



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
October 20, 2021**

COMMISSIONERS IN ATTENDANCE: Chair John Phillips, John Kenworthy, Sarah Hall, Laura Suesser, Doug Thimm, Bill Johnson, Christin Van Dine

EX OFFICIO: Gretchen Milliken, Planning Director; Julie Schultz, Executive Office Administrator; Alexandra Ananth, Senior City Planner; Rebecca Ward, Assistant Planning Director; Mark Harrington, City Attorney

1. ROLL CALL

Chair Phillips called the meeting to order at approximately 5:30 p.m. Commissioner Laura Suesser stated that she would have to leave the meeting at 6:30 p.m.

The following written determination was read:

The Chair issued a written determination that because of the public health emergency, conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may attend in person. This determination is based on the ongoing risks and infection rates statewide and in Summit County. For these reasons, this meeting will be an electronic meeting without an anchor location. Planning Commission members will connect electronically.

Public comments will be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom. 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

A. Consideration to Approve the Planning Commission Meeting Minutes from September 29, 2021.

MOTION: Commissioner Suesser moved to APPROVE the September 29, 2021, Planning Commission Meeting Minutes. Commissioner John Kenworthy seconded the motion.

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

3. PUBLIC COMMUNICATIONS

There were no public communications.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Chair Phillips confirmed that the Sommet Blanc site visit was scheduled for October 27, 2021,, at 4:00 p.m. Commissioner Suesser confirmed her understanding that they would not be assessing Twisted Branch Road. City Attorney, Mark Harrington clarified that the inspection would involve a two-pronged approach to this visit, with the Commission starting at the top where Twisted Branch Road comes into Guardsman Road. Here, the Commission would get a perspective from the upper portion of the road. He clarified that Twisted Branch Road is relevant as it applies the Commission's evaluation of that portion of the proposal.

Commissioner Suesser requested clarification regarding the construction that is currently underway on the Sommet Blanc project. Planning Director, Gretchen Milliken stated that Staff would provide a site history and overview of what has occurred to date.

Commissioner Thimm requested an 11' x 17' graphic illustrating the existing conditions and the proposed site plan. Director Milliken confirmed that Staff was assembling a packet and an agenda for the site visit. She also explained that Staff was looking into having a van to carpool the Commissioners to the site. She confirmed that the agenda calls for everyone to be at the site at 4:00 p.m. and will start on the upper portion of the site where the applicant has proposed a curb cut and a new parking area for the Mid-Mountain Trailhead. City Staff from the relevant departments will be present to walk the Commissioners through the proposal.

Director Milliken stated that the visit would then move to the lower part of the site where they will look at the curb cut off of the roundabout. The Commission will then be given the site history and permitting that has occurred to date. The applicant will then walk the Commission through the proposal, including the locations of buildings, sight lines, and heights, among other aspects. The site visit will conclude at 5:00 p.m. to allow the regular Planning Commission Meeting to start at 5:30 p.m. to 5:45 p.m. She added that Staff was working to get someone from the Utah Department of Transportation ("UDOT") to attend the site visit.

5. WORK SESSION

- A. Park City Mountain Resort Base Parking Lots - MPD Modification Work Session- Replace Expired Exhibit D of the DA, the 1998 PCMR Base Area Master Plan Study Concept Master Plan, With a New Master Plan, Known as the Park City Base Area Lot Redevelopment Master Plan Study. The Commission Will Discuss Off-Site Parking and Transportation, Draft Findings of Fact, Draft Conditions of Approval, and Other Issues Raised in the Staff Report. PL-20-04475.**

Senior City Planner, Alexandra Ananth reminded those present that this application seeks to amend the 1998 Park City Mountain Resort Development Agreement and replace the expired Exhibit D (the 1998 Master Plan Study) with a new Master Plan, known as the Park City Base Area Lot Redevelopment Master Plan. She explained that she would provide a quick update, followed by a presentation by the applicant, Planning Commission comment, and public input. She reported that the next meeting is scheduled for November 17, 2021, at which time they expect to focus on transportation and off-site parking. Planner Ananth suggested that any transportation

or off-site parking-related questions be forwarded to her so that they could be addressed at the next meeting.

Planner Ananth reported that the applicant proposed to transfer density to Parcel C to allow for a hotel use on Parcel C instead of a skier services/condominium building. The applicant has also proposed to change the employee housing obligations to not provide an additional 600 underground parking stalls for the resort.

The applicant has proposed updates to the Phasing Plan, Traffic Plan, and Parking Mitigation Exhibits. Planner Ananth stated that in terms of the Land Management Code ("LMC") exceptions to the proposed new site plan, the applicant is seeking a reduction in the perimeter setback for two facades on Parcel B, a portion of the Shadow Ridge Road façade, and a portion of the Empire Avenue façade.

Planner Ananth explained that the applicant is also seeking a reduction of 502 parking stalls from what the LMC requires for off-street parking. Most of the requested reduction relates to commercial and residential parking while maintaining the existing 1,200 day skier parking stalls. The applicant is also seeking an increase in allowed building height from the zone height of 35 feet for all parcels. She noted that for this meeting, the applicant would be presenting additional perspectives of the proposed site plan, including perspectives from eye level. The applicant would also review their open space calculations, skier drop-off and pick-up areas, and possibly the commercial and commercial support uses in the Parcel C hotel building, time permitting.

Robert Schmidt from PEG Development addressed the perspectives discussed during the last meeting. He explained that HKS Architects prepared perspectives from a broad project view to help understand the scope and relationship of how the project will fit into the surrounding contexts. He introduced Emir Tursic from HKS Architects to present the perspectives.

Mr. Tursic reported that they developed three additional perspectives, which include an aerial view from the southeast, an aerial view from the northeast corner, and a street perspective from eye level. He explained that the perspectives use professional drone images with exact coordinates and field of view perspectives. These images provide the most accurate perspectives they can achieve, not only of the mountain range and existing conditions but all of the existing buildings surrounding the project. He added that the renderings not only provide an understanding of how the buildings fit into the context but a better understanding of separation from the surrounding buildings, the relationship in terms of heights and massing to the surrounding buildings, and the open space. He explained that the renderings demonstrate that the proposed project is very compatible with the existing buildings and context. He stated that they took the height, mass, and density and pushed it toward the Resort Center and the mountain. The massing steps down on each parcel as they approach the streets, plazas, and adjacent developments. Although the graphics do not represent the final architectural design, it is articulated enough to provide a sense of massing and scale, and how it would fit into the existing context.

Mr. Tursic reported that they used the same process to develop the rendering from the southeast perspective. He highlighted Parcel B from this perspective and explained that architecturally, they worked to modulate its scale and stepped it down to a three-story townhome along Empire Avenue. He commented that this was significantly lower than what was contemplated by the 1998 Master Plan. Mr. Tursic stated that they located and transferred the height and density along

Lowell Avenue closer to the Resort Center and removed an entire level along Shadow Ridge in an effort to reduce the impact on the adjacent buildings and relate to the scale of those buildings.

He presented the street perspective from the corner of Silver King Drive and Empire Avenue and explained that they took professional images at an elevation of five feet, which they felt was an average eye-level perspective. He noted that the image was taken from across the intersection, which is lower than if someone were standing next to the building. He presented the overlay as well as a complete rendering, which demonstrated the sense of the mountain view corridor they are trying to preserve. This would also provide a sense of arrival at the Resort, and he emphasized the incredible experience this entrance would be as compared with the existing conditions, whether a visitor arrived by car, bus, or on foot.

Commissioner Suesser noticed that the sidewalks around Building D were not included in the images and would like to see what a 15-foot sidewalk would look like.

Mr. Schmidt introduced Josh Givens from Hales Engineering who addressed questions raised regarding the Traffic Study. Mr. Givens recalled that there were questions as to how the latest Traffic Study compared with the previous studies completed a year or two ago. He explained that the new Traffic Study was a collaborative effort involving City Staff and AECOM to arrive at different solutions to make this a “transit first” system and keep pedestrians safe. They wanted to create a multi-modal system that would benefit all modes of transit.

Mr. Givens noted that the most recent questions involved future traffic volume projections and the software that was utilized. Mr. Givens explained that in the previous study, in order to determine growth from the present to 2040, they assumed an annual growth rate of 1% based on historical trends. In the latest study, they used the Travel Demand Model developed for Summit and Wasatch Counties. The Travel Demand Model was not available at the time of the previous study but has become standard practice. He explained that this model is a land use-based model that helps in understanding where growth occurs in the City and the County and gives a better prediction of traffic volumes.

Mr. Givens reported that the Travel Demand Model showed a 1% growth in the PCMR Base Area, and as a result, the volumes were similar to those previously reported. They were able to use this model to confirm their analysis and to calibrate the traffic volumes for other movements outside of the Base Area. He explained that they utilized VISSIM software for the updated study, which is a robust software used often for multi-modal analyses, including transit and pedestrian studies. In this case, it was the best tool to use, especially when looking at a “transit only” lane in the Base Area.

Commissioner Kenworthy asked about the source for the 1% annual growth rate. Mr. Givens stated that it initially came from a UDOT database for Empire Avenue as it enters the Base Area. Historically, that area has shown a growth rate of 1% per year. He noted that the Travel Demand Model also showed similar growth. Mr. Givens explained that because they focused on a peak hour analysis, the 1% growth rate was applied to a peak hour. He noted that it was a daily growth rate, but trends show that the peak hour tends to have similar growth and change, as do the daily volumes.

Commissioner Kenworthy asked if over the past 10 years the intersection has averaged a 1% increase in traffic. Mr. Givens confirmed that that was correct and clarified that specifically, it was

the Empire Avenue leg of the intersection that has experienced that growth. He assumed that the other streets experienced similar growth.

In response to Commissioner Kenworthy's inquiry regarding growth projections on the intersection and all of the legs into the intersection, Mr. Givens agreed to forward that information. He recalled that on an annual basis, the legs to the north and east of Empire Avenue experienced approximately 0.5% growth per year. He recalled that the growth rate for Park Avenue is approximately 0.1% annually.

Commissioner Kenworthy expressed surprise at these numbers and questioned how to bypass roads could have less than a 1% growth rate when traffic has increased substantially. Mr. Givens noted that these numbers were obtained from the Traffic Demand Model and explained that land that is already built out would have low future growth. Typically, growth numbers would be higher in areas where there was the potential for development. Planner Ananth sought clarification that the growth rate was applied to the 2017 data. Mr. Givens confirmed that and stated that the initial counts were collected in 2017. They used UDOT data to grow that to a 2020 condition at the time. They then used the Travel Demand Model numbers to grow that to the 2040 projections.

Planner Ananth wondered if UDOT would have reported traffic growth of 5% between 2017 and 2020 or used historic numbers. Mr. Givens stated that they used UDOT's data, which includes traffic counters on SR-224 and SR-248, to calibrate it from the 2017 to 2020 condition and then used the future forecast in the model to bring them to the 2040 projection.

Mr. Schmidt added that they used 2017 data because that was a heavy snow year and had higher traffic numbers than in prior years. Mr. Givens noted that 2017 was not necessarily a high-volume year but they compared it to other years. Since UDOT's data is month-to-month, they were able to figure out if the volumes were higher in one month of a year compared to the same month in a different year. He emphasized that they were able to true up the data to a 2020 condition and assume a high ski year.

Commissioner Kenworthy referenced the 2016 intersection numbers and noted that the 2020 numbers were 500 less than those for 2016. Mr. Givens explained that was why they did not use the 2020 numbers exactly. They wanted to be conservative in their analysis and ensure that they accounted for high ski years. The 2020 count was done to see how it had changed, but they wanted to ensure that they were not low on their estimate. He offered that if anything, their analysis was conservatively high. Mr. Givens referenced the Traffic Demand Management ("TDM") strategies to reduce traffic by 20%.

In response to an inquiry regarding 2021 numbers and the potential impact of COVID-19, Mr. Givens stated that they did not collect those numbers but could provide an analysis. He noted that they did not collect new data for this year because of potential COVID-19 impacts. Planner Ananth expressed that the public would be interested in this information.

Commissioner Kenworthy commented that no one would consider that there is currently less traffic than what existed in 2016 at that intersection. He added that because the traffic access to the area would be enforced that would push more vehicles to the intersection at Empire Avenue. He asked Mr. Givens if that increased volume had been planned for and considered. Mr. Givens stated that they shifted traffic within the study area based on the lane configuration of the roadways. He acknowledged that they did not eliminate the traffic coming from the streets to the

east and the west because he understood that those vehicles would still have access to Park Avenue.

Chair Phillips interjected that this discussion was not intended to be part of the agenda for this meeting. He would like to have a full discussion during the next meeting. He stated that the new information is helpful but expressed that he and likely the public and other Commissioners were not fully prepared to discuss this in detail during this meeting. He added that this new information was helpful in preparing them for the next meeting but did not want this meeting to go off in that direction when that is not what was part of the agenda.

Commissioner Suesser recognized that PEG stated that they could not collect traffic numbers for this project. She understood that the Traffic Study was based on the Treasure Hill data, which was updated by King's Crown. Rather than preparing a Traffic Study specific to this project, PEG relied on data from those two other projects. Therefore, significant guesswork and modifications to those numbers went into the Traffic Study for the project.

Commissioner Suesser added that because PEG used the Traffic Study for the Treasure Hill and King's Crown project, there was no data for drop-off/pick-up or resort-specific operations around the base. Commissioner Suesser stated that data on those issues should have been included in this Traffic Study. She noted that the Traffic Study does not capture the significant increase in traffic to the roads around King's Crown. Additionally, Epic Pass sales have increased significantly since 2017, which has also increased the number of skiers coming to the Resort. She questioned why a 2017 Traffic Study was being used. If the reason is COVID-19, they are guessing at the numbers. She would like to see the traffic data during COVID-19.

Mr. Schmidt stated that a Traffic Study was specifically conducted for this project. He added that it is common practice to collaborate with, rely on, and use other Traffic Studies completed in the immediate area, and utilize that underlying data for consistency. He stressed that using data from a Traffic Study for a project that is adjacent to the subject project is a practical, common approach.

Commissioner Suesser asked if Hales Engineering completed any field study work for PCMR. Mr. Givens confirmed that Hales Engineering collected some counts on their own that were not included in the older studies. They collected data for the intersection of Silver King and Lowell, and Three Kings. He added that they have also been at the site during the winter months to observe conditions on busy ski days. Mr. Givens explained that their models are simulation-based and they wanted to ensure that they were calibrated appropriately so that they represent the queues and the flow that they saw in the field. Mr. Givens reiterated that they completed their own Traffic Study, and while they used previous traffic counts, they prepared their own study, created their own models, results, and recommendations. Commissioner Suesser asked if the Treasure Hill and King's Crown projects counted the cars coming from Silver King to Manor.

Chair Phillips reiterated his request to stay with the agenda and expressed that there might be members of the public who did not attend this meeting because these topics were not on the agenda. He cautioned about having these discussions as it might exclude people who want to be part of the discussions. He clarified that it would be appropriate to ask questions to give PEG direction on items to be addressed at the next meeting.

Commissioner Suesser commented that the fact that they do not have the counts for drop-off/pick-ups as part of the Traffic Study was significant.

Commissioner Kenworthy asked for the gross projections and numbers for the intersections.

Mr. Schmidt next addressed the Commission's questions regarding Parcel B and the setback requests. He presented the plan view of Parcel B and explained that the red line represented the property line, the blue line represented the 20-foot setback, and the yellow line represented the 25-foot setback. Mr. Schmidt stated that they also prepared a cross-section at each frontage. He explained that the areas along Empire Avenue where they have requested the exception are the eight entryways over the door into each one of the townhome units. He noted that each of the setback exception locations is the width of the entryway where it touches the 20-foot setback line. He presented the plan sections illustrating the requested setbacks along Empire Avenue. Planner Ananth clarified that the property line intersects the sidewalk, so there would be an additional space of half of the sidewalk width in addition to the landscape buffer. Mr. Schmidt stated that the additional distance is 11 feet to the back of the curb. Therefore, the distance from the curb to the door would be 31 feet and the distance from the curb to the majority of the townhome façade would be 36 feet.

Commissioner Van Dine clarified that the requested exception was not just for the entryway but the entire façade along with the entryway from ground level to the top of the building. Commissioner Thimm noted that the façade was not flat and undulated between the 20 and 25-foot setback. Mr. Schmidt stated the width of the requested setback for each entryway would be five to eight feet. Mr. Tursic recalled that each of the requested exceptions along Empire Avenue would be approximately five feet wide. Chair Phillips requested an elevation view to help them visualize the requested exceptions.

Mr. Schmidt presented the setback exceptions for Floors 2 and 3 along Shadow Ridge Road. He highlighted the 60-foot right-of-way, sidewalk, and landscaped areas, and explained that they requested a 25-foot setback from the right-of-way line to the majority of the façade and at the ground plane. He demonstrated how Floors 2 and 3 step out to a 20-foot line to provide architectural interest and variation along that façade. Mr. Schmidt explained that with regard to the requested setbacks, they have proposed a healthy amount of landscaping and a 12-foot-wide multi-use trail. Additionally, Shadow Ridge will be constructed to be 12 feet wider than it is currently, and in its improved condition, would be 35 feet wide.

Commissioner Suesser asked if an overlay image could be provided. Mr. Schmidt stated that it was possible and noted that it would take approximately three weeks to generate. He stated that they could provide the 3-D modeling of that building that was previously presented.

Commissioner Thimm stated that a detailed plan view would be helpful for the Commission to visualize the width of the requested 20-foot setback and the width of the 25-foot setback. He noted that this would help in understanding where the undulation would occur and how it would relate to the exception to the LMC.

Mr. Schmidt next presented a view of the bus stop looking north along Lowell Avenue. In this location, there would be a 15-foot sidewalk and a full setback of 25 feet from the property line. He confirmed that there was no requested exception along Lowell Avenue. Similarly, PEG was not requesting an exception in the location of the shuttle drop-off. Commissioner Thimm confirmed that PEG had only requested a 20-foot setback at defined areas along Empire Avenue and Shadow Ridge Road. Mr. Schmidt stated that they previously requested a setback exception along Lowell Avenue that would protrude out similarly to the condition along Shadow Ridge Road but determined that the element was minor enough to eliminate. Mr. Tursic added that in May

2021, they presented enlarged site plans at the ground level that identified the setback encroachments. He confirmed that the entryway to each townhome is nearly 11 feet.

Mr. Schmidt presented the view along Manor Way that showed a 60-foot right-of-way, two lanes of street travel, a 12-foot pedestrian multi-use trail, and landscape buffer. He confirmed that PEG had not requested a setback exception along this façade.

Mr. Tursic shared the ground-level plan views with the Commission that were presented in May and reported that the setback exceptions along Empire Avenue are approximately 11' x 5'. He explained that there were no encroachments at the ground level along Shadow Ridge; rather, the encroachments start at the second level. He added that along Lowell Avenue, the façade is set back 25 to 28 feet from the property line. The only exception was the mid-block paseo stair, which according to LMC Section 15-2-16-3, would be allowed because it is less than four feet. He understood that a setback exception would not need to be requested for this encroachment because it is allowed by the Code.

In response to Commissioner Thimm's request, Mr. Tursic stated that for the final submittals, they would locate these encroachments dimensionally so that the encroachments could be highlighted and identified. Chair Phillips echoed Commissioner Thimm's request and added that PEG should also present elevation views that are dimensioned as well.

Commissioner Thimm commented that along Empire Avenue, a majority of the building would be within the 25-foot setback, with less than half of the façade having the reduced setback. Mr. Tursic confirmed that approximately 77 feet in total length would be within 20 feet.

Commissioner Suesser asked if a deck would be able to protrude out toward the street from the façade. Planning Director Milliken noted that this project is located within the Historic District, where they strongly discourage decks on the front façade. It would, therefore, have to go through a Historic District Design Review and would probably not be recommended under the current design guidelines. It was clarified by Planner Ananth that this project is located in the Recreation Commercial District.

Commissioner Suesser referenced the King's Crown Townhouses where decks have been added to the facades. Chair Phillips suggested adding a Condition of Approval to disallow decks. Planner Ananth stated that the Code would allow decks, porches, and bay windows not more than 10 feet wide that do not project out more than five feet into the front yard. She stressed that PEG has not requested those exceptions, which Mr. Schmidt confirmed. Chair Phillips reiterated that they could add a Condition of Approval prohibiting decks.

Mr. Schmidt asked Mr. Tursic to highlight for the Commission the areas of requested exceptions along the Shadow Ridge façade. It was confirmed that the setback exception was only requested for Floors 2 and 3. The ground level would maintain the 25-foot setback. In response to an inquiry from Commissioner Thimm, Mr. Schmidt stated that the height from ground level to the requested exceptions is one story at grade, noting that the roadway slopes.

Planner Ananth reiterated that the street-level façade along Shadow Ridge would be 25 feet. Chair Phillips added his request for a dimensioned on an elevation view for this façade. Commissioner Thimm agreed and stated that a dimensioned view would control enforcement of the requested exceptions.

Commissioner Thimm noted that his questions on this issue were answered. Commissioner Johnson echoed the requests for an elevation view. He agreed with Commissioner Suesser that the photo simulations provided were extremely helpful in showing perspective and requested that similar simulations be provided for the requested setbacks along Empire Avenue that show the architectural facade as compared to the residential units across the street. Mr. Tursic presented an image presented earlier from the southeast perspective to illustrate the protrusions at the entryways to the townhomes and indicated that they would be provided to the Commission.

It was noted by Robert McConnell, PEG's Counsel, that there appeared to be decks on the second and third level that protrude out into the 25-foot setback area that would be permitted pursuant to the Code. It was noted that PEG was not requesting an exception for the decks, but they would not want those decks removed by condition.

Chair Phillips acknowledged that his prior suggestion was made before looking at the view presented by Mr. Tursic, so he retracted the suggested Condition of Approval regarding decks. He stated that prohibiting decks would not improve the articulation and variation along the Empire Avenue façade.

Commissioner Suesser stated that once the images are provided to the Commission for their review, they could additionally assess the issue of the decks. Mr. Schmidt restated that these perspective images were intended to convey the massing, scale, and context only. The elevations and plan views prepared by HKS are what would be submitted for approval, while the renderings include some artistic license.

Commissioner Thimm expressed his view that the balconies add texture and break down the massing of the building. This would be preferred over prohibiting them. Commissioner Hall and Chair Phillips agreed.

Commissioner Van Dine did not have a significant issue with the balconies; rather, her issue was with the sidewalk depth. Mr. Schmidt cautioned that the sidewalks would not be accurately rendered on the images presented today. Commissioner Van Dine stated that her concern was obscuring the walkway with oversized vehicles parked in driveways but agreed to circle back on this in future meetings. She also expressed agreement with Commissioner Thimm's comments regarding the balconies.

Mr. Tursic presented an image that depicted the garage and driveway. Mr. Schmidt confirmed that the driveway would be 20 feet from the garage door to sidewalk. He also confirmed that the garage door would start at the 25-foot setback line.

Commissioner Suesser's explained that her concern about the balconies was that they would protrude from the 20-foot setback line. She agreed that they would add depth and interest to the façade. She wondered why the images presented today were not accurate. Mr. Schmidt explained that the person who created the renderings was tasked with rendering the building in the location and context of the photograph. The plan view would clarify the sidewalks. Mr. Schmidt reiterated that they have demonstrated sufficient room for the 12-foot sidewalk, driveways, doors, and landscaping.

Commissioner Thimm commented that as they go through establishing the final approval exhibits, he felt it was important that they all be tested for accuracy so the Commission knows what they

would be approving. If a rendering is not accurate, he suggested an annotation referring to the accurate drawing.

Chair Phillips asked if the Commission could be provided a final packet. Commissioner Suesser clarified that it would be better termed as the current proposal that could be posted on the website for ease of reference. Chair Phillips would like a physical packet, in addition to what would get posted online. Mr. Schmidt stated that they have been working on preparing the current proposal. There was discussion regarding what is located across the street from Empire Avenue façade. Planner Ananth stated that there were single family-homes.

Before leaving the meeting, Commissioner Suesser was invited to comment or ask questions about the items on the agenda. With respect to the open space calculations, she noted that because the applicant has not provided the dimensions for the open space areas, the Commission could not verify or calculate the proposed open space. She requested that the applicant provide the dimensions of the proposed open spaces. She also expressed her opinion that the front yards of the townhouses should not be included in the open space calculations. Commissioner Suesser asked if the 11 acres of the snow was included in this project as open space because that area is outside of the property line. She thought the NAC Building was supposed to be located on part of that 11 acres and wondered how the open space would be impacted if that building were included.

With respect to the drop-off/pick-up zones, she commented that the proposal for the coned-off underground parking stalls was still woefully inadequate and not an improvement on the current drop-off and pick-up system. She felt that the applicant's proposal was actually worse than the current system and that a surface drop-off/pick-up area was desperately needed for the site. She commented that the site plan should be revised to provide for a lot more drop-off/pick-up zones given the needs of the resort and the way the community is accustomed to dropping off and picking up at the resort.

Commissioner Suesser looked at the Breckenridge drop-off/pick-up plan and noted that it looked like what was proposed in the 1998 Development Agreement, which was a much more appropriate system. If PEG was going to suggest that an underground drop-off/pick-up zone worked in other resorts, then the Commission needs an understanding of the number of stalls, the zone locations, and specific details of how such a system would work. She noted that no pick-up area has been proposed. She also expressed concern about how Uber and Lyft would find people in an underground garage if the zones are contemplated to be a pick-up area for rideshares.

Commissioner Suesser was excused from the remainder of the meeting.

Mr. Schmidt next addressed the open space calculations and noted that they would be happy to provide the CAD files for Staff to calculate the open space. He noted that dimensioning something as complex as this project would be difficult. Chair Phillips agreed that providing the CAD files would suffice and would rely on Planner Ananth's assessment of those drawings. He presented the calculations to the Commission. With respect to Commissioner Suesser's question of why the 11 acres were included in the open space calculations, Mr. Schmidt explained that the 11 acres were part of the 1998 Development Agreement, which specifically set that area aside as the open space in return for clustering the density at the base. He added that this was how the entire project area, including the Marriott Mountainside in Parcel A, would achieve its open space requirements.

Mr. McConnell added that this was also consistent with the LMC that provides for three separate categories of open space: landscape, natural, and transferred development. With respect to the last category, it references that portion of a Master Planned Development, Planned Unit Development, Cluster Plan, or another development plan from which density is permanently transferred. In terms of the methodology used to calculate open space, Mr. Schmidt explained that the areas shaded greenish-gray were included, and areas highlighted by blue hatch marks were not included. He stated that they would provide whatever resources the Planning Department would need to verify the calculations.

Mr. Schmidt proceeded to discuss the drop-off/pick-up program. He stated that they have discussed at length how to balance the numerous interests on this site and make the site effective for its many different uses. Ultimately, their plan includes a mode split and getting people to ride the bus, as well as recognizing the need to accommodate arrivals primarily for dropping off children for ski schools. He felt that their system to use the parking garage would be very effective. They believe the system could be managed effectively, and they have discussed a few things internally that could be implemented from an operational standpoint. These include communications, and plaques in cars to help people get to where they need to be. He noted that those programs and ideas could be refined as they go through the CUP process.

Mr. Schmidt stressed that they have the programming in place for the physical facilities to accommodate drop-off and pick-up. He commented that this is a big project and would change the behavior of many people in a number of different ways and they recognize that this could be difficult and present challenges. He added that PEG, PCMR, and the other partners at the base were all committed to making a positive change, and they think this system would be that positive change. From a physical standpoint, the parking garage would be nearly the entire length of Lowell Avenue between Shadow Ridge and Manor Way, which would provide a lot of room in the garage for vehicles and drop-off capacity. He ensured that they recognize that this would have to be managed but believed that it could be done effectively.

In terms of pick-ups, they have had numerous internal discussions about how it could be best handled and explained that the primary reason they implemented the 30 minutes free parking was that they do not want people queuing in staging areas waiting for their pick-up. He likened it to cell phone lots at airports, where people can wait for a call from their traveler rather than queuing and waiting in traffic. Mr. Schmidt stated that between 2:00 p.m. and 4:00 p.m. when drivers are arriving for their pick-ups, the lot begins to empty, which would allow the arriving vehicles to park and wait until their pick-up was ready. He expressed confidence that the program would work. He noted that different resorts have different ways of handling drop-offs and pick-ups, and the system at Breckenridge, which is located in the parking structures, works.

Kara Bowyer from Vail Resorts commented that the system works for them. She stressed that it is important for the Planning Commission to understand that their guest experience is the primary driver of operations, and they want their guests to have the best experience possible. She added that they want their guests who are in the ski clubs to have a seamless experience. She stressed that the queue lines would not be parking spaces; rather, it would be more akin to a school drop-off line. The queue would hold 20 cars at a time, and drivers would drive through the line rather than park. The garage would fit more than 20 vehicles during the drop-off period and would move continuously. She stressed that this system would work from an operational standpoint and highlighted that it has been proven in their other resorts. She emphasized that the visitor's experience is extraordinarily important for their business, and they would not support a

configuration that would detract from that experience. Ms. Bowyer stressed that as the mountain operator, they fully support this system and believe it would work and be an improvement over what exists today.

Commissioner Kenworthy referenced the availability of parking spaces in the afternoons and asked whether those spaces would not be parked during the day. Ms. Bowyer stated that this is one of those operational issues that they would observe as the program is implemented. She felt that by the time the ski schools and programs were ready for pick-up, there would be enough turnover in the garage that the 30-minute free parking could easily be utilized because the garage would not be fully parked at 3:00 p.m. She noted that they see the first big turn in parking around lunchtime. She commented that pick-ups would not involve the same concerns regarding traffic flow as they have in the morning because there would be many more empty spaces in the garage, and everyone can park free for 30 minutes.

Commissioner Kenworthy saw a problem if there were seven cars parked in the 20-stall area and then having a moving line going around those cars. Notwithstanding, he asked where the drop-offs would be for the private ski school and Park City Ski School. Ms. Bowyer responded that all of the drop-offs would occur in this garage and added that most of Vail's Ski School's participants come with families who ski all day. Ms. Bowyer added that this drop-off was tailored more toward the ski clubs or programs, with the assumption that it would be used more by local traffic than the destination guests. She emphasized that the elementary school drop-off model works in large group situations, and the students would be corralled once they were dropped off.

Commissioner Kenworthy asked how many total spaces would have to be removed to maintain this drop-off/pick-up zone all day long. Mr. Schmidt stated that with a 20-car line, and assuming two minutes per drop-off, he roughly estimated that the zone would process approximately 600 cars per hour. He offered that Hales Engineering could provide a more detailed analysis. In terms of the pick-up, they would have a certain number of stalls that would be 30-minute only stalls. He explained that at 3:00 p.m., someone could start coning off the 30-minute only stalls. He stated that the pick-up area could be much smaller since the wave of people would be more spread out than during drop-offs. From a management standpoint, he expressed confidence that they could work with that internally to provide for a smooth pick-up.

Commissioner Kenworthy was concerned about the concentrated arrivals at 9:00 a.m. Mr. Schmidt reiterated that the garage would be the full length of Lowell Avenue and would accommodate in excess of the capacity that exists today. Commissioner Kenworthy commented that currently, the queuing is spread out over an open asphalt lot where people can improvise when dropping off; having the drop-off in the garage would limit the ability of last-minute arrivals to improvise to complete their drop-off. He added that currently, the spaces are full at 8:30 a.m., so the only spaces left for last-minute arrivals would be those that they coned off. He emphasized that on any powder day there would be no available spaces by 8:45 a.m.

In response to an inquiry by Commissioner Johnson, Ms. Bowyer stated that Vail Mountain utilizes this system. Commissioner Johnson understood that Vail Resorts has its own dedicated building and drop-off, so he would like a different example showing that this model would work for this location. Ms. Bowyer clarified that she was referring to the ski and race programs that run on the mountain outside of the private club referenced by Commissioner Johnson.

Commissioner Johnson acknowledged the model could work, but noted that between the various programs, they would be looking at 500 children under the age of 12 being dropped off on

Saturday and Sunday. He echoed Commissioner Suesser's comments that they should look at some actual data showing that this would work. Mr. Schmidt stated that S.E. Group calculated the number of skiers arriving by rideshare; Hales also included an element of rideshare in their analysis as well.

Commissioner Johnson stated that the proposal was a vast improvement from the initial proposal but still inadequate. He suggested that they look at other aboveground options. He referenced the "Get Out and Play" days, where every Friday, 180 children are brought to the resort at 1:00 p.m. by charter bus. He also expressed concern about where rideshares would pick up. Ms. Bowyer asked Commissioner Johnson whether his concern was the capacity or the location. Commissioner Johnson stated that his concerns were based on both capacity and location. He referenced the staging area in Parcel B, where vehicles and pedestrians would then have to cross the vortex of where the buses would enter the transit center. He stated that for Parcel E, he felt it was not ideal to have vehicles go into the garage. Looking back to Exhibit D, the hotel was meant to be a learning center and he could not help but think that the 1998 Planning Commission was looking at that to address these concerns.

Mr. Schmidt stated that the 1998 Development Agreement did not contain a very good drop-off program, to which Commissioner Johnson agreed. The 1998 plan contemplated 12 vehicles, which, if they were double-stacked to 24 vehicles, people would have to cross a lane of traffic to leave. While he appreciated the reference to the 1998 plan, it had its own set of issues. He stressed that PEG has proposed a plan that is much improved, relevant to today, and doable. He emphasized that the 1998 plan did not get built because it could not be built.

Commissioner Johnson commented that he referenced the 1998 plan because it was the community-based part of the project. He noted that last year, there were 800 children in Park City Ski and Snowboard, and they have grown this year. Commissioner Johnson stated that he is trying to find a way to get PEG's proposal to adapt to the key part of the community. Ms. Bowyer added that they could provide data and metrics to demonstrate capacity. Commissioner Johnson felt that there should be more aboveground options in various sections of the development. He opined that the eight spots between Parcels C and E would be filled and potentially cause some traffic concerns. He would like to see the applicant think more out of the box to find a better solution. It was noted by Mr. Schmidt that the 1998 plan had more aboveground drop-off zones, although only by four cars. Commissioner Johnson referenced the public comments and the opinion of Heinrich Dieter, Open Space, and Trails, who recommended 40 aboveground spaces for bikes.

Ms. Bowyer commented that in a lot of ways, this development would have to change behavior, and what the City is trying to do with its "car-free" initiatives is change behavior. She offered that she would personally prefer to drop her children off in an enclosed, covered area. She added that if the concerns center on the children crossing the street that could be managed.

Commissioner Johnson stated that he would be more comfortable with this program if it were a dedicated drop-off/pick-up zone. He did not see this system working.

Chair Phillips commented that the drop-offs/pick-ups have improved throughout the process. He saw this program as an improvement on what exists today, but it still needs to be adequate. He felt that the applicant was close and liked the earlier suggestion of having a portion of the garage remain 30-minute parking throughout the day and dedicating a certain number of stalls for pick-

up. As this program is managed, if the dedicated stalls were not deemed necessary, then it could be adjusted.

Chair Phillips appreciated that a big part of this process is the flexibility that is being built into it. He understood how programs like this work and could envision some demarcation so that the parents would be aware of where they need to go. He also liked the idea of having the drop-off/pick-up in one, centralized location. He reiterated that this has come a long way, although stopped short of saying that the proposal is 100% appropriate. More information would be needed to prove that this would work.

Commissioner Van Dine echoed the comments of Chair Phillips and thought it would be a good system. A garage drop-off would be preferred to sitting in a parking lot in the weather. Her concern was the location on the property because the drop-off traffic would be integrating with all of the normal ski traffic. Overall, she believed the system would work and relayed her own experience with drop-offs. She felt that this was a superior plan to what currently exists. She agreed with Commissioner Johnson that there were improvements that could still be made, be it a permanent drop-off area or something else. Commissioner Van Dine did not feel pick-ups would be much of an issue as she is always able to find a parking spot at the end of the day. She agreed that many of the parents who drop-off spend their day skiing.

A benefit of the drop-off zone being in Lot B would be that it is near the bus drop-off. She agreed that this would require a significant behavior change but felt it would be a good one if they could get more local children on the buses.

Commissioner Van Dine applauded the work done by the applicant and looked forward to seeing continued improvement in the plan.

Commissioner Thimm expressed that based on his personal experience, in the past few years as he would drop his grandchildren off at PCMR, he would have to drive around to find a parking stall before getting them up to Crescent Lift. He liked the idea of being able to drive in and drop them off to their coaches to be escorted to the mountain. He stated this would be a tremendous improvement to what exists currently and did not see any problems with this proposal.

Commissioner Kenworthy asked someone to speak to the NAC drop-off and how that would work separately from this proposed drop-off. Mr. Schmidt responded that NAC was not part of this application, although they have had discussions with NAC who would have an access road to their building that could be used for their drop-off. He added that NAC would be more than welcome to use PEG's proposed facilities as well but understood that NAC had a way to get children and adults to the mountain. Mr. Schmidt added that NAC's program was somewhat dependent on PEG's project moving forward.

Mr. Schmidt believed that NAC would intend to use the access road for their drop-offs and added that they were working with NAC to ensure that they would have access and easements. Commissioner Kenworthy would like to see how that would work. He understood that the NAC was a different situation in terms of drop-offs and would like to ensure that this project would be considerate and have a plan for them.

Commissioner Kenworthy commented that 600 vehicles an hour sounds great but questioned how it could be accomplished. He did not see the comparison to school drop-offs and felt that some vehicles would be at the drop-off area for longer than anticipated while children gather their

gear. He liked the idea of isolating some of the space, but then that would raise an issue of parking capacity.

Commissioner Kenworthy raised the issue of Sprinter vans and recalled discussions regarding height on this floor. Mr. Schmidt confirmed that the clear dimension height for this floor would be 9'6", which was increased from 9 feet. Commissioner Johnson noted that a Sprinter van would not fit on this level, which was a big problem for Commissioner Kenworthy. He doubted that this system would work with military-like precision and felt that additional options were needed. He reiterated that the drop-off for the NAC was critical for him.

Commissioner Kenworthy noted that this is a fill-in project and therefore confined. He stated he was looking at this as an optimist and would like to get to the right decision. The City has waited 20 years to do this project, but they have to get it right, and he commented that they could do better than this. He added that while this proposal was an improvement, there was still a way to go to satisfy the community's good cause. He added that while he liked hearing that 600 vehicles per hour could go through the drop-off zone, he would like to be shown that it would work.

In response to an inquiry from Commissioner Hall, Mr. Schmidt stated that the intent for the drop-off/pick-up area was that the ski clubs would primarily use it. He anticipated that rideshare would use the surface drop-off between Parcels C and E. He noted that there are a number of operational questions to address as this plan is worked through but highlighted that the proposal would be managed to accommodate the ski schools and clubs.

Commissioner Hall would like data points for the ski school only, as well as if they were going to include NAC and rideshare. She would also like to see the operational plan to manage the movement of the children being dropped off, as she could not envision the space to corral the children with their coaches. She was open to creative solutions and if this system worked elsewhere, it should be easy to duplicate. She agreed with Chair Phillips that they should start with a plan that would change people's behavior, and then modify it and potentially backtrack from there.

Chair Phillips stated that he would like to see the submittal include an exhibit that captured this discussion and that showed the surface area and drop-offs outside of the building. This would help to visualize the entire flow of traffic coming in and going out. Ms. Bowyer commented that they presented this at the last meeting. Chair Phillips would like that to be included in the official submission. He emphasized that he would like to capture all of these discussions with the illustrations so that they could have all of this information in front of them.

Mr. Schmidt confirmed that they completed their presentation for today's meeting. Chair Phillips invited additional comments and asked Planner Ananth if other items should be discussed.

Planner Ananth suggested that the applicant show where they could land a helicopter at the Base Area and expressed hope that they would hear from the S.E. Group on how the lift expansion might or might not affect the Comfortable Carry Capacity ("CCC") and the parking. Ms. Bowyer addressed the lift expansion and explained what CCC is and what it is not. She explained that the CCC is not a cap on visitation; rather, it is a design standard meant to define the number of daily resort visitors that the resort can efficiently accommodate at one time without overburdening infrastructure. She added that the CCC is also not solely a calculation of uphill capacity, and a new lift does not necessarily mean the CCC would increase.

The CCC calculation is complicated and includes terrain capacity, lift capacity, design capacity, and capacity within certain lift pods. Ms. Bowyer explained that S.E. Group presented the industry-standard formula that is used to calculate the CCC. All the ski resorts use the formula, as does the Forest Service, and was the methodology used in 1998 and approved as part of the Mountain Upgrade Plan. She stated that the improvements in the Mountain Upgrade Plan have not all been implemented and constructed; therefore, the approved CCC in the Mountain Upgrade Plan has not yet been met. The CCC in the Mountain Upgrade Plan is set at 13,700; S.E. Group reported that the current CCC was 12,540, while the CCC with the upgraded condition was 13,440.

Ms. Bowyer reported that the proposed lift replacements would not exceed the CCC of 13,440, and was estimated to remain around 13,000. She emphasized that the lift replacements were subject to Conditional Use approval and its' own public process. She anticipated that the application would be submitted within the next few weeks. She commented that lift upgrades do not necessarily increase the CCC or parking demand and would help to improve the experience on the mountain. The improvements are not about getting more people on the mountain; rather, they are about getting people distributed more efficiently without overburdening infrastructure.

Ms. Bowyer noted that there were a variety of reasons why a lift replacement would be done, including the age of the lift. She specifically highlighted the Silver Load Lift, which has never been run at its designed CCC capacity due to mechanical issues. She reiterated that the goal of these lift improvements was to distribute people and get them out of lift lines and onto the mountain. Ms. Bowyer added that Park City Mountain is the largest ski resort in the United States and distributing visitors across the terrain is important. Their focus is the guest experience, and these lift improvements would enhance that guest experience.

Ms. Bowyer reiterated that the impact of the lift improvements on the CCC was not expected to exceed what it approved as part of this project. The 1,200 parking stalls are already in place and were shown to support the CCC after the replacements. She expressed confusion at the notion that additional parking would be needed at the base given the direction provided by Staff. She opined that there would not be an additional parking demand generated by the improvements and the CCC at 13,440 would have an additional 156 extra over the 1,200 spaces. She emphasized that the CCC is a planning tool; it is not a measure or metric of visitation.

Planner Ananth asked for examples of the type of expansions that would increase CCC to the 14,000 – 15,000 range. Ms. Bowyer explained that new terrain and trails in combination with new lifts would increase the CCC, as would the addition of new ski pods. She explained that each pod and each lift has its own CCC that gets totaled into the mountain CCC.

Ms. Bowyer stressed that the proposed lift improvements were replacing what already exists. In response to comments from Chair Phillips, she confirmed that the resort plan was to replace these lifts next summer; therefore, they would likely apply within the next three to five weeks.

Commissioner Kenworthy asked about the impact of the lift replacements on ticket sales. Ms. Bowyer explained that the CCC was not a visitation metric and even if ticket sales increased significantly, it would not affect the CCC because the mountain has an inherent CCC based on infrastructure.

Commissioner Kenworthy recalled an earlier presentation that compared CCC to a movie theater. He also recalled a presentation about replacing the Town Lift, which would increase to 200 to 400

people per day. Ms. Bowyer acknowledged that the Town Lift replacement could impact the CCC; however, the two proposed lift replacements would not impact the CCC. She confirmed that S.E. Group's calculations for the Town Lift were strictly for the parking analysis. Ms. Bowyer confirmed that as long as the terrain stays the same, the CCC would not be increased no matter how many tickets are sold.

Commissioner Kenworthy commented that he was starting to get his head around the parking issues but was having difficulty understanding the CCC calculations and how ticket sales would not impact the CCC. Ms. Bowyer offered that having 1,200 parking spaces inherently limits the number of people who could access the mountain. Other things influence visitation and how people get to the resort, however, that is a different analysis from the CCC, which is purely an infrastructure and planning tool for ski operations.

Ms. Bowyer referenced the Mountain Upgrade Plan in which it was anticipated that the CCC would be exceeded in pure visitation numbers. She acknowledged that while the CCC is what they design to, there are days when lines are long. This highlights the fact that the CCC is just a planning metric and has nothing to do with how many people are on the mountain at any given time.

In response to an inquiry from Commissioner Kenworthy, Ms. Bowyer stated that they chose these two lifts for replacement based on a variety of factors. The replacement of the Eagle Lift would dramatically improve this Base Area development, whereas the Silver Load Lift has technical and mechanical issues. She added that the realignment of Eagle Lift would improve the distribution of skiers so that they could take advantage of the full mountain.

Commissioner Kenworthy reiterated the movie theatre presentation and the difficulty he was having understanding how ticket sales do not impact the CCC.

Chair Phillips invited comments on the helicopter landing area. Mr. Schmidt stated that they were proposing a place for the helicopter to land as opposed to a helipad or heliport. This would involve a discussion with Vail and PCMR Operations about how and where a helicopter could land. He reported that they were still having ongoing internal discussions and noted that a helicopter could land in landscaped areas, roped-off areas of the plaza, or any number of places that make sense. He had nothing new to report to the Commission at this time.

After a brief recess, the Commission reconvened. Chair Phillips confirmed that all Commissioners were present, with the exception of Commissioner Suesser who was previously excused.

Chair Phillips opened the public hearing.

Debra Hickey questioned the setbacks along Shadow Ridge as being of architectural interest and stated that she would consider stepbacks to provide architectural interest, not overhangs over the street. She also stated that the images provided to the public before the meeting should also be posted publicly so that they could continue to review them. She questioned why they were not provided well before the meeting. She commented that the new renderings created the illusion of space, especially through the aerial shot taken by the drone. The further back one moves, however, the perspective changes. She added that the street-level perspective was taken from across a large intersection, so she felt like the real street-level view was not presented to show how the building would look. She would like to see the buildings from other perspectives as well.

Ms. Hickey opined that PEG was still disregarding the local citizens and not leaving any room for drop-offs. She would like to see how the ski school would drop off over 600 children or more at one location. Ms. Hickey stated that she lives on Lowell Avenue and has a birds' eye view of the hundreds of vehicles that drop off at the Park City parking lots and opined that this plan would require people to arrive 30 – 50 minutes ahead of schedule. She would not like to see a bunch of children waiting in a cold garage waiting for the last child in the group to arrive. Ms. Hickey could not conceive of how anyone could consider that this would create a good and safe flow of traffic for young families.

She requested that PEG submit proof that they can fund this entire project. The economy is showing signs of stress and she wanted to know that they would not be left with some big holes in the ground in front of the Park City Resort when PEG decides they do not want to build anymore.

Nicole Deforge shared her screen with the Commission and reported that she would address open space, setbacks, and building heights. She expressed appreciation to the developer for the recent drawings that show what they claim to be open space; however, she was disappointed that those drawings did not include any dimensions that would allow them to verify the numbers. She requested the City continue to request those numbers so that the open space calculations could be verified. She noted that based on what was submitted, there were areas designated as open space that is not allowed to be included in the calculations under the LMC. She referenced an area on Parcel B that is built on top of a structure, which the LMC does not count as open space. She referenced the definition of "landscaped open space," found in the Code, which "can include public landscaped and hardscaped plazas, but excludes buildings or structures." She opined that to the extent that any of these areas would be included on a structure, it would not count as open space.

She reminded the Commission that they addressed this issue on the Woodside Affordable Housing project, where the applicant initially claimed that the landscaped area on top of the parking garage was open space. The City agreed with her argument and did not allow them to count the area as open space. The definition of "structure" under the LMC is very broad, which would certainly include parking garages. Therefore, any areas that the applicant included in their open space calculation that is located on a structure should not be counted. She referenced other areas on the graphic presented to the Commission that should not be counted as open space.

Ms. Deforge addressed the helipad and noted that the LMC prohibits a helipad area within an open space area. The Code provides that landscaped open space could only be used for "project amenities such as gardens, greenways, pathways, plazas, and other similar uses." She stressed that PEG could not simply avoid designating a helipad area in order to double count it as open space.

With regard to setbacks and building heights, Ms. Deforge hoped that the Commissioners would separate these issues from their overall feelings about this project. She added that there are exceptions that could not be granted without the Code requirements being met. Ms. Deforge presented an image to the Commission taken in June 2021. She stated that residents are entitled under the Code to have an adjacent project set back 25 feet from the property line. This right cannot be impinged on or avoided simply because the developer requested it, and the City cannot allow the exception no matter how much they like the project. She reiterated that the specific requirements of the Code must be met.

The Code requires that the setback exception must be necessary for architectural design and interest. Ms. Deforge explained that the setbacks for garages might be a nice feature desired by the developer, but that does not mean that the setback reductions would be necessary. The Planning Commission should not grant the exception over the right of the homeowner who lives across the street and stressed that the City must enforce the homeowner's rights.

Ms. Deforge applied the same reasoning to the requested building height exceptions and argued that the height of the building across from a residential homeowner could not be more than 35 feet. That is a right of the homeowner. She stated that the City has to enforce the Code, and the developer could only build higher than 35 feet if they met the requirements in the LMC. She argued that the homeowners across the street should not be faced with a 70 to the 100-foot-tall building. The LMC provides that in order to grant a building height exception, six defined factors must be met. Ms. Deforge stressed that the burden is on the applicant to provide that they have met these factors; it is not the Commission's burden to prove that they have not been met.

Ms. Deforge highlighted the factor requiring increased setbacks and separations from adjacent projects. She stated that there were no increased setbacks in Parcel B from the adjacent project that supported the building height exception. Ms. Deforge concluded that if the Commission were to approve the building height exceptions, it must make a finding that there were increased setbacks supporting the request. She opined that the Commission could not make that finding because those increased setbacks do not exist. A single area of increased setback could not justify approval of height exceptions for the entire project.

She also referenced the factor that requires the additional building height would result in more than the minimum open space required and would result in open space that is publicly accessible. She referenced Parcel B and asked what additional open space resulted from the increased building height. She offered that the areas around the perimeter of the building could not be counted because it was required for setback requirements.

Ms. Deforge also noted that the front yards could not be counted as additional open space because they would not be accessible to the public. She offered that this is an issue that exists all over this project and there was nothing in the applicant's calculations to show how much of the open space would be publicly accessible and was the result of building height increases. Ms. DeForge closed by stating that the Commission could not make the required findings to grant the building height or setback exceptions no matter how much they like this project.

Tom Gadek spoke about the renderings presented by PEG and compared what was presented at this meeting versus those presented previously. He noted that the vanishing point of the view and questioned whether it was accurate. He presented an image that showed the actual ridgeline and specific points, including the top of the Eagle and Crescent lifts and the shape of the mountain directly above Building E. He noted that PEG's original drawing depicted the mountain directly behind Building E, while everything else was an artistic rendering where a little too much artistic license was taken. He commented that the northwest corner of Building D corresponded to the bullnose of Building E; he used that to arrive at an adjustment in the height and width of Building E. He then used the adjusted Building E to adjust the dimensions of Building C.

Mr. Gadek arrived at a different view than what was shown by the applicant. PEG's current renderings showed landscaping that was photo-shopped into the image and obscured Building E. He stressed that the applicant must show the size of the buildings and their orientation on the

site, and he felt that there was a lot of obfuscation in the presentation. He indicated that he would apply his analysis to PEG's new presentation but felt that it was quite misleading.

Mr. Gadek compared PEG's current rendering with his own photographs and pointed out the PEG's rendering was a low-resolution image of the mountain itself. He did not see any clarity in how the proposal would welcome people into the resort and noted that Building D blocked the mountain from the intersection. He stressed that he does not want to see artistic renderings; he wants to see the reality of how the buildings would look like. He would like the dimensions and measurements relative to each other. Mr. Gadek would also like to know at what point one could no longer see the mountain as they approach Building C or Building E. He pointed out that from the opposite corner of the street, Building C already blocks half the mountain, which is pretty massive in his mind. Mr. Gadek stated that he would submit his analysis on the original proposal and would apply his analysis to the current drawings provided he could access the full package of slides presented at this meeting.

Nancy Lazenby stated that the applicant did not present a street view from Empire Avenue and Manor Way. She referenced statements by Mr. Schmidt and PEG that they reduced the heights of the buildings on the front of Empire Avenue to 45 feet by including townhouses. She agreed that this was a much better design from where they started; however, the building directly behind the townhomes has remained at 87 feet in height. The illusion that the building is only a 45-foot townhome along Empire Avenue is inaccurate because the building directly behind is still too high. She thought a street perspective from that corner would be important and invaluable for the community, the Commissioners, and the Planning Department to see what that building would look like.

Ms. Lazenby referenced the Think Project, where the developer prepared a 3-D model that was available during every meeting so everyone could see what the project would look like. It eliminated the questions of whether it was accurate or just artistic. She did not understand why a 3-D model was not created for this massive project that is so important to the community. She added that this has been previously requested, and Mr. Schmidt has stated that they would prepare a 3-D model when they were preparing to sell the condominiums. She asked why it could not be built now.

Ms. Lazenby felt strongly that everyone has taken the position that his or her point of view is what would be best for the City. It is up to the Commission to weigh that and decide that issue. She acknowledged that it was a hefty task in light of all of the projects that are going on within the City. She expressed that this project was being broken down into many smaller projects and questioned why the impact of lift upgrades on parking would be discussed at another meeting. She commented that Park City is experiencing an influx of people and developments. It is impossible to keep Park City's character if they are building skyscrapers in the middle of Old Town. Ms. Lazenby added that the City is losing its authenticity and if they do not look at everything as a whole, they would end up losing the character of the City. She expressed support and appreciation for what the Planning Commission was doing and stressed that they want what is best for Park City.

John Stafsholt stated that he has tried to avoid weighing in on this project, having spent 30 years of activism on various issues, including Treasure Hill. He stated that this application has gone way beyond the pale because there was no way that the Commission could legally grant all of the requested exceptions requested by the developer. He commented that if the Planning Commission followed the LMC, it would be required to deny this application as it presently stands.

He understood that applications go through a process and this one might be getting better; however, the developer has ignored the basic tenants of the 1998 Development Agreement and the LMC.

Mr. Stafsholt expressed issues with the public process. He noted that traffic discussions were not to be part of this meeting, yet an hour was spent discussing traffic. He added that having rideshare operate underground was ludicrous and referenced China Bridge. Based on his experience with having a child at the NAC, he has direct, accurate knowledge the developer's Circulation Plan ignores the interests of the citizens. He reminded the Commissioners that in July 2005, the Fehr and Peers Traffic Study graded Deer Valley Drive and Park Avenue as a level of service E, and Empire Avenue and Silver King as an F. Since that time, a lot has changed, more tickets are sold, and they are acting like this is not real. This will not get better; it will get worse.

He referenced Mr. Schmidt's statements that trying to verify the open space calculations would make anyone technically exhausted. Mr. Stafsholt felt it laughable that the developer would not give dimensions to prove that their plan meets the basic open space requirements. He claimed the Code requires 70%, not 60% open space. In addition, the developer could not include the 11 acres on the resort if it is going to house future buildings and pointed out that the NAC is a building that is in that space. The developer should not be allowed to count these 11 acres as part of its open space calculations. He expressed his disgust and reminded the Commission that the residents live in Park City and the developer, and this development will be the signature of the City. The Planning Commission should represent the citizens, not the developers. He requested the Commissioners envision Building B with a plaque with their names on it.

Deb Rentfrow felt it very important that they receive the 2021 New Concept Master Plan in its entirety, as requested by Chair Phillips so that everyone was working from the same canvas. In addition, in the past she has requested copies of PEG's presentation slides that she has never received. She expressed that anything they present should be made available to the Commissioners and the public. Ms. Rentfrow stated that the issue of actual numbers and actual data keeps coming up. She felt that they need this across the board for drop-offs, number of cars, AVO, and number of students. She does not want guesswork or estimates.

In terms of the drop-offs, she commented that 600 cars an hour trying to get into the garage would be interesting, considering that at the same time 760 day skier stalls would be accessed. She also expressed concern that if the entire stretch of the block were used for drop-offs, then that would eliminate a whole stretch of day-skier parking stalls. She felt that this would decrease the 1,200 day-skier parking stalls, and whatever options they implement would take away from the day-skier parking. She stated that the fact that there would be no dedicated rideshare drop-offs was a problem and requiring rideshare vehicles to go through the garage would create a safety issue.

Ms. Rentfrow disagreed with the statement that there would be plenty of open stalls in the afternoon. She offered that she typically walks through the parking lot to go home at 2:00 p.m. to 3:00 p.m. and noted that people are circling for parking spots. She commented that comparing the drop-off area to a school drop-off would probably be okay for children 10 years and older, but she would not be comfortable dropping off her five-year-old granddaughter with her gear to be corralled with her instructor and then moved upstairs and through the transit hub.

Ms. Rentfrow agreed with Commissioner Kenworthy's comments on the increase in pass sales not impacting parking. She felt it necessary for the City to hire its consultant to investigate that

and prove that it is correct. She noted that Vail has a vested interest in the approval of this project. With respect to the higher clearance in the parking garage, Ms. Rentfrow stated that there were only two locations proposed: one level in Garage B, and one level in Garage E. The available stalls for high clearance vehicles with a Thule box on top would be less than 16% of the total day-skier parking. Additionally, because it would be first-come, first-served, you could have vehicles that do not need the higher clearance that would take spots away from those that do.

Ms. Rentfrow added that there has been no discussion of extra depth for any parking spaces to accommodate bikes or boxes on the backs of vehicles. This is not a shopping mall; it is an outdoor venue. She asked Staff to verify that PEG was no longer requesting any below-grade setbacks in Parcel B. She also pointed out that on the Lowell Avenue setback drawing, AECOM recommended at least a 20-foot clearance between the bus and building, and PEG has proposed 15 feet. She added that the parallel parking at the drop-off along Lowell Avenue continues to be a problem and to only have 8 drop-off spaces for the public would be insufficient. She appreciated everyone's time and hoped to see the presentation information made available to the public.

Chair Phillips confirmed that the underground setbacks were removed from the application.

There were no further public comments. Chair Phillips closed public comment.

Mr. Schmidt asked to address some of the comments. Mr. McConnell stated that with respect to interpretations of the Code, they have worked through this application for a considerable amount of time and have worked with Staff to propose items consistent with their historical interpretation and application of the Code. Ultimately, how the Code would be applied to this application will be up to the Planning Commission. He stated that with regards to open space, PEG believes that the Code would include landscape plazas and public pedestrian areas at ground level as open space and recognized that on a sloping site the ground level transitions. He added that because there were no buildings proposed above those plazas and the plazas are not within the buildings, it would be consistent with the Code as open space. Mr. McConnell acknowledged that it would ultimately be an interpretation issue. He reminded the Commission that they are required to interpret and apply land use regulations to favor a land use application unless the land use regulation restricts the application. Mr. McConnell was not inclined to tell the Commission how to interpret the Code. He echoed these comments as they apply to building heights and setbacks.

Mr. Schmidt pointed out that on all of the renderings presented at this meeting, they included coordinates and the camera lenses used. The renderings were placed in those pictures and were prepared to be technically correct in terms of massing and scale. He reiterated that they would provide a CAD file for Staff to verify the open space calculations. He noted that dimensions would not provide a reliable way to calculate the open space; a CAD program would be much more accurate and was the method they used to calculate it.

Chair Phillips agreed that CAD drawings would be the best way to calculate open space. He appreciated the coordinates and camera information included in the renderings and based on his experience, he saw the effort put into those renderings. The question remained as to whether the Commission wanted additional perspectives, as previously discussed.

Commissioner Van Dine invited Mr. McConnell to expand on his statements regarding Code interpretation given the public comments regarding the Code. Chair Phillips suggested pulling up the relevant sections for discussion and how they have been historically applied. Commissioner

Van Dine focused on the sections regarding the open space calculation and the height exemption requirements, specifically number 4.

Chair Phillips agreed that it would be important, either now or at the next meeting, to discuss the interpretation of the Code.

The open space section was displayed. Mr. McConnell directed the Commission to the definition of "open space." He noted that Ms. Deforge referenced the landscape category within the open space definition and the exclusion of buildings or structures. Mr. McConnell stated that the proposal included plazas located on parking decks, but the upper surface of those decks would be at ground level. He then directed the Commission to the definition of "structure," which is "anything constructed the use of which requires a fixed location on the ground or attached to something having a fixed location on the ground and which imposes an impervious material on or above the ground. The definition includes buildings." He stated that the plaza between Parcels C and E would be between the two buildings, at ground level on the slope side with the parking structure underneath. The Planning Commission must decide whether that plaza counts as open space given those definitions.

Mr. McConnell stated that the plaza in Parcel B was different in that is more elevated and located on top of the higher level of the parking structure. In both locations, there is nothing proposed above the open space.

Chair Phillips commented that Planner Ananth would use the CAD files to verify the calculations and also to review the proposed areas and how the City historically applied the Code to open space on other projects.

Commissioner Thimm liked the idea suggested by Chair Phillips. Planner Ananth stated she would be happy to provide that analysis for the next meeting.

Chair Phillips asked if the Commissioners would like to defer the other Code issues regarding building height and setbacks until after receipt of Staff's analysis.

Mr. McConnell stated that for building height, the language in the Code regarding increased setbacks and separations could be open for interpretation depending on the argument made. He acknowledged that Ms. Deforge's argument was a potential interpretation. He offered that one could also argue that with respect to an MPD that already has increased setbacks pushed back to the 25 feet, you could only extend to the 20 feet by special exception. He stated that one could also argue that the increased setbacks would be applicable to the entire MPD project area. There is no specific intent outlined in the Code as to what interpretation would be correct. He was not inclined to tell the Commission what the interpretation should be but reiterated the fact that there was no specificity, and it should be read in favor of the applicant given the requirements of State law. He added that because it does not include that detail, an alternative interpretation would be allowed.

Chair Phillips suggested that the Code analysis be included on the agenda on both of these issues so that they could review Staff's analysis. He stressed the importance of understanding the City's intent behind these provisions and work from there.

Commissioner Thimm referenced the public comment about the townhome height of 45 feet and the taller building directly behind it. He expressed his understanding that building height would

be measured by the façade. He also felt that the exceptions were in place to break down the scale and have a more interesting façade. If they flatten the façade, he felt that it would not be as much a part of that street scene as it is with that included.

Chair Phillips noted that this is not the first time this issue has come up, and he has made similar comments in the past and he still feels the same way with respect to both setbacks and height.

Chair Phillips invited any other comments. Commissioner Van Dine asked whether the applicant could prepare a 3-D model. Chair Phillips understood the 3-D model as referring to a virtual model and might have misunderstood what was requested in the submitted comments. He offered that a better definition would be a physical model, which he noted has historically been the norm. He suggested that things have moved away from a physical model to a 3-D virtual model and felt that the visuals they were receiving were far superior to a scaled-down model.

Mr. Schmidt expressed that they have provided a lot of material in 3-D perspectives and at this point, they would allow their proposal to stand and ask the Commission to deliberate and make a decision based on what has been submitted.

Commissioner Van Dine clarified that she did not necessarily need a 3-D model; rather, she was asking whether it was possible given the public comment.

Commissioner Johnson expressed a wish list of more simulations and perspectives, despite Mr. Schmidt's comments. He pointed out that it would be helpful to have better views for the height and setback exceptions, specifically from the 14th Street corridor, and look at them in relation to the other buildings. As far as drop-offs, PEG's proposal that the eight aboveground spots would be available for rideshare would be a reduction in what currently exists aboveground. He referenced Commissioner Suesser's comments regarding the NAC building and asked whether the NAC building would be on some of the projected open space. He wanted to know if that would affect NAC's application if this application were approved.

Planner Ananth confirmed that the NAC building would go into the area counted as open space, so they could back out the footprint of that building and make sure it is restricted from future development.

Commissioner Johnson stressed that they need to focus on the drop-off because he felt it would not meet the needs of the resort and the NAC in the underground configuration. Commissioner Kenworthy recalled that Mr. Schmidt agreed to define the drop-off for the NAC in the next meeting. Mr. Schmidt confirmed that they would work with the NAC and Vail and bring that back next month. It was agreed that the NAC is a critical component for the community.

Planner Ananth added that it would be nice to dedicate the handicapped parking for the NAC in the project's garages. Chair Phillips added that dedicated parking for high clearance vehicles should be considered. Planner Ananth was asked to incorporate Mr. Dieter's public comment regarding the trails in the Staff Report. It was suggested that the open space calculation be discussed during the next meeting. It was noted that Staff would be speaking with the NAC, and Planner Ananth reported that she met with the NAC earlier in the process to talk through how the project would affect them.

Commissioner Kenworthy asked whether there was information on garage heights and the net open area for the garage drop-offs and wondered whether they could designate multiple options

for the varied height restrictions in the garages. Mr. Schmidt referenced the graphics presented during the last meeting that showed the heights. Commissioner Kenworthy wanted to understand the height requirement that Mr. Dieter was referencing and whether the calculation took into account opening the Thule boxes. He also wondered whether the 'trails to transit' vehicles would fit in the garages.

Mr. Schmidt stated that the intent was not to have vehicles pull into the parking structure with bikes on top; they would stage bikes before pulling into the garage. Bikes mounted on the back of a vehicle would not be a problem. Planner Ananth reported that Mr. Dieter did not think it necessary that the garages needed to accommodate cars with bikes on top so long as there would be good drop-off areas for people to unload their bikes. It was noted that Parcel E would be the only location that would accommodate a van over the 9'6" clearance. Commissioner Hall would like to get back to the Transit Plan and agreed with the public comment that hoping that they have the right strategy is not enough.

6. ADJOURN

MOTION: Commissioner Thimm moved to adjourn.

The meeting adjourned at approximately 9:40 p.m.