



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
October 26, 2022**

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

EX OFFICIO: Gretchen Milliken, Planning Director; Rebecca Ward, Assistant Planning Director; Jaron Ehlers, Planning Technician; Spencer Cawley, City Planner; Mark Harrington, City Attorney

1. ROLL CALL

Chair Laura Suesser called the meeting to order at approximately 5:35 p.m.

The following written determination was read:

The Planning Commission of Park City, Utah will hold its regular meeting with an anchor location for public participation at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 on Wednesday, October 26, 2022. Planning Commission members may participate in person or connect electronically by Zoom or phone. Members of the public may attend in person or participate electronically.

Public comments will also be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom through www.parkcity.org/public-meetings. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

2. MINUTES APPROVAL

There were no Meeting Minutes to approve.

3. PUBLIC COMMUNICATIONS

There were no public communications.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Gretchen Milliken, reported that a Request for Proposals ("RFP") was issued for the Bonanza Park and Snow Creek Small Area Plan. An RFP was also issued for a Feasibility Study for the Arts and Cultural District. Both were issued on Monday and there was a 21-day

turnaround period. Proposals were due back on November 14, 2022. A selection committee would be formed and a consultant would move forward with those projects at the end of the year.

Director Milliken informed the Commission that Staff had been meeting with Deer Valley on the Snow Park proposal. The intention was to return to the Planning Commission in December. Staff received a proposal from Deer Valley that was being reviewed internally.

Chair Suesser asked for additional details about the RFP for the Bonanza Park and Snow Creek Small Area Plan. Director Milliken explained that the RFP was seeking a multi-disciplinary team. There was a strong planning and transportation component to the work. Consultants could team up to complete the plan or a larger firm with that expertise in-house may apply. Community engagement would be a strong component of the Small Area Plan as well. Chair Suesser noted that the process for the Small Area Plan would take a while. It was not anticipated that the Small Area Plan be completed in 10 to 12 months. Director Milliken confirmed the timeline. That had been included in the RFP. Once a firm or team is selected and approved by the City Council, the plan itself would take approximately 10 months to complete.

There was discussion regarding the Homestake Housing Development Project. Director Milliken stated that the Homestake Project will be part of the Small Area Plan as it is in the area. The RFP made clear that connections to and from the neighborhood and with adjacent neighborhoods would be critical to the plan. The Homestake would be a key part of the project and part of the plan regardless. It would not be excluded due to a possible approval.

Director Milliken explained that there were two planners at the current Planning Commission Meeting that the Commissioners may not be familiar with. She reported that Virgil Lund recently joined Staff and Jack Niemeyer has been with Park City for some time, however, this was his first in-person Planning Commission Meeting. Both were welcomed.

Commissioner Van Dine requested that Item 6D be moved to the end of the Planning Commission Meeting agenda in case the meeting took longer than expected. The later agenda items would likely have more public comment. There were no objections from Staff or the Commission.

MOTION: Commissioner Hall moved that Item 6D be heard at the end of the Planning Commission meeting. Commissioner Van Dine seconded the motion.

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

Commissioner Johnson shared a disclosure related to Items 6A and 6B. He has two children in the Park City School District, which would not impact his decision. Commissioner Van Dine shared the same disclosure and stated that it would not affect her decision.

Commissioner Kenworthy reported that he had a conversation one week earlier with the Chamber Executive Director related to visioning, sustainable tourism, affordable, and seasonal housing. Some of the applications on the Planning Commission agenda were mentioned during that discussion but that would not impact his opinion. As for King Road, he owns a home on Upper Woodside. He informed those present that it would not impact his decision on Item 5A.

5. WORK SESSION

- A. 220 King Road – Plat Amendment and Conditional Use Permit – The Applicant Proposes to Combine Two Parcels into One Lot and Construct a New Single-Family Dwelling Located off King Road, Which Will Replace the Two Existing Dwellings at 220 King Road. PL-22-05318, PL-22-05319.**

Chair Suesser reported that a communication was received the previous day related to the Work Session item. The applicant asked for a continuance of the Work Session. As a result, the 220 King Road Plat Amendment and Conditional Use Permit would not be discussed tonight.

MOTION: Commissioner Van Dine moved to CONTINUE 220 King Road – Plat Amendment and Conditional Use Permit to a date uncertain. Commissioner Frontero seconded the motion.

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

6. REGULAR AGENDA

- A. 1750 Kearns Boulevard (Park City High School) - Conditional Use Permit - The Applicant Proposes a Three-Story 128,000-Square-Foot Addition in the Recreation Open Space Zoning District. PL-22-05394.**

Planning Technician, Jaron Ehlers, and Assistant Planning Director, Rebecca Ward shared information related to 1750 Kearns Boulevard. Technician Ehlers explained that in 1985, the Park City School District applied to annex its campus into Park City Municipal. On October 3, 1985, the City Council annexed the campus and zoned the property Recreation Open Space (“ROS”). The campus was currently over 80 acres. The Land Management Code (“LMC”) anticipated the development of schools within the ROS Zoning District. Schools were a conditional use and required Planning Commission review and approval. An image of the parcel was shared.

Technician Ehlers reported that the City issued two Conditional Use Permits for Park City High School in the past. One was in 1990 for McPolin Elementary and an addition to the high school and one was in 2008 for another addition to the high school. The applicant proposed to demolish 53,720 square feet of the existing high school and create a three-story, 128,000-square-foot addition to accommodate 400 ninth-grade students. Those students would be moving to the high school from Treasure Mountain Junior High. Eventually, eighth-grade students were scheduled to move to Ecker Hill Middle School in Summit County. Treasure Mountain Junior High would be demolished. The existing high school is 272,000 square feet in size. Once the portion is demolished and the addition constructed, the total square footage would be 350,940.

An image of the proposed addition was shared. Technician Ehlers explained that the development of school districts is governed in part by State regulations. Municipalities are limited from regulating landscaping, fencing, aesthetic considerations, municipal building codes, and building use for educational purposes. The recommended Conditions of Approval reflected those limitations. The school campus is located in the Park Meadows Neighborhood. He reported that the General Plan identifies the campus as a neighborhood icon, acknowledged that Park Meadows is a neighborhood with primary residents, and encouraged maintaining the school campus in the primary resident area to decrease vehicle miles traveled to the school.

The proposed addition was found to comply with the setbacks for the ROS Zone. While the proposed addition would exceed the zoning height, on October 18, 2022, the Board of Adjustment unanimously approved a building height variance that would allow the addition to reach 47' 6" in height. No construction was proposed within 100 feet of Kearns Boulevard. Technician Ehlers explained that including the addition, the required parking would be 351 parking spaces. The high school currently has a total of 542 parking spaces. The addition was proposed to add an additional 20 parking spaces. That would be a total of 562 parking spaces, which exceeds the LMC requirements. In addition, the proposed Conditions of Approval would mitigate certain impacts. Those conditions are related to utilities, signs, outdoor lighting, and screening. Another Condition of Approval would require soils to comply with Federal, State, and municipal regulations. This included Chapter 11-15 of the LMC. The school district would be required to continue working with the City's Environmental Regulatory Program Manager.

Staff recommended that the Planning Commission review the proposal, conduct a public hearing, and consider approving the Conditional Use Permit to accommodate the addition. Mike Tanner, COO of the Park City School District was present to answer questions. He reported that the project was the culmination of three years of planning. The community had been directly involved in the process. The proposed project would address the majority of the needs the community expressed during that review process. One of the biggest takeaways from that planning process was the fact that parents are interested in grade alignment, where there will be grades six through eight in Ecker Hill Middle School and grades nine through 12 in the high school. There was also a desire to decommission Treasure Mountain Junior High. Those desires would be met with the construction projects. Mr. Tanner commented that the community is very interested in additional Pre-K space. At the McPolin site, there will be Pre-K space as well as community space to meet the current needs.

Commissioner Van Dine asked about the parking lot off of Lucky John Drive. She wondered if that would be a student lot or a faculty lot. Mr. Tanner explained that the intention was to provide additional space for the faculty that would service the new CTE. It was envisioned that the lot would not be available for students but would be reserved for those helping out in the CTE program. Commissioner Frontero was not familiar with the plan for the junior high school. He asked what would take the place of the school once it is demolished. Mr. Tanner believed that would be a future community discussion. The popular vision was that it would be demolished and the campus would be reconfigured with an internal traffic flow. There could also be a reconfiguration of the baseball fields. However, there was also a possibility that the community may not want the building demolished. There might be another community need that the building could be repurposed for. Those decisions had not been made at the current time.

Commissioner Kenworthy wondered what the current enrollment at the high school was. Mr. Tanner reported that it is approximately 1,200 students. There are approximately 400 students per grade level. 400 students would be added to the extra class. This would move 400 students from Treasure Mountain Junior High to the high school. There would be 1,600 total at the high school but 400 students from Treasure Mountain Junior High would be lost to Ecker Hill Middle School. The net impact of students on that campus would be minus 400.

Chair Suesser asked about parking for the ninth-grade teachers who will move to the high school. She wondered if there would be a special parking area for them. Mr. Tanner explained that the Lucky John Drive parking lot was not intended for regular staff usage. When the project is completed, there will be a net loss of 400 students on the campus, along with the associated staff that service them. The existing spots would be more than enough.

The layout for the internal circulation was shared. Commissioner Hall wanted to understand whether the existing sidewalk around the perimeter was intended to remain as-is. Mr. Tanner did not anticipate any modifications to those, other than where the new Lucky John Drive lot may create some impacts. The existing perimeter sidewalk would remain. Commissioner Hall asked about proposed changes to internal circulation. For instance, students who rode their bicycles to school from the north end. Mr. Tanner explained that the easements that were there to support the student flow from the north were adequate and would support the additional students. There were no additional accommodations in terms of the sidewalks proposed.

Commissioner Hall noted that the Lucky John Drive sidewalk is fairly narrow. There are a lot of curb cuts as well. Commissioner Johnson questioned whether the applicant was willing to widen the sidewalk to accommodate more users. It would be beneficial to the community and the students. He felt that connectivity from Lucky John Drive was important and a more continuous path to the high school would be worth considering. Mr. Tanner confirmed that it was something the school district would be willing to do in conjunction with the City. It could be a shared project. Commissioner Johnson asked if it could be added as a Condition of Approval. For instance, coordination with the Open Space and Trails Manager on the Lucky John Drive sidewalk. Assistant Director Ward reported that it would become Condition of Approval 12. The Trails and Open Space Manager and the City Engineer would need to be included in that discussion. While the City did not issue a Certificate of Occupancy, the State Fire Marshal would. The completion of the sidewalks could be tied to the issuance from the State Fire Marshal.

Further discussions are had about the Lucky John Drive parking lot. Mr. Tanner explained that the school district is focused on student safety. If the Commission had a concern about the sidewalks, it was something that could be addressed. Commissioner Hall suggested enhanced bicycle storage. Mr. Tanner noted that bicycle use has increased. Spaces had not been added yet but it was on their radar. Commissioner Hall asked if there could be Conditional of Approval for adequate and secure bicycle storage. Assistant Director Ward suggested Condition of Approval 13, that bicycle storage facilities comply with the LMC. The Commission wanted to see more connectivity on the campus and discussed possibilities. Mr. Tanner noted that school projects are under the purview of the State. There are limits on what the City can dictate as it relates to those sites. The sidewalks might fall under that, but he would need to review this with the architects. However, he wanted to improve connectivity in the area.

Commissioner Kenworthy asked for clarification. Assistant Director Ward explained that sidewalks are specifically called out under the State guidelines. Chair Suesser believed the Commission was within its purview to request certain public amenity enhancements alongside the project. Senior City Attorney, Mark Harrington felt it would be better to tie that to the transportation and internal circulation elements of the zoning. There was not necessarily a need for additional access at the rear of the building, beyond the existing through points. Those had already been addressed and the applicant had also committed to widening. As long as the Condition of Approval was added to address the widening of the sidewalk, he believed that was acceptable. He suggested the Commission leave flexibility for joint planning efforts between the school district and Staff. Discussions are had about language for the Condition of Approval.

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

MOTION: Commissioner Hall moved to APPROVE the Conditional Use Permit for 1750 Kearns Boulevard (Park City High School), based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in the Draft Final Action Letter as follows:

Findings of Fact

1. In 1985, the Park City School District ("PCSD") applied to annex the PCSD campus into Park City (PL-85-00026).
2. On October 3, 1985, the City Council enacted Ordinance No. 85-11, annexing the PCSD Campus and zoning it Recreation Open Space ("ROS").
3. In the ROS Zoning District, schools require a Conditional Use Permit ("CUP") and Planning Commission review.
4. The Planning Commission issued two CUPs for the development of the PCSD Campus.
5. On June 27, 1990, the Planning Commission approved a CUP for:
 - a. A new elementary school (McPolin Elementary – 56,000 square feet);
 - b. A high school expansion (32,000 additional square feet and locker room addition to the gym);
 - c. 60 additional parking spaces (PL-90-00106)
6. On April 23, 2008, the Planning Commission approved a CUP for Park City High School to enhance interior function, energy efficiency, exterior appearance, and water conservation (PL-07-00181).
7. The 2008 approval increased the Park City High School's square footage by 20,000 but reduced the overall building footprint by 8,000 square feet due to the addition of second-story classrooms. The 2008 approval also included 65 additional parking spaces and replaced 174,760 square feet of irrigated area with a synthetic turf athletic field.
8. On September 21, 2022, the Park City School District ("PCSD") submitted a Conditional Use Permit to construct a 128,000-square-foot three-story addition for the Park City High School.
9. 53,720 square feet of the existing High School is proposed to be demolished so that the addition can be constructed on the western side of the High School to accommodate 400 ninth-grade students currently at Treasure Mountain Junior High. Treasure Mountain Junior High is proposed to eventually be demolished, but a timeline has not yet been established.
10. The current High School is 272,000 square feet. While the proposed addition is 128,000 square feet, the High School with the addition will be a total of 350,940

square feet, only increasing by 78,940 square feet due to the demolition to accommodate the addition.

11. The PCDS Campus includes the Park City High School (1750 Kearns Boulevard), McPolin Elementary (2270 Kearns Boulevard), Treasure Mountain Junior High (2530 Kearns Boulevard), and Park City Learning Center (2400 Kearns Boulevard) on 83.92 acres north of S.R. 224 and east of Monitor Drive.
12. The purposes of the ROS Zoning District are to:
 - a. Establish and preserve districts for land uses requiring substantial areas of open land covered with vegetation and substantially free from structures, streets, and parking lots;
 - b. Permit recreational uses and preserve recreational open space land;
 - c. Encourage parks, golf courses, trails, and other compatible public or private recreational uses;
 - d. Preserve and enhance environmentally sensitive lands, such as wetlands, steep slopes, ridge lines, meadows, stream corridors, and forests.
 - e. Encourage sustainability, conservation, and renewable energy.
13. The proposed addition consolidates density to preserve open space, does not impact environmentally sensitive lands, and improves energy efficiency.
14. LMC § 15-2.7-3 Lot and Site Requirements establishes a 25-foot setback on all property perimeters in the ROS Zoning District. The proposed addition to the High School achieves significant setbacks from all property perimeters and is 349 feet from the Kearns Boulevard property line and 110 feet from the north property line. The minimum side setback achieved from the property line to the west is nearly 340 feet, and the minimum side setback achieved from the property line to the east is over 1,000 feet.
15. LMC § 15-2.7-4 establishes a 28-foot building height for the ROS Zoning District. The existing High School ranges from 45 feet to 67 feet in building height. To accommodate an addition that blends with the existing structure preserves open space, and consolidates density to the rear of the High School, the applicant requested a building height variance for an addition with a building height of 47 feet six inches.
16. On October 18, 2022, the Board of Adjustment unanimously approved the building height variance.
17. The purposes of the frontage protection zone are to:
 - a. Preserve Park City's scenic view corridors;

- b. Preserve and enhance the rural resort character of Park City's entry corridor;
 - c. Provide a significant landscaped buffer between development and highway uses;
 - d. Minimize curb cuts, driveways and access points to highways;
 - e. Allow for future pedestrian and vehicular improvements along the highway corridors.
- 18. The Frontage Protection Zone is an overlay that extends 100 feet from Kearns Boulevard northward onto the PCSD Campus.
- 19. The proposed High School addition consolidates density to the rear of the building and is set back 349 feet from Kearns Boulevard. No construction is proposed within the Frontage Protection Zone.
- 20. LMC § 15-2.7-2 requires Planning Commission review and approval of a Conditional Use Permit for schools in the ROS Zoning District.
- 21. Development of schools in Utah is subject to State regulations and limited municipal regulations. Utah Code § 10-9a-305(1)(a) requires a school district to conform to local land use regulations. However, Utah Code § 10-9a-305(3) prohibits municipalities from applying certain land use regulations to school districts, including:
 - a. Landscaping;
 - b. Fencing;
 - c. Aesthetic considerations;
 - d. Construction methods or materials;
 - e. Additional building inspections;
 - f. Municipal building codes;
 - g. Building use for educational purposes;
 - h. Placement or use of temporary classroom facilities on school property.
- 22. The recommended Conditions of Approval are modified to reflect State limitations.
- 23. Conditional Use Permits require Planning Commission evaluation of 16 criteria:

- a. Size and Location of the Site – The PCSD Campus is on 83.92 acres north of S.R. 224 and east of Monitor Drive. The High School is on Parcel PCA-2-2300-X, which is 38.97 acres. In 1985, the City Council annexed the PCSD Campus into Park City and the PCSD Campus has served the community since the early 1980s. The PCSD proposes to demolish 53,720 square feet of the existing High School along the western side to accommodate the 128,000-square-foot addition, shown on the applicant's site plan, to consolidate density, preserve open space, and construct an addition that is cohesive with the existing High School.
- b. Traffic Considerations Including Capacity of the Existing Streets in the Area – The proposed increase in square footage accommodates 400 students currently in Treasure Mountain Junior High. As a result, traffic generated by the PCSD Campus will not significantly change. When construction of Ecker Hill Middle School is completed, eighth graders will transfer from Treasure Mountain Junior High to that location, eventually further reducing traffic to the PCSD Campus. Treasure Mountain Junior High is proposed to eventually be demolished.
- c. Utility Capacity, Including Storm Water Run-Off – On October 4, 2022, utility providers reviewed the proposed addition and confirmed utility capacity for the addition, recommending Conditions of Approval included below.
- d. Location and Amount of Off-Street Parking – LMC § 15-3-6 Parking Ratio Requirements for Specific Land Use Categories require two spaces per three employees, or one space per 1,000 square feet of floor area, whichever is greater, for schools. According to the Applicant, there are 104 employees at Park City High School, which would require 69 parking spaces. The High School, with the addition, will be 350,940 square feet, requiring 351 parking spaces. The High School currently provides 517 parking spaces, with 21 ADA compliant and four Electric Vehicle Charging Stations, for a total of 542. The proposed plan includes a new parking area south of the High School, accessed by Lucky John Drive, which will provide 20 additional parking spaces, bringing the total to 568. As a result, the High School exceeds code-required parking.
- e. Internal Vehicular and Pedestrian Circulation System – No changes to internal vehicular circulation are proposed. Significant investments have been made to improve pedestrian and bicyclist connectivity to the PCSD Campus, including a tunnel under S.R. 224 to connect the PCSD Campus to trails south of S.R. 224 without requiring street-level crossing over S.R. 224.
- f. Fencing, Screening, and Landscaping to Separate the Use from Adjoining Uses – State law precludes municipalities from regulating fencing, screening, and landscaping.

- g. Building Mass, Bulk, and Orientation, and the Location of Buildings on the Site, including Orientation to Buildings on Adjoining Lots – The proposed addition to the Park City High School achieves significant setbacks from all property perimeters and is 349 feet from the Kearns Boulevard property line and 110 feet from the north property line. The minimum side setback achieved from the property line to the west is nearly 340 feet, and the minimum side setback achieved from the property line to the east is over 1,000 feet from the eastern property line.
- h. Usable Open Space – The addition consolidates density to preserve open space. The PCSD is not subject to Master Planned Development regulations and is not required to provide minimum open space. The PCSD Campus includes several recreational fields and landscaped areas.
- i. Signs and Lighting – Conditions of Approval require compliance with the Municipal Code of Park City Chapter 12, Signs, and the City's Dark Sky Ordinance in LMC Section 15-5-5(J).
- j. Physical Design and Compatibility with Surrounding Structures in Mass, Scale, Style, Design, and Architectural Detailing – State law precludes municipalities from regulating aesthetics and construction materials.
- k. Noise, Vibration, Odors, Steam, or Other Mechanical Factors that Might Affect People and Property Off-Site – The High School addition significantly exceeds ROS Zoning District Setbacks, and noise, vibration, odors, steam, or other mechanical factors will not affect people and property off-site.
- l. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas – A Condition of Approval requires compliance with LMC Section 15-5-5, requiring full screening for trash and recycling areas.
- m. Expected Ownership and Management and How the Form of Ownership Affects Taxing Entities – The PCSD owns and manages the property and is tax-exempt.
- n. Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site – While some areas of the PCSD are within the Sensitive Land Overlay (Treasure Mountain Junior High), the High School is not. The High School addition is not proposed to be constructed on a steep slope, near a wetland, or near a ridge line. The High School is within the Park City Soils Ordinance Boundary and is required to comply with the regulations of the Municipal Code of Park City Chapter 11-15 Park City Landscaping and Maintenance of Soil Cover. The Applicant has been meeting with the City's Environmental Regulatory Program Manager and must comply with Federal, State, and local regulations regarding soils.

- o. Consistency with the Goals and Objectives of the Park City General Plan – The PCSD Campus is in the Park Meadows Neighborhood of the General Plan and the General Plan identifies the PCSD Campus as a neighborhood icon. According to the General Plan, the Park Meadows Neighborhood has mostly primary residents and the PCSD Campus serves as a community amenity. “Creating community amenities close to residential neighborhoods is essential to maintaining community while decreasing Vehicle Miles Traveled.” The proposed Park City High School addition allows for clustered density to serve Park City students in an area of the community in which many primary residents live. Goal 4 of the General Plan is to conserve a connected, healthy network of open space for continued access to and respect for the natural setting. Objective 4B is to buffer entry corridors from development and protect mountain vistas to enhance the natural setting, quality of life, and visitor experience. The PCSD Campus that fronts Kearns Boulevard is within the Frontage Protection Zone, which extends beyond Kearns into the property 100 feet. The proposed High School addition is in the rear of the property and will not increase the presence of the High School within the Frontage Protection Zone. Community Planning Strategy 5.8 is to encourage energy efficiencies in construction including infill, preservation, adaptive reuse, and redevelopment. According to the Applicant, the proposed building mass “is arranged to preserve open space around the building and provide a thermally efficient structure. The result of this stacked design allows the new building to achieve a targeted Energy Usage Intensity (“EUI”) of 35 whereas the current facility has a calculated EUI of 84. This system will not only save the District operating costs but is also a more sustainable approach which aligns with the city’s energy goals. The building orientation and height are also anticipated to aid in the eventual installation of PV panels on the roof.”
24. Staff published notice on the City’s website and the Utah Public Notice website on October 7, 2022. Staff mailed courtesy notice to property owners within 300 feet on October 8, 2022. Staff posted notice to the property on October 10, 2022. The Park Record published notice on October 12, 2022.

Conclusions of Law

1. The Conditional Use Permit complies with the requirements of the Land Management Code, as conditioned.
2. The proposed addition to the Park City High School complies with the Recreation Open Space Zoning District.
3. The proposed addition complies with the Frontage Protection Zone.
4. The use will be compatible with surrounding structures in use, scale, mass, and circulation.

5. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. Prior to construction and during construction, the Applicant shall notify the Planning Department of any proposed changes to the building plans.
2. The Applicant must revise construction drawings to comply with the Park City Water Department plan review comments prior to construction.
3. The Applicant must submit a long-term stormwater maintenance agreement to the Engineering Department for review and approval prior to construction.
4. The Applicant must meet with the Engineering Department for a pre-construction meeting and final approval prior to construction.
5. The applicant has recently submitted a Line Extension Agreement ("LEA") for the relocation of several sewer main lines at the high school site. All items required under the LEA must be completed prior to construction. These include the following:
 - SBWRD approval of the LEA;
 - Payment of required engineering services fees;
 - Granting of required easements;
 - SBWRD approval of sewer main line construction drawings.

Additionally, the following are required prior to building construction:

- The applicant must submit building plans for the expansion to SBWRD;
 - Impact fees for the expansion must be calculated and paid to SBWRD.
6. The Fire District shall review and approve the final plans prior to construction.
 7. Sign installations require compliance with the Municipal Code of Park City Chapter 12 Signs, a master sign plan, and a sign permit approved by the Planning Department.
 8. Outdoor lights must comply with the Dark Sky Code outlined in LMC Section 15-5-5(J) and shall be fully shielded with bulbs 3,000 degrees Kelvin or less.
 9. Trash and recycling pickup areas shall be fully screened and shall comply with LMC Section 15-5-5.
 10. The Applicant shall comply with Federal and State regulations, as well as with the Municipal Code of Park City Chapter 11-15 Park City Landscaping and Maintenance of Soil Cover, and shall work with the City's Environmental Regulatory Program Manager to ensure compliance prior to construction.

11. All Conditions of Approval established in previous CUPs continue to apply.
12. There will be widening and enhancements to the north trail and sidewalk connections to mitigate the increased usage. Improvements may be phased between the two construction projects, within a year of the final Certificate of Occupancy issued by the State Fire Marshal.
13. Bicycle storage facilities must comply with the LMC.

Commissioner Kenworthy seconded the motion.

VOTE: Commissioner Kenworthy-Aye; Commissioner Van Dine-Aye; Commissioner Johnson-Aye; Commissioner Hall-Aye; Commissioner Frontero-Aye; Commissioner Sigg-Aye; Chair Suesser-Aye. The motion passed unanimously.

B. 2270 Kearns Boulevard (McPolin Elementary) - Conditional Use Permit - The Applicant Proposes a 22,500-Square-Foot Addition in the Recreation Open Space Zoning District. PL-22-05410.

Technician Ehlers shared information related to 2270 Kearns Boulevard. He reported that the applicant proposed construction of a 22,500-square-foot addition to the east of McPolin Elementary School. This would expand the Pre-K classroom and support space, increase community service space, increase outdoor play space, and modify internal circulation and pickup areas. A map of the current internal circulation was shared. It included both McPolin Elementary and Treasure Mountain Junior High. An image of the proposed project was also shared.

The school development is governed in part by State regulations. Municipalities are limited in terms of requirements for landscaping, fencing, aesthetic considerations, municipal building codes, and building use for educational purposes. The recommended Conditions of Approval reflected this. The school campus was located in the Park Meadows Neighborhood. Technician Ehlers explained that the General Plan identified the campus was a neighborhood icon, acknowledged that Park Meadows was a neighborhood with primary residents, and encouraged maintaining the school campus in the primary resident area to decrease vehicle miles traveled to the school.

The proposed addition would comply with LMC setbacks and would be under the height allowed by the zone. No construction was proposed within 100 feet of Kearns Boulevard. The proposed parking also exceeded code requirements. Technician Ehlers reported that McPolin Elementary currently had 40 parking spots. The addition would trigger an increase of 23 parking spots. The applicant proposed to restripe the parking lot for 68 spaces, which would increase the proposed parking by 28 spaces. This exceeded the LMC parking requirements.

Some of the Conditions of Approval were reviewed. Technician Ehlers highlighted Condition of Approval 7, which stated that the McPolin Elementary School could not reduce the number of parking spaces provided on the Treasure Mountain Junior High site. Condition of Approval 8 required final striping and a total of 68 parking spaces. There were other Conditions of Approval to mitigate impacts related to utilities, signs, outdoor lighting, and screening. There were also conditions to ensure that the project complies with Federal, State, and municipal regulations. This

included Chapter 11-15 of the LMC. The school district needed to continue to work with the City's Environmental Regulatory Program Manager.

Staff recommended that the Planning Commission review the proposal, conduct a public hearing, and consider approving the Conditional Use Permit to accommodate the addition. Mr. Tanner reiterated that this was the second step of what the community was asking for. The first was a grade realignment and the second was the expansion of Pre-K in the community.

Commissioner Sigg wondered if a Traffic Study was done along Kearns Boulevard to take into account the additions. He also wanted to know if overflow traffic had been taken into consideration. Mr. Tanner explained that the net loss of students on the campus would be 400 along with the staff that would support those students. As a result, the impact of the projects would actually result in a reduction in traffic density. Additionally, the biggest choke point was at Treasure Mountain Junior High in the drop-off area. That would be eliminated. It was anticipated that the project would relieve some of the pressure on Kearns Boulevard. He noted that a traffic study had not been done because there would be a reduction in overall traffic.

Assistant Director Ward reported that the Planning Commission could request additional studies if a project was a Master Planned Development ("MPD"). However, this particular application was a Conditional Use Permit. A traffic study was not required as part of the application.

Commissioner Kenworthy asked about the construction timelines for the project. Mr. Tanner explained that a lot would depend on the winter months and how difficult they are. It was originally anticipated to be a year. As for the high school project, that was intended to be a two-year project and a two-phase project. Commissioner Kenworthy wondered whether a portion of the parking lot would be used for those two years of construction. Mr. Tanner reported that there would be no impact in terms of the existing parking at the high school. Approximately 50 spots would be lost temporarily for the elementary school work, but there are still plenty of spots.

Commissioner Van Dine mentioned the walkthrough to the North 40 Playing Fields. The plan made that intersection safer, but it might be worthwhile to put in a more significant crosswalk as there are a lot of students that came through that walkthrough. She asked about the portables. Mr. Tanner explained that there had been a change in principals between last year and the current year. The previous principal had intended to keep the portables in place, but he did not know whether that was the intention of the new principal. Commissioner Van Dine noted that McPolin Elementary had a lot of bicycle use. It was important to prioritize safety in that area and widen sidewalks so bicycles could get around. She also suggested that there be some sort of covered bicycle parking to accommodate the students at that school.

Commissioner Hall asked that the Conditions of Approval mirror the Condition of Approval from the previous item, related to circulation and parking. Commissioner Johnson felt it was important to improve the entry point to the North 40 Playing Fields from the parking lot. With the Condition of Approval for the high school, the north side had been specified. He felt that improving the entry point to the North 40 Playing Fields from the parking lot should be specified in this instance. Assistant Director Ward noted that it could be added to the Condition of Approval.

Chair Suesser asked what the LMC said with respect to adequate bicycle parking. Assistant Director Ward reported that 10% of bicycle racks per 10% of what was required for parking spaces needed to be installed. There are also additional requirements regarding security and materials. Commissioner Hall suggested that the Condition of Approval state that there be adequate bicycle

parking for what existed. This would allow the language to be more flexible. Commissioner Hall agreed with the applicant that the project was necessary and would benefit the community. Commissioner Johnson appreciated what was being done to the school.

Chair Suesser opened the public hearing. There are no comments. The hearing was closed.

MOTION: Commissioner Johnson moved to APPROVE a Conditional Use Permit for 2270 Kearns Boulevard (McPolin Elementary), based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in the Final Action Letter as follows:

Findings of Fact

1. In 1985, the Park City School District ("PCSD") applied to annex the PCSD campus into Park City (PL-85-00026).
2. On October 3, 1985, the City Council enacted Ordinance No. 85-11, annexing the PCSD Campus and zoning it Recreation Open Space ("ROS").
3. The PCSD Campus includes the Park City High School (1750 Kearns Boulevard), McPolin Elementary (2270 Kearns Boulevard), Treasure Mountain Junior High (2530 Kearns Boulevard), and Park City Learning Center (2400 Kearns Boulevard) on 83.92 acres north of S.R. 224 and east of Monitor Drive.
4. In the ROS Zoning District, schools require a Conditional Use Permit ("CUP") and Planning Commission review.
5. On June 27, 1990, the Planning Commission approved a CUP that included the new McPolin Elementary School (56,000 square feet) (PL-90-00106).
6. On September 21, 2022, the PCSD submitted a CUP to construct a 22,500-square-foot addition to the east of McPolin Elementary School for the Pre-K classroom and support space, community service space, outdoor play areas, and modifications to internal circulation and pickup areas.
7. The purposes of the ROS Zoning District are to:
 - a. Establish and preserve districts for land uses requiring substantial areas of open land covered with vegetation and substantially free from structures, streets, and parking lots;
 - b. Permit recreational uses and preserve recreational open space land;
 - c. Encourage parks, golf courses, trails, and other compatible public or private recreational uses; and
 - d. Preserve and enhance environmentally sensitive lands, such as wetlands, steep slopes, ridge lines, meadows, stream corridors, and forests.
 - e. Encourage sustainability, conservation, and renewable energy.

8. Setbacks – The PCSD Campus is unique and was constructed on multiple parcels, including PCA-98-A-X, PCA-2-2101-6-X, PCA-2-2101-6-A-X, PCA-2-2300-X, PCA-2-2300-A-1-X, and PCA-2-2300-A-X, expanding over 80 acres.
9. The McPolin Elementary School is situated on three parcels: PCA-2-2101-6-A-X, PCA-2-2101-6-X, and PCA-2-2300-X. The addition expands the school eastward into PCA-98-A-X and will replace what is currently a road that straddles PCA-2-2300-X and PCA-2-2300-A-X.
10. LMC § 15-2.7-3 Lot and Site Requirements establishes a 25-foot setback on all property perimeters in the ROS Zoning District. The proposed addition to the McPolin Elementary School achieves significant setbacks from all PCSD Campus perimeters. The Park Meadows Subdivision is to the north and the existing school is set back from the north property line by 168 feet. The addition will be set back from the north property line by 302 feet. From the parcel line to the front of the building along Kearns Boulevard, the addition is set back nearly 160 feet, and from Kearns Boulevard, the addition is set back over 400 feet. The McPolin Elementary School addition is toward Treasure Mountain Junior High but will be nearly 1,000 feet from the eastern PCSD Campus property line.
11. Building Height – LMC § 15-2.7-4 establishes a 28-foot building height for the ROS Zoning District. McPolin Elementary School is 26 feet in building height.
12. Frontage Protection Zone – The purposes of the Frontage Protection Zone are to:
 - a. Preserve Park City's scenic view corridors;
 - b. Preserve and enhance the rural resort character of Park City's entry corridor;
 - c. Provide a significant landscaped buffer between development and highway uses;
 - d. Minimize curb cuts, driveways and Access points to highways;
 - e. Allow for future pedestrian and vehicular improvements along the highway corridors.
13. The Frontage Protection Zone is an overlay that extends 100 feet from Kearns Boulevard northward onto the PCSD Campus. The proposed addition to the McPolin Elementary School is over 400 feet from Kearns Boulevard. No construction is proposed within the Frontage Protection Zone.
14. Conditional Use Permit Criteria – The Planning Commission reviews 16 criteria for Conditional Use Permits:
 - a. Size and Location of the Site – The PCSD Campus is on 83.92 acres north of S.R. 224 and east of Monitor Drive. The PCSD Campus is in the Park

Meadows Neighborhood of the General Plan and the General Plan identifies the PCSD Campus as a neighborhood icon. According to the General Plan, the Park Meadows Neighborhood has mostly primary residents and the PCSD Campus serves as a community amenity. "Creating community amenities close to residential neighborhoods is essential to maintaining community while decreasing Vehicle Miles Traveled." The proposed McPolin Elementary School addition allows for clustered density to provide additional pre-K classroom and support space and community service space on the PCSD Campus in an area of the community in which many primary residents live.

- b. Traffic Considerations Including Capacity of the Existing Streets in the Area – Any changes to Kearns Boulevard (S.R. 248) access require UDOT review and approval. The Applicant proposes extending McPolin Elementary School onto what is now a north-south connection and turnaround area to improve drop-off circulation. The PCSD Campus is in the Park Meadows Neighborhood of the General Plan and the General Plan identifies the PCSD Campus as a neighborhood icon. According to the General Plan, the Park Meadows Neighborhood has mostly primary residents and the PCSD Campus serves as a community amenity. "Creating community amenities close to residential neighborhoods is essential to maintaining community while decreasing Vehicle Miles Traveled." The proposed McPolin Elementary School addition allows for clustered density to provide additional Pre-K classroom and support space and community service space on the PCSD Campus in an area of the community in which many primary residents live. The Treasure Mountain Junior High 9th graders are scheduled to move to the High School and the 8th graders are scheduled to move to the Ecker Hill Middle School. Eventually, Treasure Mountain Junior High is slated for demolition. Significant investments have been made to improve pedestrian and bicyclist connectivity to the PCSD Campus, including a tunnel under S.R. 224 to connect the PCSD Campus to trails south of S.R. 224 without requiring street-level crossing over S.R. 224.
- c. Utility Capacity, Including Storm Water Run-Off – On October 4, 2022, utility providers reviewed the proposed addition and confirmed utility capacity for the addition. Recommended Conditions of Approval are included below.
- d. Emergency Vehicle Access – On October 4, 2022, the Park City Fire District reviewed the proposed application and must approve access prior to construction.
- e. Location and Amount of Off-Street Parking – The McPolin Elementary School provides 40 parking spaces. LMC § 15-3-6 Parking Ratio Requirements for Specific Land Use Categories require two spaces per three employees, or one space per 1,000 square feet of floor area, whichever is greater, for schools. There are 64 employees for the McPolin Elementary School, requiring 43 parking spaces. The McPolin Elementary

School addition of 22,500 square feet triggers an additional 23 parking spaces. The Applicant proposes to restripe the parking lot for 68 parking spaces, increasing parking for the school by 28 spaces, exceeding the requirements of the LMC.

- f. Internal Vehicular and Pedestrian Circulation System – The Applicant proposes reconfiguring access to the McPolin Elementary School and Treasure Mountain Junior High to improve drop-off patterns, to rework back-of-house access for student safety, and to reduce impacts to green space.
- g. Fencing, Screening, and Landscaping to Separate the Use from Adjoining Uses – State law precludes municipalities from regulating fencing, screening, and landscaping.
- h. Building Mass, Bulk, and Orientation, and the Location of Buildings on the Site, including Orientation to Buildings on Adjoining Lots –The McPolin Elementary School addition is within the ROS Zoning District parameters and is smaller in scale than the Park City High School and Treasure Mountain Junior High School. The addition is placed to the east of the existing school to reduce impacts to open space.
- i. Usable Open Space – The PCSD is not subject to Master Planned Development regulations and is not required to provide minimum open space. However, the PCSD Campus provides many recreational fields and landscaped open spaces.
- j. Signs and Lighting – The Applicant is required to comply with Municipal Code of Park City Title 12 Signs and the City's Dark Sky Ordinance in LMC Section 15-5-5(J).
- k. Physical Design and Compatibility with Surrounding Structures in Mass, Scale, Style, Design, and Architectural Detailing – State law precludes municipalities from regulating aesthetics and construction materials.
- l. Noise, Vibration, Odors, Steam, or Other Mechanical Factors that Might Affect People and Property Off-Site – The McPolin Elementary School addition significantly exceeds ROS Zoning District Setbacks, and noise, vibration, odors, steam, or other mechanical factors will not affect people and property off-site.
- m. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas – A Condition of Approval requires compliance with LMC Section 15-5-5, requiring full screening for trash and recycling areas.
- n. Expected Ownership and Management and How the Form of Ownership Affects Taxing Entities – The PCSD owns and manages the property and is tax-exempt.

- o. Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site – While some areas of the PCSD are within the Sensitive Land Overlay (Treasure Mountain Junior High), the McPolin Elementary School is not. The McPolin Elementary School addition is not proposed to be constructed on a steep slope, near a wetland, or near a ridge line. The McPolin Elementary School is within the Park City Soils Ordinance Boundary and is required to comply with the regulations of Municipal Code of Park City Chapter 11-15 Park City Landscaping and Maintenance of Soil Cover. The Applicant has been meeting with the City's Environmental Regulatory Program Manager and must comply with Federal, State, and local regulations regarding soils.
 - p. Consistency with the Goals and Objectives of the Park City General Plan – The PCSD Campus is in the Park Meadows Neighborhood of the General Plan and the General Plan identifies the PCSD Campus as a neighborhood icon. According to the General Plan, the Park Meadows Neighborhood has mostly primary residents and the PCSD Campus serves as a community amenity. "Creating community amenities close to residential neighborhoods is essential to maintaining community while decreasing Vehicle Miles Traveled." The proposed McPolin Elementary School addition allows for clustered density to provide additional Pre-K classroom and support space and community service space on the PCSD Campus in an area of the community in which many primary residents live. Goal 4 of the General Plan is to conserve a connected, healthy network of open space for continued access to and respect for the natural setting. Objective 4B is to buffer entry corridors from development and protect mountain vistas to enhance the natural setting, quality of life, and visitor experience. The PCSD Campus that fronts Kearns Boulevard is within the Frontage Protection Zone, which extends beyond Kearns into the property 100 feet. The proposed McPolin Elementary School addition is set back from Kearns Boulevard over 400 feet and does not involve construction in the Frontage Protection Zone. Community Planning Strategy 5.8 is to encourage energy efficiencies in construction including infill, preservation, adaptive reuse, and redevelopment. The proposed addition is designed with energy-efficient mechanical and electrical systems and will stay below an Energy Usage Intensity ("EUI") of 35.
15. Staff published notice on the City's website and the Utah Public Notice website on October 7, 2022. Staff mailed a courtesy notice to property owners within 300 feet on October 8, 2022. Staff posted notice to the property on October 10, 2022. The Park Record published notice on October 12, 2022.

Conclusions of Law

1. The Conditional Use Permit complies with the requirements of the Land Management Code, as conditioned.

2. The proposed addition to the McPolin Elementary School complies with the Recreation Open Space Zoning District.
3. The proposed addition complies with the Frontage Protection Zone.
4. The use will be compatible with surrounding structures in use, scale, mass, and circulation.
5. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. Prior to construction and during construction, the Applicant shall notify the Planning Department of any proposed changes to the building plans.
2. The Applicant must revise construction drawings to comply with the Park City Water Department plan review comments prior to construction.
3. The Applicant must submit a long-term stormwater maintenance agreement to the Engineering Department for review and approval prior to construction.
4. The Applicant must meet with the Engineering Department for a pre-construction meeting and final approval prior to construction.
5. The applicant has recently submitted a Line Extension Agreement (“LEA”) for the relocation of several sewer main lines at the high school site. All items required under the LEA must be completed prior to construction. These include the following:
 - SBWRD approval of the LEA;
 - Payment of required engineering services fees;
 - Granting of required easements;
 - SBWRD approval of sewer main line construction drawings.

Additionally, the following are required prior to building construction:

- The applicant must submit building plans for the expansion to SBWRD;
 - Impact fees for the expansion must be calculated and paid to SBWRD.
6. The Fire District shall review and approve the final plans prior to construction.
 7. The McPolin Elementary School addition may not reduce the number of parking spaces provided on the Treasure Mountain Junior High site.
 8. The McPolin Elementary School shall provide 68 parking spaces.

9. Sign installations require compliance with the Municipal Code of Park City Chapter 12 Signs, a master sign plan, and a sign permit approved by the Planning Department.
10. Outdoor lights must comply with the Dark Sky Code outlined in LMC Section 15-5-5(J) and shall be fully shielded with bulbs 3,000 degrees Kelvin or less.
11. Trash and recycling pickup areas shall be fully screened and shall comply with LMC Section 15-5-5.
12. The Applicant shall comply with Federal and State regulations, as well as with the Municipal Code of Park City Chapter 11-15 Park City Landscaping and Maintenance of Soil Cover, and shall work with the City's Environmental Regulatory Program Manager to ensure compliance prior to construction.
13. All Conditions of Approval from previous CUPs continue to apply.
14. There will be widening and enhancements to the north trail and sidewalk connections to mitigate the increased usage. Improvements may be phased between the two construction projects, within a year of the final Certificate of Occupancy issued by the State Fire Marshal.
15. There must be adequate bicycle parking for the existing conditions.

Commissioner Hall seconded the motion.

VOTE: Commissioner Kenworthy-Aye; Commissioner Van Dine-Aye; Commissioner Johnson-Aye; Commissioner Hall-Aye; Commissioner Frontero-Aye; Commissioner Sigg-Aye; Chair Suesser-Aye. The motion passed unanimously.

C. 1000 Ability Way (National Ability Center) - Modification to a Conditional Use Permit and Master Planned Development - The Applicant Proposes to Modify a 2017 Conditional Use Permit and 2019 Master Planned Development to Add 2,048 Square Feet for the Stables. PL-22-05397.

Assistant Director Ward shared information related to 1000 Ability Way. She reported that the National Ability Center started to be developed when it was still in Summit County. It was later annexed into Park City. Two Planning Commission approvals governed the density and future development, which included a 2017 CUP and a 2019 Master Planned Development ("NAP MPD"). Phase I of the project was almost complete. The final development would include a lodge facility as part of Phase II. As Phase I had been developed, some of the square footages had shifted between buildings and some of the needs of the National Ability Center had changed. The applicant proposed some minor modifications. Assistant Director Ward explained that the request was to add 2,048 square feet to expand the stables as well as remove three 444 square foot recreational cabins and three 314 square foot camping yurts from the project approval. This would result in a net increase of 1,106 square feet.

The proposal triggered changes to the Findings of Fact, Open Space, and Parking. Under the code, those are substantive modifications to MPDs. Assistant Director Ward asked that the

Planning Commission determine whether this was a substantive modification. There was a table in the Staff Report that highlighted what was approved as part of the CUP and MPD. It showed what had been modified as construction had been completed and what was proposed to be canceled or removed. Staff proposed that a Final Action Letter be issued. The letter would modify the Findings of Fact in the MPD to reflect what was built, what would be added, and what would be removed. Conditions of Approval would state what was required as part of the CUP and the MPD would continue to remain in effect. When the National Ability Center came forward with plans to construct the lodge in Phase II, a CUP would be triggered.

Staff recommended that the Planning Commission determine that the request was a substantive modification. Staff also recommended that the Commission consider approving the changes that would increase the square footage by approximately 1,106 square feet.

The National Ability Center was represented by Meeche White. She reported that it was unlikely the second lodge would be built. The original plan to expand had buildings on top of all of the utilities, which would not work. The National Ability Center had since run out of space. The idea of the lodge was not being removed officially, but it would require moving all of the utilities that came into the campus to build. Ms. White added that the reason for the barn expansion was for additional safety, so the horses could be in separate stalls.

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

MOTION: Commissioner Van Dine moved to APPROVE the Modification to a Conditional Use Permit and Master Planned Development for 1000 Ability Way, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in the NAC Final Action Letter:

Findings of Fact

1. A 2017 Conditional Use Permit ("CUP") and 2019 Master Planned Development ("NAC MPD") outline the approved density for the NAC's Round Valley property at 1000 Ability Way in the Recreation Open Space Zoning District.
2. The Applicant proposes adding a 2,048-square-foot addition to the stables for safer grooming and tacking for participants and removing three 444-square-foot recreational cabins and three 314-square-foot camping yurts from the project approval resulting in 2,274 square feet of unbuilt density.
3. Additionally, as the NAC's Round Valley property has been developed over the years, some structures have exceeded the approved square footage, and others are constructed under the approved square footage.
4. The Applicant requests to increase the total project square footage by 1,106 square feet, and to update the overall project square footage to accurately reflect what has been constructed and modified.
5. The National Ability Center ("NAC") is a nonprofit organization that empowers individuals of all abilities through recreation and education. In 1999, Summit County approved a Specially Planned Area for NAC facilities located on a 26-acre

lot in the Quinn's Junction neighborhood, which was then in unincorporated Summit County. The Summit County approval included:

- A 17,000-square-foot equestrian arena;
 - A 3,500-square-foot barn/stalls;
 - An outdoor equestrian arena;
 - An outdoor challenge/ropes course, playground, and outdoor activity area;
 - An archery pavilion;
 - A gazebo;
 - Storage buildings;
 - 21,000 square feet for residential dormitory and lodging uses with 25 rooms on two levels;
 - 7,570 square feet for administrative offices;
 - 121 parking spaces.
6. In 2004, the City adopted Ordinance No. 04-50, annexing NAC into its boundaries and zoning the property Recreation and Open Space. On November 29, 2017, the Planning Commission approved a Conditional Use Permit for the following development on the site:
- Indoor equestrian arena addition (10,910 square feet);
 - Program services building addition (1,250 square feet);
 - Climbing wall (377 square feet);
 - Recreation center (7,613 square feet);
 - Cycling center storage addition (783 square feet);
 - Relocation of the archery pavilion and range;
 - Three recreational cabins (444 square feet each), six graded tent sites, three yurt platforms, and one restroom for an outdoor camping area (2,274 square feet total);
 - Greenhouse and gardening area (400 square feet);
 - Maintenance shop and storage additions (1,250 square feet).
7. On March 27, 2019, the Planning Commission approved the NAC Master Planned Development (MPD), which outlined:
- (1) the existing uses approved by Summit County;
 - (2) the increased density and uses approved by the 2017 Conditional Use Permit (Phase I); and
 - (3) future development, which includes a three-story 22,266-square-foot lodging building, as well as an additional 1,122 square feet for the equestrian center, and 332 square feet for the recreation center (Phase II).
8. On December 11, 2019, the Planning Commission ratified the NAC Development Agreement, which outlines the NAC MPD parameters.
9. On February 18, 2020, the NAC recorded the Development Agreement with Summit County (Recorder Entry No. 1127416).

10. The NAC MPD Condition of Approval 28 requires all building permits to comply with the Development Agreement, which includes the CUP and NAC MPD approvals, specifying square footages for each use. As NAC developed the project, there are changes to square footages. The Applicant requests additional modifications.
11. On March 23, 2022, the Planning Commission determined the NAC request to increase square footage for the cycling center storage addition to accommodate a prefabricated structure was a minor modification to the NAC MPD and could be approved administratively.
12. On April 7, 2022, the Planning Director approved an Administrative Permit for the increased cycling center storage addition.
13. On September 26, 2022, the Applicant submitted a request to modify the CUP and NAC MPD to increase square footage for the stables and to remove the recreational cabin and camping yurt square footage.
14. The Applicant's table outlines what was approved, what was constructed, the difference, and square footage destroyed or canceled.
15. LMC § 15-6-4(K) establishes Planning Commission authority to determine whether a proposed modification to an MPD is minor or substantive.
16. Substantive modifications create additional impacts and include a change to a Finding of Fact, an increase in floor area that triggers additional off-street parking requirements, and a reduction in open space.
17. The Applicant proposal requires modification to a Finding of Fact, changes to off-street Parking, and reduces open space.
18. The Applicant's proposal is a substantive modification to the NAC MPD.

Project Square Footage

19. In total, due to the structures constructed below the approved square footage, and the removal of the recreational cabins and camping yurts, the net increase in square footage is only 1,106 square feet and the modifications to the overall project are minimal.
20. NAC CUP Finding of Fact 19 is modified as follows:
 - The Applicant proposes the following additions and buildings:
 - Indoor Equestrian Arena Additions (12,022 SF);
 - Stable Addition (2,048 SF);
 - Program Services building and climbing wall additions (1,200 SF);
 - Community and Programs Building (new) (6,500 SF);

- Recreation Center/Gymnasium (new) (7,613 SF);
- Cycling Center (storage addition) (805 SF);
- Archery Pavilion and Range (relocated);
- Greenhouse and gardening area (new) (200 SF);
- Maintenance shop and storage (additions) (1,200 SF);
- Additional parking area (104 spaces), snow storage, and landscaping.

21. NAC MPD Finding of Fact 21 is proposed to be modified as follows:

- The NAC MPD memorializes existing uses (49,707 SF) approved through a Summit County Specially Planned Area (SPA) . . . and Conditional Use Permit (CUP) by Summit County prior to annexation of the site into Park City (50,750 SF are approved), as well as uses approved through a CUP by the [Park City] Planning Commission in November of 2017 (29,819 29,540 SF) . . . the MPD also includes a future three-story lodging building (22,266 SF) consisting of 25 suites with 13 lockouts (38 keys). The MPD also includes an additional 1,122 SF for the equestrian center and 332 SF to the recreation building that are not counted in the square footages approved with the 2017 CUP for a total of 53,260 additional square feet. On October 26, 2022, the Planning Commission approved a stable addition of 2,048 SF. The total project square footage at build-out is 101,864.

22. NAC MPD Finding of Fact 22 is modified as follows:

- A total of 101,864 SF is included in the NAC MPD including administration and programs, indoor recreation and equestrian center, lodging as well as accessory support uses and storage. A swimming pool is not included in this MPD approval. Accessory and support uses include barn/stables, camping cabins/yurts/tent platforms, maintenance shop, Nordic center yurt, gardening center, and greenhouse, and cycling center.

Off-Street Parking

23. The Applicant proposes removing 2,274 square feet of recreational cabins and camping yurts and replacing the square footage with a 2,048-square-foot addition to the stables.
24. LMC § 15-3-6 does not outline parking for cabins and camping yurts but requires one parking space per four persons maximum rated capacity for Private Recreation Facilities.
25. The exchange of square footage between recreational cabins and camping yurts to replace with a stable addition results in a reduction of 226 square feet. Also, the addition to the stables is proposed for safer grooming and tacking for participants who are already visiting the stables. As a result, staff does not recommend additional parking spaces.
26. The NAC property was granted a parking reduction due to uses that overlap and use of multiple buildings per visit.

27. NAC MPD Finding of Fact 30 states:

- The 2017 CUP approved 104 additional parking spaces to provide a total of 225 spaces for the entire site . . . Staff reviewed a 32% reduction as uses of the NAC overlap and NAC participants use multiple buildings per visit. Parking reductions are consistent with transportation goals and the General Plan. Parking will be phased with the construction of elements of the CUP and MPD.

Open Space

28. LMC § 15-6-5(D) requires Master Planned Developments to provide a minimum of 60% open space. The NAC project exceeds this requirement.

29. NAC MPD Finding of Fact 56 states:

- Proposed open space of 78% is greater than the minimum of 60% and the three-story [lodge building] design results in additional usable open space on the site.

30. Due to changes in the built, modified, and canceled square footage, the overall change in square footage for the project is minor, reducing the 100,758-square-foot project at build-out to 101,864 square feet, and the Applicant continues to exceed the open space requirements.

Development Agreement

31. On February 18, 2020, the Applicant recorded the Development Agreement for the National Ability Center Master Planned Development.

32. The Development Agreement reflects the 2017 CUP and 2019 MPD square footages.

33. This Final Action Letter modifies the Development Agreement.

Conclusions of Law

1. The modification to the 2017 CUP and 2019 NAC MPD is a substantive modification.

2. The Application complies with the requirements of the Land Management Code.

3. The modifications are compatible with surrounding structures in use, scale, mass, and circulation.

4. The effects of any differences in use or scale have been mitigated through careful planning.

5. The modification to the Master Planned Development:

- a. Complies with all requirements of the Land Management Code;
- b. Meets the minimum requirements of Section 15-6-5;
- c. Provides the highest value of Open Space, as determined by the Planning Commission;
- d. Strengthens and enhances the resort character of Park City;
- e. Compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
- f. Is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;
- g. Provides amenities to the community so that there is no net loss of community amenities;
- h. Is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time staff determined the Application to be complete;
- i. Meets the Sensitive Lands requirements of the Land Management Code and is designed to place Development on the most developable land and least visually obtrusive portions of the Site;
- j. Promotes the Use of non-vehicular forms of transportation through design and by providing trail connections;
- k. Was noticed and the Planning Commission held a public hearing in accordance with this Chapter;
- l. Incorporates best planning practices for sustainable development, including water conservation measures and energy-efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application;
- m. Addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies;
- n. Addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance;

- o. Addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan;
- p. Addresses and mitigates traffic.

Conditions of Approval

1. The 2017 CUP and 2019 NAC MPD Conditions of Approval remain in effect.
2. The Applicant shall submit an updated parking study when the Applicant submits a Conditional Use Permit application for the final phase of development – the 22,266-square-foot three-story lodge. The Planning Commission shall review overall parking for the project and shall determine whether additional parking is required to support the project at full build-out.
3. The Applicant shall verify that the stable expansion does not impact wetlands. Delineated wetlands and streams require a fifty-foot buffer.
4. The stable expansion shall comply with the Recreation Open Space 25-foot Setback outlined in LMC § 15-2.7-3 and the 28-foot Building Height outlined in LMC § 15-2.7-4.
5. The Applicant shall submit an updated open space exhibit with the future lodging building Conditional Use Permit.
6. The Applicant shall record the Final Action Letter modifying the CUP and MPD approvals within 60 days of Planning Commission approval (by December 26, 2022) as an addendum to the Development Agreement to clarify the project approvals moving forward.

Commissioner Sigg seconded the motion.

VOTE: Commissioner Kenworthy-Aye; Commissioner Van Dine-Aye; Commissioner Johnson-Aye; Commissioner Hall-Aye; Commissioner Frontero-Aye; Commissioner Sigg-Aye; Chair Suesser-Aye. The motion passed unanimously.

- D. Land Management Code Amendments - The Planning Commission Will Review Proposed Land Management Code Amendments to Clarify Landscaping and Water Wise Regulations, Define Key Terms, Update Gravel Regulations, Establish Landscaping Regulations Based on Land Use Type, Provide Flexibility to Replace Significant Vegetation with Water Wise and Firewise Landscaping, Update the Recommended Plant List to Identify Water Wise Plants, and Clarify Landscaping and Limits of Disturbance. PL-21-05064.**

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

MOTION: Commissioner Van Dine moved to CONTINUE Item 6D, Land Management Code Amendments, to the January 11, 2023 meeting. Commissioner Johnson seconded the motion.

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

- E. 1875 Homestake Road - Affordable Master Planned Development and Conditional Use Permit - The Applicant Proposes Constructing Approximately 200,436 Square Feet on Lot B of the Yard Subdivision for 123 Units Totaling 103,060 Square Feet (28 One-Bedroom Units, 88 Two-Bedroom Units, and 7 Three-Bedroom Units), 6,461 Square Feet of Amenity Space, and 42,237 Square Feet for 140 Parking Spaces (128 Underground; 12 At Grade) in the General Commercial Zoning District. 80% of the Units are Proposed to be Affordable; 20% are Proposed to be Market Rate. PL-22-05300 and PL-22-05288.**

Assistant Director Ward shared information related to 1875 Homestake Road. She reported that Housing Development Manager, Jason Glidden was present as well as the applicant's team. The City was represented by Peter Tomai, who was participating in the meeting remotely. Additionally, J Fisher, the private developer, was represented by Rory Murphy, Ryan Davis, Jake Wood, and architect, Chimso Onwuegbu. There are also several members of Staff available to answer questions. This included John Robertson, the City Engineer, Johnny Wasden, the Parking Manager, and Ryan Blair the Environmental Regulatory Program Manager. Additionally, there was a representative present at the meeting who completed the EMF Survey and was available to answer questions related to the Rocky Mountain Power substation.

City Planner, Spencer Cawley reported that the Homestake Affordable Master Planned Development ("AMPD") was a proposed 123-unit project with 99 affordable and 24 market rate units located in the Bonanza Park Neighborhood. The General Plan indicated that the neighborhood was meant for mixed-use and the overriding goal for the neighborhood was to create new housing opportunities while maintaining existing affordable housing units. Planner Cawley shared a timeline of the review process, which included meetings, a site visit, and public outreach. As part of the review process, the Planning Commission needed to make 15 findings to approve an AMPD pursuant to LMC 15-6.1-12. The Planning Commission also needed to review 16 Conditional Use Permit criteria pursuant to LMC 15-1-10(E) to approve a multi-unit dwelling in the General Commercial Zone. On September 28, 2022, the Planning Commission reviewed those criteria with the understanding that the following would be further reviewed:

- Traffic considerations including capacity of the existing streets in the area;
- Transportation amenities, including drop off areas for van and shuttle service, and a bus stop, if applicable;
- Magnetic Field Survey.

At the Planning Commission Meeting on September 28, 2022, the Planning Commission provided input to the applicant. This included consideration of a cap on total occupancy per unit type, a timeline for projects around the Homestake AMPD site, consideration of more covered and secure bicycle parking, a reduction of the overall height of the project, updates to the pedestrian circulation and trail connectivity exhibit, and additional information about the substation. Based on that feedback, the applicant provided updated materials, which had been outlined in the Staff Report. The code required that 50% of residential unit equivalents be affordable in an AMPD.

The applicant proposed that 80% of the units be affordable. The number of units had changed since the last meeting on the item, with a small increase to the number of three-bedroom affordable units and a small increase in the two-bedroom units.

Planner Cawley shared an exhibit submitted by the applicant related to building height. There was some mechanical screening that was above 45 feet. Additionally, there was the elevator penthouse, that was permitted, per the AMPD code. The mechanical screening would be compliant with the Code. He shared a chart that overviewed the proposed heights for different building sections from final grade. The full height of the proposed building was 51.5 feet and it could be up to 53 feet. The Planning Commission had asked for an analysis of occupancy. The applicant provided a table that showed some of the possible scenarios.

As for the bicycle facilities, the applicant had informed Staff that there was internal bicycle storage for residents. That would be in the parking garage and there would be approximately 800 square feet of secure bicycle storage. This would allow for the storage of approximately 50 bicycles. There would also be a bicycle repair amenity space. Planner Cawley reported that the storage space needed to provide charging stations for e-bikes, which was part of Condition of Approval 13. The LMC also required bicycle racks that would hold 13 bicycles for visitors to the site. The traffic impact study recommended racks for 15 bicycles as a transportation demand management strategy. The applicant agreed to allow a bicycle share location on site, subject to the Park City Transportation and Engineering Department and Summit County approval.

Planner Cawley overviewed some planned and budgeted Bonanza Park improvements:

- Homestake Road - a 12-foot multi-use pedestrian and bicycle pathway (spring 2024);
- Woodbine Way - conversion to a one-way southbound road with sidewalks and on-street parking (spring 2025);
- Munchkin Road - expansion across what was now the Recycle Utah Center (spring 2025);
- Snow Creek Tunnel - funds for an underpass are allocated in Fiscal Year 2023 and the project is slated to begin in the spring of 2025.

Planner Cawley shared an infrastructure construction timeline with the Commission. The overall layout of the improvements to Homestake Road, Woodbine Way, and Munchkin Road are shared as well as an overview of the Snow Creek pedestrian access improvements. A regional transit map illustrated that there are many lines and stops that intersected throughout the area. According to City Transit, Homestake Road was narrow and not suitable for buses, but there are many stops within walking distance on Park Avenue, Kearns Boulevard, and Bonanza Drive. Planner Cawley shared the updated exhibit from the applicant, which showed the internal circulation. Staff had highlighted the transit stops to show that they are accessible from the Homestake site. Chair Suesser asked about the distances and access onto Iron Horse Drive. Assistant Planner Ward pointed out the area on the map and explained that the transit stops along Kearns Boulevard, Bonanza Drive, and Iron Horse Drive are within a quarter mile.

The required parking under the LMC was a total of 127 parking spaces. This was based on the number of units that are less than 1,000 square feet and that are between 1,000 and 2,000 square feet. The applicant did not have any units that are greater than 2,000 square feet. The applicant exceeded the required parking and proposed 140 parking spaces, with 128 underground and 12 at grade. Conditions of Approval 15 through 20 incorporated the applicant's parking management

plan, as recommended to be amended by Staff. Planner Cawley explained that the following needed to be installed prior to any unit Certificate of Occupancy issuance:

- High-speed remote-controlled gate at the entrance to the parking structure;
- Cameras for remote monitoring 24/7 by the management company;
- Daily security patrol;
- Required permit/sticker for any vehicle to park in the parking structure. Cars without permits/stickers would be towed at the owner's expense;
- Units shall be restricted to one parking space. In no circumstance shall the total vehicles granted a parking permit/sticker exceed 128; and
- Two parking spaces (surface) shall be reserved for property management.

The applicant agreed to Condition of Approval 29, a recommended Transportation Demand Management strategy that was outlined in the Traffic Impact Study. The applicant would make two surface parking spaces available as part of a Transportation Demand Management Strategy for carshare service, should that service become available in the area, or for limited ridesharing service parking. Condition of Approval 22 required electric vehicle charging station conduit and stations be installed and operable prior to the Certificate of Occupancy issuance.

Assistant Planner Ward explained that once an AMPD was approved, it required the applicant to draft a Development Agreement that outlined requirements in the code as well as the Conditions of Approval specific to the project. All AMPDs had a two-year window to begin construction after project approval or it would expire. The Planning Commission would review and ratify the Development Agreement. If the project was approved, the applicant would have six months to draft that Development Agreement. It would come before the Planning Commission for a public hearing and ratification. That would be required prior to Building Permit issuance.

As part of the affordable project, deed restrictions would be required to be recorded in order to protect the long-term affordability of the units. Those are required to be recorded before any Certificate of Occupancy was issued. Assistant Director Ward reported that this would continue for 40 years. After that time, the City had six months to determine whether the affordable units are needed or not. If the City Council took no action, the deed restrictions would continue for another 10 years. Chair Suesser wondered whether the deed restrictions included a prohibition against nightly rentals on market-rate units. Assistant Director Ward explained that nightly rentals would be prohibited in the market rate units as part of the approval. In addition to that, the deed restrictions would also prohibit nightly rentals in the affordable units.

Assistant Director Ward shared information related to traffic. In June 2022, the applicant submitted a Traffic Impact Study. The Engineering Department, Planning Department, and applicant had been working to ensure that the Traffic Impact Study reflected all of the proposed changes for the area. As a result, the City hired a consultant, WCG. WCG worked with the City and the applicant hired Hales Engineering. Those consultants had coordinated for several months. The Traffic Impact Study was attached as an Exhibit to the Staff Report. She noted that the level of service would likely be discussed later on in the meeting. The table from the study showed that for the level of service, A, B, C, and D are considered good. E was where mitigations came into play and F indicated unpredictable flows and excessive delays.

With the Traffic Impact Study, there are recommended Transportation Demand Management Strategies. Each of the strategies had been incorporated into the project as Conditions of

Approval. Assistant Director Ward overviewed some of those conditions. The conclusion of the Hales Engineering Traffic Impact Study was that the project was anticipated to add minimal traffic to the roadway network. The project-related traffic would fit into the planned Homestake Roadway Cross-section. Assistant Director Ward reported that the Hales Engineer representative and Engineer Robertson are present to answer questions.

Significant public input was received during the last public hearing. Additionally, comments had been submitted to Staff, which are included as an exhibit in the Staff Report. Since the Staff Report was published, six additional emails had been submitted. Those had been forwarded to the Planning Commission for review. Staff recommended that the Planning Commission review the proposed project, conduct a public hearing, and consider approving the Homestake AMPD and Conditional Use Permit for the multi-unit dwelling, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Final Action Letter.

The applicant requested two minor modifications to the Conditions of Approval. One was Conditional of Approval 13, which would clarify that the applicant would provide approximately 800 square feet for secure bicycle storage, ranging from 30 to 50 bicycles. The other was Condition of Approval 19, which would clarify the language to state that the applicant would number parking stalls, each unit would be designated one underground parking space, and the total number of vehicles granted a parking permit or sticker authorization to access and park in the underground parking structure would not exceed the available number of underground stalls. Upon termination of a rental lease, tenants must also turn in their parking permits.

The applicant representative, Mr. Murphy addressed some of the previous Commissioner comments and questions. At the last meeting, Chair Suesser asked about the status of the soil study on the project. They had completed an Environmental Phase II study that showed high levels of lead, between nine inches and 2.5 feet at seven test holes, located primarily along the northern and western areas of the parcel. There was no contamination discovered below 2.5-feet. This corresponded with earlier research that indicated the area was a railroad switching yard. It was likely that the ore was dropped occasionally during the loading process. The initial cost estimates are between \$1.3 and \$1.4 million to remediate the site. Chair Suesser had also inquired about the ground lease. Since it was a legal document that was being discussed at the Council level, he was limited in what he was able to say about the ground lease. However, he had been cleared to say that the lease would be for at least 65 years, the deed restrictions would be in place for the life of the lease, and the developer was responsible for the operation and maintenance of the project for the term of the lease, and all improvements, including the building on the land, would revert to the City upon the expiration of the lease.

Mr. Murphy apologized to Commissioner Kenworthy as he had not fully understood his question at the last meeting. They had submitted an up-to-date table of the maximum number of individuals that could occupy the proposed project. He reported that the total number of individuals in the building could be 573, as per the Federal guidelines. The average occupancy of an affordable project was 1.4 persons per room, which would likely put the occupancy at approximately 315. Commissioner Kenworthy had also inquired about the spaces that currently existed in the parking lot. According to the Park City Parking Director, there are approximately 120 parking spaces with the storage items on-site and 220 without them. Commissioner Kenworthy requested the Traffic Study, which had now been reviewed by the City Engineer and a third-party traffic consultant hired by the City. It was available for Commissioner review.

Josh Gibbons from Hales Engineering shared information related to the Traffic Study. It was anticipated that the project would add minimal traffic (less than 50 vehicle trips) to the nearby intersections. There was existing congestion in the area at different intersections. For instance, at Homestake Road and Park Avenue, which had a Level of Service F at the PM peak hour. That was an existing deficiency that needed to be addressed. Mr. Gibbons reported that Hales Engineering had worked with the City and the City-hired consultant to determine an appropriate solution. Part of that solution was the City's plan for Munchkin Road. The study also recommended that at Homestake Road and Park Avenue, the City and Utah Department of Transportation ("UDOT") consider restricting left turns due to the high delays. Vehicles could instead travel on the new Munchkin Road connection to the east. That was expected to improve the overall level of service. However, there would still be some delays for right turns due to the number of pedestrians crossing at the crosswalk.

The study also recommended Transportation Demand Management Strategies related to carshare and bicycle facilities. There are more than 10 transit stops within one-quarter mile walking distance, so there was good access to transit in the area. Mr. Gibbons noted that parking had been considered in the study as well. The parking met the requirements in the City Code.

Mr. Murphy noted that Commissioner Kenworthy had previously asked about the total parking stalls. They would be required to build 127 stalls, as per the Multi-Family Building Parking Code in the LMC. That was the parking required for a market-rate building. He noted that there was no desire to reduce the parking and 12 additional spaces had been added to alleviate concerns. Commissioner Kenworthy also stated that the unresolved issues of displaced parking needed to be addressed. Mr. Murphy explained that he was limited in what he could say, but work had been done with City Staff to find a solution. The City would have a temporary plan in place that would accommodate the Kimble Art Center parking, overflow parking from the restaurants, overflow parking from the residents in Homestake, and day construction parking.

There had also been discussions about the recycling center. Mr. Murphy explained that there was no intention to move or alter the Recycle Center. It was entirely separate from the property, so there would be no encroachment on the land. Commissioner Hall had requested a sunset clause for the project, which was agreed to. The sunset clause was two years, as per the LMC. She also requested that dedicated bicycle storage as well as maintenance be incorporated into the project. Mr. Murphy pointed out that the project would have visitor bicycle parking, an e-bike station, and the 800-square-foot biking, parking, and maintenance area. Commissioner Hall had requested that the height of the project be reduced. Mr. Murphy reported that a lot of time had been spent looking into that. An effort had been made to reduce the height where possible.

Commissioner Van Dine previously mentioned that selling back parking spaces was a possible solution to accommodate the demand. Mr. Murphy explained that the Federal program that they are working with had certain guidelines. At least one parking space per unit was required. That being said, he had no issue with individuals selling or renting their personal parking space, but it could not be set as an official policy.

Mr. Murphy reported that the Traffic Study was completed in June 2022 and reviewed by the City Engineer and a third-party traffic consultant. All parties agreed with the conclusions that are drawn from Hales Engineering. The Traffic Study indicated that the project would not cause a reduction in service to any of the affected intersections. Additionally, the improvements to Homestake Road and Munchkin Road would improve the current situation.

Commissioner Frontero previously inquired about the connectivity of trails and Mr. Onwuegbu prepared an exhibit that addressed that inquiry. Mr. Onwuegbu noted that the site was fairly central to everything. There are a lot of transit stops in close proximity to the site as well as the Rail Trail and Poison Creek Trail that are connected within an eighth of a mile. Mr. Murphy noted that Commissioner Johnson had expressed concerns about the substation, particularly regarding the EMFs and the implications on human health. He asked an expert in this area, George Hanson, to address outstanding questions related to the EMF situation at Homestake. Mr. Hanson was an engineer who was recognized as one of the leading electromagnetic shielding authorities in the country. He was considered to be an expert on EMF emissions. Mr. Hanson was not employed by J Fisher or the City and was present of his own accord.

Commissioner Johnson had asked about soundproofing the substation. Mr. Murphy reported that several products would be able to reduce the sound and could be incorporated into the separating wall. They would work with Rocky Mountain Power on that. Mr. Murphy appreciated the Planning Commission's consideration. Affordable housing was necessary for Park City. He felt the proposal was within the letter of the Code and within the spirit of the Code.

Commissioner Hall liked that the project consisted of 80% affordable units rather than the minimum 50%. She also liked that there are rentals, that no nightly rentals applied to the market-rate units or affordable units, and that this was a private developer. She also liked that the location was close to transit, schools, and commercial, and liked the new secured and covered bicycle storage. Additionally, she appreciated that there are no variances or exceptions. Commissioner Hall noted that she and Planner Cawley had briefly discussed the Soil Ordinance. The Soil Ordinance for the LMC was stricter than the EPA. That gave her additional comfort about the soil that would be under the property. Assistant Director Ward reported that the applicant had been working with the Environmental Program Regulatory Manager. There would be close coordination as the project was developed to ensure that soils met Federal, State, and heightened City regulations.

Commissioner Hall appreciated the modifications in the proposed application regarding the height. She liked that efforts had been made to reduce the mechanical storage space. Commissioner Hall wondered whether it would be possible to move Finding of Fact 38 so it was listed as a Condition of Approval. This related to nightly rentals for market-rate units. For Condition of Approval 33, she felt there should be some language added to indicate that the wall should be sound buffering. She also asked that the word "minimum" be added so there was not a cap at 10 feet. She was in favor of a higher wall, which was originally proposed. Commissioner Hall wondered whether the Finding of Fact 12 for the roof space included the new percentage. She suggested that a Condition of Approval be added to state that if there was a child care facility, the applicant did not need to come back for a CUP. It could already be conditioned. Assistant Director Ward clarified that childcare facilities are already allowed in the zone.

Commissioner Kenworthy suggested that there be tiers for AMI. Mr. Murphy noted that those conversations were ongoing. The intention was to try to achieve affordability and have 40% AMI and 50% AMI. Commissioner Kenworthy mentioned the EMFs. He wondered whether Staff had done a study on the potential EMF impacts if Rocky Mountain Power upgraded the above-grade power lines. Assistant Director Ward explained that the City had not conducted a study, but the applicant had submitted the study that they had done. Mr. Hanson did not believe there was not enough field strength there to make a notable difference. He explained that many EMF studies had been inconclusive and it was difficult to impose regulations when there are unknowns.

Commissioner Johnson and Commissioner Kenworthy wanted there to be baselines included in the motion language. For instance, there could be details in 10-foot increments.

On Page 423 of the Staff Report, the EMF survey description noted that the survey readings are a snapshot in time and are not predictive of what the readings would be in the future. Commissioner Kenworthy felt that EMF was a difficult issue to navigate. He agreed with Commissioner Johnson that it was important to mitigate as much as possible. Chair Suesser wanted to see additional language in Finding of Fact 39. She felt some sort of conclusion from the National Cancer Institute document and Iowa State University fact sheet should be included. Attorney Harrington asked for clarification about the request. For Finding of Fact 39, Commissioner Johnson did not want additional information but wanted to collate the existing information and clarify what had been provided. Attorney Harrington explained that the Commission was being asked to approve or deny the application, not make a recommendation.

Commissioner Kenworthy felt that any known relationship between EMF and the upgrading of the lines should be mentioned. The baseline numbers would inform renters of the current conditions and what the predicted increases would be with the substation. Attorney Harrington explained that the numbers are not necessarily predictable. However, there could be a Condition of Approval to state, "In the event of an upgrade, the applicant shall submit an updated study to the City Engineer." The Commission felt the baseline data was important to have, especially as it related to future liability and indemnification. Chair Suesser wondered if there needed to be an Appendix to the rental lease. Attorney Harrington reported that with some subdivisions, a disclosure statement had been required in the project Covenants, Conditions, and Restrictions ("CC&R") or real estate contracts. Something like that could be explored. He suggested that the Commission forward its concerns to the City Council.

Commissioner Kenworthy asked that whatever recommendations are forwarded state that no experts are claiming anything with regard to the health and safety of the site based on EMF. Chair Suesser pointed out that the Planning Commission had the final approval for the project. The City Council would not weigh in on those aspects of the application. Commissioner Hall noted that the Commission could participate in the discussions regarding the ground lease.

Commissioner Frontero thought the project was well put together. The EMF was slightly concerning and had been from the beginning. Other than that, he believed the project had come back to the Commission better than before. Commissioner suggestions had been taken seriously, no variances are being requested, and there would be no nightly rentals. He felt the project was something Park City needed as it would move forward with affordable housing goals. Commissioner Van Dine echoed the comments made by Commissioner Frontero. This was a needed amenity in Park City and she felt this was an excellent project. She was grateful that the applicant had listened to the Commission and the feedback from the public.

Commissioner Sigg felt it was refreshing to see a true workforce housing initiative. It would benefit the community. As for the infrastructure improvements, he wanted to confirm that the funding had been appropriated and those improvements are moving forward in accordance with the schedule that had been provided. Engineer Robertson discussed the infrastructure projects. Homestake Road, Munchkin Road, and Woodbine Way are all capital projects that are fully funded. The Homestake development project itself was approximately 30% to 60% designed. There was a consultant on board and the plans are being completed. The water line portion would go in first in 2023 and that was currently at 90% planned. Homestake would follow in 2024.

Commissioner Kenworthy further discussed connectivity and trails. He wondered if the project would fill in the gaps with regard to pedestrian and bicycle trails from the corner of Park Avenue and Kearns Boulevard over to Deer Valley Drive. It was confirmed that when the infrastructure projects are completed, those gaps would be filled in. There would be better connections and a multi-use path along the south side of 248. Additional discussions are had about trails in the area and connectivity within the community. Chair Suesser asked if the Munchkin extension included a wide sidewalk from Homestake to Bonanza. Engineer Robertson confirmed this. The plan was to have a five-foot sidewalk on the north side. Additionally, there would be a continuation of the 12-foot multi-use path on the south side.

Commissioner Kenworthy shared comments related to occupancy. He appreciated the transparency with the numbers and asked about the 1.4 per room average occupancy mentioned earlier. Mr. Murphy explained that this was based on the J Fisher portfolio. 1.4 per room was the average occupancy across the low-income housing tax credit projects. None of those properties are located in Park City. Commissioner Kenworthy noted that during the winter months, there are often a lot of people in a unit, so the 1.4 number did not seem relevant to Park City.

There was discussion regarding the Traffic Study. Commissioner Kenworthy asked about the Existing 2022 Background Peak Hour Level of Service chart. Bonanza Drive and Kearns Boulevard had a C level for the morning peak. He asked what the 23.4 number was. Mr. Gibbons explained that it represented the seconds of delay per vehicle. The level of service was based on that number. The counts had been taken in late January on a Saturday. He reviewed the level of service numbers for other nearby roads. Both level of service and queuing are considered and identified in the traffic study. Certain mitigations had been discussed with the City and the consultant.

Commissioner Kenworthy read some of the data from the 2012 UDOT study. He wondered how the level of service had improved on some roads since then. Mr. Gibbons felt confident in the current numbers. A third-party had also reviewed the results. He explained that the results are consistent with what had been seen and analyzed in the past. The analysis was based on the existing conditions. It was noted that some adjustments had been made to signal timing. Those could improve levels of service over time. Transit had also improved over the years. There are many variables that could account for the difference between the 2012 numbers and current numbers. Commissioner Kenworthy expressed concern about the variables between the studies.

Commissioner Frontero asked if circulation alternatives had been looked at. For instance, one-way or directional right-hand turns. Mr. Murphy explained that a lot of different options and scenarios had been explored. There had been conversations with UDOT. He noted that there are a lot of studies and analyses taking place to try to improve the overall traffic flows. This particular project would add some traffic, but would not add traffic to a negative level of service.

Chair Suesser opened the public hearing.

Peter Tomai stated that he worked with Mr. Glidden. The public/private partnership was the result of 12 months of collaboration and negotiation. Stakeholders, which included the City, residents, and businesses, had all contributed to the design that was being proposed. The project would deliver 99 permanently affordable housing units with a development that met or exceeded the requirements in all respects. The development was consistent with the General Plan, would improve the residential quality of the neighborhood, and would provide workforce housing with amenities. There was an intense need for affordable housing in Park City. The City had set

ambitious goals to address affordable housing and this project was an important milestone. He believed it deserved support from the community and Commission.

Matthew Nagie identified himself as a former civil engineer, current physics teacher, and resident of affordable housing in Old Town. Regarding electric vehicle chargers, he recommended that there be a view toward the future. Conduit could be done at the beginning so it was possible to increase that infrastructure as it was needed. The City has certain sustainability goals. This resulted in the affordable housing project he was a resident of not having gas. There is electric heating, which is inefficient. Heat pumps are more efficient and make it possible to reduce the electric bill. He did not know what was planned for the heating with the proposed project but hoped that heat pumps would be considered. As for the occupants per room, he supported the 1.4 number based on personal experience. He asked the Commission if a single person that qualifies for a two-bedroom unit could sublease the second bedroom.

Mr. Nagie stated that Kearns Boulevard is an excellent candidate for protected bicycle infrastructure. Although he was opposed to road widening, he was in favor of innovative solutions to traffic problems. For instance, paid parking downtown, fewer parking spots downtown, and more frequent bus service. He was not concerned about this particular project creating a significant traffic impact. Mr. Nagie shared comments related to EMF. He believed that every second spent talking about EMF was a waste of time because it is irrelevant.

Greg Friedman, a Park City resident, stated that his primary concern related to the safety of residents and visitors. During construction of the project, there will be a lot of construction traffic on Homestake Road as well as the nearby intersections. There seemed to be a great plan for sidewalks, but this needed to be addressed before construction begins on the project. There are no sidewalks on Homestake Road. Adding construction vehicles there would make it even more unsafe. He felt that the Planning Department should plan to improve City-owned infrastructure prior to the construction phase of the project.

Mr. Friedman noted that there are existing parking issues in the area. During construction, those problems could become worse since many of the on-street parking will be impacted. He asked that Homestake Road parking be permitted for residents. It was also important to consider where construction workers will park. After the development is complete, there will be more delivery and service vehicles in the area. He suggested that the project include a place for service vehicles to park during visits so they did not take up residential parking spaces.

Mr. Friedman agreed with the previous comment regarding EMF. He noted that the best time to take measurements is during peak ski season when all of the lifts are running at full capacity. However, he did not believe EMF was something worth spending a lot of time on as it dropped off quickly. Mr. Friedman discussed occupancy. 573 occupants are considered the maximum, but people would cram into the building during the winter months. Even with enforcement, he believed there would be 30% more than the expected occupancy. Mr. Friedman reported that there was a portion of Homestead Road where two semi-trucks could not pass each other at the same time. He felt this needed to be addressed before construction and the road needed to be straightened out. It was noted that there was Federal funding involved. Mr. Friedman asked that there be a contingency in place in case Federal funding did not remain.

Megan McKenna identified herself as the Housing Advocate for the new Housing Resource Center at the Mountainland Community Housing Trust. She reported that the Housing Resource Center supported the Homestake project and explained how support was determined for a project.

The center meets with applicants and other stakeholders to weigh the cost and benefits to the community. In the case of Homestake, the Housing Resource Center saw a net benefit to the community. The project will help the City reach housing goals as well as energy, transportation, and social equity goals. Every day, the Housing Resource Center receives inquiries about housing, but there is not enough inventory. A lot of the traffic that comes into the community is the workforce. The more affordable housing there is in Park City, the fewer employees that will need to commute. 99 units means 99 fewer people driving in and out each day.

Ms. McKenna reported that unemployment is among the lowest in the State. In Summit County, it is below 2%. A lot of employers are nervous about being able to hire the workforce that they need. In addition, the surrounding communities are becoming more competitive. Ms. McKenna reiterated the need for affordable housing. She asked those present to take a community approach to address that need. Ms. McKenna informed the Commission that she would continue to advocate that elected officials increase funding for affordable housing.

Jamie Johnson identified herself as the CEO of the Park City Board of Realtors. She thanked Staff for the hard work done on the project. Additionally, Mr. Murphy did an excellent job of reaching out to the community. She echoed the comments from Mr. Tomai and hoped that the project would move forward. The Park City Board of Realtors is in support of affordable housing and recognized the dire need. The Board encouraged the Commission to make aggressive efforts to support affordable housing while ensuring that there are no major compromises to the property rights of others. This project would help meet those needs.

Kelly Eiss reported that she lives across from where the project will be. She appreciated all of the time and effort that had gone into the project. However, this was a small piece of land and the occupancy was a concern to her. There would be a lot of people in a dense area. Ms. Eiss was also concerned about the traffic and expressed concerns about the size and scope of the development. This seemed like it would be an urban center and would not maintain the small-town feel. She supported the project but was worried about the size.

Linda Rosepink lives in the neighborhood and wanted to see it remain a neighborhood. She wanted to see the area develop and for there to be affordable housing. She was concerned about the size of the project and the density. Ms. Rosepink explained that managed growth ensures that any future growth maintains the quality of the resident and visitor experience. It was important to think about how the development would impact the existing residents. She asked that the project be scaled back a bit to alleviate the outstanding concerns. There was still a lot to deal with as it related to the traffic, but there was an opportunity to make adjustments now. Many people that she had spoken to felt that the proposed development was too large.

Heather Scholz identified herself as a broker and realtor. She also serves on the Affordable Housing Committee that was formed this year. The subject property is a great location because it is centrally located and people can walk or bicycle to work. She supported the project and expressed her support. Safety is important and it is necessary to follow protocols during the construction process. Ms. Scholz believed the development will utilize the existing public transportation systems and hoped the development would be approved. It was important for people to have the ability to live and work in the area if that was desired.

Makena Hawley lives in the neighborhood and disclosed that she currently works for the Planning Department. She was sharing comments as a private resident. Ms. Hawley thanked the Commissioners, Staff, and developer for their work on the project. As for the traffic discussions,

the project is close to transit stops and many businesses. It creates an opportunity for less traffic as well. She was excited about the development moving forward. Chair Suesser was sorry to hear the news that Ms. Hawley would be leaving the Planning Department.

Katrina Kmak was a resident of Homestake Road. She supported affordable housing but wanted to mention the existing parking issues. She hoped there would be creative solutions to address all of the new vehicles that would be coming into the area. Additionally, she hoped that Homestake Road would become more walkable because it was not currently safe.

Meeche White expressed her support for the project and affordable housing in the community. She thanked the Commission for their work and consideration of the development.

Mr. Friedman shared additional comments. He wondered where children living in the development will be able to recreate and play outdoors. There should be green space available. As part of the planning process, he asked that outdoor play space be considered.

There were no further comments. The public hearing was closed.

Commissioner Hall discussed Condition of Approval 22. The Code required that conduit be laid for a potential of 20 electrical vehicle charging stations. She wondered if that could be higher and the number increased. This was confirmed. Commissioner Hall noted that conduit is affordable to install during construction but is challenging to add after the fact. She wondered if a minimum of 40% would be an appropriate amount. This was agreed to.

Chair Suesser discussed Condition of Approval 31, which is related to trash and recycling facilities. It referred to centralized trash and recycling containers. She wanted to make sure that this meant a dumpster and not individual trash cans and recycling bins for residents. Mr. Davis reported that there would be two areas in the building that would have dumpsters. At least one would be a compactor but there was a desire to fit two compactors on the site. In the trash rooms, there would also be recycling options available for the residents. Two centralized locations would remain internal until the haul-off happened and the dumpsters would be rolled out for removal. The dumpster would be pulled out to the edge of the building at the gate and the trash truck would be able to back in and remove the trash. This would all take place on-site.

Commissioner Johnson mentioned Condition of Approval 13. He wondered if storage for 50 bicycles was appropriate. It was noted that the area needed to be planned out further. There would also be internal storage units that residents could use for additional bicycle storage. Commissioner Kenworthy wanted to see that at least 100 bicycles could be stored on the property.

Chair Suesser asked if there are accommodations for an on-site manager to live in the building. It was clarified that there was not a dedicated unit, but there would be on-site staff and on-call maintenance. There would be an office area allocated for staff as well as maintenance facilities.

Commissioner Johnson discussed Condition of Approval 33. He wanted to make sure there was agreement with the language that states, "Shall install a minimum of a 10-foot wall alongside the substation, with some sound mitigating material to be included with the wall." Mr. Murphy pointed out that there was an intention to put in noise-reducing material, but Rocky Mountain Power would need to grant their permission. Commissioner Johnson thanked the applicant for bringing forward an application that met Code. He also appreciated that the EMF process had been done, but noted that if the setback was 10 feet more, there would be a reduction of 65% to 70%. Chair

Suesser wondered when there would be a revised exhibit reflecting the request from Commissioner Johnson. Mr. Murphy believed that could be turned around very quickly. The document had the footages from the fence, but it could be adjusted to show them from the substation itself.

Commissioner Hall referenced Condition of Approval 19, which stated that units under 1,000 square feet are restricted to one parking stall. Since these are leased units, she wondered whether there was a way to specify in the lease that parking violations would result in the termination of that lease. That would be a comfort to the neighbors. It was noted that there would be some sort of language related to continued violations of the rules and regulations. Commissioner Hall addressed the public comments related to open space. She reported that there was a playground in the area between the roundabout. Mr. Murphy added that there was also an indoor play area for children. Commissioner Kenworthy stressed the importance of comprehensive planning. The Commission discussed amendments.

MOTION: Commissioner Hall moved to APPROVE the Affordable Master Planned Development and Conditional Use Permit for 1875 Homestake Road, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in the Draft Final Action Letter, as amended:

Findings of Fact

1. 1875 Homestake Road is the triangular-shaped Lot B of The Yard Subdivision – First Amended, a 1.86-acre Lot in the General Commercial Zoning District.
2. 1875 Homestake Road is in the Bonanza Park neighborhood, which the General Plan identifies as a mixed-use neighborhood where locals live and work. According to the General Plan, “[t]he overriding goal for this neighborhood is to create new housing opportunities while maintaining the existing affordable housing units.” The General Plan also encourages Multi-Unit Dwellings to direct higher density to this area to provide life cycle housing opportunities, including starter and step-down housing.
3. The Applicant proposes a 123-unit Multi-Unit Dwelling with 80% deed-restricted affordable units and 20% market-rate units as seen on the table.

Affordable Master Planned Development

4. On February 25, 2021, the City Council adopted Ordinance No. 2021-10, enacting a new Land Management Code (“LMC”) Chapter to establish Affordable Master Planned Developments (“AMPD”) to incentivize the development of affordable housing through increased height, and reduced setbacks, height, and parking.
5. The purpose of AMPDs is to:
 - a) Incentivize public, private, and public-private development of Affordable Units for the workforce of Park City;

- b) Create developments that include market-rate and Affordable Units and increase housing opportunities that are affordable to a wide range of incomes;
 - c) Increase Building Height and Density and decrease parking requirements for Affordable Units if impacts to the community are mitigated;
 - d) Ensure neighborhood Compatibility; and
 - e) Encourage mixed-use, walkable, and sustainable development and redevelopment that provides innovative and energy-efficient design, including innovative alternatives to reduce impacts of the automobile on the community.
6. Affordability – AMPDs must contain at least ten Residential Unit Equivalents (“RUE”) (20,000 square feet). AMPDs must contain at least 50% of the RUEs as deed-restricted affordable units. The Applicant proposes 80% affordable units and 20% market-rate units with 82,270 square feet (41.1 RUEs) for affordable units and 20,210 square feet (10.1 RUEs) for market rate.
7. Interior Amenities – Affordable units may differ from market-rate units with regard to interior amenities and Gross Floor Area provided that:
- a) These differences, excluding differences related to size, are not apparent in the general exterior appearances of the market-rate units within the AMPD.
 - b) These differences do not include insulation, windows, heating systems, and other features related to the energy efficiency of the AMPD.
8. Setbacks – The LMC defines Setback as “[a] line parallel to a Property Line (or a Right-of-Way, platted Street, existing curb or edge of a Street, whichever line may extend furthest into the lot) at a distance established by the Zoning District. Between this line and the corresponding Property Line, no structure or portion thereof shall be permitted, erected, constructed, or placed unless specifically allowed by the Zoning District”. For properties two acres or less, the minimum setback around the exterior of an AMPD is the zone-required setback. The setback requirements for the General Commercial Zoning District are outlined in LMC § 15-2.18-3 as follows:
- a) Front Setback: 20 feet minimum for all buildings and uses, setback may be reduced to 10 feet, provided all on-site parking is at the rear of the property or underground;
 - b) Rear Setback: 10 feet minimum;
 - c) Side Setback: 10 feet minimum.

9. Because of the Lot's unusual configuration, the Planning Director issued a determination for the Lot's Setbacks on March 16, 2022, pursuant to LMC § 15-4-17 Setback Requirements for Unusual Lot Configurations. The determination letter states:
 - a) *The six unique property lines that make up Lot B of The Yard Subdivision – First Amended fronts both Homestake Road on the west and the platted Munchkin Road Right-of-Way dedication on the north creating an unusual triangular-shaped Lot configuration... “[d]evelopment on Corner Lots shall have two (2) front setbacks unless otherwise an exception by this Code. The rear yard will be the side of the property opposite the driveway access from the street. If it is not clear which boundary should border the rear yard, the Planning Director may specify which is the rear yard.”*
10. The Applicant is not requesting a reduction to the required setbacks.
11. Building Height – AMPD Building Height must comply with the underlying Zoning District for the perimeter Building Façade planes. The Building Height for the General Commercial Zoning District is 35 feet from Existing Grade. LMC § 15-6.18(A) establishes a Building Height increase to 45 feet from Existing Grade for AMPDs when the following criteria are met:
 - a) Stepback – The building includes a 10-foot step back on all perimeter building façade planes from the underlying Zoning District building height to the 45-foot Building Height. The Applicant achieves the 10-foot stepback and proposes roof overhangs into this stepback.
 - b) Infrastructure – Infrastructure is in place or can be updated to meet the increased demand. The Park City Water Department verified infrastructure is planned to be updated to accommodate the 45-foot Building Height. The Water Department will be replacing and upsizing the line in Homestake Road to connect it to a higher-pressure zone near Kearns Boulevard, with construction beginning in 2023. On September 1, 2022, the Snyderville Basin Water Reclamation District (“SBWRD”) submitted a letter stating SBWRD can provide wastewater service to the project.
 - c) Façade Variation – The building complies with the building façade variation requirements. LMC § 15-15-1 defines building façade as, “[t]he exterior of a building located above ground and generally visible from public points-of-view.” AMPDs that exceed 120 feet in length on any façade must provide a prominent shift in the mass of the building at least for each 120-foot interval, resulting in a change in function or scale reflected through façade alignment of building height variation for at least 15 horizontal feet. The proposed building façades exceeds 120 feet in length and achieves variation in façade for at least 15 horizontal feet.
12. Building Height Exceptions – LMC § 15-6.1-8(B) outlines when AMPD Building Height may exceed 45 feet:

- a) Antennas, chimneys, flues, vents, and similar structures may extend up to five feet (5') above the highest point of the building to comply with International Building Code requirements.
 - b) Water towers, mechanical equipment, and Solar Energy Systems, when enclosed or screened, may extend up to five feet above the 45-foot building height. The Applicant's mechanical equipment is 45.5 feet above final grade.
 - c) Elevator Penthouses may extend up to eight feet above the 45-foot building height. The Elevator Penthouse is 51.5 feet above final grade.
13. The Applicant's fog analysis and Roof Over Existing Topography exhibits demonstrate compliance with Building Height regulations from Existing Grade.
14. Site Planning – The Homestake AMPD clusters the Multi-Unit Dwelling in a V shape that opens to Homestake Road. The Multi-Unit Dwelling is clustered along the Substation property line and the Ironhorse Commercial Park Subdivision. The current use is a paved parking lot. There is Significant Vegetation along Homestake Road, which is in the public right-of-way and will be removed with Homestake Road is extended with a 12-foot multi-use path for pedestrians and cyclists. The Applicant proposes new landscaping for the public plaza area.
15. Grading – The existing use is a paved parking area on a relatively flat lot. The proposed parking is in an underground parking area, which will require large retaining structures. However, the final project will achieve a similar Final Grade to Existing Grade.
16. Open Space – LMC § 15-6.1-10(A) requires 20% Open Space and "On-Site amenities, such as playgrounds, trails, recreation facilities, bus shelters, and significant landscaping are encouraged. Open Space may not be used for Streets, roads, or Parking Areas." LMC § 15-15-1 defines Open Space, Landscaped as "Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hard-scaped plazas, and public pedestrian amenities, but excluding Buildings or Structures." The Homestake AMPD is on a 1.86-acre lot, totaling 80,846 square feet. The landscaped Open Space area includes maple, Colorado spruce, and spring snow crabapple trees with shrubs and a grass/play area. The Homestake AMPD also proposes a public hardscaped plaza area with raised planters, achieving 29.5% open space for the site.
17. Trails and Multi-Modal Pathways – Road, pathway, and sidewalk improvements and connectivity are budgeted and planned for the Bonanza Park area, including:
- a) Homestake Road – Improvements to Homestake Road, including the addition of a 12-foot multi-use pedestrian and bike pathway, are budgeted and approved. Construction is planned to begin in the spring of 2024.

- b) Woodbine Way – Improvements to Woodbine Way include converting it to a one-way southbound road and constructing sidewalks and on-street parking. Construction is budgeted and approved and is scheduled to begin in the spring of 2025.
- c) Munchkin Road – The expansion of Munchkin Road across what is now the Recycle Utah Center is budgeted and approved and is scheduled to begin in the spring of 2025, improving pedestrian and bicyclist east-west connectivity.
- d) Snow Creek Tunnel – The Walking and Biking Liaison Committee (“WALC”) recommended a grade-separated active transportation facility to accommodate pedestrian and bicyclist north-south crossing from the Snow Creek neighborhood across Kearns Boulevard into the Bonanza Park neighborhood. In 2021, the City Council directed staff to conduct a feasibility study of a potential project. On May 12, 2022, the City Council reviewed options that include an underpass or and favored an underpass. Funds for the project are allocated in FY23 and the project is slated to begin in the spring of 2025.

These improvements will enhance local access to the Rail Trail, Poison Creek Trail, and pathways and trails that run north of S.R. 248 alongside the east and west of S.R. 224.

- 18. Internal Circulation – In addition to pedestrian, bicyclist, and vehicle circulation improvements outlined above for the Bonanza Park neighborhood, the Homestake AMPD is centrally located in the Bonanza Park neighborhood and the project proposes enhanced pedestrian and bicyclist connectivity in an area with many transit options.
- 19. Landscaping – Because of the existing conditions of the property, there is very little Significant Vegetation. The LMC defines Significant Vegetation as “large trees six inches in diameter or greater measured four and one-half feet above the ground, groves of smaller trees, or clumps of oak and maple covering an Area 50 square feet or more measured at the drip line.” Currently, mature trees line the public Right-of-Way along Homestake Road. These trees will be removed when the City expands Homestake Road with a 12-foot multi-use pathway. The Applicant proposes to introduce new vegetation onto the site and provides open space beyond what is required in the code, achieving 29.6% open space.
- 20. Lighting – Outdoor lighting must be fully shielded with bulbs that are 3,000 degrees Kelvin or less.
- 21. Sensitive Land Compliance – 1875 Homestake Road is not in the Sensitive Land Overlay. The site is not on a steep slope, near a Ridge Line Area, near wetlands or streams, or within a wildlife protection area.
- 22. Child Care – The Homestake AMPD is in the General Commercial Zoning District and Child Care Centers, defined in LMC § 15-15-1 as a structure or building,

including outside play areas, used for the provision of childcare for more than four children for less than 24 hours per day, meeting all State requirements for childcare that is not also the primary residence of the care provider, is an allowed use.

23. Incorporates Best Planning Practices for Sustainable Development – The City's adopted ambitious climate and energy targets are to be net-zero carbon and running on 100% renewable electricity by 2022 for municipal operations and by 2030 community-wide. As a result, the Applicant worked with the Sustainability Department regarding net-zero development standards. The Applicant proposes the strategies outlined in their September 6, 2022, Sustainability Report, including:
 - a) Walkability and multi-modal connectivity to basic life amenities supported through bike storage, electric bicycle stations;
 - b) Electric Vehicle Charging Stations for residents;
 - c) Building orientation to maximize passive solar strategies with the majority of units and building facades oriented primarily in the north-south direction with passive heating in the cooler months and shade in the warmer months;
 - d) Building design that meets the International Energy Conservation Code ("IECC") 2021 standards, which exceed adopted energy codes in Utah.
24. Addresses and Mitigates Physical Mine Hazards – LMC § 15-6.1-11(L) requires AMPD Applicants to submit a map and list of all known Physical Mine Hazards on the property and a Physical Mine Hazard mitigation plan. Municipal Code of Park City Section 11-20-2(G) defines Physical Mine Hazards as "any open mine shaft, mine tunnel, horizontal opening, adit, or other mine related opening that extends more than five feet into the ground. The following are not Physical Mine Hazards:
 - a) Above ground structures;
 - b) Vertical opening where the Chief Building Official has made a written determination that due to the physical characteristics of an opening it does not present a potential health or safety concern; or
 - c) Sites previously the object of mitigation so long as mitigation has not failed."

On June 8, 2022, Blue Ledge Consulting, LLC completed the Mine Hazards on Homestake Affordable Housing Site report. The report concludes "there are no features which meet the definition of a mine hazard as per Section 11-20-2. However, the abundance of mill tailings in the Prospector subdivision do warrant further study of the Homestake parcel and mitigation if proven to be required. Lead and other metals can prove to be hazardous if exposures occur under the right circumstances."
25. Addresses and Mitigates Historic Mine Waste – LMC § 15-6.1-11(M) requires AMPD Applicants with projects in the Park City Soils Ordinance Boundary to submit a soil remediation mitigation plan, indicating areas of hazardous soils and

proposed methods of remediation and/or removal subject to the requirements and regulations of Municipal Code of Park City Chapter 11-15. Municipal Code of Park City Section 11-15-1 identifies the Soils Ordinance Boundary for Park City that establishes additional requirements for landscaping and topsoil. 1875 Homestake Drive is in the Soils Ordinance Boundary and the project includes construction of an underground parking garage. Municipal Code of Park City Chapter 11-15 outlines requirements regarding disposal or removal of area soil, dust control, topsoil coverage, and landscaping. On September 13, 2022, Stantec completed a Limited Soil Sampling Investigation Summary Report for Homestake Parcel. The report found lead concentrations in excess of the City's Soil Ordinance in seven of 17 testing sites, which will require management and disposal by a facility permitted by the Utah Department of Environmental Quality.

26. Addresses Historic Structures and Sites on the Property – During Park City's mining era, 1875 Homestake Road was an old railroad yard and stockyard. On July 5, 2022, Commonwealth Heritage Group completed the Above-Ground Historic Structures Review for the Property at 1875 Homestake Road in Park City, Summit County, Utah report (Exhibit J). The report provides research and assessment within the project area regarding buildings, structures, objects, or sites designated or eligible for designation on the National Register of Historic Places, including review of literature at the Utah State Historic Preservation Office. The report concludes that historic aerial imagery indicates above-ground resources are constructed after 1975 and "[n]o effects on historic above-ground properties are anticipated as a result of the proposed Project activities."
27. Addresses and Mitigates Traffic – On August 16, 2022, the Applicant submitted a Traffic Impact Study ("TIS") prepared by Hales Engineering ("Hales Study"). The City hired Wall Consultant Group ("WCG") to review and provide input to Hales on the study. Hales Engineering worked to update the TIS to address WCG and City input and submitted an updated TIS. WCG submitted a Technical Memorandum stating the updated TIS addressed WCG's comments ("WCG Memo"). The Hales Study recommends the following mitigations:
 - a) Munchkin Road Expansion – extending Munchkin to connect Bonanza Drive and Homestake Road is budgeted and planned. This extension will mitigate significant queuing and delays.
 - b) Homestake Road/Park Avenue – restrict to right-in right-out only and reroute traffic to new Munchkin Road connection between Homestake Road and Bonanza Drive.
28. The Hales Study recommends the following Transportation Management Strategies:
 - a) Car-sharing program with two dedicated car share parking spaces;
 - b) 15 visitor bicycle stalls;

- c) An additional 30 covered and secured parking for bikes beyond what is otherwise required;
 - d) Charging for e-bikes;
 - e) Bike maintenance room;
 - f) On-site e-bike station;
29. General Plan Review – 1875 Homestake Road is in the Bonanza Park neighborhood, which the General Plan identifies as a mixed-use neighborhood where locals live and work. According to the General Plan, “[t]he overriding goal for this neighborhood is to create new housing opportunities while maintaining the existing affordable housing units.” The General Plan also encourages multifamily residential uses to direct higher density to this area to provide life cycle housing opportunities, including starter and step-down housing. The location of the mixed-income Multi-Unit Dwelling will provide long-term rental units in the Bonanza Park neighborhood with many amenities within walking and biking distance, including a grocery store, a pharmacy, and restaurants, cafes, and bars. The project is within ¼ mile of several transit stops that provide service to Old Town and the resort areas. Additionally, the Poison Creek Trail provides a paved pathway separated from vehicle traffic that connects the Bonanza Park neighborhood to Old Town.

Conditional Use Permit

30. Size and location of the Site – The Homestake AMPD is proposed to be located on a 1.86-acre site. This lot size is smaller than adjacent properties. The property to the north, 1251 Kearns Boulevard, is 2.31 acres. The Homestake Condos to the west are on a 3.2-acre lot. The Claimjumper Condos to the west are on a 3.2-acre lot. The Ironhorse Park Commercial Subdivision is 2.2 acres. The Substation parcel is 0.84 acres. The General Plan encourages multifamily residential uses to the Bonanza Park neighborhood to direct higher density to this area to provide life cycle housing opportunities, including starter and step-down housing. The location of the Homestake AMPD is within ¼ mile of several transit stops, and within walking distance to a grocery store, pharmacy, and restaurants and services. Additionally, the site provides access to the nearby Rail Trail and Poison Creek Trail. Improvements to Homestake and Munchkin Roads will establish better connectivity in the area.
31. Location and amount of off-Street parking – LMC § 15-6.1-9 requires an AMPD to comply with LMC Chapter 15-3, Off-Street Parking, unless the Planning Commission grants reduced parking based on a parking and traffic study and parking demand mitigation. The Applicant proposes satisfying parking demands on site and does not request reduced parking. LMC § 15-3-6(A) requires parking for Multi-Unit Dwellings based on unit square footage on the chart.
32. The project proposes 140 parking spaces with 128 underground and 12 at grade. LMC § 15-3-11 requires conduit for future installation of 20 Electric Vehicle

Charging Stations, and two Electric Vehicle Charging Station installations with the first being a dual port that meets ADA standards.

33. The Applicant submitted a Parking Management Plan for the Homestake AMPD and proposes the following:
- a) A high-speed remote-controlled gate at the entrance to the parking structure;
 - b) Camera installations in the parking structure for remote monitoring 24/7 by the management company;
 - c) Security patrol service to patrol the property and parking structure;
 - d) Use of parking permits/stickers for all vehicles authorized to park in the parking structure; cars without stickers will be towed at the owner's expense;
 - e) Numbered parking stalls – residents will be granted at least one parking space in the parking structure;
 - f) Two parking spaces will be reserved for property management;
 - g) The annual operating budget will include an allowance to sweep and clean the parking area on a semi-annual basis.
34. Fencing, Screening, and landscaping to separate the Use from adjoining Uses – The Applicant proposes installing an 8- to 10-foot-high wall and art installation to separate the AMPD and the Substation. No fencing is proposed on the southern property line or along Homestake Road. Screening is proposed for rooftop mechanical equipment.
35. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots – AMPDs exceed the building mass and bulk of other properties to incentivize the development of affordable housing. The AMPD code requires a 10-foot setback on all building perimeters to decrease the impact of height on adjacent properties.
36. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing – Bonanza Park area is in the General Commercial Zoning District, which allows for Building Height up to 35 feet from Existing Grade. To incentivize development of affordable units, the AMPD code allows Applicants to achieve a 45-foot Building Height if certain criteria are met. The adjacent properties are not built to the 35-foot allowance in the General Commercial Zoning District and most properties contain one to two-story developments. However, as the area is redeveloped and density and Building Height is maximized on adjacent properties, the Homestake AMPD, while achieving a total of 45 feet, will be more aligned with future developments that achieve the 35-foot height.

37. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site – The plans as submitted do not indicate issues of vibration, odors, steam, or other mechanical factors that might affect people and Property Off-site. Most mechanical equipment will be located on the rooftop. This equipment is required to be screened to avoid noise or vibration.
38. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities – No condominium plat for individual unit ownership is proposed for the AMPD and the units are planned to be long-term rentals. LMC § 15-6.1-2(D) prohibits Nightly Rentals and Timeshares for market-rate and affordable units within an AMPD.

Additional Considerations

39. Substation – On August 23, 2022, EMF Utah, LLC, completed a Magnetic Field Survey completed by Brent Rotondi, EMF Specialist. EMF Utah, LLC took ground-level measurements for the locations indicated as A, B, and C, and then took ground-level measurements and measurements at ten, twenty, and thirty feet above ground for locations D, E, F, G, H, I, J, K, and L. The survey provides measurements in milligauss per location ranging from 13.1 to less than one, as well as readings in volts per meter, ranging from 6 to 449. The survey description notes that the survey readings are a snapshot in time and are not predictive of what the readings will be at any point in the future or indicative of what the readings are in the past, and also that they make no claims regarding the health and safety of a survey site based on EMF levels measured. They advise clients to read health and safety documentation provided by Federal, State, County, and city environmental safety divisions, along with third-party environmental and technical organizations before making a determination regarding the health and safety risk of the survey site. In addition to the survey, the Applicant submitted a document from and the National Cancer Institute Electromagnetic Fields and Cancer and an Iowa State University Electromagnetic Fields Factsheet. The Applicant proposes modifications to the wall along the Substation property with the possibility of an art installation to separate the uses. The Applicant proposes a board-form concrete wall approximately 8 – 10 feet in height with a mural that could include painted scenes ranging from one with mountains and forests, to abstract art, to an interpretive industrial look, to a historical train.

Public Notice

40. The Applicant conduct outreach and that the Applicant host neighborhood meetings prior to applying for an Affordable Master Planned Development. Between February 2022 and June 2022, the Applicant held outreach meetings with public.
41. On August 8, 2022, staff mailed courtesy notices to property owners within 300 feet of the Site. On August 10, 2022, staff posted physical notice to the site. The

Park Record published notice on August 10, 2022. Staff published notice to the City Website and the Utah Public Notice website on August 19, 2022.

42. Staff mailed additional courtesy notices to surrounding property owners on October 10, 2022 and posted updated notices to the property on October 11, 2022.

Public Meetings

43. On July 27, 2022, the Planning Commission held a work session for an initial, high-level review of the Applicant's project.
44. On August 24, 2022, the Planning Commission visited 1875 Homestake Drive to visualize the Homestake AMPD Building Footprint and Building Height, and to review future road improvements in the vicinity.
45. On September 28, 2022, the Planning Commission reviewed the project and conducted a public hearing.
46. On October 26, 2022, the Planning Commission reviewed the project and conducted a public hearing.

Conclusions of Law

Conditional Use Permit

1. The Conditional Use Permit complies with the requirements of the Land Management Code, as conditioned.
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.

Affordable Master Planned Development

4. Provides at least 50% Affordable Units.
5. Complies with requirements of the Land Management Code.
6. Meets the minimum requirements of this Chapter.
7. Provides meaningful Open Space for residents and the public.
8. Strengthens and enhances the resort character of Park City.

9. Compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
10. Meets the Sensitive Lands requirements of the Land Management Code and is designed to place Development on the most developable land and least visually obtrusive portions of the Site.
11. Promotes the Use of non-vehicular forms of transportation through design and by providing trail and pathway connections.
12. Was noticed and the Planning Commission held a public hearing in accordance with this Chapter.
13. Incorporates best planning practices for sustainable development, including water conservation measures and energy-efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application, and includes Energy Star qualified products for appliances.
14. Addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.
15. Addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.
16. Addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.
17. Addresses and mitigates traffic.
18. Addresses and mitigates parking reductions and parking management.

Conditions of Approval

1. A Construction Mitigation Plan ("CMP") shall be submitted and approved by the City for compliance with the Municipal Code, as a condition precedent to issuance of any grading or building permits. The CMP shall be updated as necessary to identify impacts and propose reasonable mitigation of these impacts on the site, neighborhood, and community due to construction of this project. The CMP shall include information about specific construction phasing, traffic, parking, service and delivery, stockpiling of materials and staging of work, work hours, noise control, temporary lighting, trash management and recycling, mud and dust control, construction signs, temporary road and/or trail closures, limits of disturbance, fencing, protection of existing vegetation, erosion control, storm-water management, and other items as may be required by the Building Department.
2. The immediate neighborhood and community at large shall be provided notice at least 24 hours in advance of construction work impacting private driveways, street closures, and interruption of utility service.

3. A storm-water run-off and drainage plan shall be submitted with the building plans and approved prior to issuance of any building permits. The plan shall follow Park City's Storm Water Management Plan and the project shall implement storm-water Best Management Practices. Post development drainage shall not exceed development drainage conditions and special consideration shall be made to protect any wetlands delineated on and adjacent to the site.
4. The project is over 1.0 acres and will be required to meet the requirements of Park City's municipal separate storm sewer system (MS4) storm-water program.
5. Final utility plans shall be submitted with the building permit.
6. 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 the area provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping.
7. Approval of this AMPD shall expire two years from the date of Development Agreement execution unless construction, as defined by the International Building Code, has commenced on the project.
8. The Park City Fire District requires the Applicant to install "no parking" signs for the fire line prior to issuance of any Certificate of Occupancy.
9. The final building plans shall comply with LMC § 15-5-5 Architectural Design Guidelines.
10. The Applicant shall submit roof overhang details showing compliance with the two-foot roof overhang within the 10-foot setback for the project.
11. The applicant must submit a Line Extension Agreement ("LEA") for the on-site and off-site sewer main line construction. All items required under the LEA must be completed prior to submitting a building permit. These include the following:
 - a) SBWRD approval of the LEA;
 - b) Payment of required engineering services fees;
 - c) Granting of required easements;
 - d) SBWRD approval of on-site and off-site sewer main line construction drawings;
12. Building Façade Variation may not exceed 35 feet in Building Height and may not include architectural features or façade changes that encroach into the 10-foot setback.

13. The Applicant shall provide a minimum of 800 square feet for internal and secure bike storage for approximately 50 bikes on site in the underground parking area. The internal and secure bike storage area shall provide charging available for e-bikes. The Applicant shall also provide a bike repair amenity space for residents. The Applicant shall install 15 outdoor bike racks for residents and guests. The bike racks must be medium security racks in which both the bike frame and wheels may be locked by the user. The spaces must be designed to prevent damage to the bike and to facilitate easy and secure storage without interference from or to adjacent bikes. Bike racks or lockers must be anchored and of solid construction, resistant to rust, corrosion, hammers, and saws. Bike racks must be compatible in design and function with the surrounding building and street furniture. Bike facilities must be located in convenient, highly visible, active, well-lit areas and shall not interfere with pedestrian movements and snow storage.
14. The Applicant agrees to allow a Summit County Bike Share location on the site, subject to Park City Transportation Department and Engineering Department and Summit County approval.
15. The Applicant shall install high-speed remote-controlled gate at the entrance to the parking structure prior to any unit Certificate of Occupancy issuance.
16. Prior to any unit Certificate of Occupancy issuance, the Applicant shall install sufficient cameras in the underground parking structure for remote monitoring 24/7 by the management company.
17. The Applicant shall ensure daily security patrol service to patrol the property and parking structure.
18. The Applicant shall ensure use of parking permits/stickers for all vehicles authorized to park in the parking structure; cars without stickers will be towed at the owner's expense.
19. The Applicant shall number parking stalls. Each unit will be designated one underground parking space. The total number of vehicles granted parking permit/sticker authorization to park in the underground parking structure shall not exceed the available number of underground stalls. Residents without a vehicle may lease their parking space to another tenant, but in no circumstance shall the total vehicles granted a parking permit/sticker authorization to park in the parking structure exceed 128. Upon termination of a rental lease, tenants must turn in their parking permit/remove their parking sticker authorization.
20. Two parking spaces shall be reserved for property management.
21. The annual operating budget for the project shall include an allowance to sweep and clean the parking area on a semi-annual basis.
22. Conduit for future installation, reaching of a minimum of 40% of the underground, for Electric Vehicle Charging Stations that meet the requirements of LMC § 15-3-11 shall be completed prior to Certificate of Occupancy issuance. Two Electric

Vehicle Charging Station installations with the first being a dual port that meets ADA standards shall be provided in the underground parking area for use by tenants prior to Certificate of Occupancy issuance.

23. The Applicant shall comply with federal and state regulations, as well as with Municipal Code of Park City Chapter 11-15 Park City Landscaping And Maintenance Of Soil Cover and shall work with the City's Environmental Regulatory Program Manager to ensure compliance prior to building permit issuance.
24. If project Construction, as defined by the International Building Code, does not commence within two years of Development Agreement execution.
25. The Applicant shall submit a draft Development Agreement to the Planning Department by April 26, 2023. The Development Agreement shall meet the requirements of LMC § 15-6.1-5, be reviewed and ratified by the Planning Commission, and be recorded with the county prior to building permit issuance.
26. The deed restrictions shall conform with the deed restriction requirements outlined in the Park City Affordable Housing Resolution in effect at the time of a complete Affordable Master Planned Development Application submission, or as otherwise determined by the Park City Housing Authority.
27. The deed restriction shall continue in full force and effect for a period not less than forty (40) years. Upon expiration of the initial forty (40) year term, or any subsequent term, the City shall have six (6) months in which to determine, based on an independent market study, that the Affordable Units within the Affordable Master Planned Development are no longer necessary to satisfy the affordable or workforce housing needs of the City. The City Council or its successor shall make the final determination of such continuing need, and if the City makes no such determination, the deed restrictions shall automatically renew for one or more additional consecutive ten (10) year terms.
28. The property owner of an affordable unit within the Homestake AMPD shall submit to the City an annual compliance report verifying deed restriction compliance.
29. The Applicant will make two surface parking spaces available as part of a Transportation Demand Management strategy for a car-sharing service should such service become available in the area or for limited timed use for ride-sharing service parking.
30. The Applicant committed to the following:
 - a) Walkability and multi-modal connectivity to basic life amenities supported through bike storage, electric bicycle stations;
 - b) Electric Vehicle Charging Stations for residents;

- c) Building orientation to maximize passive solar strategies with the majority of units and building facades oriented primarily in the north-south direction with passive heating in the cooler months and shade in the warmer months;
 - d) Building design that meets the International Energy Conservation Code ("IECC") 2021 standards, which exceed adopted energy codes in Utah.
31. Trash and recycling facilities shall be enclosed and fully shielded and shall comply with the requirements of LMC § 15-5-5 and 15-6.1-11. At the Building Permit stage, the Site plan shall include adequate Areas for trash and recycling containers and shall include an adequate circulation area for pick-up vehicles. Convenient pedestrian Access shall be provided within the Affordable Master Planned Development to the trash and recycling containers. No Site plan with a Commercial Development or Multi-Unit Dwelling shall be approved unless there is a mandatory recycling program, which may include Recycling Facilities for the Site. The Recycling Facilities shall be identified on the Site plan to accommodate for materials generated by the tenants, residents, users, operators, or owners of such Master Planned Development. Such Recycling Facilities shall include, but are not limited to, glass, paper, plastic, cans, cardboard or other household or commercially generated recyclable and scrap materials. Centralized trash and recycling containers shall be located in a completely enclosed structure with a pedestrian door and a truck door or gate. The enclosed Structure shall be designed with materials that are compatible with the principal Structures in the Affordable Master Planned Development and shall be constructed of masonry, steel, or other substantial materials. The Structure shall be large enough to accommodate a trash container and at least two recycling containers to provide for the option of dual-stream recycling.
32. Service and delivery areas shall be kept separate from pedestrian areas.
33. The Applicant shall install a minimum of a 10-foot wall along the substation and an art mural. The project area between the building façade and the wall shall include outdoor lighting that complies with the City's Dark Sky Code in LMC § 15-5-5(J).

Commissioner Johnson seconded the motion.

VOTE: Commissioner Kenworthy-Aye; Commissioner Van Dine-Aye; Commissioner Johnson-Aye; Commissioner Hall-Aye; Commissioner Frontero-Aye; Commissioner Sigg-Aye; Chair Suesser-Aye. The motion passed with the unanimous consent of the Commission.

- F. 4001 Kearns Boulevard – Amend the Quinn's Junction Partnership Annexation Master Planned Development Agreement (MPD) – The Applicant Proposes to Modify the Uses, Number, Footprints, and Building Heights of the Remaining Density Allocated in the MPD on Lot 1B only, to Allow for Studio Crossing, a Mixed-Use Affordable Housing Project in the Community Transition - Regional Commercial Overlay Zoning District. PL-22-05206.**

Chair Suesser explained that due to the late time, there would be an abbreviated discussion and a public hearing. The item would be continued to the next Planning Commission Meeting.

Chair Suesser opened the public hearing.

Jamie Johnson stated that the Park City Board of Realtors was in support of affordable housing. The Board supported the project moving forward to address the needs of the community.

Megan McKenna noted that every project was different and unique. At the Housing Resource Center, it is important to consider the benefits and costs to the community. This project is a private development. She was impressed by the number of changes that had been made to the proposal. A number of additional affordable units had been added. As a result, the Housing Resource Center supported the project and looked forward to continued discussion.

Bruce Hough has lived and worked in Park City since 1993. He was in favor of affordable housing. The Crandalls are a good family that cared about the community. After looking at the proposal, he felt it was a great location and it would be beneficial to many. There had been some concerns about the at-market units that would allow for nightly rentals. However, that was permitted in the zone. The project was code compliant and that was important to consider. He asked that the Commission move the item forward and allow the project to get underway.

Heather Scholz was in support of the project and stated that she is a member of the Park City Board of Realtors Affordable Housing Committee. She has seen a presentation on this plan at one of those Committee Meetings. It was a well-planned and thought-out development. It would benefit the community and she felt it would also support the film industry.

There were no further comments. The hearing was closed.

MOTION: Commissioner Kenworthy moved to CONTINUE Item 6F related to 4001 Kearns Boulevard to the November 9, 2022 meeting. Commissioner Hall seconded the motion.

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

- G. 4001 Kearns Boulevard – Amend the Community Transition - Regional Commercial Overlay Zoning and Ordinance 12-12 – The Applicant Proposes Amend the CT-RCO Zoning and Ordinance 12-12 to Allow for Studio Crossing, a Mixed-Use Affordable Housing Project in the Community Transition Regional Commercial Overlay Zoning District. PL-22-05212.**

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

MOTION: Commissioner Johnson moved to CONTINUE Item 6G related to 4001 Kearns Boulevard to the November 9, 2022 meeting. Commissioner Van Dine seconded the motion.

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

7. ADJOURN

The meeting adjourned at approximately 10:15 p.m.