-7.3-4 (A-I) Road Requirements and Design. The proposal does not create any new Roads nor alter any existing Roads.
13.15-7.3-5 (A-C) Drainage and Storm Sewers. The proposal does not create any new Drainage and/or Storm Sewer nor alter any existing Drainage and/or Storm Sewer.
14.15-7.3-6 (A-B) Water Facilities. The proposal does not extend nor create a new water-supply system.
15.15-7.3-7 (A-B) Sewer Facilities. The proposal does not create any new sanitary sewer facilities.
16.15-7.3-8 (A) Sidewalks, Hiking Trails, Bike Paths, and Horse Trails. The proposal does not create nor alter any Sidewalks, Hiking Trails, Bike Paths, or Horse Trails.
17.15-7.3-9 (A-B) Utilities. Any future construction on this site proposed will connect into existing utilities in Park Avenue. The Development Review Committee reviewed the proposal and did not identify any utility connection issues.
18.15-7.3-10 (A-B) Public Uses. Not required. The proposal does not consist of a Major or Minor Subdivision.
19.The proposal complies with 15-7.3-11 (A) Preservation of Natural Features and Amenities.
20.15-7.3-12 (A-B) Nonresidential Subdivisions does not apply.
21.The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.
22.Staff did not receive any public input at the time this report was published.

Conclusions of Law – 1117 Park Avenue
1. There is Good Clause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code, including LMC § 15-2.2-3 Historic Residential (HR-1) District, LMC § 15-7.1-3(B) Plat Amendment, LMC § 15-7.1-6 Final Subdivision Plat, LMC § 15-7.3 Requirements for Improvements, Reservations, and Design.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval – 1117 Park Avenue

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of

City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
4. A ten foot (10') public snow storage easement on Park Avenue shall be noted on the Plat.
5. The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal law.
6. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

8.B 327 McHenry Avenue – Plat Amendment – The Applicant Proposes to Combine Lot B and Lot C of the 331 McHenry Avenue Subdivision Into One (1) Lot of Record which Contains 7,501 Square Feet.
(Application PL-20-04666)

Chair Phillips recused himself and left the room.

Vice-Chair Suesser assumed the Chair.

Director Erickson presented the application on behalf of Planner Caitlyn Barhorst.

Director Erickson reported that the original 331 Subdivision was approved on July 9, 2009. It was broken up into Lot B and Lot C, which is why the addressing is different. The correct addresses are 327 McHenry and 320 Ontario, and they will be combined into 331 McHenry.

Director Erickson stated that the lot combination would create a lot of 7,501 square feet. The maximum building footprint will be 2,460 square feet. He noted that as the lot size gets bigger the house size gets smaller. Director Erickson clarified that the Planning Commission would be approving a 7500 square foot lot with a single building footprint of 2460.5 square feet. All other requirements have been met.

Director Erickson noted that public comment was included in the Staff report. Public input from Mary Wintzer came in after the Staff report was published and it was forwarded to the Planning Commission. Additional input was received from Mary and Charlie Wintzer dated October 25th and that would be read during the public hearing.

Commissioner Thimm asked if there was a comparison of parcel or lot square footages for the other lots in and around this McHenry site. Director Erickson replied that there was no formal comparison; however, there are large houses on McHenry as well as historic houses. Commissioner Thimm asked if the square footage for this lot was in line with some of the larger parcels. Director Erickson answered yes.

Vice-Chair Suesser had not received the email that Director Erickson said was forwarded to the Commissioners. However, if their comments are captured in the letter read during the public hearing that should be sufficient. The other Commissioners had received the forwarded email.

Vice-Chair Suesser opened the public hearing.

Jessica Nelson read into the record an eComment from Frank Watanabe that was submitted after the meeting started.

Frank Watanabe wrote, I am a neighbor of 327 and 331 McHenry, residing at 202 Ontario. I strongly support the proposal to merge Lots B and C of 331 McHenry. I believe that the lots as currently platted are too small and building two houses on the two individual lots would leave sub-sized homes too close to the adjacent houses and McHenry and Ontario. I think it would be far preferable to have a single lot with an appropriately sized home that is more in line with the adjacent properties.

Director Erickson pointed out that because of the logrhythmic way house size is reduced on larger lots, if it was left at two lots, each house would be approximately 3,000 square feet. Combining the lots results in 2400 square feet of maximum footprint. Commissioner Kenworthy asked for the building envelope. Director Erickson replied that it would 2460 square feet with 27’ of maximum height, which is consistent with the Code. Depending on how many floors can go under 27’ on a 2400 square foot building, that would be the building envelope. He estimated approximately 5,000 square feet as the building envelope.

Vice-Chair Suesser opened the public hearing.

Jessica Nelson read an email received from Mary and Charlie Wintzer dated October 25, 2020.

The Wintzers wrote, Dear Bruce, we want to get our concerns in early so perhaps this issue can be on the Planning Staff's radar. It is our understanding that Jerry Fiat maybe wants to combine his lot off of McHenry to be an adjoining lot on Ontario. This is the former property of Dr. Carl Woolsey and his wife Donna. There are three lots. Jerry will develop and sell 330 McHenry. If he were to be allowed to combine these two lots, he would be building across a zone line. The McHenry lot is in HRL and the Ontario lot is in HR-1. He would be able to build a house twice the size and concentrate all the traffic off of McHenry. Obviously, the lot on Ontario would require costly excavation for the garage. Also, there is a steep slope issue on that lot. For the neighborhood, certainly two smaller homes would be better. One large home on a combined lot would have a greater traffic impact with more staff people up the road to take care of things, and not fit to the scale of the other homes. Thank you for your attention.

Angela Moschetta raised her hand on Zoom to comment.

Ms. Moschetta, a resident in Old Town, supported the contents of Mary and Charlie Wintzer's letter. She felt that permitting lot combinations that would then permit owners to develop gargantuan houses seems directly in conflict with some of the community goals.

No other hands were raised on Zoom and no eComments were submitted.

Vice-Chair Suesser closed the public hearing.

Commissioner Hall asked Director Erickson to address combining of the lots and how it affects building one larger home. Director Erickson stated that with two lots the setbacks would be smaller, and the square footage would be slightly more than in a single house. There would also be on additional driveway off of McHenry or Ontario. Director Erickson noted that the character of the neighborhood is mixed. Before it became HRL, a number of larger houses were built on the hillside. They are now doing their best to protect the historic houses on McHenry and Ontario.

Planner Alex Ananth presented a slide that Planner Barhorst had prepared showing the maximum footprint of only Lot B being 1500 square feet. The maximum footprint of only Lot C was also 1500 square feet. If Lots B and C are combined, the maximum footprint is 2400 square feet. Planner Ananth pointed out that the footprint is smaller if the lots are combined versus remaining separate lots.

Commissioner Thimm asked if the underlying zoning allows for a duplex. Planner Ananth could not see a duplex as an allowed use in the Code. Jessica Nelson noted that in their public comment, the Wintzer's stated that the lots go across two zones.

After looking at the zoning map, Planner Ananth thought it was all in HRL zone. Jerry Fiat, representing the applicant, concurred that it was all HRL zoning. He also clarified that duplexes are not a permitted use in the HRL zone.

Commissioner Thimm believed that combining the lots promotes a reduction in the intensity of use in terms of number of units, number of driveways, number of car trips, building area, etc.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for their consideration on November 19, 2020 for the 331 McHenry Avenue Subdivision, first amended plat amendment, based upon the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously. Commissioner Phillips was recused.

Findings of Fact – 321 McHenry Subdivision

Background:
1. On October 1, 2020, the Planning Department received a complete Plat Amendment application.
2. The applicant is proposing to combine Lot B and C of the 331 McHenry Avenue Subdivision into One (1) Lot of Record which contains 7,501 square feet.
3. The property is located at 327 McHenry Avenue and 320 Ontario Avenue.
Zoning District:
4. The property is located in the Historic Residential- Low (HRL) Zoning District.
Public Notice Requirements:
5. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on October 14, 2020. Staff mailed courtesy notice to property owners within 300 feet on October 13, 2020. The Park Record published notice on October 14, 2020.
Lot and Site Requirements:
6. All future development on the proposed Lot complies with the HRL Zoning District Requirements outlined in LMC § 15-2.1:
a. Minimum Lot Area is 1,875 square feet. The proposed Lot contains 7,501 square feet.
b. Minimum Lot Width is 25 feet. The proposed Lot Width is 47'-6".
c. The Lot Depth is 132'-7".
d. The Maximum Building Footprint is 2,460.5 square feet. Any development will comply.

e. The Minimum Front Setback is 15 feet. Any development will comply.
f. The Minimum Rear Setback is 15 feet. Any development will comply.
g. The Minimum Side Setback is 5 feet. Any development will comply.
h. The Maximum Building Height is 27 feet. Any development will comply.
i. Parking Regulations – Single Family Dwelling – 2 per Dwelling Unit. Any development will comply.

Subdivision Requirements:

7. The proposal complies with LMC § 15-7.1-6.
8. The proposal complies with LMC § 15-7.3-1(A-E) Conformance to Applicable Rules and Regulations.
9. The proposal complies with LMC § 15-7.3-2(A-N) General Subdivision Requirements.
10. The proposal complies with LMC § 15-7.3-3(A-K) General Lot Design Requirements.
11. 15-7.3-4 (A-I) Road Requirements and Design. The proposal does not create any new Roads nor alter any existing Roads.
12. 15-7.3-5 (A-C) Drainage and Storm Sewers. The proposal does not create any new Drainage and/or Storm Sewer nor alter any existing Drainage and/or Storm Sewer.
13. 15-7.3-6 (A-B) Water Facilities. The proposal does not extend nor create a new water-supply system.
14. 15-7.3-7 (A-B) Sewer Facilities. The proposal does not create any new sanitary sewer facilities.
15. 15-7.3-8 (A) Sidewalks, Hiking Trails, Bike Paths, and Horse Trails. The proposal does not create nor alter any Sidewalks, Hiking Trails, Bike Paths, or Horse Trails.
16. 15-7.3-9 (A-B) Utilities. Any future construction on this site proposed will connect into existing utilities in McHenry Avenue. The Development Review Committee reviewed the proposal and did not identify any utility connection issues.
17. 15-7.3-10 (A-B) Public Uses. Not required. The proposal does not consist of a Major or Minor Subdivision.
18. The proposal complies with 15-7.3-11 (A) Preservation of Natural Features and Amenities
19. 15-7.3-12 (A-B) Nonresidential Subdivisions does not apply.
20. The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.
21. Staff did not receive any public input at the time this report was published.

Conclusions of Law – 321 Subdivision

1. There is Good Clause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code, including LMC § 15-2.1 Historic Residential (HRL) District, LMC § 15-7.1-3(B) Plat Amendment, LMC § 15-7.1-6 Final Subdivision Plat, LMC § 15-7.3 Requirements for

Improvements, Reservations, and Design.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval – 321 McHenry Subdivision

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
4. A ten foot (10') public snow storage easement on McHenry Avenue shall be noted on the Plat.
5. The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal law.
6. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
7. Any future development on the Lot shall have a single vehicular driveway accessed from McHenry Avenue.

8.C. 2300 Deer Valley Drive East – Condominium Plat Amendment – The Applicant is Requesting to Amend the Condominium Plat for the Funicular Building to Accommodate the Interior Remodeling of Space to Create a New Affordable Housing Unit. (Application PL-20-04653)

Commissioner Phillips returned to the meeting and resumed the Chair.

Planner Ananth reviewed the application for the St. Regis Phase I Plat Amendment. She reported that in 2001 the Planning Commission approved a CUP for a hotel with a total density of 130 residential unit equivalents, with 30 located at Snow Park which is the Funicular Building and the Phase 2 Building currently under construction. The rest of the units are the hotel up the hill.

Planner Ananth stated that the applicant was allowed to construct the project in phases. Phase 1 is the hotel and the funicular building, which is complete. Phase 2 is currently under construction with a nine-unit condo building with parking below.

Planner Ananth noted that Phase 2 has two affordable unit obligations. One of these units is in the Phase 2 Building itself. The applicant was proposing that one unit be in the Funicular Building, which was allowed when the plat for the Phase 2 project was proposed. Planner Ananth stated that the applicant was coming before the Planning Commission with a request to amend the Phase 1 plat to reflect the new affordable unit that will be in the Funicular Building in space that was previously an office and storage space. No changes were proposed to the exterior of the building.

The Staff found good cause for this plat amendment as it is consistent with the affordable unit obligation in the Phase 2 Snow Park residences. It is for interior changes only. The project is in keeping with the goals of the General Plan for the Deer Valley neighborhood and allows for the creation of an additional deed restricted employee unit.

Planner Ananth reported that the Planning Department had not received public comment on this project. The Staff was recommending approval.

Chair Phillips opened the public hearing.

No eComments were submitted and no hands were raised on Zoom.

Chair Phillips closed the public hearing.

MOTION: Commissioner Van Dine moved to forward a POSITIVE recommendation to the City Council for their consideration on November 19, 2020 for the St. Regis Deer Valley Condominium plat amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 2300 Deer Valley Drive East – Condominium Plat Amendment

1. The First Amended and Restated Deer Crest Roosevelt Gap Resort, Deer Crest

Roosevelt Gap Residences Condominium Project, Deer Crest Roosevelt Gap Condo Suites Condominium Project Condominium Plat is located at 2300 Deer Valley Drive East.
2. This application is a part of a larger Master Planned Development known as the Deer Crest Annexation MPD and is subject to the 1995 Deer Crest Settlement Agreement, as amended in December of 1998 and also on April 6, 2001, by the City Council.
3. On February 28, 2001 Planning Commission approved the Deer Crest Hotel CUP (formally known as the Rosewood CUP). Amendments to the CUP were approved by the Planning Commission on July 25, 2001, March 24, 2004, May 11, 2005, April 22, 2009, and April 23, 2014, and April 13, 2016. The City Council denied an appeal of the April 22nd approval on June 18, 2009.
4. The density of 99.5 residential unit equivalents at Roosevelt Gap, 30.5 residential unit equivalents for Snow Park (total of 130-unit equivalents) and up to 5% of the gross floor area for support commercial uses with an additional 5% gross floor area for meeting space on the 12.07-acre development site is consistent with the Deer Crest Settlement, as amended.
5. The Hotel is located in the RD (Residential Development) and RC (Resort Commercial) zoning districts subject to the Deer Crest Settlement Agreement and MPD. The funicular building is located in the RD zone.
6. A total of 105 overnight parking spaces, and up to 41-day use spaces, are allowed at the Roosevelt Gap site. Eight of these spaces are provided as tandem spaces for valet parking. The amended Settlement Agreement, allowed the Planning Commission to approve overnight parking in conjunction with a luxury hotel and upon demonstration that the remainder of the (Deer Crest) project has been modified to result in no net increase of traffic on Keetley Road.
7. A total of 374 parking spaces are required for the entire Hotel, with a maximum of 157 spaces allowed at Roosevelt Gap and the remaining spaces required at Snow Park (north and south sites). The applicant expects to have 444 parking stalls available upon completion of the project and 430 stalls available upon completion of Phase 2.
8. A Traffic and Parking Study by Hales Engineering as part of the 2019 expansion of the Deer Crest Amenity Club at the St. Regis determined that the Hotel has sufficient parking for all of the existing and proposed uses.
9. It is the desire of the applicant to build out the St. Regis in three phases. The first phase is complete and consists of the 105 Roosevelt Gap hotel/condominiums (99.5 UE), including a restaurant, bar, and spa; the funicular and funicular building at Snow Park (the funicular building contains one condominium unit, common area for the hotel lobby and check in, back of house hotel uses, and two affordable housing units); and a temporary sales office with surface parking.
10.This application is for the conversion of interior space in order to create an additional

affordable housing unit required as part of the Phase 2 AUE obligation.
11.Phase 2 consists of the south parking structure at Snow Park (35 stalls) with nine (9) condominium units above (approximately 12.2 UE's).
12.Phase 3 consists of the north parking structure and condominium units above (approximately 17 UE's). The total density approved for Snow Park is 30.5 UEs.

13.Staff finds Good Cause for this Plat Amendment as it allows for the satisfaction of the applicant's AUE obligation for Phase 2 and is consistent with the density, maximum height, location and uses identified in the approved Deer Valley Settlement Agreement, the Deer Valley Master Planned Development and the most recently amended Hotel CUP.
14.The project is in keeping with the goals of the General Plan for the Deer Valley neighborhood and allows for the construction of an additional deed restricted employee unit within the existing funicular building.
15.All Conditions of the Hotel CUP's shall continue to apply and remain in full force and effect.
16.All findings within the Analysis section and the recitals above are incorporated herein as Findings of Fact.

<u>Conclusions of Law – 2300 Deer Valley Drive East – Condominium Plat Amendment</u>

1. There is good cause for this Plat Amendment as it will allow for the construction of an additional deed restricted employee unit within the existing funicular building and will satisfy the applicant's AUE obligation for Phase 2.
2. The Plat Amendment is consistent with the Park City Land Management Code including Sections 15-4-12, 15-7.1-3(C) and 15-12-15(B)(9) and applicable State Law regarding Condominium Plats.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

<u>Conditions of Approval – 2300 Deer Valley Drive East – Condominium Plat Amendment</u>

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

3. All conditions of approval of the 1995 Deer Crest Settlement Agreement, as amended, continue to apply.
4. All conditions of approval of the Deer Crest Hotel CUP approved on February 28, 2001 (then known as the Rosewood CUP) and amended by the Planning Commission on July 25, 2001; March 24, 2004; May 11, 2005; and April 22, 2009 (with final approval by the City Council on appeal on June 18, 2009), April 23, 2014; and April 13, 2016, shall continue to apply.
5. The new deed restricted housing unit in the funicular building shall be a minimum of 459 sf (0.574 AUE). An additional AUE of 449 sf (0.561 AUE) is located in the Phase 2 building and combined, these two units meet the requirement of 1.135 AUE, consistent with the 1st Amendment to the Housing Mitigation Plan for Phase 2 of the St. Regis. One AUE is equivalent to 800 sf according to the Development Agreement.
6. Deed Restrictions for the AUEs, approved by the City in accordance with the applicable Housing Resolution shall be recorded prior to plat recordation, and a Certificate of Occupancy shall be issued for this 0.574 AUE prior to the issuance of Certificates of Occupancy for the final or last market rate unit as part of Phase 2.
7. The CCRs or Deed Restrictions for the AHUs shall comply with the provisions of the applicable Housing Resolution in order to ensure the units remain affordable. The Deed Restrictions shall be submitted with the Condominium Plat amendment for review and approval by the City prior to final Plat recordation.

8.D. <u>2300 Deer Valley Drive East – Conditional Use Permit Extension/Modification – The St. Regis is Requesting to Modify their 2016 CUP to Amend Condition #3, which Requires they Exercise a Building Permit for Phase 3 Prior to December 31, 2020. The Applicant is Proposing to Modify this Condition, Allowing them Until December 31, 2021.</u> (Application PL-20-04638)

Planner Ananth reviewed the application to modify Condition #3 in the 2016 CUP, which requires the applicant to submit a complete building permit application for the Phase 3 Building prior to 12/31/2020. Phase 2 is still under construction and should be completed this year. The applicant would like to finish Phase 2 before pulling a building permit for Phase 3. They would like to delay the deadline for submitting the building permit application by one year to 12/31/21.

Planner Ananth reported that there have been no new findings of non-compliance. The proposed modification is consistent with the CUP with the exception of the change to Condition #3.

Planner Ananth stated that the Planning Commission had not received any public input.

Chair Phillips asked if the Code would allow for additional extensions beyond the one being requested this evening. Planner Ananth was certain that one extension is allowed. She was unsure about multiple extensions.

Chair Phillips asked if the extension is approved and the Code changes, whether the new application would follow the latest Code or if it would be grandfathered into the Code of the original application. Planner Ananth stated that the density of the site is grandfathered in. However, in general, it has to meet whatever Code is in place at the time the applicant pulls the building permit.

Commissioner Hall was comfortable with extending the date as requested.

Chair Phillips opened the public hearing.

No eComments were submitted and no hands were raised on Zoom.

Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to APPROVE the extension/modification to the CUP for the St. Regis Deer Valley, located at 2300 Deer Valley Drive East, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the Staff report. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 2300 Deer Valley Drive East – CUP extension/modification.

1. The St. Regis Deer Valley is located at 2300 Deer Valley Drive East.
2. This application is a part of a larger Master Planned Development known as the Deer Crest Annexation MPD and is subject to the 1995 Deer Crest Settlement Agreement, as amended in December of 1998 and also on April 6, 2001, by the City Council.
3. On February 28, 2001 Planning Commission approved the Deer Crest Hotel CUP (formally known as the Rosewood CUP). Amendments to the CUP were approved by the Planning Commission on July 25, 2001, March 24, 2004, May 11, 2005, April 22, 2009, and April 23, 2014, and April 13, 2016. The City Council denied an appeal of the April 22nd approval on June 18, 2009.
4. The density of 99.5 residential unit equivalents at Roosevelt Gap, 30.5 residential unit equivalents for Snow Park (total of 130-unit equivalents) and up to 5% of the gross floor area for support commercial uses with an additional 5% gross floor area

for meeting space on the 12.07-acre development site is consistent with the Deer Crest Settlement, as amended.

5. The Hotel is located in the RD (Residential Development) and RC (Resort Commercial) zoning districts subject to the Deer Crest Settlement Agreement and MPD. The funicular building, as well as the Phase 2 and Phase 3 buildings, are located in the RD zone.
6. A total of 105 overnight parking spaces, and up to 41-day use spaces, are allowed at the Roosevelt Gap site. Eight of these spaces are provided as tandem spaces for valet parking. The amended Settlement Agreement, allowed the Planning Commission to approve overnight parking in conjunction with a luxury hotel and upon demonstration that the remainder of the (Deer Crest) project has been modified to result in no net increase of traffic on Keetley Road.
7. A total of 374 parking spaces are required for the entire Hotel, with a maximum of 157 spaces allowed at Roosevelt Gap and the remaining spaces required at Snow Park (north and south sites). The applicant expects to have 444 parking stalls available upon completion of the project.
8. A Traffic and Parking Study by Hales Engineering as part of the 2019 expansion of the Deer Crest Amenity Club at the St. Regis determined that the Hotel has sufficient parking for all of the existing and proposed uses.
9. It is the desire of the applicant to build out the St. Regis in three phases. The first phase is complete and consists of the 105 Roosevelt Gap hotel/condominiums (99.5 UE), including a restaurant, bar, and spa; the funicular and funicular building at Snow Park (the funicular building contains one condominium unit, common area for the hotel lobby and check in, back of house hotel uses, and two affordable housing units); and a temporary sales office with surface parking.
10. Phase 2 consists of the south parking structure at Snow Park (35 stalls) with nine (9) condominium units above (approximately 12.2 UE's).
11. Phase 3 consists of the north parking structure and condominium units above (approximately 17 UE's). The total density approved for Snow Park is 30.5 UEs.
12. This application is for an extension of time to exercise a building permit for Phase 3, until 12/31/2021.
13. Staff finds Good Cause for this Extension/Modification as it allows for the completion of the Phase 2 building prior to the initiation of Phase 3.
14. The project is in keeping with the goals of the General Plan for the Deer Valley neighborhood and allows for the construction of an additional deed restricted employee unit.
15. Staff has reviewed the proposed Extension/Modification to the Deer Crest Hotel CUP against the Conditional Use Permit criteria in Section 15-1-10 of the Land Management Code, as outlined below:
    a. Size and location of the site. There are no changes proposed to the size and location of the site. **No unmitigated impacts**.

b. Traffic considerations. There are no changes in traffic as a result of this amendment to the timing of Phase 3. Traffic impacts associated with Phase 3 were reviewed in 2016. **No unmitigated impacts as conditioned**.
c. Utility capacity. There are no changes in utilities as a result of this amendment to timing. The site will be served by JSSD. **No unmitigated impacts**.
d. Emergency vehicle access. Access for emergency vehicles is unchanged with this amendment to the timing of Phase 3. **No unmitigated impacts**.
e. Location and amount of off-street parking. No changes are proposed to the overall parking requirements or actual parking provided. A parking analysis was reviewed in 2016 and again in 2019 with the expansion of the Amenity Club. It was concluded that the Hotel has sufficient parking. **No unmitigated Impacts, as conditioned.**
f. Internal circulation system. No changes to the internal project circulation system are proposed with this amendment. **No unmitigated impacts**.
g. Fencing, screening and landscaping to separate uses. No changes to the fencing, screening, and landscaping are proposed with this timing amendment. **No unmitigated impacts**.
h. Building mass, bulk, orientation and the location on site, including orientation to adjacent buildings or lots. No changes to the building mass, bulk, orientation and location on site are proposed with this amendment. Plans will be reviewed at the time of building permit. **No unmitigated impacts**.
i. Usable open space. No changes to the open space area are proposed with this timing amendment. **No unmitigated impacts.**
j. Signs and lighting. No changes are proposed to the signs and lighting with this amendment. **No unmitigated impacts**.
k. Physical design and compatibility with surrounding structures in mass, scale and style. No changes are proposed to the physical design with this timing amendment. **No unmitigated impacts**.
l. Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site. There are no changes to any mechanical factors that require mitigation due to this amendment. **No unmitigated impacts**.
m. Control of delivery and service vehicles, loading and unloading zones, and screening. There are no changes to loading and unloading zones from what was approved. All loading and unloading areas are within the parking structure at Roosevelt Gap and the funicular building at Snow Park. **No unmitigated impacts.**
n. Expected ownership and management of the property. There are no proposed changes to ownership with this timing amendment. **No unmitigated impacts.**
o. Sensitive Lands Review. There are no changes to the approved CUP that

are contrary to the sensitive lands review as it relates to the Deer Crest Settlement Agreement CUP. **No unmitigated impacts**.

p. There have been no changes in circumstance that would result in unmitigated impacts or that would result in a finding of non-compliance with review criteria in Section 15-1-10(E).

16.All Conditions of the Hotel CUP's shall continue to apply and remain in full force and effect, with the exception of the timing of Phase 3, as amended in Condition #3, below.

17.All findings within the Analysis section and the recitals above are incorporated herein as Findings of Fact.

<u>Conclusions of Law – 2300 Deer Valley Drive East – CUP Extension/Modification</u>

1. The Applicant demonstrated there is no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with review criteria. The Application complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Sections 15.1.10, review criteria for Conditional Use Permits.
2. There is no change in Use. The approved Use was determined to be compatible with surrounding structures in use, scale, mass, and circulation.
3. The approved Use was found to be consistent with the Park City General Plan per the June 18, 2009 approval. The requested amendment is not contrary to the General Plan.
4. The proposal is consistent with the Deer Crest Annexation and the 1995 Deer Crest Settlement as amended.
5. The effects of any differences in use or scale have been mitigated through careful planning and conditions of approval.

<u>Conditions of Approval – 2300 Deer Valley Drive East – CUP Extension/Modification</u>

1. All standard project conditions shall apply.
2. All conditions of approval of the 1995 Deer Crest Settlement Agreement, as amended, continue to apply.
3. All conditions of approval of the Deer Crest Hotel CUP approved on February 28, 2001 (then known as the Rosewood CUP) and amended by the Planning Commission on July 25, 2001; March 24, 2004; May 11, 2005; April 22, 2009 (with final approval by the City Council on appeal on June 18, 2009), April 23, 2014, and April 18, 2016, with the exception of Condition #3, amended again below, shall continue to apply.
4. The applicant shall submit a complete application and building plans for construction

of the Phase 3 parking structure and condominium units at Snow Park North, on or prior to December 31, 2021. If plans are not submitted within this date, the prior CUP approval for Snow Park North shall expire and a new Conditional Use Permit application will be required to be reviewed by the Planning Commission, prior to submittal of such building plans for the Snow Park Site. The final Certificate of Occupancy for the last market rate unit in Phase 3 shall not be issued until the Certificate of Occupancy for the AHU in Phase 3 has been issued.

8.E. 800 Round Valley Drive – Intermountain Healthcare Master Planned Development Amendment and Conditional Use Permit. Park City Hospital proposed to build a 15,375 square foot Ambulatory Surgical Center on Lot 6 of the Park City Medical Campus.

Planner Rebecca Ward introduced Lori Weston, Morgan Busch, Steven Irmabor, Abraham Lindman, and Adam Jensen who were representing IHC. Casey Carlton and Monte Gumble were architects from E4H Architecture.

Planner Ward reported that this agenda item was for a 15,375 square foot ambulatory surgery center on Lot 6 of the Park City Medical Campus. She presented the approved plat for the subdivision and noted that the site is accessed through Round Valley Drive and Gilmore Way. It is across the street from the Park City Hospital and next to the Physicians Holdings Medical Offices.

Planner Ward stated that the plat for this lot designates two address: 775 Gilmore Way and 800 Round Valley Drive. This application was publicly noticed under the Gilmore Way address; however, the County GIS Specialist recommended that the final address for this project be 800 Round Valley Drive. The application was updated to reflect the correct address.

Planner Ward stated that this application was based on an approval from the Planning Commission in October that granted Lot 6 27,000 square feet for an ambulatory surgery center, subject to this conditional use permit. Planner Ward noted that the lot is also subject to the requirements of the 2007 Annexation Agreement and the IHC MPD. Planner Ward stated that the Annexation Agreement requires fire prevention measures. The Park City Fire District reviewed the proposal and did not identify any issues that would require additional mitigation. She noted that the applicant updated and submitted landscape plans that comply with the new Wildland Urban Interface Code.

Planner Ward stated that also from the Annexation Agreement was a condition of approval for the IHC MPD Amendment for an updated water service agreement to make sure the City could accommodate the increased peak daily water for the additional density on the site. Planner Ward reported that in June of this year, IHC and Park City updated the Water Service Agreement, which was attached to the Staff Report as Exhibit E.

Planner Ward stated that another requirement is compliance with the Quinn's Junction joint planning principles, which requires landscape buffering to mitigate parking visibility from Highway 40 and SR248.

Planner Ward noted that the IHC MPD requires affordable housing obligations. Last month the Housing Authority approved the 5th Amendment to the Housing Mitigation Plan for this MPD. The applicant paid a fee in-lieu for affordable unit equivalents. Planner Ward clarified that the 2019 Amendment triggered over 20 affordable unit equivalents. Some of those have been fulfilled under the 4th Amendment to the Housing Mitigation Plan, which included deed restrictions on existing units.

Planner Ward stated that because the applicant was only proposing to build a portion of the allotted density for this site, a condition of approval requires another CUP review process for the full extension, which would trigger additional affordable unit equivalent obligations at that time.

Planner Ward stated that the proposed development complies with the Community Transition Zoning district in terms of lot size, setbacks, and density. Height in the zone is 33 feet. The applicant was requesting an amendment to the MPD, under the MPD Code, to increase the height by 2'6" above the zoning height for a total of 36'6" above existing grade. Planner Ward remarked that the requested height increase as part of the MPD, the applicant bears the burden of proof that six necessary findings are met. Exhibit L in the Staff report outlined the applicant's request. Planner Ward outlined the six factors: 1) It does not increase square footage or density on the site; 2) The buildings are positioned to minimize visual impacts; 3) There is adequate landscaping; 4) Increased setbacks; 5) The additional building height results in more than minimum open space; 6) The additional building height is designed in a manner that provides a transition in roof elements.

The Staff found that the increase in height complies with the criteria because the density for the lot is established through the MPD approval in 2019. The proposed structure is significantly set back beyond the 25' required setback for the zone, ranging from 70' to 180' from the property lines. It is buffered by landscaping and the IHC MPD. When it is fully built out with the additional density, it will still exceed the open space requirement.

Planner Ward noted that there were two proposed connections to the Silver Quinn's Trail, which is behind Lot 6. Condition of Approval #3 requires compliance with the Code for the roofing materials.

Under the conditional use permit criteria, the Staff was recommending conditions of approval that include parking for bikes, connectivity to the Silver Quinn's Trail, fully shielded outdoor lights, a timing system for parking area lighting when the facility is closed, compliance with the Park City Health Campus design guidelines approved by the Planning Commission when the MPD was amended last year, and compliance with the Architectural Review requirements in the Code.

Planner Ward stated that the applicant was aware of the proposed EV charging station Land Management Code Amendments that are scheduled for the City Council's consideration in November. The applicant volunteered to install EV charging station infrastructure for 20% of the total required parking spaces. The Staff recommended that this be added as condition of approval #20.

The Staff recommended that the Planning Commission review the proposal, conduct a public hearing and consider approving the conditional use and amendment to the MPD, with the added condition of approval.

Casey Carrolton with E4H, the project architect, walked through the design and provided an overview of the project and why they were proposing the amendments. Mr. Carlton commented on the height amendment and why they felt the height was complimentary to the site. He stated that one of the goals of the project was to allow for some good views of the mountain scenery and the exterior towards the mountain side of the site. It would push the main entrance lobby area to the far side away from Round Valley and gives some height to the building on that side rather than facing it toward Round Valley. Mr. Carlton remarked that the additional height allows for this to be seen as a prominent architectural feature to draw people to the main entry. The main entry would be to the southwest on the far side away from Round Valley. It would provide a waiting room with favorable view of the mountain side for those waiting for someone in surgery. Mr. Carlton pointed to the circulation around the site with parking on either side.

Mr. Carlton referred to Planner Ward's comment that 20% of the parking space are to be provided with EV charging stations. He thought it was 5% and asked for clarification. Planner Ward clarified that 20% is for the conduit only. The 5% would be the actual installations. Mr. Carlton stated that Intermountain Healthcare in general has an ongoing program to provide EV charging stations to many of their campuses. They wanted to know if it would be possible to provide the infrastructure, the conduits to their electrical panels for even the 5%, rather than installing the EV charging station. It would offset the costs of this project but work within their systemwide initiative. They have completed Phase 1 of that initiative and starting on Phase 2 to bring EV charges stations to their many campuses.

Planner Ward clarified that the proposed condition of approval addresses the conduit for 20% of the parking spaces on the site. Mr. Carlton asked if Planner Ward was requiring that IHC provide the actual charging stations for the 5% of parking, which is four parking stalls. Planner Ward understood that the proposal was to go ahead and install the conduit for the 20%, but that the 5% would be installed according to the overall plans for the campus. She pointed out that the actual installation of the charging stations is not included in the condition of approval.

Adam Jensen with IHC understood that one of the conditions of approval would be to install the infrastructure for the 20% of the required parking stalls, and that the City would allow them to look at their Phase 2 broader strategy for EV charging stations moving forward. Mr. Jensen appreciated that acknowledgement.

Commissioner Van Dine asked if IHC was willing to put in the four required EV stations and the conduit for the 20% or whether they were asking to not install any EV stations and just provide the conduit. Mr. Jensen clarified that they were asking for what Planner Ward had presented which is to install the 20% infrastructure; and within the broader strategy as they look at their other facilities and campuses, they will develop the associated need and install the EV stations as requested at each facility. Mr. Jensen remarked that it ties into Intermountain Healthcare's broader strategy on the electrical vehicle charging stations.

Planner Ward stated that Mr. Jensen was correct. She pointed out that because the LMC amendment was not yet adopted, it was not a requirement. The applicant was volunteering to install the conduit for 20% of the total parking spaces. Planner Ward clarified that IHC has a larger plan for installing EV charging stations on the campus, and the actual installations will come at a later date based on their overall plan.

Chair Phillips agreed that the Planning Commission could not require anything that was not in the Code. He appreciated that IHC was willing to pay attention to the changes in the City's Code.

Commissioner Hall was comfortable with the exception for the building height. She asked Planner Ward to explain the affordable housing obligation in relation to the additional 15,000 square feet. Planner Ward replied that this obligation was already fulfilled in advance through deed restrictions that were recorded on existing properties, and also through a fee in-lieu for the affordable housing fund.

Mr. Carlton had building renderings and floor plans to present if the Planning Commission wanted those details.

Commissioner Hall stated that if the presentation was in relation to the height exception, she was comfortable with the height and thought it was mitigated.

Commissioner Kenworthy was comfortable with the height as long as there was no change in density. Commissioners Suesser and Van Dine agreed. Chair Phillips noted that the height exception was written into the MPD and he was comfortable with it. Commissioner Thimm concurred.

Chair Phillips stated that in looking at the site plan, he asked if the left-hand cross-traffic turns would obstruct any emergency vehicles going to the emergency room. He questioned whether there would be the need for a median to make people go through the roundabout and back in. Mr. Carlton asked if Chair Phillips was referring to the emergency room on the Park City Hospital on the north side. Chair Phillips answered yes. Mr. Carlton stated that they had not looked at that extensively, but they would take his concern into consideration.

City Attorney Harrington stated that the engineers continue to monitor the traffic on that road and that has not been a concern. He noted that lights and sirens give emergency vehicles prioritization. Mr. Harrington reminded the Commissioners that there is a secondary emergency access in the back that can be used in the event of an actual traffic blockage. That access is being used currently because of increased testing for Covid. Mr. Harrington stated that IHC and the engineers will continue monitoring, and he did not believe the left turns would cause any problems.

Chair Phillips opened the public hearing.

No eComments were submitted and no hands were raised on Zoom.

Chair Phillips closed the public hearing.

Commissioner Hall supported adding the additional condition of approval regarding the conduit as stated by Planner Ward.

Planner Ward stated that the Staff recommended that the Planning Commission approve the conditional use permit and the amendment to the IHC MPD to allow the applicant to exceed the zone height by 2’2”, and also to add a condition of approval to memorialize the applicant’s plan to install the conduit infrastructure for 20% of the total parking spaces.

MOTION: Commissioner Hall moved to approve the Conditional Use Permit to construct a 15,375-square-foot Ambulatory Surgery Center on Lot 6 of the Park City Medical Campus and the Amendment to the IHC MPD to allow the applicant to exceed the zone height by 2’2”, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended to add a condition of approval to memorialize the applicant’s plan to install the conduit infrastructure for 20% of the total parking spaces. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

<u>Findings of Fact – 800 Round Valley Drive</u>

1. The Park City Medical Campus is a 13-Lot Campus located in the northwestern quadrant of Quinn’s Junction (HWY 40 and SR 248) in the Community Transition – Master Planned Development Zoning District.
2. On November 3, 2004, IHC, the United States Ski and Snowboard Association, and Burbs, LLC petitioned to annex 157 vacant acres into Park City.
3. On November 3, 2004, IHC submitted an application for a Master Planned Development to build a 450,000-square-foot medical campus.
4. On December 7, 2006, the City Council adopted Ordinance No. 06-84, annexing the Park City Medical Campus into the City and approved the annexation plat. (Summit County Recorder Entry No. 802746)
5. On January 11, 2007, the City Council approved an Annexation Agreement that established the Community Transition District for the medical campus. The Annexation Agreement served as the Development Agreement for the Master Planned Development. (Summit County Recorder Entry No. 802747)
6. On January 11, 2007, the City Council approved the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility subdivision plat. (Summit County Recorder Entry No. 844971)
7. On May 23, 2007, the Planning Commission approved a CUP for phase one construction of a 122,000-square-foot hospital, 13,000 square feet of constructed and unfinished shell space, and 50,000 square feet for medical offices on Lot 1.
8. On July 31, 2008, the City Council approved the Subdivision Plat (Second Amended) for the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility. (Summit County Recorder Entry No. 859976)
9. On November 9, 2009, the Housing Authority approved the IHC Housing Mitigation Plan

10.On March 3, 2011, the Housing Authority approved the first amendment to the IHC Housing Mitigation Plan
11.On October 8, 2014, the Planning Commission approved an amendment to the IHC MPD and transferred 25,000 square feet of support medical office uses from Lot 6 to the Hospital on Lot 1, and 25,000 square feet of support medical office uses from Lot 8 to the Hospital on Lot 1. The Planning Commission approved a CUP for phase two construction of the Hospital on Lot 1, which included an 82,000-square-foot support medical office expansion, a health education center, a wellness center expansion, administrative space, shell space, and a 3,800-square-foot procedure center.
12.On June 4, 2015, the Park City Housing Authority approved an amended IHC Housing Mitigation Plan and the location of Peace House on the medical campus Lot 8 to fulfill affordable housing obligations.
13.On July 21, 2016, the City Council approved the Subdivision Plat (Third Amended) for the Intermountain Medical Campus/USSA Headquarters and Training Facility, which subdivided Lot 8 into two lots, Lot 8 and Lot 12, to facilitate the location of Peace House on Lot 8. (Summit County Recorder Entry No. 1067219)
14.On February 5, 2018, the Applicant recorded the Development Agreement for the Intermountain Healthcare (IHC) Master Planned Development (MPD), as amended, Located on Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of the Second and Third Amended Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Subdivision Plats located at Round Valley Drive, Park City, Summit County, Utah. (Summit County Recorder Entry No. 1086017)
15.On November 29, 2018, the City Council approved the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility – Fourth Amendment Amending Lot 5 subdivision to create a 2.5-acre Lot 4 and a 2.5-acre Lot 13. (Summit County Recorder Entry No. 1107497)
16.On April 19, 2019, the Housing Authority approved the third amendment to the IHC Housing Mitigation Plan
17.On October 9, 2019, the Planning Commission amended the IHC MPD to approve a 20,000-square-foot ambulatory surgery center for Lot 6 and a 28,000-square-foot addition for support medical use on Lot 1. (PL-19-04204)
18.On December 11, 2019, the Planning Commission approved a CUP for Fire Station #39—a one-story, 7,983-square-foot fire station—on Lot 4 of the medical campus. (PL-19-04357)
19.On February 27, 2020, the Housing Authority approved the fourth amendment to the IHC Housing Mitigation Plan to satisfy 4.5 Affordable Unit Equivalents through recordation of deed restrictions on existing market units.
20.On June 10, 2020, the Planning Commission ratified the Amended and Restated

Development Agreement for the Intermountain Healthcare (IHC) Master Planned Development (MPD), as amended, Located on Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of the Second, Third, and Fourth Amended Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Subdivision Plats Located at Round Valley Drive, Park City, Summit, Utah.

21.On September 17, 2020, the Housing Authority approved the fifth amendment to the IHC Housing Mitigation Plan for an in-lieu payment of $794,793 to satisfy Affordable Unit Equivalents for the Ambulatory Surgery Center.

22.On September 17, 2020, the Applicant submitted an application to modify the Intermountain Healthcare Master Planned Development (IHC MPD) and for a Conditional Use Permit to construct a 15,375-square-foot Ambulatory Surgery Center on Lot 6 of the Park City Medical Campus.

23.Lot 6 of the Park City Medical Campus is subject to the 2007 Annexation Agreement that establishes heightened development standards for projects within the IHC MPD, including fire prevention measures, water source capacity, and compliance with the Quinn’s Junction Joint Planning Principles.

24.Annexation Agreement 5 requires that a fire protection and emergency access plan be approved by the Fire Marshal and Chief Building Official prior to issuance of building permits.

25.Annexation Agreement 8 stated that the City was not obligated to provide water in excess of the peak water demand. On May 6, 2008, IHC Health Services, Inc. entered into a Water Service Agreement with Park City. The 2008 Agreement capped projected peak water demand at 105,516 gallons per day for Lots 1, 6, 7, and/or 8. When IHC requested increased density for Lots 1 and 6, the Park City Public Utilities Department calculated the projected peak water demand. The total exceeded peak daily water demand provided the 2008 Agreement. The Planning Commission approved the IHC MPD increased density for Lot 6 subject to Condition of Approval 4, which required IHC to enter into an updated Water Service Agreement with Park City. On June 11, 2020, IHC and Park City updated the Water Service Agreement to accommodate the peak daily water demand for the Lot 6 density.

26.Annexation Agreement 28 requires that the IHC MPD development be consistent with the Quinn’s Junction Joint Planning Principles (General Plan, Volume II, p. 264). These Principles require density that provides a significant public benefit for Park City (institutional uses like a hospital are allowed); Compliance with Sensitive Lands Ordinance requirements (Lot 6 is not near a steep slope, ridgeline, wetland, or stream); and Buffered Parking Areas.

27.There is no minimum Lot size in the CT Zoning District. Lot 6 is 3.04 acres, 132,422 square feet.

28.Front, Rear, and Side Setbacks are 25 feet in the CT Zoning District. The ASC complies with all Setbacks.

29.The CT Zoning District allows for up to three units per acre if the applicant: provides 80% open space; is setback 300 feet from HWY 40 and SR 248; provides 60% total structured parking or buffers parking from HWY 40 and SR 248 visibility; dedicates public uses reasonably related to the General Plan; provides a total of 110% of the affordable housing obligations.
30.The ASC complies: at full build-out, the Park City Medical Campus will preserve 84.31% of the Open Space; Lot 6 is nearly 400 feet from HWY 40 and 1,600 feet from SR 248; the Parking Area is buffered with landscaping; as part of the initial annexation, IHC donated Lot 2 – an 8.492-acre Open Space parcel – to Park City and dedicated two 20-foot wide public trail easements; IHC has met additional affordable housing obligations for the proposed project.
31.The Maximum Building Height in the CT Zoning District is 28 feet, with a five-foot exception for pitched roofs, totaling 33 feet. However, the Planning Commission may consider an increase in Building Height based upon a site-specific analysis for Buildings within a Master Planned Development.
32.The Applicant bears the burden of proof that six necessary findings for an increase in Building Height are met: (1) The increase in Building Height does not result in increased square footage over what would be allowed under the zone required Building Height and Density, including requirements for Façade variation and design, but rather provides desired architectural variation; (2) Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site specific analysis; (3) There is adequate Landscaping and buffering from adjacent Properties and Uses; (4) Increased Setbacks and separations from adjacent projects are proposed; (5) The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible; (6) The additional Building Height is designed in a manner that provides a transition in roof elements in compliance with Chapter 15-5, Architectural Review.
33.No additional square footage over what is allowed under the zone-required Density or the IHC MPD is requested or added; The ASC will comply with Zoning Height from Final Grade; the ASC is buffered by Landscaping on all four property boundaries; the ASC is significantly setback from adjacent properties and provides a nearly 100-foot Setback from the north property line, a 180-foot Setback from the east property line; a 70-foot Setback from the south property line; and a 120-foot Setback from the west property line; the IHC MPD exceeds required Open Space and will retain a total of 84.06% Open Space when the ASC is constructed. The Silver Quinns Trail is publicly accessible and abuts Lot 6. Lot 6 will provide two connections from the Silver Quinns Trail to the ASC and will provide bicycle parking spaces on site; no untreated aluminum or metal,

reflective colors, brightly-colored roofing, wood shingles shall be allowed.

34. The final Building Height, measured from Existing Grade, shall not exceed two feet and six inches, a total of 35 feet and six inches.
35. There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.
36. Size and location of the Site: No Required Mitigation. The proposed ASC is on Lot 6 of the Park City Medical Campus. Lot 6 is 3.04 acres. Adjacent Lot 7 is 3.4 acres. Adjacent Lot 12 is 6.3 acres. Adjacent Lot 1 contains the Park City Hospital and is 99 acres.
37. Traffic. No Required Mitigation. When the Applicant proposed increasing density for the ASC on Lot 6, the applicant submitted a Traffic Study conducted by Fehr and Peers. The study did not recommend any changes to accommodate increased traffic with the increased density. However, the study recommended a Transportation Management Plan, including bike facilities. The Applicant shall install at least eight parking spaces for bikes, required pursuant to LMC § 15-3-9(A).
38. The Park City Fire District determined the proposal complies with emergency vehicle access requirements.
39. Off-Street parking. Medical Offices are required to provide five spaces per 1,000 square feet of leasable floor area. The proposed 15,375-square-foot ASC contains 77 parking spaces and complies with the required parking.
40. Internal vehicular and pedestrian circulation. The Silver Quinns Trail runs behind Lot 6. The proposed site plan includes trail connections from Silver Quinns Trail and these shall be included in the final building plans.
41. Fencing, Screening, and landscaping to separate the Use from adjoining Uses. No required mitigation. The ASC on Lot 6 surpasses the required 25-foot Setbacks and will be buffered from adjacent Lots with landscaping.
42. The proposed ASC is smaller than other Buildings on the medical campus. The adjacent Lot 7 Physicians Holdings medical offices are 25,000 square feet; the Summit County Health Building on Lot 10 is 25,000 square feet. Peace House on Lot 8 is 37,600 square feet.
43. Usable Open Space. No required mitigation. The IHC MPD provides 84.21% Open Space. After the ASC is constructed, the open space for Lot 6 will be 52.51% and the overall IHC MPD Open Space will be 84.06%. This still exceeds the required 80% Open Space required for Density in the CT Zoning District.
44. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing. The Medical Campus is subject to the Park City Health Campus Design Guidelines, as approved by the Commission.
45. The plans as submitted do not indicate issues of vibration, odors, steam, or other

mechanical factors that might affect people and Property Off-Site. Emergency response vehicles are exempt from the City Noise Ordinance under MCPC § 6-3-10(B).
46.Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas. Delivery, service vehicles, loading and unloading zones are located at the rear of the site. Trash and recycling pickup areas are screened.
47.Expected Ownership: IHC owns Lot 6 and will own or lease the ASC.
48.The Applicant submitted an environmental study, physical mine hazard and mine waste study, and steep slope and wetlands study at the time of the IHC MPD. No additional mitigations are required for Lot 6.

Conclusions of Law – 800 Round Valley Drive

1. The Application complies with all requirements of the Land Management Code;
2. The Use will be Compatible with surrounding Structures in Use, scale, mass, and circulation;
3. The effects of any differences in Use or scale have been mitigated through careful planning;
4. The IHC MPD shall be amended to allow for the Ambulatory Surgery Center on Lot 6 to exceed Community Transition Zoning District Height as measured by Existing Grade up to two feet, six inches.

Conditions of Approval – 800 Round Valley Drive

1. The building permit landscaping shall comply with the WUI Code.
2. Visibility of the Park Area viewed from HWY 40 and SR 248 shall be buffered with landscape berms.
3. The Ambulatory Surgery Center shall comply with LMC § 15-5-5(E), Roofing Materials. No untreated aluminum or metal, reflective colors, brightly-colored roofing, wood shingles shall be allowed.
4. At no time may any permanent structure or other obstruction, which unreasonably interferes with the maintenance, repair or replacement of any such utilities, lines or facilities, be located within the public utility easement without the prior written approval of the service provider affected thereby. (Required - Second Amended Plat)
5. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the areas provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping elements.
6. Final utility, storm water, and grading plans must be approved by the City

Engineer and SBWRD prior to Building Permit issuance.
7. The lot is over 1.0 acre and will be required to meet the requirements of the Separate Storm Sewer System (MS4) Storm-Water Program.
8. All IHC MPD Lots are required to comply with the Quinn's Junction Joint Planning Principles, which requires that Parking Areas be buffered from HWY 40 and SR 248.
9. Grading and drainage, surfacing, parking area lighting, parking area landscaping, snow storage, parking space dimensions, driveway widths and spacing, signs, and off-street loading spaces shall comply with LMC Chapter 15-3.
10.The Silver Quinns Trail runs behind Lot 6. The proposed site plan includes trail connections from Silver Quinns Trail and these shall be included in the final building plans.
11.All signs shall comply with MCPC Title 12, Signs, and the Park City Medical Campus Master Sign Plan MMSP 16-00045.
12.All exterior lights must conform to the City lighting ordinance. Parking Area lighting shall be fully shielded and shall be on a timing system to allow for minimal lighting when the facility is not open. The timing system and building security lighting shall be approved by staff prior to issuance of a certificate of occupancy.
13.The ASC shall comply with the Park City Health Campus Design Guidelines, as approved by the Commission.
14.Noise, vibration, odors, steam or other mechanical factors that might affect people and Property Off-Site must be mitigated.
15.The Park City Fire District will evaluate the Ambulatory Surgery Center interior for Fire Code compliance at the time of building permit submittal.
16.If the Ambulatory Surgery Center is expanded to the maximum 20,000 square feet in the future, IHC will be obligated to fulfill the additional Affordable Unit Equivalents pursuant to Housing Resolution 03-2017. IHC shall submit a proposed amended Housing Mitigation Plan to the Affordable Housing Team to satisfy the additional obligation for the next phase of construction prior to applying for a CUP. This requirement is reflected in Condition of Approval 16.
17.Exterior walls may be sided with up to three different materials per Building, but no more than three materials may appear on any one wall, including ornamental siding. The final building plans shall comply with LMC Chapter 15-5, Architectural Review.
18.The Applicant may eventually expand to the full 20,000 square feet. Another CUP review will be required at the time of proposed expansion.
19.The Applicant shall install at least eight parking spaces for bikes.
20. The Applicant shall install Electric Vehicle Charging Station Infrastructure for 20% (16) of the total parking spaces.

8.F. 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 Sustainability, Utilities and Grading, Fire Protection and Construction Phasing and Mitigation. (Application PL-20-04475.)

Planner Ananth stated that this item was a continuation of the application to amend the 1998 Park City Mountain Resort Development Agreement to replace the expired area site plan with a new site plan. The discussion this evening will focus on sustainability, construction phasing and mitigation, and the utility design and fire protection.

Planner Ananth reminded the Planning Commission and the public that a special meeting was scheduled for November 18th for the Base Area discussion, and it would be the only item on the agenda. Planner Ananth reported that the Planning Commission was tentatively holding December 16th open for a second special meeting on the Base Area.

Planner Ananth stated that Park City has some very aggressive climate goals, including to be net zero carbon, and run on 100% renewable electricity for City operations by 2022 and for the entire community by 2030. She noted that these goals were embodied in two resolutions from 2017 and 2018. She thought it was important to note that the community goal to be on 100% renewable electricity and carbon net zero was not much later than the anticipated completion of the base area project. It is an important project to the City and could serve as a model of sustainable building development for the community.

Planner Ananth stated that from a sustainability standpoint, the City's primary goal is to reduce the energy use intensity of the buildings in this project. She remarked that the energy use intensity is often referred to as the EUI. Planner Ananth stated that the City wants to encourage the applicant to hit the following four targets: 1) driving down the EUI of the project as much as possible; 2) constructing buildings that are efficient beyond what the building code requires; 3) electrify the site as much as possible, meaning that buildings should be net zero ready to help drive down the carbon intensity; and 4) to consider on-site renewable energy sources. Planner Ananth stated that they also want the sustainability strategies to include energy modelers in the design process, commissioning agents to verify performance goals once the buildings are built, including energy consumption, water use, high-performance building materials, and indoor environmental air quality, as well as waste diversion goals for the construction of these building, and EV charging stations and infrastructure to meet the City's ordinances proposed for EV charging stations.

Planner Ananth noted that the applicant has a sustainability section in their application and would talk about it this evening. However, she wanted it clear that the expectation was that the applicant understand that energy reduction and environmental stewardship is a critical priority for the City, and they expect the applicant to come back with a lists of concrete and measurable strategies that they are willing to commit to, and that the Staff can incorporate as conditions of approval and include in the Development Agreement, as well as the CUP permits as the project moves forward.

In terms of construction phasing, Planner Ananth emphasized that this is a multi-year project that will take at least five years or more. It will be phased beginning with Building B and moving from there to the different parcels. Planner Ananth stated that the roadways and the sub-surface utility improvements will also be phased starting with Building B and then moving into the rest of the site following the completion of Building B.

Planner Ananth stated that a significant amount of land. Some will be removed from the site and hauled off-site to a location in Brown's Canyon. Some will be placed on the Mountain in fill locations that have already been identified by the Resort but still need to be further reviewed and approved by the City. Planner Ananth expected the applicant would employ a Geo-technical engineer to verify the fill removal and their placement on the Mountain, and that the applicant will have temporary and permanent revegetation plans, as well as plans for any trails that may be temporarily interrupted for the placement of fill.

Planner Ananth stated that should the project be approved, prior to the issuance of building permits the applicant would be required to submit a detailed construction management and mitigation plan, which would be reviewed and approved by the City's Building, Planning, Engineering, and Utility Departments. Included in that plan would be an identification of where off-site worker parking would be located, the expectation that the applicant will hire traffic control personnel as necessary, a shoring plan, a blasting plan if necessary, and bi-monthly construction meetings, as well as use of a communication tool, to help keep parties informed of what will be occurring at the site. Planner Ananth assured the public that the Staff would be looking at this very seriously prior to approval, and that plan would be reviewed by various departments prior to any issuance of building permits.

Planner Ananth reported that the project was reviewed by all the City's utility providers and departments, as well as the fire department. Overall, the base area contains the necessary utilities to support the project. However, some upgrades will likely be necessary, and the applicant would be responsible for making those upgrades. Planner

Ananth stated that Park City was planning on building a new water tower tank on the Mountain, and that will help upsize the existing water lines and provide additional fire protection. Planner Ananth was still waiting for modeling numbers to be submitted prior to constructing the water tower. She thought the general capacity was available, however, some areas outside of the project area may be required for additional capacity.

Planner Ananth remarked that best management practices for storm water improvements will be required to be integrated into the site design prior to building permit approvals. She noted that the buildings are proposed to be Type 1B, which are the safest from a fire protection standpoint, and they all include automatic sprinkler systems due to their height. In general, the fire department is comfortable with the plans, however, they will review some things at the time of building permit and may require additional items. Planner Ananth remarked that the applicant will continue to work with the City's utilities departments and plans will be re-reviewed by the departments during the CUP process, the subdivision process as necessary, and prior to any building permits being issued.

Planner Ananth noted that Luke Cartin, the Environmental Sustainability Manager, was on the Zoom call and available to answer questions.

Robert Schmidt, representing PEG Development, stated that this evening they would focus on the utilities and the construction mitigation and phasing plans. They had reviewed the Staff report and had no concerns or comments.

Mr. Schmidt commented on the sustainability aspect of the project. They recognize the importance of this component to both the project and the community in meeting the sustainability goals. Mr. Schmidt stated that PEG Development paid close attention to these goals through the process of planning this project and preparing their application.

Mr. Schmidt introduced Dr. Tommy Zakrzewski from HKS. He noted that Mr. Zakrzewski leads the HKS team with integration of sustainable processes and design strategies. He provided a brief background of Mr. Zakrzewski's experience and credentials.

Mr. Zakrzewski acknowledged Park City's ambitious and achievable climate goals to be net zero carbon and run on 100% renewable energy for the whole community by 2030. PEG Development was on board with that climate action goal and they want to be part of that community solution. Mr. Zakrzewski stated they have been working on developing plans and strategies that are really supportive and complimentary. Mr. Zakrzewski recognized that there are critical priorities and high-level strategies that lead to the success of the resolution, such as energy efficiency, electrification, 100% renewable energy, and regeneration.

Mr. Zakrzewski provided a review of the Park City Base Development approach to sustainable design. He stated that during this presentation they would address all the sustainability comments provided in the Staff report and introduce some of the sustainability commitments they have on the development. As they move through the strategies, they will highlight how it fits into the resolution, and especially in the framework it provides. Mr. Zakrzewski noted that they will show how they intend to approach the definition of net zero, and how to achieve it, as well as the on-site energy production being proposed. They would also go through and understand the interactive affects between reducing energy consumption, high performance envelopes, and appropriately design systems. He noted that they would also walk through their approach for monitoring verification, and address comments of energy modeling, commissioning, waste, and electric vehicle charging stations.

Mr. Zakrzewski commented on their sustainability commitments. He noted that this would be the first introduction of showing the beginnings of where they start the conversation around sustainability and environmental stewardship as it relates to the climate action goals of Park City.

Mr. Zakrzewski stated that PEG Development was proposing to target an above code savings for their development. They will be targeting a 15% savings compared to energy code, with a stretch goal of 20%. They were early in design and they were looking at the integration of different architectural and building systems that will make the development as sustainable as possible. Currently, they were confidently tracking that 15% goal.

Mr. Zakrzewski stated that they have a proposed pathway for an all-electric building, which is a key component of electrifying Park City, and counting on a lot of renewal energy penetration into the local grid. To support that, PEG will be providing onsite renewables and RECs to achieve that net zero energy goal. It is a combination of purchasing and onsite. They were also continuously working on energy modeling on the project to best understand the constraints and opportunities in the project and building design. They will also integrate commissioning through the design process to make sure the goals are achievable, and their plans are sound in terms of meeting those set goals.

Mr. Zakrzewski stated that part of the process would be utilizing energy management tools to track and verify building performance. They have a strategy in place that will do that to make sure they respond to the community's needs of reaching the net zero goal.

Mr. Zakrzewski reported that waste management plans will be created for in-operation and construction. They will also be providing electric vehicle charging stations in the parking garages.

Mr. Zakrzewski commented on the resolution and noted that there is a pathway to achieve it. That pathway outlines an integrated design process they have been following, which focuses on performance and prioritizes energy efficiency, especially the EY goal they are trying to chase. They were trying to balance the annual energy use of all the buildings and facilities with renewables as close to the site as possible. Mr. Zakrzewski understood that the greatest impact they can make is providing some level of renewable energy onsite because it directly impacts the air quality in the region and the livability of the community. He emphasized that they were embracing this integrated strategy as part of their process.

Mr. Zakrzewski commented on net zero energy. He thought it was important to share their approach. Mr. Zakrzewski stated that the definition they were using is at the community scale because they are a large development. The approach they were proposing to take is a REC-ZEB designation, which is a renewable energy certificate zero energy building, where through actual measurements the delivered energy is going to be less or equal to the onsite energy, including any exports. It is a balancing of purchasing energy and providing onsite generation that they will embrace. Mr. Zakrzewski recognized that Park City may not have a policy in place for RECs yet, but they know those policies are continually evolving and some will develop. In the near term, this approach best meets the needs of the community and the Park City base development. He explained that they were taking that approach because they are unable to balance all that energy required onsite, because the site is not large enough to accommodate all the energy demand. Mr. Zakrzewski stated that they need to choose those RECs as a strategy to get to the net zero energy requirement and still meet the needs of the project.

Mr. Zakrzewski stated that scale is an important issue to consider because you cannot put PVs just anywhere as a strategy. He presented an image showing each of the parcels and the associated system size, as well the minimum area needed to accommodate each of the parcels to achieve net zero. In aggregate, all parcels considered, they would need more than 13 acres of land to generate enough electricity to achieve onsite net zero. It would literally mean covering more area than they can accommodate onsite. In addition, there are areas where they cannot put panels. It is too difficult based on the density and the type of building in place on the parcels to provide enough renewable energy on the site.

Mr. Zakrzewski stated that their proposal is to have a hybrid approach. It would provide some renewables on site to serve a certain need and purchase the rest through renewable energy credits or green offsets. Mr. Zakrzewski stated that for the Park City base development, the applicant was intending to evaluate the needs of the parking garage so they can size a renewable energy system for each of the parcels that would provide enough energy so the garage, excluding the electric vehicle charging stations, would be net zero as a stepping stone towards 100% renewable energy. He estimated an array at around 678 kw or just under 34,000 square feet that would need to be commissioned. It would be phased per parcel as developed and likely located on rooftops. Mr. Zakrzewski noted that the amount of electricity generated would be equivalent to the emissions of 168 passenger vehicles and around 90 home energies for one year. The overall percentage, the penetration of how much renewables the parking garage system would provide, is around 6% of the total site energy. The remainder at 94% has to be furnished by those renewable energy credits. Mr. Zakrzewski stated that because future planning is very important, they will take a close look at roof areas that will be reserved for future photovoltaic integration. These will be areas not needed for the garage, but something where they can add more panels in the future as allowed. As they are better able to measure the performance of the parcels, they can integrate the right number of panels as much as possible.

Mr. Zakrzewski stated that in looking at the energy efficiency strategy for Park City, they were integrating energy modeling throughout the design process and informing how to reduce the environmental impact by reducing energy consumption, integrating height performance envelope, and appropriately designing the systems. He noted that the envelope and systems interact and depend on the demand and energy consumption of the building. Mr. Zakrzewski explained that they were addressing that in the early stages and part of their commitment is setting a goal. At a minimum, they will improve the 15% better than code while still looking for opportunities to hit the stretch goal of 20%. He stated that through design, they usually see the EUI number improve over time as they have a better idea of the construction and the systems. It is a gradual process to reach a goal.

Mr. Zakrzewski stated that the proposed pathway to an all-electric development will initially include parcels that will utilize electric heat pumps that are 100% electric, no fossil fuel, no onsite burning. However, there is some program on the parcel that will utilize some onsite boilers, natural gas for primary heating. It is a pathway for a future phase-in plan for an electric boiler. Mr. Zakrzewski recognized that the grid is always evolving, and more renewable energy is coming online. As they begin to get near the end of use cycle of the natural gas boiler, they will make sure the mechanical room and associated equipment can integrate an electric boiler, thereby removing all fossil fuel burning onsite. It is a steppingstone that allows them to move and transition into an all electric development. Mr. Zakrzewski clarified that it is something they are continuously analyzing through the energy modeling processes. He stated that in order to compare energy and EUI with the proposed strategy to get to the all-electric goal, they did some benchmarking as part of their goal setting to compare the performance of the parcels against the City's goal. He presented a graph to provide better context. Mr. Zakrzewski stated that the EUI goal of 25 that was mentioned as part of the resolution, is the redline they show across the graph as the overall goal. In terms of what the 25 EUI goal means in terms of the City ordinance, they did a benchmarking exercise to understand standard building performance, shown with gray bars, and code equivalent EUIs. He noted that the EUI of 25 in terms of public service buildings represents an 11% reduction in energy code as a steppingstone. Mr. Zakrzewski stated that because their building use types is very different from building services, it is hard to set a hard EUI goal because sometimes the building program and use dictate the energy use intensity of the building. He noted that the residential type of buildings on the parcels are typically more energy intensive. For that reason, they had initially listed higher EUIs shown in blue as a code compliant building. Mr. Zakrzewski stated that part of their proposal and commitment, they were looking to improve upon that by 15%, which was shown in green. It was their development target and goal at a minimum for each of the parcels. He noted that some of the parcels were higher than the 25 mark and others were getting closer. It was part of the initial benchmarking they were doing.

Mr. Zakrzewski commented on the goal to be all electric. They want to be mindful of carbon emissions because EUI is one indicator, but carbon emission is the end goal of Park City. Mr. Zakrzewski stated that particularly for Parcel C, the hotel portion, they compared the proposed building design from an all-electric to one that is hybrid. The hybrid model uses natural gas for heating. He noted that the blue graph on the left represented an all-electric building, and the graph on the right represented a hybrid of natural gas plus electric. Mr. Zakrzewski stated because the carbon emissions associated with natural gas are much lower than what is currently available on the grid, they were seeing an immediate reduction of an all-electric building upwards of 18%. Even though the EUI is higher, they were still delivering a carbon emission response that was much lower than if they started on day one with an all-electric building. Mr. Zakrzewski pointed out that they were getting closer to what is expected in terms of the EUI goal and the carbon emission goal. They were setting the pathway in place now so when the boiler is replaced the grid will be cleaner and have more renewable energy penetration, resulting in carbon emissions that are much lower than what they were showing now.

Mr. Zakrzewski commented on monitoring and verifying the performance of all the parcels in the development. He remarked on the importance and the intent to provide greater transparency and how the goals of the Park City base development were being achieved. He stated that the mechanism to do that and to demonstrate to the community that they are providing a higher quality of life in Park City by reducing emissions, is using Energy Star portfolio management or a similar energy management tool. There were still looking into options but once the tool is selected, it will provide an interactive energy management tool to track energy, water, and waste. These are the sustainability goals outlined as part of the verification procedure as part of the ordinance. Mr. Zakrzewski thought it was important to consider that the primary utility meeting will have an interconnection for automatic reporting and have the infrastructure in place to share the data to verify the performance. They will also use that energy management tool to track the REC purchases to make sure they hit the REC-ZEB or renewable energy certificate zero energy building goal.

Mr. Zakrzewski stated that their commitment extends beyond design. In terms of accountability, they will be putting a measurement and verification plan with a commissioning agent to benchmark performance and compare it back to design, especially the benchmarking model they were using as part of the benchmarking exercise. They would also create a feedback loop to inform design decisions that will improve energy efficiency over time. Mr. Zakrzewski stated that they would also be benchmarking against their own performance of the parcel. They want to make sure they are achieving their goals and hitting the EUI targets and carbon emission goals. With the measurement of verification plan, they will also be engaging a commissioning agent and have a commissioning plan in place to support the design, construction, and operation of the Park City base development.

Mr. Zakrzewski stated that they look to Energy Star portfolio as a common energy management tool that is utilized by many municipalities across the United States as part of benchmarking ordinances. He recognized that one is not in place yet in Park City; however, as a de factor standard, portfolio manager provides the flexibility of sharing information and being transparent.

Mr. Zakrzewski recognized that waste is part of their environmental responsibility on the project. To minimize the construction waste and refuse on the local landfill, they are considering ingraining a waste management plan for construction waste. They have not yet set diversion targets and were still looking at the opportunities and how they can best environmentally respond to the community by recycling as much waste as possible. Mr. Zakrzewski stated that on the operation side, developing a waste management plan to reduce the landfill waste is generated by the building occupants. It comes down to ensuring there are dedicated areas for recycling and sorting so it can be responsibly managed.

Mr. Zakrzewski commented on the electric vehicle charging stations. He stated that to support Resolution 28 and 32, especially Scope 3, transportation emission reductions, they will commit to installing 10 electric vehicle charging stations within each parking garage, with accommodations for ADA accessibility. In anticipation of greater growth and better greening of the local grid, they will include an additional 65 stalls that will be EV ready, which means conduit will be routed with appropriately sized panels but no wiring. He explained that the purpose of not wiring it initially is to avoid any material waste associated with future electric vehicle supply equipment and their requirements.

Mr. Zakrzewski stated that they will continue to look further at their sustainability commitments and setting more targets and goals as they progress forward.

Mr. Schmidt stated that the goal this evening was to demonstrate their commitment to Park City's sustainability goals and provide clarity and commitments around ways to meet those community goals.

Mr. Schmidt noted that their presentation was concluded, and they were available to answer questions. PEG Development will continue to work with the Staff to refine their commitments as necessary.

Chair Phillips asked how many EV ready stalls would be required under the new Code changes. Planner Ananth noted that the applicant was proposing to meet the new EV Code that was still under review. She clarified that for a 1200 parking stall facility, 10 parking stalls would be provided, plus 65 stalls being EV ready with conduit. The applicant was able to meet the requirement, and the stalls will need to be spread out throughout the different parking structures.

Commissioner Suesser noted that the Staff report stated that no information about electric vehicle charging stations was provided. She asked if Planner Ananth heard something new in the applicant's presentation that would change the comment in the Staff report. Chair Phillips had a similar question and wanted to know how much of the applicant's presentation had changed some of the Staff's opinions. Commissioner Suesser asked if the applicant presented new information this evening that had not yet been submitted to the Staff in writing.

Planner Ananth replied that there was new information presented such as meeting the EV charging ordinance, as well as other commitments that she would need to secure in writing to make sure they are included in a future development agreement or conditions of approval.

Mr. Schmidt stated that PEG received the Staff report on Friday, and they met with Planner Ananth and Staff briefly on Tuesday afternoon. They have been responding to the Staff report in an attempt to get alignment with the Park City goals, and it was the basis for some of the items presented this evening.

Commissioner Suesser asked if Planner Ananth was comfortable revising some of the points in her Staff report after hearing the presentation. Planner Ananth stated that one change is that the applicant was committing to some goals and metrics for the proposed new base area, but she still needed it in writing. She noted that the applicant was not agreeing for an EUI of 30 because they do not believe it is possible. However, they think there are a number of ways to drive down the carbon emissions of the building. Planner Ananth clarified that she was incorrect in the Staff report. She thought the applicant was proposing and EUI of 30, but she had read it wrong. The goal is to push the applicant towards to 30, but some of their buildings are around 50 and some are in the high 30s. Planner Ananth pointed out that the applicant was committing to be net zero ready, but not at the beginning of the project. She stated that the applicant was committing to using energy modelers and commissioning agents, as well as energy water, building materials, indoor environmental quality, etc. She thought it sounded like they were willing to consider onsite renewables in the form of solar panels, but there were a number of other areas they could potentially look to improve their efficiency.
Planner Ananth stated that the applicant provided some information on diverting waste, but no concrete numbers on the waste diverse rate. The applicant would be committing to recycling rooms in the buildings. Planner Ananth noted that the applicant would be using some type of management system for energy reporting, but she needed to figure out what that will look like and possibly require monitoring and submission of information to the City on an ongoing basis to be sure these buildings meet their goals over the length of the buildings life-cycle.

Planner Ananth believed they were moving forward, and she expected to come back to the Planning Commission at some point with a list of firm commitments, similar to the last slide the applicant presented, and build from that.

Luke Cartin, the Sustainability Manager, thanked the applicant for pulling together so much information since last week. Mr. Cartin stated that EUI is a great calculation to be able to show the square footage. In his presentation, Mr. Zakrzewski showed a good example of how different uses drive different EUIs and different levels. He noted that a performance manager, which was mentioned, is a national energy reporting piece, by which they can get national averages.

Mr. Cartin noted that Mr. Zakrzewski had mentioned the Parcel C hotel standard. He stated that a hotel standard EUI is approximately 113; however, the hotels that currently report into a performance manager is an EUI of 60. The average run of the mill retail store is in the 50 range. Mr. Cartin was pleased that the applicant was doing energy modeling and commissioning. He noted that earlier in the presentation Mr. Zakrzewski spoke about 18 million kilowatt hours. To put that in perspective, Mr. Cartin stated that it was higher than the entire City operation electricity use, including electric bus charging. It mentioned it as a scale and not a subjective judgement, but that is why they were getting more involved in the MPDs. It is a large use, and it is important to understand it. Mr. Cartin looked forward to working with PEG Development on this in the future.

Mr. Cartin referred to a line in the presentation that talked about a future phase in plan for a natural gas boiler and switching it to electricity once there is higher renewable penetration. Mr. Cartin noted that Rocky Mountain Power's grid is planned to go over 60% renewable by the early to mid-2030's. He wrote the bill participating with 20 other communities to go 100% renewable by 2030. Mr. Cartin was unsure when the project was proposed to be completed, but the higher renewable penetration is right around the corner.

Mr. Cartin commented on the outdoor energy use and understanding how those are captured. He looked forward to further conversation with the applicant to understand all the moving pieces.

Commissioner Thimm noted that Mr. Zakrzewski mentioned the Energy Star portfolio and running through the commissioning and performance based upon that. He asked if there was a commitment to have some level of certification with either Energy Star or some other platform. Mr. Zakrzewski explained that Energy Star portfolio manager benchmarks building performance to a national data base. He noted that Park City is being compared to Salt Lake City, so it is not 100% representative. Mr. Zakrzewski stated that by using the Energy Star portfolio interface in the future, when they do correct that small nuance of correcting the representative buildings to be more representative of Park City, if the building performs as anticipated with the goal setting they have, it is likely that the building could potentially achieve an Energy Star rating as a performance certificate. However, there are no guarantees because of that small anomaly in the system that hopefully gets resolved. Commissioner Thimm understood that it may come at some point, but it was not a commitment.

Commissioner Thimm asked if the development team be open to the idea of having a long condition of approval that outlines all of the agreed to strategies for sustainability.

Mr. Schmidt anticipated that if there is an approval, the commitments they were making would become conditions of approval and formalized into the approval.

Commissioner Van Dine asked Mr. Cartin how the energy credits play into the overall goal of net zero over the long term. Mr. Cartin stated that by 2030 the default electricity coming into a Park City meter will be 100% net renewable. That means equal amounts of renewable will be built on the grid for the annual electricity. That is currently true for Summit County as well. Mr. Cartin stated that people will have the option to opt out and go back to the grid. He noted that the grid will be in the 60% range shortly after that. Mr. Cartin remarked that the default electricity will be fairly high in renewables. He explained changes that will be made to the grid and noted that renewables were coming online to replace that load. Mr. Cartin estimated that 18 million kilowatt hours could qualify the applicant for two other Rocky Mountain programs where they could directly have renewables built for them. At this point, he needed to work with the legal and planning team to understand the nuances and enforcement and how to make that firm; as well as what it looks like over the long-term. Mr. Cartin pointed out that the City was strongly pushing the efficiency side. Efficiency needs to be the biggest park because that is less RECs they need to monitor and measure. In addition, less infrastructure needs to be brought in. His goal was to focus heavily on the efficiency side, and he wanted to make sure it did not get overlooked.

Commissioner Hall appreciated Mr. Zakrzewski's presentation because it provided more information than what was in the Staff report. She wanted to know how this would be coming back to the Planning Commission. Planner Ananth believed it would be a topic for a future public hearing. At that time the Staff will lay out the commitments the applicant is willing to make and have another discussion.

Commissioner Hall asked Mr. Cartin for the extent of his involvement through the sustainability process. She thought it would be helpful if the next Staff report incorporates much of what Mr. Zakrzewski outlined in his presentation, as well as Mr. Cartin's input. Mr. Cartin replied that he would be heavily involved.

Chair Phillips opened the public hearing.

Planner Ananth read an email she received from Sherry Harding. She wanted to add additional comments excavation and grading but could not submit a second email.

Ms. Harding wrote, Excavation - I apologize if I missed this data in the master plan document. Where is the soil sample data? It is likely that lead or other contamination exists in the excavation material. The designated hazardous waste dump currently is in Tooele. In that case, the dirt slated for removal, the size of the trucks, number of trucks, the route the trucks will take as they head out of town are all important factors that impact Park City and Summit County. Grading – the current elevation along Silver King Drive is 6885 feet above sea level according to the map on page 95 of the Master Plan study. The elevation remains the same, 6885 feet, at the corner of Lowell Avenue and Silver King Drive. May I suggest the underground garage entrance/exit for Parcel E be moved to the corner of Lowell and Silver King Drive. This solution solves many concerns from neighbors, because at that point a sign could be placed in the median of Silver King Drive reading "Residential Access Only Beyond this Point. Construction Phasing and Mitigation – Loading and unloading of construction materials in the proposed location for storage of construction materials should be away from the residential neighborhoods. Currently, proposed construction material loading in/loading out for Parcel E, is exactly in the face of the neighbors of Snowflower and three Kings. Please mitigate with a more suitable location. Thank you.

Planner Ananth acknowledged that she also received emails today from Christine Smalley, Heather Courey, Doug Lee, Deb Rentfrow, and Lynn Barkley. All the emails were forwarded to the Planning Commission.

Planner Nelson reported that she had a conversation with Nancy Lazenby earlier today. She has information that will put many of these eComments into context. Ms. Lazenby had requested to speak prior to other individuals who also wanted to comment on the same issues. Chair Phillips was comfortable giving Ms. Lazenby the opportunity to speak first.

Nancy Lazenby stated that she had email Ms. Nelson requesting to speak first because she wanted to take a moment during the meeting to introduce a new community coalition group called RRADD. RRADD stands for Responsible Resort Area Development, and it is a community coalition group dedicated to responsible growth of the resort area. Their group actually agrees with the Park City Planning Department that the redevelopment of the Park City Mountain Base Area could provide a great opportunity to really improve the existing base area. However, as a group, after going through the past few months Planning Commission meetings where building heights, setbacks, traffic flow, and pedestrian safety were discussed, they do not believe the plans currently submitted by PEG have come close to accomplishing that goal. They are not against the development of the PCMR base area, and they recognize that this land will likely be developed at some point. However, they believe it can and should be done in a way that benefits all the stakeholders, not just PEG the developer. They believe the new base area should benefit the community and the locals. They believe it should benefit the tourists. They believe it should benefit the existing base area business owners. They believe it should benefit the ski resort and Vail, and yes, PEG too, but not just PEG. They believe this project should be done responsibly and smart.

That's why they made responsible the first word in their name. Ms. Lazenby stated that this is what they believe. They believe the project should be cohesive and scalable with the surrounding neighborhoods. That is should not tower over the existing more modest structures of Old Town, that is should contribute to the look of our quaint historic town, not demolish that. They believe the building heights should not block the views of the beautiful Park City mountain, but that the views should be preserved. They believe the project should also improve on the current traffic problems they have around the resort and in the town, but not make them worse. They believe this project is a great opportunity to vastly improve the transit center at the base, and they encourage the Commissioners to take that opportunity. Finally, they believe the plan should absolutely improve the safety of pedestrians and bicyclists, not make it more dangerous for them. They have already seen an increase in pedestrian/auto incidents in town in the last ski season, and they do not want to contribute more to that. When reviewing the submitted development plan from PEG, they do not believe this plan in its current state accomplishes any of the beforementioned. Ms. Lazenby stated that the goal is to see this project a success for all stakeholders. This is why RRADD is working towards and we are inviting everyone and anyone who is interested in the responsible development of PCMR base area project to join our group. For all anyone on the Zoom call who is interested in joining the group or finding out more information, they can friend them at their Facebook page, RRADD Responsible Resort Area Development. The Facebook page has all kinds of helpful data and links, upcoming events and meetings, and other important information about this project. Or they can reach out to her directly and she will get them into contact with their group. She can be reached at nhlazenby@hotmail.com. Ms. Lazenby stated that she was bring this up now because they have 50 members so far and several of them will be introducing themselves tonight and speaking on tonight's subject. As they introduce themselves as members of RRADD, she wanted everyone to know who they were and that they are part of this coalition to support a responsible resort base development. They welcome all community members and visitors who care about the Park City town to join them in this endeavor as the development will have an impact on the entire community for years and generations to come. She thanked the Planning Commission for letting her go first to explain their new coalition RRADD. She thanked them for their consideration.

Chair Phillips looked forward to RRADD's contribution to the discussions.

Jessica Nelson read the eComments that were received.

Thea Leonard wrote, I am hopeful that the developers will want inject sustainability in all its manifestations into this project. As the City commits itself more and more fully to Net Zero, one can hope this project is a shining example of this new direction. The PC real estate market, being what it is, can command prices that justify a mindful approach throughout the project. Is it too much to ask for…? Deconstruction of the site, i.e., deliberate demolition such that anything that still has life finds its way to a re-seller, recycler. This has tax benefits for the owner & reduces the amount of landfill space required, carbon footprint of haulage to the dump, etc. Solar Panels & thoughtful orientation of buildings to accommodate maximum on-site energy production. Solar in this mostly sunny place should be something we incentivize on all rooftops. Electrification of systems in place of fossil fuels to future-proof as we move toward regenerative utilities. Design for widespread EV charging. Super-insulation of the buildings. Triple pane windows. Thoughtful entries on the commercial buildings such that we minimize how much we heat the outdoors. “Reasonable scale” as it relates to ceiling heights, room sizes, etc. so as to maximize efficiency. Design for Zero Waste systems/storage. Use of gray water for irrigation. Use of recycled/recyclable construction materials where possible. Restrictive use of snowmelt systems. Green roofs where solar is not practicable. Aside from the obvious benefits to the environment, investment in building efficiency bakes in a measure of affordability over the long term. As the developers ask for things to streamline their processes and/or improve the complexion of their outcomes, I hope we have the temerity to ask for the things that would make us proud use this redevelopment as an example of how to build for the future. Thanks.

Sherie Harding wrote, Please read the following during the meeting Responsible Resort Area Development (RRAD) supports Park City’s sustainability goals The RRAD coalition supports 1 An improved first-class transit hub at the PCMR Base Area 2 A transit priority (ultimately electric buses) ideally in dedicated, no-traffic lanes 3 A pedestrian priority, wide sidewalks, safe, convenient, and accessible crosswalks. Friendly, accessible, affordable day storage for skis, boards, and boots, which promotes walking, biking, and transit use 4 Park City’s resolution 28-2017, Zero carbon emissions by 2030. Emissions from automobile trips to and from the Resort are inescapably linked to the carbon footprint of the Resort. 8. SUSTAINABILITY DESIGN GUIDELINES This section of PEG’s Master Plan is vague and lacks detail. Under DESIGN STRATEGIES#4, On-site Renewable Energy. Be specific. Park City has many days of sunshine. Plan for rooftop solar with appropriate orientation. Nowhere in the SUSTAINABILITY DESIGN GUIDELINES is there mention of tailpipe emissions as a contributor to the carbon footprint of the proposed development. Calculate carbon savings from satellite parking lots. 7.4 miles from Kimball Junction to PCMR, 4.8 miles Quinn’s Junction to PCMR. Promote a first-class transit center as part of the sustainability strategy. Promote how it can reduce the carbon footprint. 2020 Community Vision In answer to a recent survey question, “What do you think are Park City’s strengths” Survey Results show, “Engaged Community” ranked highest. That’s RRAD! It appears that “Small Town Feel” ranked about 4th. “Transit, climate, & environmental initiatives” ranked about 5th, interestingly above Skiing. Transit, climate,

& Environmental initiatives are considered a Park City strength in the 2020 Community Vision Survey. Our town cares about sustainability. The RRAD coalition hopes for alignment with Park City's sustainability goals. We appreciate this opportunity to participate in the process.

Deborah Rentfrow wrote, Good evening, I'm with the newly formed RRAD Responsible Resort Area Development. After reviewing the staff report and applicant's documentation, these are my questions/concerns with regard to Sustainability - Staff Conclusion: Aspirational in nature and neither concrete nor measurable; they do not commit to any specific goals and metrics for the proposed new base area. Resolution 28-2017 is referenced by Planner Ananth and it recommends EUI of 25 or below; applicant's EUI target is 30. What is a target – goal, doesn't mean they'll achieve it. In addition, the staff report raises concerns over committing to zero carbon electricity, compliance with dark sky regulations and electric vehicle charging stations. Finally, the weather normalization model they used was based on Salt Lake City, not Park City. PEG's stance on sustainability is clearly stated on p104 of their submission: "They are private and this Resolution 28-2017 does not apply." PEG's stance is in direct conflict with Exhibit A, page 285, LMC 15-6-6(L) which states The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy & Green Building program and codes adopted by the PC Building Dept in effect at the time of application. PEG's stance is also in conflict with LMC 15-6(J) Encourage mix use, walkable & sustainable development and redevelopment that provide innovative and energy efficient design. Therefore, please confirm Resolution 28-2017 and the Exhibit A codes would apply regardless of PEG being in the private sector and required of the applicant in order to receive approval of their application. Thank you for reading my comment during the Public Input of this evening's meeting.

Nancy Lazenby wrote, Hello. During the course of this project PEG has repeatedly said they are mailing their Community Outreach information to the Residents and the community that live within 300 ft of the Base Area Project. The last mailing they announced was May 13th. I live right across the street from the project on Empire and have never received ANY mailed notices. I have spoken with several of my neighbors and they also have never received any mailed notices. Most of us in Park City know the USPS does not deliver mail to homes in Old Town but I'm wondering if PEG knows that. Can PEG confirm where they are mailing all of these announcements to the neighbors? If they are mailing them to the physical addresses in Old Town they are probably getting most of them back marked 'Undeliverable'.

Reading the last of the eComments, those with hands raised on Zoom were unmuted to make comments.

Angela Moschetta understand, appreciates, and applauds presenting an adaptive project that can be evaluated and modified to continually advance energy usage and reduction goals. However, this entire proposal seems overly idealistic and may be set up for failure with so many of the infrastructure decisions and implementations in cans that seem to be kicked well down the road of having to be figured out absolutely. She worried that goals would remain lofty and unattainable for the lifetime of the project, or at best, maybe they will be underachieved. The sustainability plan sounds good and sexy, and it looks good and sexy with the slide presentation, but the truth is that it lacks the substance any solid plan really needs to express in 2020. With sustainability being one of Park City Municipal's critical priorities, she would offer that the developer needs to do better in terms of absolutes where a project this size is concerned. Goals and potentially moving goal posts simply are not acceptable. In her personal opinion, neither is purchasing renewable energy credits. She did not think it was an acceptable punt for Park City Municipal, the ski resorts, any developers or anyone else. Since this is adjacent to the ski resort, perhaps there are nearby off sites on which to locate solar arrays, and perhaps if Vail Resorts decides to do the right thing that would admittedly reduce their immediate profit but would provide long term community benefit, that is to retain an entire parcel for work force housing. Perhaps that will both reduce the overall energy demands of the PEG and the housing projects and create additional real estate on which to park solar panels. Ms. Moschetta stated that this evening's proposal was definitely an ambitious start. She looks forward to an evolved plan with more quantifiable guarantees.

Reid Schott thanked the Planning Commission and the Planning Department for their service. He also thanked Robert Schmidt and PEG for being able to begin a dialogue to address some of the concerns of the businesses at the current Resort Center. Mr. Schott commented on the charging stations beginning with 10 stalls. He has had an electric car for 4 years. He traveled with it and has had a lot of experiences with problems with charging. He stated that sometimes people who do not have electric cars park in the stalls with charging stations. Mr. Schott pointed out that management of the charging stations is really necessary. In terms of charging capacity, they need to be as fast as they can. What works best is if there could be a valet system with super charged stations where they could bring cars in and out and park them in other spaces after they are charged. He believed that could certainly be done at the hotel and possibly in Parcel B due to the number of parking spaces. He thought starting with ten parking spaces should be reconsidered. With respect to environmentally on the sidewalks, he and Planner Ananth spoke briefly about this last week and it did not appear there would be heated sidewalks. The sidewalks will need to be shoveled with probably gas-powered snow removal equipment. In addition, rock salt might be spread on the sidewalks and that will go into the storm sewers. He thought that was an environmental issue with not having heated sidewalks. Mr. Schott thought the issue of heated sidewalks should be considered. Mr. Schott asked for clarification with regard to the energy that will be created in the garage that was mentioned. He wanted to know how that energy will be created in the garage. He asked if all the buildings will have solar panels or whether they will be added later. Mr. Schott assumed there would not be gas fireplaces in the buildings. He wanted to know if there will be gas for the commercial spaces for the cooks, gas fireplaces outside, or whether there would be any gas at all. Mr. Schott they also needed focus on general things besides the EUIs and other equivalents because they will be germane as well.

Deb Rentfrow stated that she was with the newly formed RRADD coalition, the Responsible Resort Area Development coalition. She wanted to touch on a few concerns regarding the construction phasing and mitigation and fire. The applicant is requesting construction hours of 7:00 am To 9:00 pm Monday through Saturday, and 9:00 a.m. to 6:00 p.m. on Sundays. Based on their construction phasing schedule, she believed they have that starting March 1st running through December 1st. Ms. Rentfrow noted that they will need temporary lighting and other things. She even questioned dark sky compliance. It will also be a quality of life issue for residents in the area, including Park Avenue, Woodside, Silver King, Lowell, Shadow Ridge, Empire, and 14th and 15th Streets at a minimum. The applicant has not identified where the construction worker and the employee parking will be located off site. Ms. Rentfrow noted that the applicant provided a site map of the different modular type trailers but did not indicate where those would be located. As they move from parcel to parcel, she assumed the trailers would need to move. She stated that the 5 fill sites on the Mountain as drawn will clearly impact the hiking and biking traffic. She thought the construction dates of March 1st through December 1st could affect the skiing. The impacts to hiking and biking is in direct conflict with detail provided in the Staff report as Exhibit A, LMC 15-6-6(g), the MPD as conditioned provides amenities to the community so there is no net loss of community amenities. In addition, this will potentially remain an issue after construction is complete, as with the current proposal access to the trails for hiking and biking will be significantly more difficult with a multi-level concrete plaza between the parking and access points. With regards to fire, Planner Ananth states that the fire department had concerns which PEG was addressing. She was curious about when PEG is supposed to turn in their answers and work it out with the fire department, and whether it will be addressed in a future meeting where public input can be received. Ms. Rentfrow asked if the applicant will need to address fire safety mitigation concerns during the construction process. For example, access to neighboring residential areas on Lowell, Empire, Silver King and Three Kings where their construction delivery entrance and staging will be in place. Finally, with the building density, setbacks, and heights also under review, as well as traffic, it seems that anything submitted by the applicant regarding tonight's agenda items; sustainability, construction phasing mitigation, and fire, would not necessarily include accurate data or detail for a decision on approval. Ms. Rentfrow thanked the Planning Commission for letting her participate in this meeting.

Chair Phillips closed the public hearing.

Chair Phillips asked Planner Ananth if she wanted to address any of the issues raised in the comments. Planner Ananth reported that she and the applicant had a long meeting with the fire department to work through their concerns. She believed the fire department was now comfortable with their plans. There may be a requirement for additional standpipes or hydrants at the time of building permit, but at this point everything is on track. Planner Ananth stated that emergency access to the site during construction was also discussed, and it will be managed by the applicant and the roads will be kept clear.

Chair Phillips pointed out that the public will have additional opportunities to comments on the issues raised this evening.

Commissioner Hall stated that when she read the Staff report she was disappointed that it was not more complete given that the information the applicant has given for the other Staff report topics. She was more hopeful after listening to Mr. Zakrzewski's presentation and hearing that Mr. Schmidt understands they will be delineating specific requirements, metrics, and data points within the conditions of approval. Commissioner Hall hoped that between now and the next time this topic comes before them that more progress is made, and the information will be more concrete.

Commissioner Hall stated that she would like to see 25 or 30 EUI for this base development because it is larger than all the City operations combined. Since it is such a larger impact on the community, she thought it was important to be consistent with the Resolution and the Critical Priority.

Commissioner Hall noted that Vail has some wonderful sustainability goals within their own network with a goal to be net zero by 2030 and to have zero waste. She asked if the applicant was incorporating that into their strategy. Mr. Schmidt stated that based o their presentation this evening, PEG's goal is to net zero by 2030 as well following the strategies that were presented. He was not able to say specifically whether they were incorporating Vail's plan because he did not know all the specifics of the plan. Mr. Schmidt emphasized that PEG wants to make sure they are making a substantial commitment in helping the community meet its goals.

Commissioner Hall stated that the Planning Commission sees the base development as PEG and Vail, but the average person sees it as one continuous unit. She encouraged incorporating Vail's goals since they are already in line with the City's goals. Commissioner Hall asked if the Planning Commission was provided with the construction phasing and mitigation plan. Planner Ananth stated that they were linked in her Staff report and they were on the City's webpage. Commissioner Hall stressed the importance of waste diversion. In this situation it would be a fairly easy way to divert a lot of the waste because it is mostly concrete. Mr. Schmidt stated that they would be preparing a waste diversion plan with more specifics after their conversations with Luke Cartin.

Chair Phillips referred to a public comment about soils sample data. He asked if that was something they rely on at this stage and whether it was the responsibility of the developer to do soils samples. Mr. Schmidt stated that they had already completed preliminary geo-technical borings where they drilled a few holes to explore the soils. They also completed a Phase 1 and limited Phase 2 environmental assessment. He remarked that Phase 1 is a lot of research to determine what may have happened on the site, and that informs whether or not to do a Phase 2, which is physical sampling of potential concerns. Mr. Schmidt stated that because they had drill rigs on site, they elected to go ahead and do a limited Phase 2, even though it was not called for in the Phase 1. There were no recognized environmental concerns and there were no tailings on the site. He noted that Parcels C, E and part of D were part of the golf course at one time. Mr. Schmidt stated that the soil sample they did in the limited Phase 2 had no traces of any heavy metals or any contaminants that require mitigation in the exports. Mr. Schmidt remarked that the export plan they created should be in compliance with all the environmental regulations of the State.

Chair Phillips assumed that the excavation and haul off of the materials will follow the City regulations. Planner Ananth replied that the applicant will follow the Code in effect at the time. Chair Phillips understood that the current Code has limiting dates on excavation. Mr. Schmidt referred to public comment about a March 1st start date and a December 1st finish dates for those excavations. He clarified that the March start date is an early date for shoring installations. Mass excavation would not begin until the Resort closes and there is no frost on the roads. The timing will be coordinated with the ski resort.

Planner Ananth asked Mr. Schmidt to clarify that he was talking about the Spring of 2022. Mr. Smith concurred that at this point, given the time of year, the first they could start would be Spring of 2022.

Chair Phillips asked about a plan for construction employees. Mr. Schmidt anticipated that employees will be parked off site, specifically during busy times of the year. A number of stalls available on site might be used for some portion of employees. Mr. Schmidt stated that a specific employee parking plan will be created that will include off site parking and shuttling for workers. He believed that level of detail will come at the conditional use and building permit stages.

Commissioner Thimm thought they had glossed over the construction management and mitigation plans. He understood that it usually occurs at permitting; however, based upon the location and size of the proposed development, he thought a presentation in a public forum was important so there could be open discussion. Commissioner Thimm remarked that they had taken small bites out a number of topics and issues but nothing significant. He asked if the schedule in place sets aside time to go back and revisit the topics from every meeting they have had so far. Planner Ananth replied that they will hit topics until the Planning Commission is comfortable voting on this project. They intend to bring some architectural details in November. They hope to come back with transportation information in December. They will continue to meet through the winter on topics as needed. Planner Ananth clarified that the schedule that was set will definitely be extended.

Chair Phillips agreed with Commissioner Thimm's comments on the construction mitigation. He understood it is done later, but the Planning Commission has the job to create conditions to be included in the construction mitigation plan.

Commissioner Suesser asked Planner Ananth if she saw certain things in the application with respect to the sustainability goals. She understood that Planner Ananth wrote her report based on what she saw, and the applicant responded to the Staff report in the last week. Commissioner Suesser wanted to know the next step. She asked if the applicant needed to revise their application or would the Planning Commission need to condition their approval based on the Staff report, and how the applicant responded and what they now plan to commit to do. Commissioner Ananth stated that she definitely expects revised information to be submitted to the Planning Department, but she was unsure whether it would be in the form of a revised application. She emphasized that additional information needs to be submitted to the Planning Department so they can formulate the conditions she will bring to the Planning Commission for review. Planner Ananth anticipated taking a whole meeting to review and discuss conditions of approval. Commissioner Suesser thought they needed a whole meeting on everything they discussed this evening.

Director Erickson stated that the process for this and all other Staff reports is to have the Planning Commission comment on these matters. The applicant goes back and advises how they are going to submit the information. Planner Ananth, Luke Cartin, the engineer, and everyone else involved can do a technical analysis and give their opinion as to the effectiveness of applicant's information. At that point, the Planning Commission will have a three-prong report consisting of what the applicant submitted, the technical analysis, and recommendations for conditions.

Commissioner Hall stated that for the two upcoming meetings that are PEG specific, she asked if they would have the opportunity to hash out some of the details on topics they need to revisit. Planner Ananth stated that she expects to make as much progress and possible in November on the architecture, height, and setbacks of the project. They can then move forward topic by topic as they are ready and as PEG submits more information to come up with final plans for review.

Planner Ananth thought they would need to have PEG specific meetings throughout the winter, and she would like to continue that trend going forward. Commissioner Hall had a strong preference for PEG specific meetings rather than starting these discussions late in the evening. Planner Ananth would put together a recommended schedule.

Mr. Schmidt stated that they will come back in November with architectural modifications based on feedback they heard from the Planning Commission, from Staff, and from the community. He would like to get a read on height and setbacks at that point to see if they are in alignment. Mr. Schmidt noted that they were working on traffic and transportation for December and a lot of additional analysis is taking place. When they come back in December, they would like to get a good read on whether they are in alignment on those topics and can continue to move forward.

Chair Phillips stated that based on the presentation tonight, he would like to push for the efficiency because that really stood out to him. He urged PEG to come up with as many solid commitments that can be put in writing and tracked and accounted for. Mr. Schmidt asked if Chair Phillips thought the commitments that were articulated tonight were sufficient. Chair Phillips stated that what was presented is very positive, but the Planning Commission will push them to commit to as many as they can possibly can.

Commissioner Hall suggested quantifiable, like data and metrics. It is nice to have a general plan, but more concrete information is very helpful when processing an application.

MOTION: Commissioner Thimm moved to CONTINUE the PCMR Resort Base Parking Lot MPD modifications to November 18, 2020. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission Meeting adjourned at 9:45 p.m.

Approved by Planning Commission: ____